G. J. Venema

Reading Scripture in the Old Testament

Deuteronomy 9-10; 31
2 Kings 22-23
Jeremiah 36
Nehemiah 8

BRILL

READING SCRIPTURE IN THE OLD TESTAMENT

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READING SCRIPTURE IN THE OLD TESTAMENT

DEUTERONOMY 9-10; 31 – 2 KINGS 22-23 – JEREMIAH 36 – NEHEMIAH 8

BY

G.J. VENEMA

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for Erni

Preface

This study started life as a dissertation in Dutch, entitled *Schriftuurlijke verhalen in het Oude Testament*,[1] defended at the University of Amsterdam in October 2000.

On the appearance of the English edition, thanks are again due first of all to my supervisor, Emeritus Professor Dr K.A. Deurloo. My gratitude is due not only for his wise guidance during the years of research and writing, but also for the form this support took: he was at the same time a critical colleague, an enthusiastic sympathiser, and a loyal friend.

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Finally, I would like to thank Drs Ch.E. Smit who has been responsible for the English translation. Her meticulous approach has resulted in a translation that not only does justice to the Dutch text, but also in some cases improves upon the original content. I am no less grateful for the patience she has shown throughout.

The English text of the passages from the Hebrew Bible discussed here is that of The New JPS Translation,[2] sometimes adapted to my own translations in the original Dutch study.

Leiden, October 21st 2002

[1] G.J. Venema, *Schriftuurlijke verhalen in het Oude Testament: Deuteronomium 9-10;31, II Koningen 22-23, Jeremia 36 en Nehemia 8*, Delft 2000.

[2] *Tanakh/The Holy Scriptures: The New JPS Translation according to the Traditional Hebrew Text*, Philadelphia 1985.

Introduction

Taking the adage 'let the text speak for itself' as its point of departure, this study focuses on the question what part is played by texts *as scripture* in the Hebrew Bible. The word 'scripture' here covers scrolls and other manuscripts appearing in various places in the Hebrew Bible; the four most important of these are the subject of this study. These are the narratives in which a document turns out to be the central motif: Deuteronomy 9–10, 31; 2 Kings 22-23, Jeremiah 36 and Nehemiah 8.

The exegesis shows many interrelations and cross-references between the narratives, and the special role reserved for the 'book of the *torah*'. The final conclusion is that the use of the 'book of the *torah*' as a literary motif brings a specific cohesion to the Hebrew Bible. For this reason, this study distinguishes between '*torah*' as a literary phenomenon within the Old Testament stories, and the Torah, the first five books of the Hebrew Bible. Analogously, a distinction is also made between 'scriptural' and 'Scriptural'.

This study offers an interpretation that aims to find (the meaning of) the structure of texts within the canon of the Hebrew Bible, and is also theological, i.e., takes into account the fact that these texts are a coherent whole testifying to the God of Israel. Thus, its scope is the theology of the Hebrew Bible. The results of the investigation are presented in a form befitting this field of activity: Part I, *Reading*, is concerned with *reading* and interpreting the texts. In order to nevertheless provide the reader with an impression of the whole, a brief summary of the argument is given here by way of introduction.

Chapter 1 offers an exegesis of *Deut. 9:7–10:11; 31:9-13, 24-26*. Deut. 9–10 is familiar to us as the story of the adoration of the golden calf, also found in the book of Exodus. Upon closer scrutiny, the version Deuteronomy offers is not so much about the molten image as about the stone tablets upon which the Ten Words are inscribed.

Moses is commanded to lead the people to the land promised by YHWH. Deut. 9-10 starts with what happened on Mount Horeb, as the 'point of departure' of Israel's journey: from YHWH Moses receives the stone tablets containing the Ten Words of the covenant. When he descends from the mountain, Moses sees how

the exodus from Egypt has halted, because the people think they have arrived and consider they do not need YHWH's words in order to cope. Moses smashes the stone tablets: the covenant is broken. After saying a prayer, Moses receives a new set of stone tablets, again inscribed by YHWH.

Thus, in Deuteronomy 'Horeb' represents the crisis at the start of Israel's history: a breach in the relationship with YHWH. Every generation will have to commemorate this crisis as fundamental to its own present and future. It is symbolised in the new stone tablets, permanently stored in the ark of the covenant. The future pointed by the Ten Words is given shape in the 'book of the *torah*', which Moses writes and places beside the ark. In Deut. 31:24-26 these two documents, written by two different authors, come together: the stone tablets, inscribed by YHWH, and the 'book of the *torah*', written by Moses. This 'book' and the words written in it refer to the Ten Words YHWH spoke to Moses. Because of the referential power of the 'book of the *torah*', the Ten Words do not remain hidden. In order to hear them, learn them and carry them out, Israel – as Deuteronomy sees it – has to rely on the words spoken by Moses himself and written by him in 'this book of the *torah*'. At the same time, the people also have to rely on the book in which these words of Moses' may be found: Deuteronomy.

The stone tablets are mentioned one more time (1 Kgs 8:9), but their role in the Hebrew Bible is finished. Once placed in the 'holy of holies' they are out of the story. The case is different for the 'book of the *torah*'; it unexpectedly appears during the temple restoration under King Josiah. *Chapter 2* presents a discussion of this discovery, the subject of *2 Kgs 22–23*. This chapter also contains a short survey of the attention given to Josiah's 'book' in Old Testament scholarship from a historical point of view. The present study sets out to discover the meaning of the discovery of the 'book of the *torah*' on the level of the story itself. In the books of Kings, Josiah is presented as an exemplary king, for by authoritatively reading out the 'book of the *torah*' and thus renewing the covenant between Israel and YHWH, he has allowed himself to be led by 'Moses': he consults the prophetess Huldah. The fact that nothing is said about the actual finding of the book may be viewed as a strategy on the part of the author of Kings.

The book in question is one that before this was only mentioned in the book of Deuteronomy; thus, the reader is referred from one book to another within the Hebrew Bible.

The well-known story from *Jeremiah 36*, in which Jeremiah dictates his prophecy to Baruch and instructs him to read the scroll aloud in the temple, is an anti-type of 2 Kgs 22-23. The discussion in *Chapter 3* shows striking similarities and contrasts between both stories, for instance the fact that in both narratives a book or scroll is the central character, and that in both cases this document is read from three times. In 2 Kgs 22-23 this is accompanied by increasing publicity, but in Jer. 36 the reverse happens: the scroll containing Jeremiah's words is in the end burnt by King Jehoiakim.

In both cases, the king's reaction to the words read out is the pivot of the narrative, but the reactions themselves are diametrically opposed. Whereas King Josiah consults Huldah after reading the 'book of the *torah*', King Jehoiakim destroys Jeremiah's scroll and threatens to kill the prophet. This study emphasises the fact that in both situations the contact between king and prophet is not established directly, but is mediated by a book.

Rather unexpectedly, at the end of the canon of the Hebrew Bible we meet a scribe 'expert in the *torah* of Moses' (סֹפֵר מָהִיר בְּתוֹרַת מֹשֶׁה), and journeying, *torah* in hand, from Babylon to Jerusalem: Ezra (Ezra 7:6-26). *Chapter 4* offers an examination of *Nehemiah 8*, the story about Ezra reading the *torah* to Israel. This discussion starts from the question: Is there any relation, as regards the role played by the book, between this story and the narratives from Deuteronomy, Kings and Jeremiah discussed in the earlier chapters? In other words, does Ezra join the ranks of Moses, Josiah and Jeremiah and if so, how does he fit in?

A number of surprising and significant references are found. For instance, in the same way as Moses reads to Israel from the 'book of the *torah*' with a view to, and just before, the entry into the Promised Land, so Ezra does the same after the return from exile. We are certainly justified in following rabbinical exegesis and calling Ezra 'the second Moses'. In his own way and in his own time Ezra places the 'book of the *torah*' again in the midst of the people of Israel, and so reminds them of their beginnings.

After the readings of Part I, Part II of the study is called *Re-reading*. Here, connections are made, references are explained, and the coherence of the whole is analysed. Also, at the beginning of this second part a justification is given of the methodological approach followed in the study. Rather than being offered right at the beginning, this explanation appears in the position that suits the course of the argument: the reading requires a re-reading.

When Ezra places the 'book of the *torah*' in the midst of the people, not only Israel, but we, too – readers and listeners – are taken back to the beginning, i.e., the five books of Moses. In this way, at the end of the canon of the Hebrew Bible we once more receive the text we are already holding: Scripture asks to be read again.

Looking back, two aspects stand out: the return of the 'book of the *torah*', and the fact that the narratives discussed are distributed over the four parts of the canon: the Torah (Deuteronomy), the Former Prophets (Kings), the Latter Prophets (Jeremiah) and the Writings (Ezra-Nehemiah). *Chapter 5* is about the *connections* that may be made between the stories discussed. A pattern is discovered: the expression 'book of the *torah*' seems to occur in strategic positions within the canon, functioning as a sort of switch that connects the parts and lends them coherence. Thus, the phrase demonstrates how 'scripture' as a literary motif plays a part in Scripture, the Hebrew Bible.

The stories from the Hebrew Bible – however elegantly constructed – have not been written for the sake of structure, but as testimonies to a specific 'history'; they claim authority with readers and listeners. The 'scriptural narratives' are especially relevant in this respect: it is exactly in the places where books or documents appear in the Hebrew Bible that the question of authority is posed. *Chapter 6* investigates the *nature* of the connections found in the preceding chapter.

It is not only Josiah's 'positive' example (in the Former Prophets) that turns out to be connected to Deuteronomy, but also the 'negative' contrast offered in the Latter Prophets, because of the analogy between the destiny of the stone tablets and that of the scroll containing Jeremiah's prophecy: both are destroyed and both are manufactured anew.

At crucial moments, before and after the entry into the Promised Land, before and after the exile, it is always a book that provides a breakthrough in the quest for authorisation. By placing the 'book of the *torah*' beside the ark, Moses indicates that his own authority and that of the book he has written go back to the stone tablets, and thus is derivative. On the one hand, this means that Moses' action indicates the relative nature of his 'book', for it turns out not to be the Word of God; on the other hand, it represents an amazing arrogance by implying that if you want the Word of God, you should go to Moses, or rather read the words in Moses' 'book'. When later in the canon the 'book of the *torah*' appears again, it is this pretentiousness that makes itself felt.

Finally, *Chapter 7* discusses the *non-referential character* of the 'book'-narratives in the Hebrew Bible, defined by means of the concept of *fiction*. The stories read in this study do not offer any basis for verification, and in this respect are of a fictitious character. The 'books' that figure in them are not documents that lend the stories a referential status. They refer to each other in a mimetic way – as do the characters who read from them – but may not be attached to a reality outside the text of the canon that could be considered their origin. This does not mean, however, that these documents waive all pretence to reality – rather the contrary. It is exactly the fictitious, mimetic character of the documents, especially the 'book of the *torah*', that anchors the book that contains them (i.e., the Torah and the canon of the Hebrew Bible as a whole) in actual reality.

PART ONE

Reading

Chapter 1

The Hidden Words – Deuteronomium 9:7–10:11; 31:9-13, 24-26

> *Satan now hastened to Moses and asked him: 'Where is the Torah that God hath given thee?' Whereupon Moses answered: 'Who am I, that the Holy One, blessed be He, should have given me the Torah?' God hereupon spoke to Moses: 'O Moses, thou utterest a falsehood.' But Moses answered: 'O Lord of the world! Thou hast in Thy possession a hidden treasure that daily delights Thee. Dare I presume to declare it my possession?' Then God said: 'As a reward for thy humility, the Torah shall be named for thee, and it shall henceforth be known as the Torah of Moses.'*
>
> L. Ginzberg, *The Legends of the Jews*, vol. 3, repr. Philadelphia 1987, 118.

Deuteronomy is the outstanding example of a biblical book centred round the spoken word. At whichever point we start reading, we are always reminded of the opening: 'These are the words that Moses addressed to all Israel, on the other side of the Jordan, in the wilderness ...' (Deut. 1:1) Although the book does not give the impression of being written as a single whole, Deuteronomy acquires cohesion from characteristic expressions and phrases,[1] among which the allusions to this initial situation. These key words and phrases regularly recur in different forms, and in this way are a constant reminder of the opening statement.[2] The effect is that Deuteronomy presents itself as one long speech, as

[1] S. Loersch, *Das Deuteronomium und seine Deutungen: Ein forschungsgeschichtlicher Überblick* (SBS, 12), Stuttgart 1967, 31: 'Tatsächlich beruht die durchgängige Gleichartigkeit in der sprachlichen Färbung des Dtn zum großen Teil auf der stets wiederholten Verwendung fastgeprägter, stereotyper Formeln ...'

[2] A gross articulation of the book is provided by the headings beginning with וְזֹאת, 'This is ...', or אֵלֶּה, 'These are ...':

Deut. 1:1 'These are the words that Moses addressed to all Israel.'
Deut. 4:44 'This is the *torah* that Moses set before the sons of Israel.'

an address,[3] in spite of the fact that it consists of several clearly marked parts.[4] This effect is further strengthened by the circumstance that the book is an example of so-called 'testament' literature.[5] At the end of his life, Moses addresses the people of Israel one more time in a long speech. After Moses has at last finished speaking 'all these words' – the words from Deuteronomy –, the book closes with a short chapter which relates how he dies and is buried by YHWH (Deut. 34:1-8). This happens in a valley 'opposite Beth-peor' (Deut. 34:6), which refers back to the beginning: this place is the threshold of the Promised Land, where the people of Israel have finally arrived after a long trek through the desert (Deut. 3:29). It is also the place where the people are situated when Moses speaks 'these words' to them.[6] In this way, the book of Deuteronomy as a whole is put into Moses' mouth, and acquires the character of a farewell speech.

Deut.	12:1	'These are the laws and rules that you must carefully observe ...'
Deut.	28:69	'These are the words of the covenant that YHWH commanded Moses ...'
Deut.	33:1	'This is the blessing with which Moses, the man of God, blessed the sons of Israel ...'

Cf. N. Lohfink, 'Das Deuteronomium', in: Idem, *Studien zum Deuteronomium und zur deuteronomistischen Literatur*, Bd. 2 (SBAB, 12), Stuttgart 1991, 15-6; see N.A. Schuman, *Deuteronomium: Op weg naar het land utopia* (Verklaring van een bijbelgedeelte), Kampen 1983, 7.

[3]See G. von Rad, *Theologie des Alten Testaments*, Bd. 1, München [8]1982, 233: 'Seiner Form nach ist das Dt eine einzige Abschiedspredigt des Moses an Israel.' Von Rad calls Moses' speech a 'sermon', as the characteristically Deuteronomic expressions and phrases constantly recur and thus, according to Von Rad, lend the book a parenetic character.

[4]The resumption of Deut. 1:1 in 4:44, 28:69 and 33:1 contributes to the unity of the book, and need not prompt a reconstruction of the only 'real' speech by Moses. See J.-P. Sonnet's basic assumption in *The Book within the Book: Writing in Deuteronomy* (BInt.S, 14), Leiden 1997, 20: '... these textual indicators, more than any external patterns transposed to Deuteronomy, lead to the dynamics of Deuteronomy's narrative action.'; 112-6, where he argues that the order in which the speeches occur reinforces the view presented in Deuteronomy.

[5]See B.S. Childs, *Introduction to the Old Testament as Scripture*, London 1979, 211; cf. *EJ*, vol. 5, 1574.

[6]K.A. Deurloo, 'The One God and All Israel in its Generations', in: F. García Martínez *et al.* (eds), *Studies in Deuteronomy* (Fs C.J. Labuschagne) (VT.S, 53), Leiden 1994, 35: 'Moses is speaking in the valley opposite Beth-peor (3:29), on the future site of his grave (34:7).'

Admittedly, there are a number of short passages that fall outside the address spoken by Moses,[7] but in these cases the reason that Moses is not speaking is that something is being said *about* him. Apart from these passages, Moses has the floor from beginning to end, so that there is a strong cohesion between the words spoken by Moses *within* the story of Deuteronomy, and the words *used by* the book of Deuteronomy, through which the message reaches the reader. The interrelation between the two levels is confirmed at the end of the book: the conclusion coincides with the end of Moses' life.[8]

Within the overall structure of the speech that constitutes the book of Deuteronomy, there are a number of passages that refer to the fact that the words spoken by Moses were written down. This is no subordinate motif; on the contrary, it is exactly these passages which introduce the correlation mentioned above, between the words spoken *in* Deuteronomy and the written words *of* Deuteronomy. The narrative of Deuteronomy evokes a specific world, but the reverse is also true: the book of Deuteronomy itself figures in the world that is its subject. The passages about writing words down are the basis of this correspondence. To quote J.-P. Sonnet: '... Moses, while speaking, is projecting written communication at the horizon of his ongoing speech act'.[9]

Some of these passages will be discussed in this first chapter. The first to be considered is the story about the so-called adoration of the golden calf, which in the version of Deuteronomy turns out to be about the tablets on which the Ten Words were written, rather than the molten image. Deut. 5:22 already informs us that YHWH himself wrote these words on the tablets of stone. In Deut. 9–10 this fact becomes the starting-point of an intriguing narrative.

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[7] See Lohfink, 'Das Deuteronomium', 15.

[8] Cf. N. Lohfink, 'Zur Fabel des Deuteronomiums', in: G. Braulik (ed.), *Bundesdokument und Gesetz: Studien zum Deuteronomium*, Freiburg 1995, 75ff.

[9] Sonnet, *The Book within the Book*, 41.

1.1 Mount Horeb: Starting-point of a Problematic Covenant – Deut. 9:7-8

What applies to the book of Deuteronomy as a whole also holds for the words of the pericope under discussion here, Deut. 9:7–10:11:[10] they come from Moses' mouth. He addresses the people of Israel 'in this place' (Deut. 9:7), i.e., on the other side of the Jordan, the place where Israel arrived after a forty-year journey through the desert (cf. Deut. 1:31).[11] In the first verse of the pericope, Deut. 9:7, the entire course of events between Exodus and entry is evoked. The initial release from Egypt, where Israel lived in serfdom, is in Deuteronomy presented as the defining event for the people.[12] There are repeated exhortations to remember the oppression in Egypt; the day when Israel was released from slavery should not be forgotten for a moment.[13] By way of the exhortation to 'remember', the opening of Deut. 9:7 also refers back to the day of the Exodus from Egypt. Remarkable in this verse, however, is the fact that the appeal to 'remember' does not point to the actual liberation, but refers to the fact that since the flight from Egypt the people have constantly 'provoked' and 'defied' YHWH:

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[10]In scholarly literature there is hardly any difference of opinion about the demarcation of the pericope as a whole; for examples, see C.J. Labuschagne, *Deuteronomium*, vol. 1B (PredOT), Nijkerk 1987, 183; G. von Rad, *Das fünfte Buch Mose: Deuteronomium* (ATD, 8), Göttingen 1964, 53; cf. M. Noth, *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament*, Tübingen ^{2}1957, 17. E. Talstra, 'Deuteronomy 9 and 10: Synchronic and Diachronic Observations', in: J.C. de Moor (ed.), *Synchronic or Diachronic: A Debate on Method in Old Testament Exegesis* (OTS, 34), Leiden 1995, 196-7, discusses Deut. 9:1-6 and 10:12-22 as individual sections, but does say that for syntactical reasons these pericopes should not be separated from 9:7–10:11; cf. R. Gomes de Araújo, *Theologie der Wüste im Deuteronomium* (ÖBS, 17), Frankfurt am Main 1999, 184ff.

[11]See Z. Kallai, 'Where did Moses speak (Deuteronomy I 1-5)?', *VT* 45 (1989), 197: 'The place of the discourse is located in Transjordan, in the land of Moab, where Moses terminates his task.'

[12]T. Römer, 'The Book of Deuteronomy', in: S.L. McKenzie, M.P. Graham (eds), *The History of Israel's Traditions: The Heritage of Martin Noth* (JSOT.S, 182), Sheffield 1994, 204, points out that 'almost every chapter of the book contains allusions to the exodus or the situation of the people in Egypt.'

[13]See Deut. 5:15; 7:18; 15:15; 16:12; 24:18, 22 and esp. 16:3.

9:7 Remember,
never forget, how you *provoked* YHWH, your God, to anger in the wilderness;
from the day that you left the land of Egypt
until you reached this place,
you have continued *defiant* toward YHWH.

The first and last lines after 'remember' indicate that the entire history, the sojourn in the desert from the day of the Exodus to the arrival in 'this place', is framed by the opposition of the people to YHWH. This resistance, and the reaction it provokes on the part of YHWH, is the starting-point for Deut. 9:7–10:11. The days that have elapsed since the flight from Egypt are contemplated in the light of the opposition YHWH encountered from the people. In the verses that follow, this is done by means of reflection on an episode that is usually called 'the adoration of the golden calf'. This description, mainly based on the version of events presented in Exod. 32:1-35, does not, however, apply to Deut. 9:7–10:11. Although in Deuteronomy the golden calf does embody the resistance against YHWH, Deuteronomy, unlike Exodus, relates nothing about the making and worshipping of the image. The golden calf is simply introduced as the 'molten image' (Deut. 9:12), without further explanation. Because of this fact, and because of this description, our attention is mainly focused on the *significance* of the golden calf for the relationship between YHWH and his people.

In anticipation of the disclosure of this significance we are already told of the immediate consequence of the manufacture of the molten image: immediately in the second verse of the pericope we hear that the relation between YHWH and his people has sustained permanent damage:

9:8 At Horeb you so *provoked* YHWH
that YHWH was angry enough with you to have *destroyed* you.

In Deut. 9:7 we read that from the start, the people 'provoked' YHWH during the trek through the desert. This is now taken one step further by mentioning Mount Horeb as the place where the people's antagonism has become clearly evident. The fact that the topographical adjunct 'at Horeb' is used as a preliminary indication of this event puts the story that begins in Deut. 9:9, after the introductory Deut. 9:7-8, in a certain perspective – the book

of Deuteronomy starts with the departure from the Horeb.[14] Unlike the book of Exodus, Deuteronomy tells us nothing about the actual Exodus from Egypt, or about the crossing of the Reed Sea or the journey to Mount Sinai. In the description of the wanderings in and the crossing of the desert as given in Deuteronomy, Mount Horeb is the point of departure, as becomes clear from for instance Deut. 1:6: 'YHWH, our God, spoke to us at Horeb, saying: "You have stayed long enough at this mountain. Turn round, and start out".' Mount Horeb is also the place where YHWH spoke with his people (Deut. 4:10-13), and where he made the covenant with Israel (Deut. 28:69). It is from here that the people set out for Kadesh-barnea, in order to enter the land YHWH had promised to Abraham, Isaac and Jacob (Deut. 1:8, 19). In other words, according to Deuteronomy the trek through the desert is a journey *from* the Horeb *to* Kadesh-barnea (Deut. 1:2, 19). In Kadesh-barnea, however, the story stops short because the people 'provoke' YHWH (Deut. 9:23, see below). At first, they refuse to start out, as they have no faith in the outcome and think that YHWH is intent on their destruction (Deut. 1:19-33). This puts this generation (the Exodus generation) back where it started: the departure from Egypt is not crowned by an entry into Canaan from Kadesh-barnea; they have to return to the Reed Sea. Next, things become even more miserable when the people refuse to turn back and on the rebound, after a perfunctory confession, do set out after all in blind faith on their own, with the intention of entering the Promised Land, even though YHWH has stated that he will not be with them. In the end, the people suffer a crushing defeat, so that they are forced to remain in Kadesh for a long time (Deut. 1:41-46). The name 'Kadesh-barnea' is a reminder of how and why the journey through the desert to the Promised Land failed: it is the place where the people 'provoked' YHWH. Similarly, the name 'Horeb' in Deuteronomy represents the beginning of that journey: it is the place where the covenant between YHWH and Israel was made (Deut. 5:2-22).[15]

[14]Cf. S.D. McBride Jr., 'Polity of the Covenant People: The Book of Deuteronomy', *Interp.* 41 (1987), 235.

[15]Cf. G. von Rad, 'Die Predigt des Deuteronomiums und unsere Predigt', in: *Gesammelte Studien zum Alten Testament*, Bd. 2 (TB, 48), München 1973, 157: 'Das Deuteronomium ist eine einzige große Entfaltung der Sinaioffenbarung, also jenes Augenblickes, da Gott seine Hand nach Israel ausgestreckt hat, um es zu eigen zu machen.' See also Gomes de Araújo, *Theologie der*

Because of what happened at Kadesh-barnea, the Exodus generation is forced to travel in the desert for thirty-eight years before the people can cross the wadi Zered and actually start on the way to the Promised Land (Deut. 2:13, 14). After the crossing of the Zered, the Moab generation – the generation addressed by Moses – has the same experience as the previous Exodus generation in the period between Horeb and Kadesh-barnea. The Moab generation, too, must prove their loyalty to YHWH by their attitude towards the possibly hostile peoples they will meet on the way to the Land (Deut. 2:16-19). And this generation, too, sees with their own eyes that the worship of idols, in this case Baal-peor (Deut. 4:3-4, cf. Num. 25:1-5), prevents entry into the Promised Land. This is why 'Horeb' is of fundamental importance for this generation too as the place where the covenant was made; Moses says implicitly (Deut. 4:10, 15) and explicitly (Deut. 5:3) that they, too, stood face to face with YHWH at Horeb.[16]

In view of the part played by Mount Horeb it is remarkable that precisely this spot is mentioned in Deut. 9:8 to underscore what was said in Deut. 9:7, i.e., that the people provoked YHWH by opposing him. At Mount Horeb, the people even provoked YHWH to such an extent that he wanted to destroy them in his anger. In other words, in Deut. 9:7-8 the events around Kadesh-barnea are retrospectively taken back to the beginning: from the start, meaning 'from Mount Horeb', things have been wrong.[17]

Wüste, 41-3.

[16]See Deurloo, 'The One God', 42: 'The decisive events at Horeb are really of overriding importance, and therefore the thirty-eight years between Kadesh and the Wadi Zered must be bridged', and 43: 'They [the Exodus and Moab generations, GJV] are also equals with respect to their decisive turning to YHWH at Horeb'; see also H.D. Preuß, *Deuteronomium* (EdF, 164), Darmstadt 1982, 179 and esp. 184: 'Das Volk ist auch über seine Geschichte hin durch die übergreifende Anrede des Dtn.s ("heute") und die weitere und neue Aktualität der Taten Jahwes ("wie es bis heute der Fall ist") zu einer (idealen?) Einheit der Generationen zusammengeschlossen.'

[17]The consequence of this retrospective character is that Deuteronomy goes back to events which took place before the actual beginning of the book (the departure from Mount Horeb, Deut. 1:6). Von Rad, *Das fünfte Buch Mose*, 54, sees this as an anachronism, which makes it impossible to link Deut. 9:7–10:11 organically to Deut. 1–3. This may, however, be achieved by assuming that the purpose of the retrospective character of Deut. 9:7–10:11 is to establish 'across time' an identification between the Moab generation (the generation addressed by Moses in the book of Deuteronomy) and the Horeb generation, cf. Deurloo, 'The One God', 42; G. Braulik, 'Hermeneutische Bemerkungen

In Deut. 9:7–10:11, we are offered a *post hoc* account of the situation before the departure from Mount Horeb. The introduction to this passage (Deut. 9:7-8) states that the intention of this review is to point out that the actual making of the covenant was already problematic. In Kadesh-barnea, the people did not trust YHWH's promises; they expected that through his intervention they would be wiped out by the peoples of the land (Deut. 1:27). Deut. 9:7, however, explicitly says that at Horeb, YHWH himself was planning to destroy the people of Israel. Horeb's important and positive function in Deuteronomy as the place of the covenant, and a point of departure for a life free of oppression, seems to revert into the opposite because of the contrast evoked here.[18] The next question is what exactly constitutes this contrast; this will be the starting-point for the following analysis of Deut. 9:7–10:11.

1.2 The Covenant Made and Broken: The Two Tablets of Stone – Deut. 9:9-17

After the two introductory verses, the narrative starts in Deut. 9:9-10:

9:9 I had ascended the mountain to receive the tablets of stone,
the Tablets of the Covenant that YHWH had made with you,
and I stayed on the mountain forty days and forty nights;
eating no bread and drinking no water.
10 And YHWH gave me the two tablets of stone,
inscribed by the finger of God,
with (written on them) the exact words that YHWH had
addressed to you on the mountain,
out of the fire, on the day of the Assembly.

In the rest of the pericope, Horeb is always referred to as 'the mountain':[19] after the place of action has been identified in the introduction, the narrative character[20] of the text that follows

zum Buch Deuteronomium', in: M. Vervenne, J. Lust (eds), *Deuteronomy and Deuteronomic Literature* (Fs C.H.W. Brekelmans) (BEThL, 133), Leuven 1997, 10-1.

[18]Cf. Th.J.M. Naastepad, *Het gouden kalf: Exodus 32–34* (Verklaring van een bijbelgedeelte), Kampen n.d., 49.

[19]Deut. 9:9 (2x), 10, 15 (2x), 21; 10:1, 3, 4, 5, 10.

[20]The narrative character of the text is reflected in the regularly recurring narrative verb forms, which serve the articulation of the story. See Schneider §§ 44.2 and esp. 48.2: 'Für eine Erzählung konstitutiv ist die Erzählfolge, Sie wird signalisiert durch das Tempus-Morphem "wa" (Waw mit Pátach und

means that a denotative phrase is sufficient here.[21] The story is told in the first person singular: in other words, Moses himself is the subject. A comparison with Exodus on this point shows that this observation is of more than merely formal significance; in Exod. 24:1-18 we hear how Moses follows the injunction to ascend the mountain, where YHWH will conclude a covenant with Israel. Although Moses makes the last part of the journey alone, to receive the two tablets of stone (Exod. 24:13b, 14), at first he is accompanied by Aaron, Nadab and Abihu, plus seventy of the elders of Israel (Exod. 24:1, 9). In Deuteronomy, however, no accompanying party is mentioned at all. From the very start of the story, all attention is focused on Moses; it is he – and he alone – who goes up the mountain to receive two tablets of stone. This concentration on the figure of Moses, reflected on the narrative as well as the textual level, is characteristic for Deuteronomy as a whole. Von Rad rightly sees a correspondence between Moses' function as mediator in Deuteronomy and the form of the book, an address spoken by Moses.[22]

The two tablets of stone Moses receives are called 'Tablets of the Covenant' in Deut. 9:9-15. The significance of this expression, characteristic of Deuteronomy,[23] becomes evident from

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folgendem Dagesch forte).'

For shortened expressions in narrative texts see N. Lohfink, *Die Väter Israels im Deuteronomium: Mit einer Stellungnahme von Thomas Römer*, Freiburg 1991, 5: 'Das Phänomen des verkürzten Aufgriffs eines schon bekannten Aussageelements hat seine Heimat im durchlaufenden Makrotext.'

[21] In Deuteronomy, only the name Horeb is used for 'the mountain'. The name Sinai, which is common in the book of Exodus, occurs only once in Deuteronomy, in 33:2, where it appears to refer in the wider sense of the word to the area around Mount Sinai (cf. Exod. 19:1, 2, where mention is made of 'the wilderness of Sinai'). Cf. Noth, *Überlieferungsgeschichtliche Studien*, 29; C. den Hertog, *Het zonderlinge karakter van de Godsnaam: Literaire, psychoanalytische en theologische aspecten van het roepingsverhaal van Mozes (Exodus 2:23–4:17)*, Zoetermeer 1996, 32-3.

[22] Von Rad, *Theologie*, Bd. 1, 307: 'Das Corpus des Deuteronomiums als eine Rede Moses (und eben nicht Jahwes) an Israel ist in seiner Ganzheit natürlich die eindrücklichste Bestätigung dieses allumfassenden mittlerischen Verkündigungsamtes.'

[23] In Exodus, this expression is not used at all; there we only find the phrases 'the tablets of stone' (Exod. 24:12; 31:18; 34:1, 4 [2x]), 'the tablets' (Exod. 32:15, 16 [2x], 19; 34:1 [2x], 28) or 'the tablets of the testimony' (Exod. 31:18; 32:15; 34:29). In addition to Deut. 9:7–10:11, 'the tablets of the covenant' only occurs in 1 Kgs 8:9.

Deut. 4:13: 'He declared to you the covenant that he commanded you to observe, the Ten Words, and he inscribed them on two tablets of stone.' The Ten Words, i.e., the words YHWH spoke on the mountain (Deut. 9:10; cf. 5:22), are, as it were, themselves the covenant; the word 'covenant' refers to the Decalogue.[24] YHWH takes the initiative to conclude this pact: he pronounces the Ten Words and writes them down himself.[25] The obligations incurred, however, are mutual,[26] which is expressed in what happens to the tablets of stone: they are given by YHWH; they are received by Moses. The pact on the mountain, which is described so extensively in Exodus, features only briefly in Deut. 9:9-10. Attention is focused on the tablets on which are inscribed the words spoken by YHWH 'out of the fire' (see Deut. 4:15).[27] Thus, the tablets of stone are not only a reminder of the stipulations of the pact that was made; they also constitute the physical presence of the covenant – the Ten Words spoken by YHWH.[28]

There is only one reference to the circumstances under which Moses received the tablets of stone: he spent forty days and forty nights on the mountain, without eating bread or drinking water. From this point, this statement recurs with a certain regularity (Deut. 9:18, 25; 10:10), so that we are constantly reminded of the moment Moses received the tablets of the covenant from YHWH. At the same time, this refers to another motif from Deuteronomy. Elsewhere, the number forty is always used to refer to the period the people of Israel spent in the desert, i.e., forty years (Deut.

[24]See M. Weinfeld, 'בְּרִית', *ThWAT*, Bd. 1, 784. Cf. Von Rad, *Theologie*, Bd. 1, 145-6, on the connection between the Ten Words and the covenant: 'In der deuteronomistischen Theologie ist dieser gegenseitige Bezug so eng, daß das Wort "Bund" geradezu zu einem Synonym für Gebote geworden ist. Die "Tafeln des Bundes" sind die Tafeln, auf denen die 10 Gebote geschrieben stehen ...' On the correspondence between covenant and Decalogue see also Von Rad, *Das fünfte Buch Mose*, 55, and C.J. Labuschagne, *Deuteronomium*, vol. 1A (PredOT), Nijkerk 1987, 257.

[25]Weinfeld, *ThWAT*, Bd. 1, 792, points to the fact that בְּרִית refers to a pact between two unequal partners. 'Der Mächtige gewährt dem weniger Mächtigen das Bundesverhältnis ...'

[26]See Labuschagne, *Deuteronomium*, vol. 1A, 254-9 ('Excurs: De b^{e}rit-voorstelling in Deuteronomium'), esp. 257.

[27]According to Labuschagne, *Deuteronomium*, vol. 1B, 187, the numerical structure of Deut. 9:7-12 demonstrates that the two tablets of stone constitute the central feature of the text.

[28]Deurloo, 'The One God', 44: 'The experience of the voice is preserved in the Ten Words that are written down ...'

2:7; 8:2, 4; 29:5). During that time, the people had no bread to eat, but yet we are told 'they lacked nothing, because YHWH has been with them' (Deut. 2:7). By making the people in the desert go hungry, and giving them manna instead of bread, YHWH made clear that 'man does not live on bread alone, but that man may live on anything that YHWH decrees' (Deut. 8:3).[29] The people survived because YHWH was with them, and because they were able to live on what came from his mouth. This fact is underscored by the way Moses' visit on the mountain is described: he, too, is dependent on YHWH's presence and 'what comes from his mouth', i.e., the words he speaks (Deut. 9:10). Thus, Moses' fast on the mountain is not a generalised form of atonement. It refers to the people's forty years of wandering in the desert, of which Deut. 29:5 says: 'you had no bread to eat and no wine or other intoxicant to drink – *that you might know that I* YHWH *am your God.*' It is this last reference in particular which gives a specific meaning to Moses' sojourn of forty days and forty nights on the mountain: it is linked up with the command to worship no other gods.[30] This creates a great contrast with what follows: the story of Moses' discovery, at the end of the forty days and forty nights, that the people have meanwhile made a 'molten image':

9:11 At the end of those forty days and forty nights,
when YHWH gave me the two tablets of stone, the tablets of the covenant,

12 YHWH said to me:[31]
Hurry, go down from here at once,
for the people whom you brought out of Egypt have fallen into sin;
they have been quick to stray from the path that I enjoined upon them;

[29]Cf. Labuschagne, *Deuteronomium*, vol. 1B, 189-90.

[30]It is exactly this ban on serving other gods which is prominent in the section of Deuteronomy of which 9:7–10:11 forms part. Schuman, *Deuteronomium*, 34, states that Deut. 6–11 is intended as one extended elaboration of the principal command, 'No other gods'.

[31]Translations of Deut. 9:11-12a vary greatly with respect to where the clause dependent on וַיְהִי starts. וַיְהִי is usually followed by the narrative form of the verb (consecutive imperfect) or a consecutive perfect, or a nominal clause starting with ו: in all these cases a copulative ו is used (see Schneider, § 53.2; cf. GKC § 111f-g). Thus it would seem obvious that the clause dependent on וַיְהִי starts in Deut. 9:12a, at וַיֹּאמֶר. After the temporal adjunct which usually follows וַיְהִי, in Deut. 9:11a, there is a second adjunct before the dependent

they have made themselves a molten image.
9:13 YHWH further said to me:
I have seen this people,
see, it is a stiff-necked people.
14 Let me alone and I will destroy them and blot out their
name from under heaven,
and I will make you a nation far more numerous than they.
15 I turned and started down the mountain,
a mountain ablaze with fire
the two Tablets of the Covenant in my two hands.
16 Then I saw, and see:
how you had sinned against YHWH, your God,
you had made yourselves a molten calf.
You had been quick to stray from the path that YHWH had
enjoined upon you.
17 I gripped the two tablets,
flung them away with both my hands
and smashed them before your eyes.

Just as the preceding verses, this passage also focuses on the two tablets of stone. It begins with the information that after forty days and forty nights YHWH does indeed hand them to Moses (Deut. 9:11), and ends with Moses smashing both tablets (Deut. 9:17). Aside from this frame, it is especially the formulation in Deut. 9:17 (far more 'dramatic' than its parallel Exod. 32:19) which accentuates the tablets of stone and what happens to them: 'I *gripped* the *two* tablets, flung them away with *both* my hands, and smashed them *before your eyes.*'[32] When we also remind ourselves that the tablets of stone embody the concrete presence of the covenant, as was stated above, it becomes clear what is happening: the smashing of the tablets means that the covenant between YHWH and his people is broken.[33]

On the other hand, we hear very little about the image that was made. Contrary to the familiar version of the story of the golden calf in Exod. 32, Deuteronomy mentions nothing about

clause, in Deut. 9:11b, starting with the perfect form נָתַן.

[32]The italicised words do not appear in Exod. 32:19. See G.J. Venema, 'Woord naast Woord: De tora en de ark in het boek Deuteronomium', *Om het levende woord* 3 (1994), 47.

[33]Cf. Von Rad, *Das fünfte Buch Mose*, 55: 'Das Zerbrechen der Tafeln ist natürlich mehr als nur eine Affekthandlung. Mose (...) sieht den eben erst geschlossenen Bund als gebrochen an; damit sind die ihm ausgehändigten Tafeln bedeutungslos geworden.'; Weinfeld, *ThWAT*, Bd. 1, 793: 'Zerbricht man die Bundestafeln, dann macht man den Bund ungültig ...'

its manufacture and worship.[34] At first, the word 'calf' is not even used: in Deut. 9:12 the information that the people made a 'molten image' is considered sufficient.[35] In this way, attention is concentrated on the *significance* of the 'molten calf', as the image is called a little further on in Deut. 9:16: instead of YHWH, *an image* is worshipped. The great commandment – 'You shall have no other gods beside Me' (Deut. 5:7; cf. 5:8 and 6:4) – has been violated, meaning the molten image is now placed before YHWH and is seen as the god who led Israel out of Egypt.[36] Thus, by making and worshipping the molten image the people deny that it was YHWH himself who led them out of Egypt.[37] This means that the covenant has been broken: an image has taken the place of the words that YHWH spoke. The 'logic' behind this consequence becomes instantly evident when we consider the background of this passage, given in Deut. 4:12-20, where we hear about the making of the covenant on Mount Horeb. The central fact there is that the people 'out of the fire' (cf. Deut. 4:12) only heard 'the sound of words', but perceived no shape. Should the people nevertheless decide to make a sculptured image, 'an image in any likeness whatever',[38] they will 'bring ruin upon themselves', Moses says (Deut. 4:16). This is exactly what is happening here, in Deut.

[34] Venema, 'Woord naast Woord', 46.

[35] The common expression 'the golden calf' is an incorrect translation of עֵגֶל מַסֵּכָה, 'a molten calf', or, translated literally, 'a molten image of a calf' (Deut. 9:16; Exod.32:4, 8; Neh. 9:18). Although according to Exod. 32:2-4 'the molten calf' was made of molten gold, it is nowhere called 'golden calf'. The phrase 'golden calves', עֶגְלֵי (הַ)זָּהָב, is only used for the images King Jeroboam had erected in Bethel and Dan (1 Kgs 12:28; cf. 2 Kgs 10:29 and 2 Chron. 13:8).

In Deut. 9:12 מַסֵּכָה is used without further specification: 'molten image' (cf. Deut. 27:15: 'Cursed be anyone who makes a sculptured or molten image').

[36] Cf. Exod. 32:8, where YHWH says to Moses: '... they have made themselves a molten calf, bowed low to it, sacrificed to it, and said: "This is your god, O Israel, who brought you out of the land of Egypt".' See also Naastepad, *Het gouden kalf*, 10, about Exod. 32.

[37] Schuman, *Deuteronomium*, 43, states that it is important to realise that the golden calf was made to celebrate the exodus from Egypt, with the people proving extremely generous in their gifts to enable this event to be commemorated in gold.

[38] According to Deut. 4:16-19, this 'image' (תְּמוּנָה) may take the 'shape' (תַּבְנִית) of any creature. Labuschagne, *Deuteronomium*, vol. 1A, 263-4, points out that the 'shapes' mentioned in Deut. 4 correspond to the creatures from Gen. 1, in roughly the reverse order.

9:7-17: by making a molten image the people 'have brought ruin upon themselves' (Deut. 9:12). The image that was erected blocks the view of YHWH and the words he has spoken.[39]

Moses reacts to the making of the image by smashing the tablets of stone: the image and the tablets cannot exist side by side.[40] What is remarkable about the way in which this confrontation between 'image' and 'word' is described in Deuteronomy, compared with the parallel in Exodus, is the fact, as we have seen, that the tablets of stone are the focus rather than the molten image.[41] As stated above, by making and worshipping the image the people have broken the covenant. It is the smashing of the tablets of stone which indicates what the molten calf signifies: the words inscribed on the tablets, the words of the covenant, no longer apply.[42]

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[39]Cf. Ps. 106:19-20: 'They made a calf at Horeb, and bowed down to a molten image, they exchanged their glory for the image of a bull that feeds on grass.'

[40]Cf. on the subject of Deut. 4:10-14 C. Schäfer-Lichtenberger, 'Göttliche und menschliche Autorität im Deuteronomium', in: C. Brekelmans, J. Lust (eds), *Pentateuchal and Deuteronomistic Studies: Papers Read at the XIIIth IOSOT Congress Leuven 1989* (BEThL, 94), Leuven 1990, 132: 'Die visuelle Wahrnehmung begründet die Verbindlichkeit des Bilderverbots, die akustische die Verbindlichkeit der gehörten Worte.' On Moses' reaction, see: W.G. Plaut, *Deuteronomy* (The Torah: A Modern Commentary, 5), New York 1983, 120: 'The smashing was a vivid reflection of the people's defection, comparable to the later custom of tearing up a contract when its terms have been violated.'

[41]Venema, 'Woord naast woord', 47 states that in Exod. 32:1-35 the tablets of stone figure in the story of the golden calf, whereas conversely in Deuteronomy the golden calf figures in a story about the tablets of stone. Contra M.A. Zipor, 'The Deuteronomistic Account of the Golden Calf and its Reverberation in Other Parts of the Book of Deuteronomy', *ZAW* 108 (1996), 29, 32-3.

[42]The correspondence observed here between manufacturing an image and concluding/breaking a covenant may possibly explain the cryptic expression נְסֹךְ מַסֵּכָה in Isa. 30:1. נסך I means 'to pour out', and may take as its object not only a liquid, but also an image (e.g. פֶּסֶל in Isa. 40:19; see *HALAT*, 895). Because of the sequel – וְלֹא רוּחִי, 'not according to/from my mind' – and because of the parallelism in Isa. 30:1bA with עֲשׂוֹת עֵצָה, 'devise a plan', מַסֵּכָה is taken to mean 'libation' (*HALAT*, 573). Thus, נְסֹךְ מַסֵּכָה is often translated as 'to conclude a covenant', as a metaphor for 'to offer a libation' (cf. J. Pedersen, *Israel: Its Life and Culture I-II*, London ^{2}1946, 521). Yet, in view of the exegesis of Deut. 9:7-17 offered here, the translation 'pour out/cast an image' is the most obvious: it is not the making of 'a' covenant which contributes to the 'piling of guilt on guilt' (סְפוֹת חַטָּאת עַל־חַטָּאת, Isa. 30:1c; cf.

The result of the violation of the covenant is that YHWH wants to retrace his steps. The reason for this uncompromising reaction is described as follows: the people 'have brought ruin upon themselves' (Deut. 9:12). The verb 'go to ruin, do evil' (שׁחת) plays a significant part in Deut. 9:7–10:11, as we shall also see later (cf. Deut. 9:26; 10:10). This significant role becomes especially clear when in the three places where it appears we ask ourselves the questions who is speaking, who is the addressee, and who or what is being referred to. Here, in Deut. 9:12, the verb is used by YHWH, who complains to Moses about the behaviour of the people. What is especially remarkable here is that YHWH wants to distance himself retroactively from the whole of history, as the fact that he implies that not he himself, but Moses liberated Israel from Egypt makes clear: 'The people whom *you* brought out of Egypt have brought ruin upon themselves' (Deut. 9:12). This statement puts Moses in YHWH's place as it were. Considering that both YHWH and Moses describe the people as 'stiff-necked' (Deut. 9:13, cf. 9:6), they do at first sight seem to share the same attitude towards the people. This is confirmed by the concentric structure of Deut. 9:12-13 and 16, which indicates that Moses sees what YHWH saw:[43]

YHWH says:	12d	they have been quick to stray from the path
	↑	that I enjoined upon them
	|	12e they have made themselves
	|	↑ a molten image
	|	| 13b I have seen this people
	|	↕
Moses says:	|	↓ 16a Then I saw ...
	|	16c you have made yourselves
	↓	a molten calf
	16d	you had been quick to stray from the path
		that YHWH had enjoined upon you

There is one point, however, on which the question whether YHWH and Moses share the same view of the people remains unanswered. From the innermost members of the concentric structure, Deut. 9:13b en 16a, we learn what YHWH intends to do: he wants to destroy the people and start all over again with Moses

Deut. 9:16), but the violation of the one covenant with YHWH by 'melting an image'.

[43] Cf. Zipor, 'The Deuteronomistic Account of the Golden Calf', 29.

(Deut. 9:14). It is no surprise that the word 'destroy' is the climax of YHWH's reaction, since we had already seen in Deut. 9:8 that 'YHWH was angry enough with you to *have destroyed* you'. The resolve to go on together with Moses and make him a numerous and strong nation does however sound unexpected. At this point we are not told Moses' reaction to this plan. Immediately after YHWH has spoken, he follows the instructions YHWH has given him: he descends from the mountain (Deut. 9:15), sees what YHWH had said he saw (Deut. 9:16) – the 'sin' against YHWH – and smashes the tablets of stone, as the people watch.[44]

1.3 Moses' Prayer – Deut. 9:18-29

9:18 I threw myself down before YHWH, as before,
forty days and forty nights.
Eating no bread, and drinking no water,
because of the great wrong you had committed,
doing what displeased YHWH, by vexing him.
19 For I was in dread of the anger and rage
which moved YHWH to destroy you.
YHWH gave heed to me, this time too.

The phrase in which we are told that, after smashing the tablets, Moses addresses a prayer to YHWH seems rather strange at first. The fact that Moses is praying can initially only be deduced from the context – Moses 'throws himself down before YHWH' and fasts in order to atone for 'the great wrong' –, but is explicitly stated further down (Deut. 9:20, 26).[45] Since the verb 'to pray' (התפלל) is avoided in Deut. 9:18, the adjunct 'as before' which is used here cannot be explained as a reference to an earlier prayer, but should be interpreted as referring to Deut. 9:9: just as he did before, on the mountain, Moses stays with YHWH for forty days and forty nights, without eating or drinking anything. As described in the previous paragraph, the forty days and forty nights' fasting refers to the prohibition to serve other gods, or, put more positively, to the fact that Israel relies on the words

[44] See Labuschagne, *Deuteronomium*, vol. 1B, 196.

[45] נפל Hitpa. ('to fall down', 'to prostrate oneself') occurs, besides Deut. 9:18, 25, in Gen. 43:18 and Ezra 10:1. In Ezra it is used, in the same way as in Deut. 9, in combination with פלל Hitpa. ('to pray'). Confessing guilt is explicitly mentioned in Ezra (ידה Hitpa.). Similarly, the expression כָּרִאשֹׁנָה ('as before') occurs only rarely; apart from Deut. 9:18 it is only found in Dan. 11:29.

that come from the mouth of YHWH. The people have in effect denied this by making a molten image ('the great wrong'), thus 'vexing' YHWH (Deut. 9:18).[46] By again keeping fast for forty days and forty nights Moses places himself, while 'down there with the Israelites',[47] in the same position he occupied earlier on the mountain: awaiting the words of YHWH. He knows what is at stake: the anger and rage which have been provoked in YHWH are expressed in his intent to destroy the people (Deut. 9:19, cf. 9:14). At this point, readers and hearers are reminded of the opening of the story, where the events at Horeb were sketched in the same words: 'At Horeb you so *provoked* YHWH that YHWH *was angry* enough with you to have *destroyed* you' (Deut. 9:8). We are, however, left in no doubt as to the outcome. Even before we get to hear the actual prayer in Deut. 9:25-29, we are told that YHWH hears Moses' prayer (Deut. 9:19). In this way, we are first informed simply of the event (the report that Moses is praying, and that his prayer is heeded), and are only afterwards given a description of the event (the contents of the prayer).[48] This story – given to us first in a nutshell – is then expanded in Deut. 9:20, where we find a reference to Aaron, the only member of the people to be mentioned by name:

9:20 Moreover, YHWH was angry enough with Aaron
to have destroyed him.
So I also interceded for Aaron at the same time.

[46] כעס Hiph. in Deuteronomy only refers to the making of images, which 'vexes' YHWH (Deut. 4:25; 9:18; 31:29; 32:16, 21).

[47] Labuschagne, *Deuteronomium*, vol. 1B, 201.

[48] This structure is comparable to the technique regularly used in the Hebrew Bible: the plot is first summarised briefly before the story actually unfolds. Cf. N. Lohfink, 'Darstellungskunst und Theologie in Dtn 1:6-3:29', in: Idem, *Studien zum Deuteronomium und zur deuteronomistischen Literatur*, Bd. 1 (SBAB, 8), Stuttgart 1990, 27, n. 50: 'Es gibt die (in der "Nachricht" der modernen Journalistik wieder praktizierte) Erzählertechnik der "Nachfolgung von Einzelheiten".' Consequently, the fact that the prayer and its fulfillment are mentioned before we hear of the destruction of the calf in Deut. 9:21 does not require a specific explanation, such as for instance that 'the expiation procedure should be started first' (contra Labuschagne, *Deuteronomium*, vol. 1B, 201). Neither is it necessary to suppose that Moses says several intercession prayers in Deut. 9:18-19 and 9:25-29 (contra Von Rad, *Das fünfte Buch Mose*, 56, who adds the remark that the position of the prayer in Deut. 9:18-19 is rather awkward, '... denn die Zerstörung des Goldenen Kalbes wird damit um 40 Tagen verzögert').

Here, the perspective has been reduced so much that even the fact that YHWH hears the prayer is no longer mentioned explicitly. The effect this achieves is to direct full attention to Aaron, which – as we shall see – is because of the important task that the tribe of Levi, to which Aaron belongs, has to fulfil according to Deuteronomy (see Deut. 10:8).[49]

Deut. 9:21 constitutes part of 'the event' which precedes the actual prayer (the story, Deut. 9:25-29). In this verse we hear of the corollary to the fulfilment of the prayer: Moses does away with the 'sin' the people had committed (cf. Deut. 9:18), or, translated literally, which it had 'made', the calf.

9:21 But that sin[ful thing] you had made,
the calf, I took it and put it to the fire,
I broke it to bits and ground it thoroughly until it was fine as dust,
and I threw its dust into the brook that comes down from the mountain.

The ending of this verse deviates strikingly from its parallel in Exod. 32:20, where we read that Moses 'took the calf [...] and burned it, ground it to powder *and strewed it upon the water and so made the Israelites drink it.*'[50] In Exodus, the destruction of the golden calf ends in a judgement: the sons of Israel are made to drink the remains of the calf (cf. Num. 5:11-31). This judgement means they are physically confronted with the effects of their sin. Some three thousand men are killed by the Levites (Exod. 32:25-28, cf. 32:35). In Deut. 9:21 no mention is made of this judgement; the focus is on the molten image, now tersely called 'the calf' (cf. Deut. 9:12, 16), and its destruction. Rather than a judgement, what we have here is a head-on confrontation between YHWH, or the words he has spoken, and 'the calf'. How direct this confrontation is becomes clear when we notice that in Deuteronomy the relationship between YHWH and the other gods is described in terms of a blazing battle. Opposite YHWH, who is depicted as a god who 'speaks *out of* the fire',[51] there are the other gods, for whom the peoples even burn their sons and daughters *with* fire (Deut. 12:31, cf. 18:10). When confronted

[49] In Exodus, the Levites are not given the tasks mentioned in Deut. 10:8. Nor do we hear of any intercessions especially for Aaron.

[50] Cf. Zipor, 'The Deuteronomistic Account of the Golden Calf', 25.

[51] See Deut. 4:12, 15, 33, 36; 5:4, 22, 24, 26; 9:10; 10:4.

with the cult of these gods, YHWH himself becomes a consuming fire (Deut. 4:23-29, cf. 9:3). Conversely, we are told that the (cult of the) idols should be dealt with by putting their images into the fire (Deut. 7:5, 25, cf. 12:3). Thus, when he destroys 'the calf' in Deut. 9:21, Moses is not in first instance delivering a judgement on the people, but is clearing away the image the people have put between themselves and YHWH.[52] In other words, the destruction of 'the calf' by Moses is the counterpart to YHWH's answering the prayer. Given the context which the book of Deuteronomy supplies for the pericope under discussion – the confrontation between YHWH and the other gods[53] – it is not surprising that this destruction is described rather graphically here as compared to Exodus: Moses *grinds* the image thoroughly, until it is fine *as dust*. What follows – Moses throws the dust into the brook that comes down from the mountain – is also a representation of this confrontation: the brook comes from the place where Moses received the tablets of stone. This is another indication that the calf and the tablets of stone, on which are inscribed the words of YHWH, in Deut. 9:7–10:11 function as each other's opposites.[54] 'The image' which is placed before 'the word' undermines the trust in the God who released Israel from Egypt.[55]

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[52]Even more relevant to Deut. 9:21 is what B.S. Childs, *Exodus*, London 1974, 569, says with regard to Exod. 32:20: 'The issue at stake is not to determine the guilt, but to eradicate it.'

[53]See note 30 above.

[54]When one wonders *how* exactly the destruction of the 'molten calf' took place, Deut. 9:21 becomes a *crux interpretum*: how can a *molten image* be burnt and ground to dust, and how can it be ground to dust *after* it has been burnt? (see D. Frankel, 'The Destruction of the Golden Calf: A New Solution', *VT* 44 [1994], 330-9). The question, however, should be *why* the molten image was burnt rather than *how*. See G.J. Venema, 'Why Did Moses Destroy the "Golden Calf"? Four Readings of Deuteronomy 9:21 and Exodus 32:20', *ACEBT.S* 1 (1999), 39-49. See also C.T. Begg, 'The Destruction of the Golden Calf (Exod. 32:20/Deut. 9:21)', in: N. Lohfink (ed.), *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (BEThL, 68), Leuven 1985, 208-51; C.T. Begg, 'The Destruction of the Golden Calf Revisited (Exod. 32:20/Deut. 9:21)', in: M. Vervenne, J. Lust (eds), *Deuteronomy and Deuteronomic Literature* (Fs C.H.W. Brekelmans) (BEThL, 133), Leuven 1997, 469-79.

[55]See Deut. 7:5, 25, the other places in Deuteronomy where we are told about burning 'sculptured images' with fire. Cf. Labuschagne, *Deuteronomium*, vol. 1B, 204, who concludes from the reference to Deut. 7:5, 25 that Moses is the prototype of the radical reformer.

After having read about how the prayer was said and answered (Deut. 9:18-19), followed by prayer's concentrating on Aaron (Deut. 9:20) and by the description of the destruction of the calf, the reverse side of the fulfilment of the prayer (Deut. 9:21), the reader expects now at last to hear its contents. What follows, however, is a passage that at first sight seems difficult to place:

9:22 – Again at Taberah, and at Massah, and at Kibrot-hattaava:
you continually provoked YHWH.
23 And when YHWH sent you on from Kadesh-barnea, saying:
'Go up and take possession of the land that I am giving you',
you flouted what YHWH, your God, had said,[56]
you did not put your trust in him and did not listen to his voice.
24 You have been defiant toward YHWH
as long as I have known you. –

There are dashes around this translation of Deut. 9:22-24, as this passage is distinctly different in character from the previous verses, and the ongoing storyline seems to be interrupted. The dashes might give the impression that this is a so-called redactional interpolation. This, however, is not the case: Deut. 9:22-24 is not among those passages in Deuteronomy that speak *about* Moses;[57] Moses himself is still the speaker here, and so the text suggests the story simply continues. Yet, the content of these verses at first makes us doubt this ongoing storyline; this doubt is so strong that Von Rad even assumes a later addition that breaks the continuity.[58] Although it does seem that the argument is in-

[56]The Hebrew text does not have a verb here, but the noun פִּי, 'mouth', instead (see Deut. 1:26 and 43). In combination with the verb מרה, however, ('be defiant', 'resist'), פִּי cannot very well be translated literally by 'mouth'. The Dutch 'Statenvertaling' (1637) does have 'mouth' (as do M. Buber, F. Rosenzweig and A. Chouraqui), but adds an explanatory note: 'i.e., the command'. This interpretative translation is found in the Vulgate ('*et contempsistis imperium Domini Dei vestri*') and most modern translations (e.g. JPS, 'you flouted the command of the LORD, your God'). This translation is correct in the sense that what is meant here is the authoritative word spoken by YHWH (*HALAT*, 865, 'Mund = Ausspruch, Befehl Jahwes'; cf. 𝔊, which translates ἠπειθήσατε τῷ ῥήματι κυρίου τοῦ θεοῦ). Here, I have opted for the translation 'what ... had said' to indicate that this is not just any command of YHWH's, but a word which derives authority from the fact that he has actually *spoken* it with his mouth.

[57]See note 7 above.

[58]Von Rad, *Das fünfte Buch Mose*, 56: 'Die den Zusammenhang zerreißenden Verse 22-24 werden schon lange für ein späteres Einschiebsel gehalten ...' Schuman, *Deuteronomium*, 44 is slightly more cautious; he does

terrupted, a closer inspection reveals indications that lend this passage an obvious place and function within the pericope as a whole.

Firstly, there is the frame through which the resistance to YHWH is described: you *provoked* YHWH (Deut. 9:22) ... you *defied* YHWH (Deut. 9:24). We have seen this same frame earlier in Deut. 9:7, the introductory verse to the pericope discussed here.[59] This cross-reference leads us to suppose that in Deut. 9:22-24 – just as in Deut. 9:7 – the events at Mount Horeb are being related to the entire history from the Exodus to the entry in the Promised Land (cf. also the end of this passage, Deut. 9:24: 'as long as I have known you').

This supposition is further confirmed when we notice how the connection between Horeb and the history of the journey through the desert is established. This is done by means of four place names: Taberah, Massah and Kibrot-hattaava (Deut. 9:22), and Kadesh-barnea (Deut. 9:23). Apart from the verse in Deuteronomy, Taberah occurs in Num. 11:1-3, where we learn that the people complained during the trek through the desert. The place where this happens is called 'Taberah', 'Place of burning', since in reaction to the people's whining 'the fire of YHWH had burned under them' (Num. 11:3; cf. Deut. 4:11, 5:23[20] and 9:15). After Moses prays on their behalf, the fire dies down (Num. 11:2). This motif links 'Taberah' to Deut. 9:18-21, where as we have seen Moses also intercedes in order to cool YHWH's anger. The same chapter from Numbers that opens with 'Taberah' is concluded by 'Kibrot-hattaava' (Num. 11:34-35).[60] The riffraff among the Israelites crave for meat, and soon the entire people are homesick for Egypt and start to whine that they want meat instead of the 'manna' which they are given on their journey through the wilderness (Num. 11:4-9). YHWH gives them meat, in such

think that this passage is an intermezzo about other places and moments of unbelief, but at the same time he considers that this intermezzo has a function: it is intended to increase suspense.

[59]Cf. R.H. O'Connell, 'Deuteronomy IX:7–X:7, 10-11: Panelled Structure, Double Rehearsal and the Rhetoric of Covenant Rebuke', *VT* 42 (1992), 492-3, who recognises in Deut. 9:7-8a and Deut. 9:22-24 'a compound inverse frame comprising two triadic frames' (a-b-a' // a"-b'-b"). See also Labuschagne, *Deuteronomium*, vol. 1B, 208.

[60]In addition to Deut. 9, Kibrot-hattaava is mentioned in Num. 11: 34, 35 and Num. 33:16, 17.

quantities that it comes out of their nostrils: he strews quail all over their campsite (Num. 11:18-20, 31-32). 'The meat was still between their teeth, not yet chewed, when the anger of YHWH blazed forth against the people, and he struck the people with a severe plague. This is why the place was named Kibrot-hattaava, Graves-of-craving, because the people who had the craving were buried there' (Num. 11:33-34). Between Taberah and Kibrot-hattaava Deut. 9:22 mentions Massah, which also appears in Exod. 17. This place, too, derives its name from the protest voiced against YHWH during the journey in the wilderness (see Exod. 17:1-7). The protest in Taberah was general, in Kibrot-hattaava the people whined for meat, and in Massah the people grumble because there is no water to drink. Moses reacts with the question: 'Why do you quarrel with me? Why do you try YHWH?', but the people persist and want to know if they were brought out of Egypt only to die of thirst in the desert (Exod. 17:2-3). Moses is in despair; then YHWH commands him to strike 'the rock at Horeb' – on which YHWH himself will be standing; water flows from the rock, so that the people may drink (Exod. 17:4-6). 'The place was called Massah, Trial, and Meribah, Quarrel, because the Israelites quarrelled and because they tried YHWH, saying: "Is YHWH present among us or not?" ' (Exod. 17:7). Thus, the names of the first three places mentioned in Deut. 9:22 evoke the picture of the people of Israel during their trek through the wilderness, complaining (at Taberah) about the shortage of food and drink: they quarrel because there is no water (at Massah), and they whine because there is no meat (at Kibrot-hattaava).

These short summaries of the relevant episodes demonstrate that the three place names Taberah, Massah and Kibrot-hattaava represent the moments when the people of Israel have 'provoked YHWH in the desert', in other words: Deut. 9:22 refers back to, and is an explanation of, Deut. 9:7. Are these place names, however, no more than a few examples, as has often been suggested?[61] The order in which they are given raises the question whether

[61] Von Rad, *Das fünfte Buch Mose*, 56, states that Deut. 9:22-24 '... andere Fälle solcher Empörungen Israels aufzählt.' Labuschagne, *Deuteronomium*, vol. 1B, 206ff., speaks of examples supporting Deut. 9:7 allegedly arranged in ascending order of intensity, without making clear what exactly this increasing intensity in Deut. 9:22 consists of. Cf. also Schuman, *Deuteronomium*, 44 (see note 58 above).

there may be more going on than meets the eye. The only place name that is explicitly related to Horeb is in the middle position. If the place names had been ordered chronologically Massah would have been first, followed by Taberah and Kibrot-hattaava, both representing episodes which took place 'after Horeb'. The fact that this arrangement, with Massah in the middle, has been chosen means that reference is made not only to Deut. 9:7, but also to Deut. 9:8: '*At Horeb* you have *provoked* YHWH'. This may mean that the place names are not illustrations, but have rather been placed in a certain perspective themselves: by saying these words, Moses makes clear that the *entire history* – between Exodus and entry – has been, as it were, a 'Horeb-history'.[62]

This interpretation of Deut. 9:22 is supported by the fact that the fourth and last place name mentioned is Kadesh-barnea (Deut. 9:23). This is not surprising, since according to Deuteronomy the journey through the desert goes *from* Horeb *to* Kadesh-barnea, as we have seen in the first paragraph of this chapter.[63] As a result of the words spoken by Moses in Deut. 9:22, the hearer takes a step backwards as it were, and is persuaded to view the events at Mount Horeb (Deut. 9:9-21) as representative of the road the Exodus generation has chosen.[64] As 'Horeb' becomes in this way not just a past event but a symbol, the past in Deut. 9:23-24 can now be related directly to the present of the people whom Moses addresses, the generation that will enter the Promised Land and started out from Kadesh-barnea. This generation is identified with the generation that experienced what happened *between Horeb and Kadesh-barnea*: 'Also again at Taberah, at Massah and at Kibrot-hattaava: *you* continually provoked YHWH.' (Deut. 9:22)[65]

[62]Cf. Lohfink, *Die Väter*, 104: 'Im deuteronomistischen Deuteronomium wurde ein Israel entworfen, dessen Geschichte schon mit diesen Vorfahren [i.e., those mentioned in Genesis, Abraham, Isaac and Jacob, GJV] begann. Es ist also nicht mehr ein Exodus-Israel. Man kann es, wenn man will, als ein Patriarchen-Israel bezeichnen, aber eigentlich sind beide Bezeichnungen falsch. Sieht man sich das narrative Gefüge genau an, dann handelt es sich um ein Horeb-Israel.' See also Gomes de Araújo, *Theologie der Wüste*, 199-200.

[63]For the relation between Horeb and Kadesh-barnea as regards Deut. 9:23, see also Lohfink, 'Darstellungskunst', 27, n. 51: 'Wie Num 14 ordnet auch Deut 9 durch v. 23 die Kundschaftererzählung dem Sündenfall am Horeb zu.'

[64]This applies to the listener within the story just as much as to the hearers/readers of the story itself; they, too, are taken back by Deut. 9:22-24 to the situation at the beginning of the book of Deuteronomy.

[65]Hence, the identification of the Moab generation with the Exodus gen-

Thus, the passage in Deut. 9:22-24, which at first seemed an interruption of the argument, now proves to have a rhetorical function: before Moses discloses what he said in his prayer, his audience is implicitly reminded of the fact that here the past is being related because of their own present,[66] in other words: they themselves are being addressed, they themselves are the people for whom Moses has said the following prayer:

9:25 I lay prostrate before YHWH
–those forty days and forty nights I was prostrated –
because YHWH had said he would destroy you,
26 and I prayed to YHWH and said:
Lord GOD,[67]
do not ruin your very own people,
whom you redeemed in your majesty,
whom you freed from Egypt with a mighty hand.
27 Remember your servants, Abraham, Isaac and Jacob,
pay no heed to the stubbornness of this people,
its wickedness, and its sinfulness.
28 Else people will say, in the country[68] from which you brought us:
'It was because YHWH was powerless to bring them into the land that he had promised them,
and because he rejected them, that he brought them out,
to kill them in the wilderness.'
29 Yet they are your very own people,
whom you freed with your great might and your outstretched arm!

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eration is first of all a positive one, as stated in the first paragraph of this chapter. In Von Rad's words, the point is an identification with 'das alte Heilswort von der Erwählung durch Gott' (Von Rad, 'Die Predigt', 159). In Deut. 9, however, the identification turns out to have another side as well!

[66]Cf. M. Weinfeld, *Deuteronomy and the Deuteronomic School*, Oxford 1972, 173-4, who points to the rhetorical techniques used by 'the deuteronomic orator': catchphrases, questions, enumerations of listeners, and temporal adjuncts serve '... to implant in his listeners the feeling that they themselves have experienced the awe-inspiring events of the Exodus; and he repeats these phrases again and again as if to hypnotize his audience.'

[67]This translation of אֲדֹנָי יְהוִה is based on the vocalisation of the tetragrammaton in 𝔐. See *Amos/Obadja/Jona: Een vertaling om voor te lezen*, Haarlem 1986, 4. I have here followed the solution offered in this book, i.e., to translate the pronunciation prompted by the Masoretic text, and to indicate by capitals that the name of God is meant. Here and in Deut. 3:24 אֲדֹנָי יְהוִה serves as the opening of a prayer, see Preuß, Deuteronomium, 178.

[68]In the Hebrew original, the plural verb (יֹאמְרוּ) is followed by a subject in the singular (הָאָרֶץ); translated literally: 'Else they will say, the country

Reading Deut. 9:25 one might get the impression that for a second time, Moses is prostrated before YHWH for forty days and forty nights. The verse, however, simply resumes Deut. 9:18: 'those forty days and forty nights I was prostrated' are the same forty days and nights mentioned there.[69] We are also reminded of the immediate cause for that prayer: Moses wants to prevent the destruction of the people by YHWH (see Deut. 9:14, 19).

Earlier, in the discussion of Deut. 9:12, the significant role played by the verb 'go to ruin' (שׁחת) in Deut. 9:7–10:11 has been mentioned. In Deut. 9:12 we hear it from the mouth of YHWH, who complains to Moses about the behaviour of the people: 'The people whom you brought out of Egypt *have brought ruin upon themselves*.' In his prayer, Moses exhorts YHWH not to repay the people in kind by ruining them.[70] The use of the verb 'to go to ruin' is especially remarkable as it demonstrates how both YHWH and Moses react to what the people did at Horeb. Moreover, a comparison of Deut. 9:12 and 9:26 shows that they are calling each other to account:

9:12	YHWH to Moses:	the people [lit.: *your* **people**] whom *you* **brought out of** Egypt have brought ruin upon themselves
9:26	Moses to YHWH:	do not ruin *your* **people** ... whom you **brought out of** Egypt

The principal point of the argument between YHWH and Moses

where ...' This should be interpreted as a constructio ad sententiam (cf. GKC § 145e).

[69] As it happens, the formula 'forty days and forty nights' in Deut. 9:25 is different from that in Deut. 9:9, 18 and 10:10. It is introduced by אֵת, and the nouns have the definite article. This means that specific days and nights are meant here, i.e., those that have been mentioned earlier in Deut. 9:18, see GKC § 118k and Joüon § 126i; cf. Labuschagne, *Deuteronomium*, vol. 1B, 210, comment 1. Contra Schuman, *Deuteronomium*, 44.

[70] This connection becomes clear when we investigate on which occasions the verb 'to destroy' (שׁמד) is used (Deut. 9:8, 14, 19, 20, 25), and in what places 'to go to ruin' is selected (שׁחת; Deut.9:12 [Pi.], 9:26 and 10:10 [Hiph.]). O'Connell, 'Deuteronomy IX:7–X:7, 10-11', 498, misses this when in his diagram of the structure of B', Deut. 9:25-10:7, 10-11, he has 9:25b correspond to 10:10bg. This correspondence only occurs in O'Connell's translation, 'to destroy', but not in the Hebrew original: Deut. 9:25 has the verb השׁמד ('destroy'), while in Deut. 10:10 שׁחת ('to go to ruin') is used. See also the reference in Deut. 9:27b ('pay no heed to the stubbornness [קְשִׁי] of this people') to Deut. 9:13c ('see, it is a stiffnecked [קְשֵׁה] people').

is what both verses have in common: the people's departure from Egypt. Not surprisingly, the verb 'to bring out' is a keyword in Moses' prayer. In Deut. 9:28 it is used twice in order to indicate that the name of this God, YHWH, is at issue – in other words, that his honour is threatened (cf. Deut. 4:31). If YHWH annihilates his people, Egypt, the land he brought them out of, is put in the right after all. In that case it would have been better for Israel to have listened to the Pharaoh than to YHWH; to live in Egypt as slaves is better than to be brought out, only to die in the wilderness. What is more, the verb 'to bring out' appears in the surrounding verses (Deut. 9:26 and 29), in which Moses states that it is exactly the Exodus from Egypt which makes the people YHWH's 'own' (נַחֲלָה). The parallelism in Deut. 9:26d/e also indicates that the *main issue* of YHWH's involvement with Israel is at stake: these are the people 'whom you freed with your great might' (cf. Deut. 4:32-34). For it is not Moses but YHWH who has brought the people out from Egypt.[71]

Moses here occupies an intermediary position between YHWH and the people. This position as it were materialises in the word that opens Deut. 9:27: '*Remember* your servants, Abraham, Isaac and Jacob.' This call to remembrance, the only one in Deuteronomy addressed to YHWH,[72] is the counterpart of the exhortation in Deut. 9:7:

9:7	Moses exhorts *the people* to remember what **YHWH** has done
9:27	Moses exhorts *YHWH* to remember **his servants**, Abraham, Isaac and Jacob

The intermediary position that Moses occupies here is curious, and different from his position in Exodus. In Exodus, Moses offers to take the place of the people: 'Now, if you will forgive their sin, well and good; but if not, erase me from the book that you have written.' (Exod. 32:32)[73] Here in Deuteronomy, however,

[71] Compare Exod.32:7 – where YHWH says to Moses: '*your* people, whom you brought out of the land of Egypt, have fallen into sin' – with Exod. 32:11, where Moses says to YHWH: 'Why would *your* anger blaze forth against your people, whom you delivered from the land of Egypt, with great power and with a mighty hand?' See Childs, *Exodus*, 564.

[72] See note 12 above and cf. Exod. 32:11, 13.

[73] Although the verb התפלל ('to pray') is not used once, Exod. 32–34 – the

Moses refers YHWH and the people to each other.[74] This means that Moses does not listen to YHWH's proposition to make him 'a nation, far more numerous than they' (Deut. 9:14). Instead, he pushes the people back to YHWH as it were: they are *his* own people. In other words: although in his prayer Moses does intercede between YHWH and the people, he himself avoids taking a sort of intermediary position. The opposite is the case: Moses sides with the people. YHWH's remark 'the people whom *you* brought out ...' (Deut. 9:12), is answered just as subtly by Moses: 'Else people will say, in the country from which you freed *us* ...' (Deut. 9:28)[75]

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chapters in which the golden calf and the tablets of stone figure – mentions *four* prayers in which Moses intercedes between YHWH and the people (Exod. 32:11-14, 30-32; 33:12-16; 34:8-9). The first prayer, in Exod. 32:11-14, is an obvious parallel to Deut. 9:26-29 (cf. Childs, *Exodus*, 568: 'Moses uses three arguments which appear in slightly different order in Deut. 9'). There is a difference, however: in Exodus Moses' prayer is said on the mountain, while he is still with YHWH; in Deut. 9 the prayer is said when he is with the people, at the foot of the mountain. The difference in location also explains the fact that in Exodus a second prayer follows – Exod. 32:30-32, from which I have quoted earlier – , in spite of the fact that in Exod. 32:14 we have already read that the prayer has been answered. After Moses has descended from the mountain, he sees for himself what has happened and also flares up in anger, just like YHWH (Exod. 32:17-20, cf. 32:10). The result of this is that Moses goes up on the mountain *again*, in order to atone for the people's sins by praying to YHWH (Exod. 32:30, 32), something which was not mentioned at all in the first prayer. Thus, although in Deut. 9:26-29 we find combined elements especially from the parallel Exod. 32:11-14, and also from Exod. 32:30-32 (חַטָּאת, 'sin', cf. Deut. 9:27c) and Exod. 34:8-9 (עַם־קְשֵׁה־עֹרֶף הוּא, 'this is a stiffnecked people', cf. Deut. 9:27b; וְנַחֲלְתָּנוּ, 'take us for your own', cf. Deut. 9:26c, 29a), there is a clear difference as regards the positions occupied by Moses and YHWH, both *vis-à-vis* each other and *vis-à-vis* the people. This difference may explain why specific elements from Exod. 33:12-16, an appeal to YHWH to lead the people when they start out, are completely missing from Deut. 9 – this is connected with the role of the Ark in Deut. 10:5, 8 (see below).

[74]See Von Rad, *Das fünfte Buch Mose*, 56. Cf. P.D. Miller jr., ' "Moses my servant": The Deuteronomic Portrait of Moses', *Interp.* 41 (1987), 245-255, esp. 251ff., who sees parallels between the intercession by Moses and that by Amos (Amos 7:1-6).

[75]Cf. Preuß, *Deuteronomium*, 183, who points out that in Deuteronomy the phrase 'my people' does not occur: because of the character/form of the book (an address by Moses), this might give the impression that they are Moses' people. Even when 'his people' or 'your people' are mentioned this never refers to Moses, with the exception of Deut. 9:12, where it says literally: '*your people* whom you brought out ...' See also H. Jagersma, '... Veertig

1.4 The Covenant Safeguarded: The Tablets of Stone in the Ark – Deut. 10:1-11

The molten calf has been destroyed and Moses has said a prayer which we know has been answered (Deut. 9:19), but what has happened to the tablets of stone, inscribed by the finger of God and smashed by Moses? Their destruction broke the covenant between YHWH and his people. The fulfilment of Moses' prayer suggests that the covenant has been restored. This in turn raises the question what this implies about the words on the now smashed tablets of stone,[76] all the more because, as we have seen, these words themselves are in a way the actual covenant.

In Deut. 10:1 Moses recounts how 'at that moment' – i.e., as he finishes saying his prayer (a reference to Deut. 9:18; cf. the similar reference in Deut. 9:20) – YHWH commands him to ascend the mountain again. In other words, this command should be read in the light of Moses' prayer of intercession. YHWH's answer to Moses' prayer comes in the form of a new instruction,[77] as follows:

10:1 At the same time YHWH said to me:
Carve out two tablets of stone like the first
and come up on the mountain, to me,
and make an ark of wood.
2 I will inscribe on the tablets of stone the commandments
that were on the first tablets that you smashed,
and you shall deposit them in the ark.
3 I made an ark of acacia wood
and carved out two tablets of stone, like the first.
I went up the mountain,
the two tablets of stone in my hand.
4 And he[78] wrote on the tablets the same text as on the first:

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dagen en veertig nachten... ', in: Idem, *Tekst & Interpretatie: Studies over getallen, teksten, verhalen en geschiedenis in het Oude Testament*, Nijkerk 1990, 25-6.

[76]This question is the guiding principle in Venema, 'Woord naast woord', on which this paragraph and the next are partly based.

[77]Cf. Labuschagne, *Deuteronomium*, vol. 1B, 219, who claims that YHWH reacts to Moses' prayer with an action rather than words, just as Moses himself reacted to YHWH's words with an action (Deut. 9:15-21).

[78]In Exod. 34:28, Moses himself inscribes the new tablets of stone. There is no reason here to assume that the subject of the sentence suddenly changes in the predicate וַיִּכְתֹּב ('and he wrote'), as for instance La Sainte Bible ('Et

the ten words that YHWH addressed to you on the mountain,
out of the fire on the day of the Assembly,
and YHWH gave them to me.

10:5 I turned round and went down from the mountain.
I deposited the tablets in the ark that I had made.
They remained there,
as YHWH had commanded me.

After Deut.10:1-5 the answer to the question what has happened to the tablets of stone and the words inscribed on them seems clear: the tablets are replaced by new ones. Moses again receives two tablets of stone inscribed with the Ten Words YHWH had spoken to the people on the mountain. It is expressly stated that these are two tablets of stone 'like the first' (כָּרִאשֹׁנִים, Deut. 10:1, 3). Similarly, the words YHWH inscribes on the new tablets are the same as those written on the *first* tablets (Deut. 10:2, 4). In other words, the point here is the restoration of the same covenant as that referred to in Deut. 9:9-15. When, however, we compare Deut. 10:1-5 with 9:15, we find that the situations are anything but identical. Moses' second ascent of the mountain is not a duplicate of the first; after what happened, and after Moses' prayer, the receipt of the new tablets proceeds differently from the first.

9:9	Moses ascends the mountain in order *then* to *receive* the tablets of stone
10:1, 3	Moses has to carve out the tablets of stone *himself*, and *only then* does he ascend the mountain
9:10	YHWH gives Moses the tablets which *have already been inscribed* 'by the finger of God'
10:4	YHWH writes the Ten Words on the tablets, and *then* hands them to Moses

l'Éternel écrivit ...') and La Sacra Bibbia ('Il Signor scrisse ...') do. In Deut. 10:4, Moses is speaking and referring to YHWH in the third person says 'He wrote ...'. According to Buber–Rosenzweig, here in Deuteronomy, too, Moses inscribes the new tablets of stone, but there is nothing in the text or its exegesis which prompts such a deduction. See G.J. Venema, 'YHWH or Moses? A Question of Authorship: Exodus 34:28, Deuteronomy 10:4; 31:9,24', in: K.A. Deurloo, B.J. Diebner (eds), YHWH – *Kyrios – Antitheism, or the Power of the Word* (Fs R. Zuurmond) (DBAT.B, 14), Heidelberg 1996, 69-76; J.-P. Sonnet's basic assumption in *The Book within the Book: Writing in Deuteronomy* (BiIntS, 14), Leiden 1997, 48.

9:9	YHWH *gives* the tablets (9:10, 11) and Moses *receives* them (לקח; lit.: *takes* them)
10:4	YHWH *gives* the tablets; acceptance is not explicitly mentioned
9:15	Moses *descends from the mountain* with the tablets in *both hands*, to show them to the people
10:3, 5	Moses *ascends the mountain* with the tablets in *his hand*, to offer them to YHWH; Moses *descends from the mountain* and deposits the tablets in the ark

This comparison shows that the procedure for the acceptance of the new tablets of stone is the reverse of what happened the first time: then, Moses went up the mountain to take delivery of the tablets inscribed by YHWH, now he takes the new tablets, hewn by himself, with him when he goes up the mountain to have them inscribed by YHWH. Characteristic for this reversal is the way in which, and the moment when, Moses' hands are mentioned. The first time, Moses descends from the mountain with the tablets in 'both hands' (Deut. 9:15), the second time he has the tablets 'in his hand' when he goes up the mountain (Deut. 10:3). The purpose of the first journey was for Moses to show the already inscribed tablets of stone to the people, this time he offers them to YHWH, so that he may inscribe them.[79] All this points to an active approach on Moses' part during his second journey up the mountain. As the person who spoke the prayers of intercession on behalf of the people, he must make an effort to restore the covenant, and so he does.[80]

After and because of the intercession and Moses' willingness to actively involve himself, these same Ten Words come down from the mountain in a different way. Thus, although the covenant between YHWH and his people has been renewed, it has acquired a different status, as is evident from the fact that Moses himself retains custody of the tablets by depositing them in an ark (Deut. 10:5). This is the last of Moses' actions which is men-

[79]The difference is also reflected in the fact that in the description of the descent, 'hand' is plural ('both hands'), but during the ascent it is used in the singular ('hand'). See Venema, 'Woord naast woord', 49-50.

[80]See also Deut. R. 3, 17, where Moses glosses over the people's adoration of the calf by remarking that YHWH has led them out of Egypt, the home of idolatry – i.e., it had become a habit. YHWH answers that he is willing to reconcile himself with the people, if Moses now brings over the tablets *at his own expense.*

tioned in the pericope Deut. 9:7–10:11. It is a seemingly simple act, but its importance is demonstrated by the statement following it: 'They remained there, as YHWH had commanded me.' The purpose of this last remark is not immediately clear, so that the question arises why the tablets of stone remain in the ark, and what happens to them after this. At exactly this moment, we are confronted with a seemingly unrelated fragment:

10:6 – The sons of Israel set out from Beerot-bene-jaakan to Moserah;
Aaron died there and was buried there.
Eleazar, his son, became priest in his stead.
7 From there they set out for Gudgod,
and from Gudgod to Jotbath, a region of running brooks. –

These verses appear totally out of place, and we would be justified in viewing them as a so-called redactional passage.[81] The storyline is interrupted for an aside. What this aside refers to is hard to make out. To assume that this is a travel report which had to be fitted in somewhere, and has been inserted without attention to context, explains but does not clarify the fragment.[82] The place names mentioned are also found in Num. 33, where the stopping places on Israel's journey from Egypt to Canaan are enumerated, but a comparison does not help us much.[83] Nothing is known about the place names themselves.[84] Thus, the reference to Num. 33 alienates rather than engages, in the sense that the reader is taken out of the story for a moment. Because of the interruption, we again realise what it is that is being interrupted: Moses' speech, in which he addresses the people on the other side of the Jordan.[85] Although the content of the passage

[81] Cf. the discussion of Deut. 9:22-24 above. See Chr.T. Begg, 'The Tables (Deut. x) and the Lawbook (Deut. xxxi)', *VT* 33 (1983), 97, n. 2: 'Deut. x 6-7 is generally regarded as extraneous in its context.'

[82] So Von Rad, *Das fünfte Buch Mose*, 56.

[83] See Num. 33:30-33. In Numbers, the order Moserah/Moserot and Bene-jaakan is the reverse of that in Deut. 10:6-7.

[84] See Labuschagne, *Deuteronomium*, vol. 1B, 224.

[85] According to R. Polzin, 'Reporting Speech in the Book of Deuteronomy: Toward a Compositional Analysis of the Deuteronomic History', in: B. Halpern, J.D. Levenson (eds), *Traditions in Transformation: Turning Points in Biblical Faith*, Winona Lake 1981, 206, we should not be too hasty in assuming redactional insertions. Polzin thinks a case may be made for interpreting such passages as Deut. 10:6-7 as 'frame-breaks' that have a particular function within the whole of the text. 'Rather than indications of sloppy redac-

is hard to explain, is it nevertheless possible to say something about its function. At the moment when, as readers, we start to wonder what happens to those tablets of stone which remain in the ark, we are by hearing those place names again reminded of Israel's journey through the wilderness, the frame inside which this pericope in Deuteronomy has also been placed.[86]

We are not given an answer to the question what happens to the tablets of stone Moses places in the ark, not even in the verses that follow. The answer only comes in one of the last chapters of Deuteronomy. What the answer is, and why it takes so long before it is revealed, I will discuss in the next and last paragraph of this chapter. The sequel to the present pericope, however, does contain some indications as to the direction in which to search. Moreover, this sequel shows that something may be said about the content of Deut. 10:6-7 after all. In addition to the place names familiar from Num. 33, Deut. 10:6-7 also mentions the death of Aaron and his succession by his son Eleazar. This makes the tradition of the Levitical priests, which started with Aaron, an important motif in the book of Deuteronomy – the foundation of which is given here, immediately after the tablets of stone have been deposited in the ark.[87] The addition of 'he was buried there' in Deut. 10:6 seems to emphasise the fact that Aaron himself is finished. Eleazar is not a duplicate Aaron, just as the new tablets of stone are no simple duplicates of the first. Similarly, a comparison with the parallel text in Num. 20:22-29 shows that, remarkably, in Deuteronomy Eleazar is not vested with his office

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tional tampering, these breaks in the text serve to represent the narrator's subtle but powerful claim to his audience to be the sole authentic interpreter of Moses' words.' Here as elsewhere, Polzin voices his opinion that the relationship between Moses and 'the narrator' is one of two voices in counterpart; see for a refutation of this view Sonnet, *The Book within the Book*, 239ff.

[86]Cf. Schuman, *Deuteronomium*, 44, who describes the meaning of the 'travel note' in Deut. 10:6-7 as a resumption of the movement in history; Moses goes up and down, Israel moves on, in other words: history, the subject of the teaching, moves on.

[87]This may explain the remarkable statement that Aaron dies here, on the way, whereas in Deut. 32:50 we are told that Aaron dies on Mount Hor. This contradiction is insoluble, unless we suppose with Labuschagne that Moserah is near Hor, on the edge of Edomite country. Cf. Labuschagne, *Deuteronomium*, vol. 1B, 225. In Numbers, too, we read that Aaron dies on Mount Hor, after he has handed his clothes to his son Eleazar (Num. 20:22-29, see Num. 33:38-39).

by Aaron himself. We may say that according to Deuteronomy the Levitical tradition, which started with Aaron, does not depend on hereditary succession, but on the task allotted to 'the tribe of Levi', first of all linked to the ark in which the tablets are kept.

10:8 At that time,[88] YHWH set apart the tribe of Levi
to carry the ark of YHWH's covenant,
to stand before YHWH and serve him,
to bless in his name, until this day.
9 This is why the Levites have received no hereditary portion
along with their kinsmen;
YHWH is their portion,
as YHWH your God spoke to him.

These verses, too, are still spoken in the wings, as an aside. They should, however, certainly not be called a 'redactional passage', as they have been formulated in such a way that they may equally plausibly be spoken by 'the narrator' as by Moses himself.[89] This subtle merging of 'the narrator inside the story' with 'the narrator of the story itself' imperceptibly puts a great emphasis on what is said in these verses: Aaron or the Levitical priests are linked to the ark of the covenant.[90] The tribe of Levi consists of those who are given a number of priestly tasks that only they are allowed to carry out, and which occupy them completely. In their function as interceders between YHWH and their brothers they are not allowed any other means of existence than that which they derive

[88] בָּעֵת הַהִוא has here been translated by 'at that time' instead of 'at the same time', as in Deut. 9:20 and 10:1, since the contents of Deut. 10:8-9 are a direct continuation of Deut. 10:6-7. Cf. Labuschagne, *Deuteronomium*, vol. 1B, 222, who in addition to the content also adduces the argument of the numerical structure.

[89] See Polzin, 'Reporting Speech', 210-1: '... the reader of 10:8-9 now experiences the narrator's utterance and the hero's word as indistinguishable in tone, style and content: the voice of the Deuteronomic narrator merges for a brief moment with Moses.' A radically different view is held by O'Connell, 'Deuteronomy IX:7–X:7, 10-11', 492, who – as is already clear from the title of his article – leaves Deut. 10:8-9 completely out of it and limits himself to the remark: 'Deut. x 8-9 may comprise a later insertion to the text.'

[90] There is nothing in Deuteronomy that would prompt a distinction between Aaronites and Levites, let alone between priests and Levites; in scholarly literature there has been much discussion about these distinctions, with reference to other biblical books. Levites and priests are explicitly identified with each other in Deut. 18:1: '... the levitical priests, the whole tribe of Levi ...' See D. Kellermann, *ThWAT*, Bd. 4, 512-4.

from the cult of YHWH (see Deut. 18:1-8, cf. Num. 18:20-24. The first task that is mentioned and to which, because of the preceding passage, special attention is drawn, is the carrying of the ark of the covenant. This motif here appears in the Torah for the first time; it is not used in Exodus, even the phrase 'ark of the covenant' does not occur there.[91] It is no coincidence that the first time this name appears in Deuteronomy is in 10:8. Until the moment when Moses descends from the mountain for the first time, the tablets of stone are repeatedly referred to as 'tablets *of the covenant*' (Deut. 9:9, 11, 15). As soon as Moses goes up the mountain for the second time, this stops; conversely, from the moment the new tablets have been put inside, the ark is called 'the ark *of the covenant*'. Thus, the epithet 'of the covenant' is as it were transferred from the tablets to the ark. From now on, the tablets of stone are the tablets in the ark.[92] This means that with his last action (Deut. 10:5) Moses did more than just put the tablets of stone in a chest: he actually puts them away. As we shall see, the tablets of stone will not come out of the ark again. From now on, the words inscribed on the tablets of stone are hidden words. The question what happens to the tablets of stone and the words inscribed on them now coincides with the question about the function of the ark in Deuteronomy.[93]

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[91] We do read in Exodus about the 'ark of the testimony' (אֲרוֹן הָעֵדֻת; 25:22; 26:33, 34; 30:26; 39:35; 40:3, 5, 21). In addition to Deuteronomy, the expression 'ark of the covenant' (אֲרוֹן בְּרִית) occurs in Josh. 3:3, 6, 8, 14, 17; 4:9, 18; 6:6; 8:33, where the ark is also carried by priests. For an analysis of the way in which the ark appears in Exodus see Venema, 'Woord naast woord', 51ff.

[92] Cf. M. Noth, *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament*, Tübingen ²1957, 101. In Exodus there is no comparable connection between the 'tablets of the testimony' and the 'ark of the testimony', as both phrases refer to a third, 'the tabernacle of the testimony'. See Venema, 'Woord naast woord', 52.

[93] H.-J. Zobel points to the specific function of the ark in Deuteronomy: '... die Deutung der Lade (...) als eines Behältnisses für die Tafeln ist allein sein Werk.' (*ThWAT*, Bd. 1, 400) The thesis that this rather reduces the ark's significance I consider an overly hasty conclusion, which may be drawn on tradition-historical grounds but can hardly be supported for Deuteronomy. See also G. von Rad, 'Deuteronomium-Studien', in: Idem, *Gesammelte Studien zum Alten Testament*, Bd. 2 (TB, Altes Testament, 48), ed. R. Smend, München 1973, 129, who is of the opinion that from this moment the ark is no longer the symbol of YHWH's presence, but just a receptacle for the tablets of stone; this would be 'eine "Entmythologisierung" und Rationalisierung der alten Anschauung'; cf. G. von Rad, *Theologie des Alten Testaments*, Bd. 1,

It is clear that the situation has changed radically: the tablets of stone are no longer shown to the people, but put away in the ark, 'the ark of the covenant'. Apart from the question which function is allotted to the ark in Deuteronomy, one thing is certain in any case: the covenant between YHWH and his people has been renewed and safeguarded. The new tablets of stone, which Moses brought from the mountain and on which are inscribed the words of YHWH, have been put away in the ark.

The last verses of this pericope show that after Moses' prayer and YHWH's answer, the journey from Mount Horeb to the Promised Land may now start:

10 As for me, I stood on the mountain,
as I did the first forty days and forty nights.
YHWH heeded me, once again,
YHWH agreed not to ruin you.
11 YHWH said to me:
Get up, resume the march at the head of the people,
that they may enter [the land] and possess the land
that I swore to their fathers to give them.

After the break in Deut. 10:6-9 the story is resumed. The opening is remarkable because of the powerful expression 'As for me ...': Moses, the narrator within the story, immediately draws all attention to himself.[94] In the two sentences which make up Deut. 10:10 the global lines of the whole pericope 9:7-10:11 are brought together. 'And *I* stood on the mountain, as I did the first forty days and forty nights.' Moses is standing on the mountain, where YHWH hands him the tablets of stone (Deut. 10:4), just as the first time he stood on the mountain to receive the

München [8]1982, 251 and Preuß, *Deuteronomium*, 17. According to K. van der Toorn, 'The Iconic Book: Analogies between the Babylonian Cult of Images and the Veneration of the Torah', in: K. van der Toorn (ed.), *The Image and the Book: Iconic Cults, Aniconism, and the Rise of Book Religion in Israel and the Ancient Near East*, Leuven 1997, 241-2, quite the opposite is the case: in Deut. 10:1-5 the ark acquires greater significance. 'When it became a shrine for the revealed Word of God, its new function did not diminish its holiness; the written law had, in effect, taken the place of the image.'

[94]See F. Rosenzweig, *Sprachdenken im Übersetzen: Arbeitspapiere zur Verdeutschung der Schrift* (Rosenzweig Gesammelte Schriften, 4/2), Dordrecht 1984, 169 on the conspicuous use of the full form of the pronoun אָנֹכִי at this place: 'Dies onauchi' (...) des Deuteronomiums ist ja ein einzigartiges Zwischenglied zwischen dem ausgelöschten kau-omar-Ich des Propheten und dem gottverdrängenden Jesu.'

tablets: '*the first* forty days and forty nights' refer to Deut. 9:9-10, the beginning of the story.[95] The point of the entire pericope Deut. 9:7–10:11 is with what happened on the mountain the first time: Moses receives the tablets of the covenant from YHWH. The smashing of those tablets of stone has not resulted in a permanent breach of the covenant between YHWH and Israel, because 'YHWH heeded me, once again' (Deut. 10:10). This phrase is a literal quotation from Deut. 9:19, where Moses says that YHWH has answered his prayer. In Deut. 10:10, however, YHWH's heeding of the prayer in first instance refers to the new tablets of stone Moses has received. By way of the quotation from Deut. 9:19 both moments are directly linked at the end of the pericope: the fulfilment of the prayer is embodied in the new tablets of stone, carved out by Moses, inscribed by YHWH with the Ten Words and given to Moses.[96]

This answer means that YHWH relinquishes his plan to ruin the people. The way in which the verb 'to go to ruin' (שׁחת) is used here for the last time clearly shows the interactions which have taken place, and what the result has been of the intermediary role Moses played. Because of Moses' appeal to YHWH not to ruin the people (Deut. 9:26), YHWH decides not to annihilate them, although they had 'brought ruin upon themselves' (Deut. 9:12). YHWH will not go on with Moses alone. Because of this, Moses can now turn to the people and say that YHWH agrees not to ruin them (Deut. 10:10). What this means in concrete terms is graphically described in the last verse: Moses is to resume the

[95] Deut. 10:10b is not a reference to 9:18 or 25, as Moses' prayer is not said on the mountain, but below, among the Israelites (see the discussion of Deut. 9:18 above). There will be no confusion as to how often Moses stays on the mountain and how often he prays if we consistently view all expressions containing ראשׁון as references to Deut. 9:9-10, whether we are dealing with the days on which Moses prays (9:18, 25), the new tablets of stone (10:1, 3) or the words inscribed on them (10:2, 4). Consequently, Moses has been to the mountain *twice* in order to receive the first and second sets of tablets respectively, and between these two events he has said a prayer. We do, however, have *three* periods of forty days and forty nights. Cf. Plaut, *Deuteronomy*, 120, who states that Moses fasts 120 days, the same number as the years of his life; according to E. Talstra, 'Deuteronomy 9 and 10: Synchronic and Diachronic Observations', in: J.C. de Moor (ed.), *Synchronic or Diachronic: A Debate on Method in Old Testament Exegesis* (OTS, 34), Leiden 1995, 198-9, Deut. 10:10 refers to 9:18: this is a prayer *on* the mountain.

[96] Cf. the introduction to Deut. 10:1-5 above.

journey at the head of the people, setting out for the land YHWH has promised. Again, Moses hears the command: 'Get up!' (Deut. 10:11) The first time, this was a command to go down from the mountain to see how the Exodus from Egypt had halted, as the people assumed they had already arrived and thought that from now on they could manage without the words of YHWH (Deut. 9:12, 'Get up, and go down from here at once'). Now, Moses hurries to 'resume the march at the head of the people': Mount Horeb is the place where the journey to the Promised Land really starts, as it was here that the tablets of stone, inscribed with the Ten Words, were received by Moses, even though they are now stored in the ark.

1.5 Word beside Word: The *torah* beside the Ark of the Covenant – Deut. 31:9-13, 24-26

At the end of Moses' long speech, in chapter 31, we are told more about the function that, according to Deuteronomy, is served by the ark. Moses will not cross the Jordan with the people, but will die in Moab (Deut. 31:2; see 32:48-52, 34:1-8). With Moses' life the book of Deuteronomy itself also comes to an end. Deuteronomy, and with it the Torah, stops just before the Jordan, in the steppes of Moab. The crossing of the Jordan, led by Joshua, coincides with the transition from Deuteronomy to the book of Joshua – in other words, the transition from Torah to Former Prophets. In view of these future events, at the end of Deuteronomy we are told about the appointment of Moses' successor Joshua (Deut. 31:1-8, 14-15, 22-23), who will follow in Moses' footsteps (Deut. 34:9-10). What, though, is going to happen to the Ten Words? Are the tablets of stone to remain behind in Moab, with Moses, or will he entrust them to the people who are moving on, to enter the Promised Land?

In Deut. 31:24-26 we find a short passage in which the ark containing the tablets of stone is mentioned again: the Ten Words will be taken along across the Jordan after all. As we shall see, the passage contains clear references to chapters 9–10, so that in a few words the readers are reminded of the events at Mount Horeb. The past cannot be forgotten, after Moses' death the ark is not simply lifted up and carried along. The Ten Words remain hidden. In Deut. 31 we hear how, although hidden, they may still

be relevant for Israel. This happens in a surprising twist: at the very moment Moses is winding up his speech, it turns out that in Deuteronomy he is not only known as a great orator, but also as a writer:

31:9 Then Moses wrote down this *torah*
and gave it to the priests, the sons of Levi,
who carry the ark of the covenant of YHWH,
and to the elders [of Israel].
10 Moses instructed them, saying:
every seventh year,
the year set for remission,
at the Feast of Booths,
11 when all Israel comes
to appear before YHWH, your God
in the place that he will choose,
you will read this *torah* aloud to Israel,
in their presence.
12 Gather the people:
men, women, children
and the stranger within your gate,
that they may hear, and so learn
to fear YHWH your God
and to retain all the words of this *torah* in order to do them;
13 and their sons, who have not had the experience,
[that] they shall hear and learn
to fear YHWH, your God, –
all the days as they live in the land
that you are approaching across the Jordan
in order to possess it.

Moses is the first writer to appear in the Hebrew Bible.[97] In Deut. 9–10 it was stated explicitly that YHWH himself wrote the Ten Words on the tablets of stone, both the first and the second time. There is no job for Moses here, that much is clear. Now, however, it turns out that it is he who writes down 'this *torah*' (אֶת־הַתּוֹרָה הַזֹּאת), and entrusts it to the Levites who carry the ark, and to the elders (Deut. 31:9)! What is meant by 'this *torah*', and why is it given to these people?

In the preceding chapters of Deuteronomy the same expres-

[97] Deut. 31:9 is, however, not the first place where Moses figures as a writer; the parallel verses in Exodus are: 17:14; 24:4; 34:27-28; see C. Dohmen, M. Oeming, *Biblischer Kanon warum und wozu? Eine Kanontheologie* (QD, 137), Freiburg 1992, 99. Cf. Num. 33:2; see H. Haag, 'כָּתַב', *ThWAT*, Bd. 4, 388.

sion, 'this *torah*', has been used several times together with the verb 'to write' (כתב).[98] In his sermon about blessing and curse for Israel (Deut. 27–29), Moses refers to matters which either have or have not been 'written' (כְּתוּבָ[ה]) in 'this book of the *torah*' (בְּסֵפֶר הַתּוֹרָה הַזֹּאת/הַזֶּה).[99] These references appear out of the blue, since until then we have not heard anything about such a book. The reader has two ways of dealing with them. First, the implication of the existence of a 'book of the *torah*' in these verses may be viewed as a shortcoming: apparently, the writer of Deuteronomy did not think it necessary to offer an explanation. The reader is left with the question: what's this all about? The second approach is to view the fact that this question arises as a functional aspect of the interpretation of the text, evoked by the Deuteronomy text itself – what is it all about indeed? The answer is not long in coming. After having been up in the air during a number of chapters, the question 'lands' in Deut. 31:9, where Moses writes down 'this *torah*'.

We here discover a curious fact: Moses only writes down the words at the end of his long address. Thus, the picture presented by Deuteronomy is not one of Moses writing the 'book of the *torah*' first, and then reading it to the people. Yet at the same time, Moses himself in his address refers to 'this book of the *torah*' as an existing and available item. So, in the view presented by Deuteronomy the actual recording does not come first, but neither is it an administrative action afterwards, not worth mentioning – on the contrary.[100] Deuteronomy is pre-eminently the book of the spoken word, but at the end of the book, in an intriguing twist, the articulation of the words turns out to be connected with writing them down. At the end of this study

[98] In Deut. 27:3, 8 we read about big 'stones' (אֲבָנִים) on which the words of 'this *torah*' should be written after Israel has crossed the Jordan; in 28:61; 29:20 [tr. 21] and 30:10 Moses refers to the 'book of the *torah*'.

[99] Deut. 28:61: 'all the other diseases and plagues that are not *written* in *the book of this torah* (בְּסֵפֶר הַתּוֹרָה הַזֹּאת) YHWH will bring upon you ... '; 29:20: '... in accordance with all the sanctions of the covenant written in *this book of the torah* (בְּסֵפֶר הַתּוֹרָה הַזֶּה)'; 30:10: 'when you heed the voice of YHWH, your God, by keeping his commandments and laws that are *written* in *this book of the torah* (בְּסֵפֶר הַתּוֹרָה הַזֶּה)...'

[100] See Sonnet, *The Book within the Book*, 121, about the function of Deut. 31:1–32:47, of which may be said that it 'records Moses' ultimate education, linked to his becoming a writing prophet, and to the completion of his mission as a prophet.'

I will return to the significance of the dialectic between spoken and written word.

I would here like to draw attention to the way in which, in the verses following Deut. 31:9, this dialectic is immediately made visible: Moses writes down the words, in order that from now on the words he spoke may be spoken again in Israel. At specific intervals, every seven years, '... you will read *this torah* in the presence of all Israel' (Deut. 31:11). In this way, the recitation of the *torah* is linked to the remission of debts, as described in Deut. 15:1-11. When the harvest has been brought in and the Feast of Booths is celebrated (see Deut. 16:13-15), every seven years it will be time to have everybody share in the gifts equally. This remission and acquittal here function as 'outside', with the reading of the *torah* representing the 'inside'.[101] For, the purpose of the recitation is to have Israel learn (למד) the words and keep (שמר) them, in order to perform them (לַעֲשׂוֹת), in view of the future life in the Land (Deut. 31:12-13). This points back to the opening of Moses' speech, after the introductory chapters: 'Hear Israel, the laws and rules that I speak in your presence this day! *Learn* and *keep* them, in order to *do* them' (Deut. 5:1; cf. 17:19).

Thus, we see how at the end of Deuteronomy 'this *torah*' is given to Moses as a replacement.[102] After Moses' death, Israel will hear his words through the reading of 'this *torah*'. The position of this passage at the end of the book suggests that by 'this *torah*' Deuteronomy itself is meant.[103] Obviously, this may not be stated in so many words, because as a protagonist Moses cannot speak about the book in which he figures. It cannot be denied, however, that the expression 'this *torah*' refers back to the beginning of Deuteronomy (cf. Deut. 1:5 and 4:44), so that

[101] Whether historically there was ever a real connection between the Feast of Booths and a recitation cannot be established; see C.J. Labuschagne *Deuteronomium*, vol. 1C (PredOT), Nijkerk 1997, 185-6.

[102] See Schäfer-Lichtenberger, 'Göttliche und menschliche Autorität', 136-7: 'Die Relation YHWH-Mose-Israel wird für das Alltagsleben im Lande abgelöst durch die Relation YHWH-Torahbuch-Israel. Was es heißt, entsprechend dem Willen Gottes zu leben, das erfährt man nach dem Tode aus dem סֵפֶר הַתּוֹרָה ...'

[103] See von Rad, *Theologie*, Bd. 1, 234-5 and n. 78 (234). Noth, *Überlieferungsgeschichtliche Studien*, 13-4, is of the opinion that 'this *torah*' refers to the 'deuteronomic law' and its frame, i.e., Deut. 4:44–33:20, which he thinks is part of the so-called 'Deuteronomistic History', to which the beginning of Deuteronomy is the introduction (see Chapter 2 of this study).

– at the very moment when we hear about the writing of 'this book of the *torah*' – the attention is drawn to Moses' address as a whole, which ultimately puts the 'book of the *torah*' on a par with Deuteronomy itself.

Here, this lends an extra dimension to the way in which the words from the book of Deuteronomy are connected to the figure of Moses. Not only can the book as a whole be viewed as a farewell speech put into Moses' mouth, as stated in the introduction to this chapter; it is also clothed in his authority because he is credited with having written it. One of the effects of this is that all distinction is lost between the figure of Moses and the words of Deuteronomy.[104] Thus, whoever wants to find Moses is in Deuteronomy referred to 'this *torah*', and at the same time to the book of Deuteronomy itself. If we want to know what Moses says, we have only the words of this book to rely on.[105] Remnants from the past, such as Moses' grave, do not mean anything, and no exact information is given about them: 'and no one knows his burial place to this day' (Deut. 34:6). This statement at the end of the book is not an admission of shortcoming, but again underlines the pretensions harboured by Deuteronomy *as a book*. Another result of this is the inimitable way in which the author of the book of Deuteronomy provides a place for himself in the story he is writing. To see Moses as the author of the Torah (Genesis through Deuteronomy) has for centuries been considered a naive-historical idea (more about which in the next chapter). Whether it is also naive to see him as the author of the *torah* (the instruction), which is presented in and through the book of Deuteronomy, as suggested by the composition of Deuteronomy, is another matter.

Further down in Deut. 31 Moses is mentioned a second time as the writer of 'this *torah*', in a short passage that because of the

[104] Cf. S.D. McBride, *TRE*, Bd. 8, 531: 'Kurzum, die Tora ist faktisch Erzatz für Mose selbst in seiner Eigenschaft als der höchste Vermittler des göttlichen Wortes an Israel.' McBride observes that Deuteronomy is the only book that calls itself the '*torah* of Moses'.

[105] Cf. K.A. Deurloo, 'The One God and All Israel in its Generations', in: F. García Martínez *et al.* (eds), *Studies in Deuteronomy* (Fs C.J. Labuschagne) (VT.S, 53), Leiden 1994, 44, and 46: 'The Voice at Horeb, the *words* spoken by YHWH and Moses can be heard through *the book* ...'

way the ark is introduced harks back to Deut. 9:7–10:11.[106] The passage runs as follows:

31:24 When Moses had put down in writing the words of the *torah*
to the very end,
25 Moses charged the Levites who carry the ark of the covenant
of YHWH:
26 take this book of the *torah*,
and place it beside the ark of the covenant of YHWH,
your God.
let it be there among you as a witness.

These verses make clear why we only hear about the function of the ark at the end of the book of Deuteronomy. As it turns out, this function has to do with the 'book of the *torah*', which as we have seen in the discussion of Deut. 31:9, was written at the end of Moses' address instead of the beginning. After Moses has written down all the words, i.e., when the book is complete, the Levites are commanded to put 'this book of the *torah*' beside the ark.[107] The phrase 'this book of the *torah*', used at this point in Deuteronomy, has a curious effect. On the one hand, it refers to a 'book' which plays a part within the story, on the other hand it also indicates the book *containing* the story, Deuteronomy itself.[108] I will return to the significance of this later.

[106]For this connection see also Begg, 'The Tables', who in his article offers additional arguments for G. Minette de Tillesse's thesis that the passages in question were written by 'the Deuteronomist'.

[107]This is logically inconsistent, as it is impossible for Moses to complete the book if various events are still going to take place, not least if the last chapter is going to be about his own death. But although logical consistency is a necessary condition for exegesis, it cannot be imposed upon the object of the exegesis, being a literary work. If this does happen, problems arise which cannot be solved within the framework of the text itself. As an example I mention the fact that from the Middle Ages the traditional view of Moses' authorship has been questioned: how can Moses be the author if the text itself mentions his writing activities? Abraham ibn Ezra has an elegant 'solution': after Moses' death some verses have apparently been added. See M. Weinfeld, *EJ*, vol. 5, 1574.

[108]Deuteronomy is the only biblical book which is called סֵפֶר הַתּוֹרָה in this way. Contra Sonnet, *The Book within the Book*, 246, who asserts that Deuteronomy does *not* refer to itself by means of these and similar expressions. There is no reason to assume that the phrases in Deut. 31:24, 26 refer to the song of Moses (Deut. 32:1-43) (as for instance Labuschagne, *Deuteronomium*, vol. 1C, 209-10 does). E. Talstra, 'Deuteronomy 31: Confusion or Conclusion? The Story of Moses' Threefold Succession', in: M. Vervenne, J. Lust (eds), *Deuteronomy and Deuteronomic Literature* (Fs C.H.W. Brekel-

It is important to observe that the 'book of the *torah*' is placed *beside* the ark (מִצַּד אֲרוֹן), and not in it. From the earliest times, interpreters have had Moses put the book *in* the ark, *together with* the tablets of stone; this view has even become a cliché of the familiar representation of the journey towards the Promised Land: the people of Israel entered it with the *torah* in the ark. This representation of the facts is supported nowhere in the Hebrew Bible, and is even vigorously contradicted in Deut. 31:26.

In Deut. 31:24-26 two documents, written by two writers, are joined together: the tablets of stone, inscribed by YHWH, and the 'book of the *torah*', written by Moses.[109] Both documents are here related to each other, but anybody who remembers the episode from chapters 9–10 will see immediately that this cannot be a direct connection. Moses here of course refers to the events at Mount Horeb. The people will always be prone to 'provoking' YHWH (מרה), as they did at Horeb (Deut. 31:27; see 9:7, 23, 24). He predicts that they will 'bring ruin upon themselves' again (שׁחה; Deut. 31:29; see 9:12, 26 and 10:10) by 'vexing' YHWH (כעס) by 'the doings of their hands', a direct reference to the molten calf (Deut. 31:29; see 9:18). Because the book has been placed beside the ark of the covenant, the memory of 'that great wrong' that was committed (Deut. 9:18) remains vivid.

We now discover that the incident with the tablets of stone is not an episode from the past which is only brought up as an admonition. The ark containing the new tablets of stone plays a part in the correct understanding of the words from the 'book of the *torah*'. The presence of the tablets of stone in the ark of the covenant signifies that from the beginning the Ten Words have been controversial. In the ark of the covenant the Words are safeguarded. Consequently, there they will stay; they will not be taken out, also according to the books which follow Deuteronomy in the Hebrew Bible.

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mans) (BEThL, 133), Leuven 1997, 99-101, considers it likely that Deut. 31:24 means to say that the text of Moses' song also belongs to the '*torah*'.

[109] In addition to these two, there is a third document, the song that Moses is asked to write down (Deut. 31: 19, 22). For the relation between this song and the *torah* which is placed beside the ark, see: Talstra, 'Deuteronomy 31', 99-101. See also Sonnet, *The Book within the Book*, 162-3, who thinks that the effect of the theophany in Deut. 31:14-23 is that the writing in Deut. 31:9-13 is continued and finished (in Deut. 31:24-29). The writing in Deut. 31:22 refers to a different document, according to Sonnet.

The 'book of the *torah*' is put beside the ark, 'to be a witness' of the covenant, of which the ark is the symbol. Thus, the book and the words written in it in turn refer to the Ten Words YHWH spoke to Moses, and which are inscribed on the two tablets of stone.[110] Because of the enormous power of the book as a symbol, the Ten Words do not remain hidden. In order to hear, learn and perform them, Israel – according to Deuteronomy – has to rely on the words spoken by Moses himself, and written in 'this book of the *torah*'. At the same time, this means having to rely on the book which contains these words of Moses: Deuteronomy.[111]

[110]Cf. T.E. Fretheim, 'The Ark in Deuteronomy', *CBQ* 30 (1968), 5. See Noth, *Überlieferungsgeschichtliche Studien*, 103: 'Das Gesetz selbst hatte nach Dtr seine grundlegende Formulierung im Dekalog erhalten; und da nach Dtn. 10:1ff die mit der Urschrift des Dekalogs versehenen steinernen Tafeln in die "Bundeslade Jahwes" gelegt worden waren, so gewann dadurch die Lade für Dtr eine zentrale Bedeutung. War so für Dtr der Dekalog auf den steinernen Tafeln die profanen Blicken entzogene, verborgene und kultisch gehütete Urform des Gottesgezetzes, so lag die praktische Bedeutung bei dem deuteronomischen Gesetz als der authentischen Auslegung des Dekalogs; ...'

[111]See N. Lohfink, 'Gab es eine deuteronomistische Bewegung?', in: W. Groß (ed.), *Jeremia und die 'deuteronomistische Bewegung'* (BBB, 98), Weinheim 1995, 313-82, where as regards the finding of the scroll in 2 Kgs 22:8 he states that this is not a copy, but the original ('*the* book of *the torah*'): 'Es handelt sich um eine Urkunde, ein Dokument. Das Deuteronomium in seinem jetzigen Text rechnet damit, daß die von Mose niedergeschriebene tora in *einem* Exemplar existiert, und zwar "vor den levitischen Priestern" 17:18), "an der Seite der Bundeslade" (Dtn 31:26).'

Chapter 2

The Discovered Book – 2 Kings 22:1–23:30

You do not desire sacrifice and meal offering:
You have pierced my ears;
You do not ask for burnt offering and sin offering.
Then I said:
See, I am coming,
in the scroll is written what befell me.
To do what pleases you, my God, is my desire,
your torah *is in my inmost parts*

Psalm 40:7-10, transl. GJV.

In the previous chapter we saw how the book of Deuteronomy is implicitly identified with 'the *torah* of Moses'. The authority this lends to Deuteronomy is immediately confirmed in Joshua, the next book in the canon, which takes up where Deuteronomy left off: after Moses' death (Josh. 1:1). In Josh. 1:7 we hear that during the journey into the Land, Joshua is commanded by YHWH to observe faithfully 'all the *torah* that my servant Moses enjoined upon you'. The next verse states explicitly what is meant by this '*torah*': 'This book of the *torah* will not cease from your lips, you will recite it day and night, so that you will take care to observe everything that is written in it' (Josh. 1:8). In other words, Joshua will have to walk in the spirit of Moses by physically remembering the actual words from the 'book of the *torah*' written by Moses.[1] With his own ears he has heard the words spoken by Moses, but in order to be guided by 'Moses' he will have to keep before his mind's eye the words written in the '*book of the torah*' day and night: a reference to Deut. 31:24-26 and thus at the same time an allusion to the book of Deuteronomy itself.[2]

Although he is Moses' successor, Joshua does not automatically take Moses' place: the 'book of the *torah*' is between them, so

[1] H.W. Hertzberg, *Die Bücher Josua, Richter, Ruth* (ATD, 9), Göttingen [3]1965, 15: 'Der Glaubensgehorsam erscheint als Wort-, ja Buchgehorsam.' See Schäfer-Lichtenberger, 'Göttliche und menschliche Autorität', 136: 'Josua wird quasi auf die geschriebene Torah vereidigt. Das Torah-Buch grenzt seinen Handlungsrahmen ein und wird ihm als Sachautorität vorgeordnet.'

[2] Cf. M.A. Beek, *Jozua* (PredOT), Nijkerk 1981, 38: 'It is clear that the author uses the word *torah* in the same sense as it is used in Deuteronomy.' (transl. GJV).

to speak, as a continual reminder that Joshua's authority is only derived.[3] The significance of this becomes clear when we realise that at the same time, according to the *torah*, the relationship between Moses and Joshua is very close: whenever Joshua is mentioned this is always in relation to Moses.[4] He has been 'Moses' attendant from his youth' (Num. 11:28). Especially relevant for this study is the passage in which Joshua is mentioned for the first time in the Torah, Exod. 17:8-14. Moses commands him to go to war against Amalek, who is attacking the people of Israel on its journey through the wilderness. After Joshua has beaten Amalek, YHWH says to Moses: 'Inscribe this in a book as a reminder, and impress it upon Joshua. I will utterly blot out the memory of Amalek from under heaven' (Exod. 17:14a).[5] As was the case in Josh. 1:8, the relationship between Moses and Joshua is here mediated by a book. The triumph over Amalek is not included in Joshua's record of service, but is written down by Moses in order to impress it upon Joshua 'to remember'. By recording it, Joshua's battle with Amalek becomes an appeal to Israel never to forget 'Amalek' (see Deut. 25:17-19).[6] At the same time this means that Joshua does not become another Moses, but as an ideal archetype represents the Israel that listens to the words written by Moses.[7]

The close relationship between Moses and Joshua on the one hand, and the difference between them on the other, also become evident at Joshua's last appearance, when again an intermediary role is played by a book. When Joshua has reached a venerable age, he gives a speech, just like Moses – and in true Deuteronomic

[3]Cf. B.J. Diebner, 'Einige Anmerkungen zu Tod, Begräbnis und Grab des Mose: "Klären" oder "historical-critical Interpretation"?', *DBAT* 28 (1992/1993), 123: 'In der Torah "stirbt" Mose klarsichtig und kraftstrotzend im "idealen" Alter der "Sterblichen", um in Jos 1 in "Buchform" weiterzuleben.'

[4]Cf. C. Schäfer-Lichtenberger, ' "Josua" und "Elischa": eine biblische Argumentation zur Begründung der Autorität und Legitimität des Nachfolgers', *ZAW* 101 (1989), 206.

[5]Cf. Deut. 9:14.

[6]Cf. K.A. Deurloo, *Schrijf dit ter gedachtenis in het boek*, Amsterdam 1975, 18-9.

[7]See Ps. 1:2, where the verb הגה is combined with תּוֹרָה in the same way as in Josh. 1:8: 'The *torah* of YHWH is his delight, he *mumbles* his *torah, day and night.*' Cf. K.A. Deurloo, *Jozua* (Verklaring van een bijbelgedeelte), Kampen 1981, 21.

style –, in which he commemorates YHWH's actions and exhorts the people of Israel to observe faithfully 'all that is written in the book of the *torah* of Moses' (Josh. 23:6). This is followed by a second address, spoken by Joshua during the covenant enactment at Schechem (Josh. 24), and finally Joshua writes down 'all these words in *a book of the torah*' (Josh. 24:26). This again reminds us of Deut. 31:24-26, where Moses writes down the words of the *torah* in a book.[8] At the same time, it is obvious that in Josh. 24:26 'book of the *torah*' cannot refer to Deuteronomy, so that here the book cannot be called 'book of Moses' either.[9] Nor can it be called 'book of Joshua': Joshua is not a second Moses, but he who follows in Moses' footsteps and, led by Moses' words, guides the people of Israel into the Land. In the Hebrew Bible it is only Moses' name which is linked to the *torah* given by YHWH. This may be the reason for the curious addition in Josh. 24:26, where it says that Joshua wrote down 'all these words in the book of the *torah of God*'.[10]

Thus we observe that in three significant places the relationship between Moses and Joshua is mediated by a book: Joshua's first appearance in the Torah (Exod. 17:8-14); the 'book of the *torah*' that Moses wrote, at the beginning of the Former Prophets (Josh. 1), and at the end of Joshua by the book that Joshua himself writes in imitation of Moses. The part played by these books reminds us of one of the statements in Deuteronomy about the king in Israel – to which I will revert later in this chapter –, i.e., the instruction to make a copy of 'this *torah*' and read in it all his life (Deut. 17:18-20). As a representative of the people,[11]

[8]Hertzberg, *Die Bücher*, 138 points out that it is especially the writing down of the words in Josh. 24:26 which underscores the continuity between Moses and Joshua.

[9]Unless, as suggested in the rabbinical exegesis, Joshua was here writing down the last verses of Deuteronomy, which Moses after his death, mentioned in Deut. 34:5, could not write himself. See Rashi on Deut. 34:5: 'Is it possible that Moses died, and then wrote: "And Moses died there"? But, thus far did Moses write, from here and onward Joshua wrote.' (*Pentateuch with Targum Onkelos, Haphtaroth and Rashi's Commentary: Deuteronomy*, transl. M. Rosenbaum, A.M. Silbermann, Jerusalem 1934, 177). Whoever wrote Deut. 34:5-12, Rashi's interpretation shows that the intimate relationship between Moses and Joshua is reflected, among other things, in the fact that both Moses and Joshua write. See also Beek, *Jozua*, 214.

[10]The only other place besides Josh. 24:26 where the expression בְּסֵפֶר תּוֹרַת אֱלֹהִים occurs is Neh. 8:8, 18 and 9:3.

[11]See Beek, *Jozua*, 38.

the king in Israel is, just like Joshua, bound by the words of 'the *torah*'. His authority, too, has been mediated by 'a book' and is derivative in character.[12] This analogy between Joshua and the 'ideal' king in Deut. 17 again draws our attention to the function served by *the book* of 'this *torah*'.

2.1 The *torah* of Moses as a Signpost for Judges and Kings

Thus, right at the beginning of Joshua, the first book of the Former Prophets, we again come across the 'book of the *torah*' written by Moses: across the Jordan Moses points the way by means of the words he has written. However, it is not only in the book of Joshua, the book describing the entry into the Promised Land, that his words serve as a guideline. The subsequent books of the Former Prophets also contain numerous references to the *torah* as a standard. One could say that Judges, Samuel and Kings each in their own way address the question whether Joshua's successors, the judges and kings, like him follow in Moses' footsteps and faithfully observe the words Moses wrote down.[13] This question becomes especially urgent in the last book of the Former Prophets, Kings.[14] In this book, the kings of Israel and Judah are judged with regard to the question whether they have let their rule be guided by the *torah* of Moses. In other words, the history of Israel and Judah is written on the basis of an as-

[12] See Schäfer-Lichtenberger, ' "Josua" und "Elischa" ', 208; see also Young-Uk Kim, *The Ideal King According to Deuteronomy 17:14-20: An Investigation into Kingship in the Old Testament*, Kampen 2000, 138-40, on 'The king as a sage and a scribe'.

[13] Cf. Deurloo, *Jozua*, 12, who refers to a 'centre' of the Former Prophets: David's kingship as a sign of the future; see also B.S. Childs, *Introduction to the Old Testament as Scripture*, London 1979, 292-3, about the canonical stature of David in Kings.

[14] By 'Kings' I here mean the books 1 and 2 Kgs, without making a statement about a supposed earlier unity of the two books. According to E. Würthwein, *Die Bücher der Könige: 1. Kön. 17–2. Kön. 25* (ATD, 11/2), Göttingen 1984, 485, 1 and 2 Kgs were originally one book, which is reflected in the fact that 𝔐 places the summary of both books at the end of 2 Kgs. The 𝔊 is assumed to have split the book in two, which has been followed in the Hebrew manuscripts from the fifteenth century onwards. This is a hypothesis which has not been proved. Cf. P.R. Davies, *In Search of 'Ancient Israel'* (JSOT.S, 148), Sheffield 1992, 148.

sessment of the kings in the light of the *torah* of Moses.[15] The king is invested with power, and thus is the first to be called to account for his actions. This central position of the king in history, as represented by Kings, corresponds to the way in which the king's accountability is phrased in Deuteronomy; as we have seen, 'this *torah*' is explicitly mentioned (Deut. 17:14-20).

In view of all this it is also important to note that in Kings we come across the tablets of stone again, for the first time after Deuteronomy. In the first part of Kings, which deals with the reign of David's son Solomon (1 Kgs 1–11), we hear at length about the temple Solomon had built in Jerusalem (1 Kgs 5-8). When we read these chapters against the background of what has been said above about 'the *torah* of Moses', one passage in particular stands out. This is the pericope describing the final stage of the building of the temple: the placement of the ark in 'the holy of holies', the innermost part of the house of God (1 Kgs 8:1-13). This is the only place in the Hebrew Bible where the tablets of stone from Deuteronomy are mentioned again:

> There was nothing inside the ark but the two tablets of stone
> which Moses placed[16] there at Horeb,
> when YHWH made a covenant with the sons of Israel
> after their departure from the land of Egypt.
>
> (1 Kgs 8:9)

No mention is made of a book lying next to the ark, whereas a correct interpretation of the Ten Words inscribed on the tablets requires the 'book of the *torah*' to be by the ark (Deut. 31:24-26), or else the copy the king has been instructed to make of it (Deut. 17:18-19). The harsh judgement passed by Kings on the kings of Israel and Judah, who do not let themselves be guided by 'the *torah* of Moses', is expressed at the opening of the book by the *absence* of the 'book of the *torah*'. Without this book, the kings will never submit to the authority of the Ten Words of the covenant with YHWH.

[15] See K.A.D. Smelik, *1 Koningen* (Belichting van het bijbelboek), 's-Hertogenbosch 1993, 6-7; cf. Childs, *Introduction*, 288ff., esp. 291, where he says that the author of Kings '... reflects a canonical perspective in his use of Deuteronomy as a theological norm for his history.'

One of the few kings who receives a positive judgement is Josiah. As we will see, it is he who at the end of Kings is characterised as the ideal king. One aspect of the story about king Josiah will be particularly highlighted: the discovery of a book. During Josiah's restoration of the temple in Jerusalem, the 'book of the *torah*' is found. As for the tablets of stone, they are mentioned as being in a literally central spot during the consecration of the temple (1 Kgs 8:9), but, once they are in the holy of holies, they are not referred to again in the story.[17] The opposite is the case with the 'book of the *torah*'; at the beginning of the history of the kings, when the temple is consecrated, it is missing, whereas at the end, at the restoration of the temple under king Josiah, it comes to light in a surprising manner.

2.2 A Book Appearing from Nowhere – 2 Kgs 22:8

What is the question at the back of our minds when we start reading the story of king Josiah? This is not a trivial thing to ask, since for generations Old Testament scholars have seen 2 Kgs 22–23 mainly as a source of historical information about the origin of the book of Deuteronomy, and thus also of the origin of the Pentateuch, Hexateuch and the so-called historical books of the Hebrew Bible.[18] The basis for this theory is one single biblical verse, 2 Kgs 22:8, which in translation opens as follows,

> Then the high priest Hilkiah said to Shaphan, the scribe:
> I have found the book of the *torah* in the house of YHWH!

This is not a theory which only emerged in modern-day scholarship; ancient Judaism and the Church fathers already connected this text to 1 Kgs 8:6-9, the passage mentioned in the previous paragraph, where we are told that the ark – containing only the two tablets of stone – is placed inside the temple built by king

[17] In addition to 1 Kgs 8:9, the two tablets of stone are mentioned outside the Torah only in the parallel verse in Chronicles, 2 Chron. 5:10.

[18] 'Pentateuch' is the name which in the historical-critical approach to the Hebrew Bible is usually applied to the Torah, the first five books of the Hebrew Bible. This same school has also for a long time used the term 'Hexateuch' for the books of Genesis through Joshua, on the basis of the theory that the book of Joshua goes back to the same documents that are supposed to have been the basis for Genesis through Numbers. The position of Deuteronomy has always been the subject of discussion: is it part of the Pentateuch/Hexateuch, or does it belong to the so-called historical books, the Former Prophets?

Solomon.[19] Although the ark is mentioned twice more (Jer. 3:16; Ps. 132:8), it no longer plays a significant part:[20] the establishment of the ark in the temple is the end of all stories about it.[21] This has not stopped exegetes from speculating eagerly about the further vicissitudes befalling the ark, or about its provenance and the various functions it serves in the Hebrew Bible.[22] The fact that sometimes the tablets of stone are mentioned without anything being said about the relation between the ark's contents and its various functions[23] has even encouraged many exegetes to fantasise about what was inside the ark,[24] undeterred by the frightening example of the men from Beth-shemesh, who were struck dead because they had 'looked into the ark of YHWH' (1 Sam. 6:1–7:1).

What we know about the ark and its contents is what we read in 1 Kgs 8:6-9 – this is all the information we, the readers, are going to get.[25] Even the supposition that at the time

[19]See M.J. Paul, *Het archimedisch punt van de pentateuchkritiek*, 's-Gravenhage 1988, 19ff. and 32ff.

[20]Jer. 3:16 and Ps. 132:8 mention the ark, but nothing is said about what happened to it. This is different in 2 Chron. 35:3, which unlike 2 Kgs 22:8 contains an explicit reference to 1 Kgs 8:6-9: Josiah here instructs the Levites to place the ark in the temple. See J.A. Soggin, 'The Ark of the Covenant: Jeremiah 3:16', in: P.-M. Bogaert (ed.), *Le livre de Jérémie: Le prophète et son milieu, les oracles et leur transmission* (BEThL, 54), Leuven ²1997, 215-21.

[21]Cf. K.A.D. Smelik, *Converting the Past: Studies in Ancient Israelite & Moabite Historiography* (OTS, 28), Leiden 1992, 52.

[22]See C. Brouwer, *De ark*, Baarn n.d., 7, who states that in the course of time, corresponding to the basic assumptions of the various exegetes, there has been 'a vast and multicoloured range of notions about the ark: as the representative of Yahweh, as the guardian of the covenant or of oracle stones, as the throne of Yahweh or his footstool, as a sanctuary to be carried in procession, as an emblem of war or a symbol of a specific tribe or cultural phase; each of these claiming a certain logical plausibility.' (transl. GJV).

[23]For a global classification of the functions of the ark in the Hebrew Bible see K.A.D. Smelik, 'De ark in het Filistijnse land', *ACEBT* 1 (1980), 44. A historical survey of interpretations of the ark is given in M.H. Woudstra, *The Ark of the Covenant from Conquest to Kingship*, Philadelphia 1965, esp. 33ff. on Jer. 3:16.

[24]For a survey, see H.J. Zobel, *ThWAT*, Bd. 1, 391-404, esp. 401. Cf. Brouwer, *Ark*, 44ff.

[25]Cf. E. Auerbach, *Moses*, Amsterdam 1953, 133: 'Wirklich wichtig ist nicht, was das Volk von der Truhe dachte, in der die steinernen Tafeln lagen, auch nicht diese Tafeln selbst, die eine Mosche zerbrechen durfte. Wichtig ist nur, was auf den Tafeln stand. Und dies bleibt auch dann wahr, wenn die

of king Josiah the ark was still in the temple cannot be taken for granted.[26] Neither are we given any clue as to where exactly Hilkiah finds the 'book of the *torah*'. He just conjures up the book from the temple. The study of Deuteronomy and 2 Kgs 22–23 has long been dominated by the historical question whether the book found by Hilkiah was the 'book of the *torah*' written by Moses (Deut. 31:24-26), or the book of Deuteronomy, although it was the *ark* which according to Kings was placed in the temple by Solomon, and not the 'book of the *torah*' which Moses placed *beside* the ark. The relevance of the distinction between the ark and the 'book of the *torah*', and of the fact that the scroll is placed beside the ark, as discussed above at the end of the first chapter, is totally lost in this historical discussion. Below, I will offer an exegesis of 2 Kgs 22:1-23:30 that takes as its point of departure the *significance* of the 'book of the *torah*' within Deuteronomy, according to the interpretation of Deuteronomy given in Chapter 1. First, however, I will present a brief overview of the historical discussion mentioned above, concerning Hilkiah's 'book of the *torah*'.

2.3 'The Cornerstone of Old Testament Scholarship'?

There has always been a historical interest in the origin of the book of Deuteronomy, an interest that took on different forms depending on period and culture. Until the rise of 'modern', historical-critical Bible scholarship it was generally assumed that Moses himself was the author of the Torah. Yet there have also long been doubts about this assumption: there are a number of biblical verses that present difficulties, such as for instance Deut. 34:5-12 in which we are told of Moses' death – he can hardly have written these himself.[27] This is the reason why the Jewish scholar Abraham ibn Ezra (12th century) already doubted Moses' authorship.[28] In the 17th century Baruch de Spinoza took Ab-

Tafeln gar nicht in der Truhe lagen.'

[26]This is assumed by J. Guttmann, 'Deuteronomy: Religious Reformation or Iconoclastic Revolution?', in: J. Guttmann (ed.), *The Image and the Word: Confrontation in Judaism, Christianity and Islam*, Missoula/Montana 1977, 14.

[27]For a survey of the verses scholars have struggled with see *EJ*, vol. 5, 1574.

[28]See S. Loersch, *Das Deuteronomium und seine Deutungen: Ein forschungsgeschichtlicher Überblick* (SBS, 12), Stuttgart 1967, 15; O. Eißfeldt,

raham ibn Ezra's doubts to their conclusion and asserted that Moses could not possibly have been the author of the Torah.[29]

One of Spinoza's contemporaries, Richard Simon, opened the era of historical-critical Bible scholarship with his book *Histoire critique du Vieux Testament* (Paris 1678), in which he states that the Pentateuch is based on other writings, which originally had an independent character.[30] From this period onwards, the ancient question dominating historical research was replaced by a 'modern' one: whereas in Antiquity and the Middle Ages the focal point was the problem of Moses' authorship, scholars now started to look for documents that would have provided the basis for the Pentateuch, or, as was thought later, the Hexateuch.

The view of Deuteronomy has long been determined by the so-called 'De Wette thesis'. In his 1805 dissertation W.M.L. De Wette proceeds on the assumption that the Pentateuch was not written by Moses, and aims to demonstrate that Deuteronomy occupies a special position as regards the other four books and should be given a later date.[31] In a footnote he remarks (in parentheses) that the scroll found by Hilkiah was the book of Deuteronomy.[32] As observed in the previous paragraph, it has always been accepted practice to connect 2 Kgs 22:8 with (parts of) the book of Deuteronomy.[33] The remarkable fact that a cursory remark was established as a 'thesis' that was to acquire the status of a fundamental principle within Old Testament scholarship probably says more about the time in which De Wette's work

Einleitung in das Alte Testament, Tübingen ^{3}1963, 210.

[29]In his *Tractatus theologico-politicus*, 1670. See Loersch, *Das Deuteronomium*, 17.

[30]See H.-J. Kraus, *Geschichte der historisch-kritischen Erforschung des Alten Testaments von der Reformation bis zur Gegenwart*, Neukirchen-Vluyn, ^{3}1982, 65ff.

[31]The title of his dissertation is programmatic: *Dissertatio critico-exegetica qua Deuteronomium a prioribus Pentateuchi libris diversum, alius cuiusdam recentioris auctoris opus esse monstratur*, Jena 1805.

[32]'... (*illum enim codicem legum ab Hilkia sacerdote inventum [2 Reg. 22] Deuteronomium nostrum fuisse haud improbabili conjectura judicari potest*) ...' (*Dissertatio*, 14). For the main line of De Wettes argument, see Paul, *Het archimedisch punt*, 76-80.

[33]The identification of the scroll found by Hilkiah with Deuteronomy was already common among the Church fathers. E. Nestle, 'Das Deuteronomium und 2 Könige 22', *ZAW* 22 (1902), 170-1, 312-3, points to Jerome, Prokopius of Gaza, Chrysostom and Origenes. See on this identification in the older traditions Paul, *Archimedisch punt*, 63ff., 228ff.

appeared than about the relevant passage in his dissertation.[34] Scholars thought they had found the Archimedes' point for the historical enquiry into the documents 'behind' the Pentateuch in Hilkiah's scroll, which according to 2 Kgs 22:8 was found at the beginning of Josiah's reign.[35] The thesis 'Moses is the author of the Torah' was now replaced by: 'Deuteronomy dates from 621', the eighteenth year of Josiah's reign (see 2 Kgs 22:3). Although this assumption appears less naive than the supposed authorship of Moses, both viewpoints are still purely historical and based on nothing but the texts about which pronouncements are made. Further on in this study I will come back to the hermeneutic aspects of the search for what is 'behind' the text.

How have matters developed since De Wette? The thesis bearing his name became the cornerstone of Old Testament scholarship, and somehow is still a central issue today. The building that rests on this cornerstone exhibits numerous cracks and signs of repair, but is still standing. The answer to the question whether the scroll found by Hilkiah was the book of Deuteronomy is still being sought.[36]

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[34] J. Siebert-Hommes, *Let the Daughters Live! The Literary Architecture of Exodus 1-2 as a Key for Interpretation* (BInt.S, 37), Leiden 1998, pointed out that the late date De Wette gives for Deuteronomy, i.e., the period of Josiah, is the result of stylistic observations; De Wette's conclusion has been generally adopted, but not his approach to the Pentateuch as a literary work of art. Siebert-Hommes makes this remark about De Wette in the postscript to the original Dutch edition of her book: *Laat de dochters léven: De literaire architectuur van Exodus 1 en 2 als toegang tot de interpretatie* [diss. University of Amsterdam], Kampen 1993, 118ff.

[35] The now familiar expression 'Archimedes' point' was introduced by Eißfeldt, *Einleitung*, 227: 'De Wettes These lieferte somit der Pentateuchkritik den archimedischen Punkt, an den sie sich halten konnte, um die synagogal-kirchliche Tradition aus den Angeln zu heben und eine andere Ansetzung des Pentateuchs und seiner Teile an ihre Stelle zu setzen.' The 'Archimedes' aspect was that texts not attesting to centralisation of the cult were dated before Hezekiah, texts that did attest this were dated after Josiah (see M. Weinfeld, *EJ*, vol. 5, 1575-6). E. Würthwein, 'Die Josianische Reform und das Deuteronomium', *ZThK* 73 (1976), 396, points to the fact that on historical issues De Wette was usually sceptical, but was very sure of his ground with regard to the identification of the book in 2 Kgs 22:8 with Deuteronomy.

[36] N. Lohfink, 'Zur neueren Diskussion über 2 Kön 22-23', in: N. Lohfink (ed.), *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (BEThL, 68), Leuven 1985, 30 (n. 35), states that although since the 1920s we have come to know a lot more about the historical and cultural context of 2 Kgs 22–23 –

Since the second half of the nineteenth century a great deal of time and energy has been devoted in particular to the question *which part* of Deuteronomy constituted the supposed scroll of Josiah.[37] In this respect especially the work of J. Wellhausen has been important. According to Wellhausen, the corpus of Deuteronomy (chs. 12 through 26) contains the broad outline of the book of Josiah.[38] Which parts of Deuteronomy belonged to the book of Josiah and which did not became the subject of the literary-critical approach, which emerged after Wellhausen.[39] This resulted in a fragmentation of Deuteronomy, which caused the book to disappear completely behind the hypothetical 'book of Josiah'. In scholarly literature from the end of the nineteenth and the beginning of the twentieth century, Deuteronomy seems to be a mere hypothesis, and 'the book of Josiah' – although only a supposition – the actual subject of the inquiry.[40]

In the second and third decades of the 20th century, De Wette's 'Archimedes' point' became the subject of hot debate. Some scholars set out to demonstrate that although the *Urdeuteronomium* should be dated before the Babylonian exile, it nev-

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which he puts into perspective with the remark that the text of 2 Kgs 22–23 itself is the primary source of this knowledge – , we have not progressed one step further towards the solution of two problems: first, the question whether the reforms carried out by Josiah took place before the discovery of the scroll or were triggered by that discovery; secondly, whether the scroll that was found was Deuteronomy and if so, which version. Recently E. Otto, 'Das Deuteronomium als archimedischer Punkt der Pentateuchkritik: Auf dem Wege zu einer Neubegründung der de Wette'schen Hypothese', in: M. Vervenne, J. Lust (eds), *Deuteronomy and Deuteronomic Literature* (Fs C.H.W. Brekelmans) (BEThL, 133), Leuven 1997, 321ff., stated that 'De Wette' can be proved on the basis of dateable, 'non-biblical' texts from Deuteronomy.

[37]For a sound survey of research carried out since De Wette see S.D. McBride, *TRE*, Bd. 8, 536-9.

[38]Wellhausen's *Prolegomena zur Geschichte Israels* (Berlin 1878) became extremely influential, especially from its second edition, which appeared in 1883 (see Loersch, *Das Deuteronomium*, 50; cf. Paul, *Archimedisch punt*, 136ff.).

[39]See Eißfeldt, *Einleitung*, 231-2.

[40]C.T. Begg, '1994: A significant Anniversary in the History of Deuteronomy Research', in: F. García Martínez *et al.* (eds), *Studies in Deuteronomy* (Fs C.J. Labuschagne) (VT.S, 53), Leiden 1994, 6, points out that W. Staerk, in the Appendix of *Das Deuteronomium, sein Inhalt und seine literarische Form: Eine kritische Studie* (Leipzig 1894), offers a translation of the supposed code of law of Josiah of 621. Staerk later dissociated himself from this approach, according to Begg.

ertheless had not been the basis for the so-called reform of Josiah described in 2 Kgs 23, whereas others held that Deuteronomy was post-exilic.[41] Thus, the discussion about and resulting from 2 Kgs 22:8 was no longer limited to the question of the date of Deuteronomy, but was also about the historicity of Josiah's reform.[42]

One of the first scholars to try and achieve a synthesis of answers to the questions regarding Deuteronomy was G. von Rad. As we saw in the first chapter of this monograph, he viewed Deuteronomy as a parenetic book because of what he supposed was its cultural context ('Sitz im Leben'): the homiletic practice of Levitical priests.[43] Yet in spite of this Deuteronomy remained, even for Von Rad, part of the Hexateuch, which was considered a unit on the basis of the documents supposed to have been the sources for Genesis through Joshua.[44] The first scholar to opt for a fundamentally different approach was M. Noth. In his monograph *Überlieferungsgeschichtliche Studien*[45] he dissociates himself from the view that Deuteronomy is part of the Hexateuch, and defends the theory that in Deut. 1 a new section of the Hebrew Bible begins that covers all books up to and including 2 Kgs, and was written by a single author. Although this author used existing material, he was not a redactor, according to Noth. Deuteronomy to Kings is an independent work, called by Noth the Deuteronomistic History, which cannot have been written before the Babylonian exile. Following Noth, its author is indicated as the 'Deuteronomist' ('Dtr'). The charm of Noth's view is that he tries to discover unity in the Hebrew Bible material, not only as regards the form of the texts, but also as regards their con-

[41]The main representative of the first group was Th. Östreicher, G. Hölscher of the second. See Loersch, *Das Deuteronomium*, 52ff.; cf. Lohfink, 'Zur neueren Diskussion', 24-5.

[42]See B. Gieselmann, 'Die sogenannte josianische Reform in der gegenwärtigen Forschung', *ZAW* 106 (1994), 224.

[43]Von Rad, 'Deuteronomium-Studien', 148-9. Cf. W. Roth, *TRE*, Bd. 8, 547: 'Die Mittlerrolle der von den Leviten versorgten Lade ist nach deren Verlust auf das von den Leviten verwahrte Gesetz des Mose übergangen, dem die Propheten als Gesetzesmahner zugeordnet werden.'

[44]Cf. T. Römer, 'The Book of Deuteronomy', in: S.L. McKenzie, M.P. Graham (eds), *The History of Israel's Traditions: The Heritage of Martin Noth* (JSOT.S, 182), Sheffield 1994, 182.

[45]Tübingen 1943, [3]1967. For a clear discussion, see A.F. Campbell, 'Martin Noth and the Deuteronomistic History', in: McKenzie, Graham (eds), *The History of Israel's Traditions*, 31-62.

tent. The 'Deuteronomist' had a clear theological view of history, according to Noth. The destruction of Jerusalem and the demolition of the temple by the Babylonians was, in the opinion of the 'Deuteronomist', caused by disobedience to the law of YHWH.[46]

The quest for original documents, inherent in the literary-critical approach, after Wellhausen resulted in fragmentation; and in the same way the rise of the so-called 'Redaktionsgeschichte' after Noth brought about a chaotic situation that appeared impenetrable for all but the initiated.[47] Put in simplified terms, what happened was that Noth's one 'author' ('DtrG') was split into three 'Deuteronomists': one who was interested in history ('DtrH'), one who was supposed to have been responsible for the prophetic passages ('DtrP'), and one who was supposed to be attempting to create a normative assessment of history on the basis of the law, the *nomos* ('DtrN').[48] British and American scholarly

[46]Noth, *Überlieferungsgeschichtliche Studien*, 91ff., 100ff. See also W. Roth, *TRE*, Bd. 8, 544. P.R. Davies, *Scribes and Schools: The Canonization of the Hebrew Scriptures*, Louisville, Kentucky 1998, 95, holds that except for the date he assigns to 'Dtr' Noth's theory is correct: during the canonisation process Deuteronomy was connected to other books by means of various links; he doubts (112-3) whether the position of Deuteronomy in the Torah is secondary, as Noth thinks. However, R.G. Kratz, 'Der literarische Ort des Deuteronomiums', in: R.G. Kratz, H. Spieckermann (eds), *Liebe und Gebot: Studien zum Deuteronomium* (Fs Lothar Perlitt) (FRLANT, 190), Göttingen 2000, 101-20, goes back to 'before Noth' and advocates a new view of the Hexateuch: 'Der Hexateuch wurde nach und nach – vor, bei und nach der Bearbeitung von P – zum Enneateuch aufgestockt und in einzelne Büchern unterteilt (Num/Dtn 1-3; Dtn 31-34/Jos1).' (120)

[47]A critical bibliography containing an extensive survey of the literature which appeared between 1984 and 1991 is provided in H.-D. Preuß, 'Zum deuteronomistischen Geschichtswerk', *ThR* 58 (1993), 229-64, 341-95; esp. 246-50 (2 Kgs 22–23), 250-4 ('DtrG insgesamt') and 368-84 (Kings). See also the extensive research inventory by T.C. Römer and A. de Pury, 'L'historiographie deutéronomiste (HD): Histoire de la recherche et enjeux du débat', in: A. de Pury *et al.* (eds), *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* (MoBi, 34), Genève 1996, 9-120; contributions in: L.S. Schearing, S.L. McKensee (eds), *Those Elusive Deuteronomists: The Phenomenon of Pan-Deuteronomism* (JSOT.S, 268), Sheffield 1999; contributions in T.C. Römer (ed.), *The Future of the Deuteronomistic History* (BEThL, 147), Leuven 2000, especially J. van Seters, 'The Deuteronomistic History: Can It Avoid Death by Redaction?' (213-22); T. Veijola, *Moses Erben: Studien zum Dekalog, zum Deuteronomismus und zum Schriftgelehrtentum* (BWANT, 149), Stuttgart 2000, 11-28.

[48]This approach is also known as the 'Smend school', after one of its representatives, R. Smend. See W. Roth, *TRE*, Bd. 8, 544; for a brief charac-

literature in a way goes back to De Wette's thesis, with its theory that a first redaction took place at the time of Josiah himself. This is more and more often combined with the assumption that this 'Josian redaction' was subjected to all kinds of amendments during the Babylonian exile.[49] From the developments within the various redaction-historical approaches the conclusion may be drawn that the distinction still employed by Noth and Von Rad, i.e., between 'deuteronomic' (related to Deuteronomy) and 'deuteronomistic' (related to 'Dtr' or 'DtrG', the Deuteronomistic History), can no longer be used.[50] Within Old Testament scholarship a 'pan-deuteronomism' has arisen: the hand of the 'Deuteronomist' is recognised everywhere, but the theories about who or what 'Deuteronomist' is, what date should be assigned to him or it, and what views are indicated by this name, vary so

terisation and critical evaluation see Römer, 'The Book of Deuteronomy', 186; Campbell, 'Martin Noth', 44ff.; E. Eynikel, *The Reform of King Josiah and the Composition of the Deuteronomistic History* (OTS, 33), Leiden 1996, 12ff.

[49]This is the 'Cross school', after the work of F.M. Cross. For a profile see Römer, 'The Book of Deuteronomy', 189; Eynikel, *The Reform of King Josiah*, 14ff.

[50]S.L. McKenzie, 'The Books of the Kings in the Deuteronomistic History', in: McKenzie, Graham (eds), *The History of Israel's Traditions*, 297ff., points out that the Cross school, which tries to distinguish units ('Blockmodell'), is ascribing more and more texts to an Exilic redaction, with the effect that its original starting point is undermined and the difference with the Smend school, which looks for textual layers ('Schichtenmodell'), is fading. To put it differently: the developments within the various redaction-critical approaches raise the question whether there is a principal difference between an author and a redactor. See also S.D. McBride, *TRE*, Bd. 8, 538; cf. Campbell, 'Martin Noth', 50-1; O. Kaiser, 'The Pentateuch and the Deuteronomistic Period', in: A.D.H. Mayes (ed.), *Text in Context: Essays by Members of the Society for Old Testament Study*, Oxford 2000, 289-90; 309-14. The conclusions drawn from this course of events vary. I will cite here the examples of McKenzie, 'The Books of the Kings', 229: 'In short, literary (source) criticism, as important as it is, by itself is inadequate for proper analysis of the Deuteronomistic History', and Preuß, 'Zum deuteronomistischen Geschichtswerk', 391: 'Damit aber nähert sich auch das Schichtenmodell einer Sicht des DtrG, die von einer dtr Grundschrift ausgeht, die exilisch und nachexilisch verschiedene Bearbeitungen und Ergänzungen (etwa auch im Stil des ja mehrschichtig gesehenen DtrN) erfuhr, womit sie nicht dem (ebenfalls zu korrigierenden) Blockmodell annähert, sondern zu einer Sicht zurücklenkt, die der von M. Noth nicht fernsteht.' See also G.N. Knoppers, 'Is There a Future for the Deuteronomistic History?', in: Römer (ed.), *The Future of the Deuteronomistic History*, 119-34.

much that 'Deuteronomist' has become an empty concept.[51]

The literature mentioned in the first chapter shows that lately the Masoretic text of the book of Deuteronomy has more and more often been both the starting-point and the focus of the interpretation, instead of the hypothetical earlier stages. Although this is done in widely different ways,[52] it does indicate that the search for a so-called *Urdeuteronomium* has apparently caused us to stray rather far from reading Deuteronomy. The same may be said about 2 Kgs 22–23.[53] The redaction-historical approach results in a progressive dismantling of the text into supposed layers of redaction, so that the remaining historical core becomes smaller and smaller, and the accumulation of possibly historical phases in the editing of the text increases by the same amount.[54] As from 1980, however, studies have appeared that take the Masoretic text of 2 Kgs (or of Deuteronomy) as a starting-point in widely different ways.[55] This will also be done in the following paragraphs, from the perspective, as said earlier, of the findings from the previous chapter.[56]

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[51] Cf. R. Coggins, 'What Does "Deuteronomistic" Mean?', in: J. Davies *et al.* (eds), *Words Remembered, Texts Renewed: Essays in Honour of John F.A. Sawyer* (JSOT.S, 195), Sheffield 1995, 135-48. See also R.R. Wilson, 'Who Was the Deuteronomist? (Who Was Not the Deuteronomist?): Reflections on Pan-Deuteronomism', in: Schearing, McKensee (eds), *Those Elusive Deuteronomists*, 82: 'Current trends in Deuteronomistic research may thus force scholars to take seriously the possibility that if everybody is the Deuteronomist, then there may be no Deuteronomist at all.'

[52] An important example of the diachronic approach is the work of N. Lohfink; for the synchronic approach the work of R. Polzin should be mentioned.

[53] See Gieselmann, 'Die sogenannte josianische Reform'. Gieselmann provides an excellent survey, a short summary and a discussion of most recent studies on 2 Kgs 22–23.

[54] An extreme example of this method is Chr. Levin, 'Joschija im deuteronomistischen Geschichtswerk', *ZAW* 96 (1984), 351-71.

[55] H.-D. Hoffmann, *Reform und Reformen: Untersuchungen zu einem Grundthema der deuteronomistischen Geschichtsschreibung* (AThANT, 66), Zürich 1980; H. Spieckermann, *Juda unter Assur in der Sargonidenzeit*, Göttingen 1982; P. Tagliacarne, *'Keiner war wie er': Untersuchung zur Struktur von 2 Könige 22-23* (ATSAT, 31), St. Ottilien 1989; J. van Dorp, *Josia: De voorstelling van zijn koningschap in II Koningen 22-23*, Utrecht 1991. Van Dorp, Hoffmann and Tagliacarne each follow a synchronic approach, albeit each in his own way; Spieckermann's approach is diachronic, with much attention paid to the (supposed) political and religious-historical context.

[56] 'Having מ as a starting point' still does not tell us much about the method used. In the case of a synthetic approach this can be either syn-

2.4 The Book of the *torah* Turns Up – 2 Kgs 22:1-2, 3-11

22:1 Josiah was eight years old, when he became king
and he reigned thirty-one years in Jerusalem.
His mother's name was Jedidah, daughter of Adaiah of Bozkath.
2 He did what was right in the eyes of YHWH,
and walked in all the ways of David, his father:
he did not deviate [from these] to the right or to the left.

The way in which king Josiah is introduced will sound familiar to all readers of the books of Kings. Both books are linked by a common backbone of a set of fixed formulas, through which the reigns of the kings of Israel and Judah who follow Solomon are described. These individual formulas form a framework, starting with the introduction of a king, followed by a profile of his reign, and concluding with an evaluation of the reign.[57] Between these fixed points narrative passages of widely varying length may be included.[58] For king Josiah the introduction and characterisation occupy 2 Kgs 22:1-2, the conclusion comes in 2 Kgs 23:28-30. Within this framework a narrative is placed which is among the longest to be found in Kings.[59]

As is usually the case with the Judaean kings after the fall of the northern kingdom, Josiah is introduced by three facts: the age at which he became king, the number of years of his reign, and the name and descent of his mother.[60] The thumbnail

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chronic or diachronic, but studies following an analytical method, as for instance redaction history, also proclaim that they take 𝔐 as their basis. On this last point see W. Dietrich, 'Josia und das Gesetzbuch (2 Reg. XXII)', *VT* 27 1977, 17: 'So bleibt als Ausgangspunkt nur der Text 2 Reg. xxii-xxiii. Er bedarf, zumal angesichts der bei ihm aufgetürmten weitreichenden historischen, einleitungswissenschaftlichen und theologischen Theorien, dringend einer gründlichen literarischen Analyse.' This 'literary analysis', however, for Dietrich first and foremost implies the question whether a 'vordeuteronomischer Kern' can be found in the text of 2 Kgs 22, which he then tries to subject to literary profiling and historical evaluation.

[57]See G. von Rad, *Theologie des Alten Testaments*, Bd. 1, München [8]1982, 347, n. 2 for the basic pattern of the formulations in this framework.

[58]On the relation between frame and narrative see K.A.D. Smelik, 'De dynastieën van Omri en Jehu: De compositie van het boek Koningen (I), *ACEBT* 6 (1985), 43-69.

[59]Van Dorp, *Josia*, 39, points out that the stories about Hezekiah (2 Kgs 18–20) and Josiah are the longest narratives in Kings.

[60]For the elements of this introduction and the possible role of the Queen

sketch of his reign is also given in the form characteristic of Kings: 'father' David is the ideal against whom the actions of the kings of Judah are measured.[61] Kings Manasseh and Amon, grandfather and father of Josiah, respectively, had strayed far from this ideal. Manasseh is presented in Kings as the nadir of the history of Judah: he brought idol worship into the 'house of YHWH', i.e., into the temple in Jerusalem (2 Kgs 21:1-15), and shed innocent blood (2 Kgs 21:16). YHWH reacts to these 'disasters' with the threat that he in turn will strike Jerusalem and Judah with 'disaster': just as the northern kingdom of Israel, Judah will also be delivered to its enemies and end in exile (2 Kgs 21:12-14).[62] Under Amon, Manasseh's policy is continued; he was in all respects a true son of his father (2 Kgs 21:20-22). King Josiah, however, seems to change course radically, as he 'walked in all the ways of David, his father' (2 Kgs 22:2).[63]

The phrase which concludes the profile – 'he did not deviate [from these] to the right or to the left' – is highly remarkable, as it is not used for any other king. Outside the books of Kings there is only one place where this phrase is used in relation to

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Mother, see Würthwein, *Bücher der Könige*, 445. For a discussion of the standard formula used from the reign of Manasseh, a comparison with the other introductory formulas in Kings, and an evaluation of the variations see K.A.D. Smelik, H.-J. van Soest, 'Openingsformules in het boek Koningen: De compositie van het boek Koningen (II)', *ACEBT* 12 (1993), 62-86, esp. 72-3 and 85-6. For the (text-critical) discussion of the age at which Josiah became king, see Van Dorp, *Josia*, 15-6; cf. L. Eslinger, 'Josiah and the Torah Book: Comparison of 2 Kgs 22:1–23:8 and 2 Chr 34:1–35:19', *HAR* 10 (1988), 52 (n. 28).

[61]The phrase הַיָּשָׁר בְּעֵינֵי יְהוָה is characteristic of the books of Kings (of the sixteen occurrences in the Hebrew Bible, not counting Chronicles, ten are in Kings). The first time it is used with regard to king David himself (1 Kgs 15:5, in a positive sense). After this, it regularly returns as a stereotype for the assessment of a king of Judah (1 Kgs 15:11; 22:43; 2 Kgs 12:3; 14:3; 15:3, 34; 16:2; 18:3). In 2 Kgs 14:3 king Amaziah of Judah is compared to both his father Joash and 'father' David within a single verse. In addition to Kings, the expression occurs especially in Deuteronomy (6:18; 12:25, 28; 13:19; 21:9). See also Von Rad, *Theologie*, Bd. 1, 357.

[62]The Hebrew word for 'evil/disaster' used in 2 Kgs 21:12 is רָעָה. The 'evil' done by or at the instigation of Manasseh is always called רַע (2 Kgs 21:2, 6, 9, 15, 16). There seems to be no clear distinction in meaning between these two words (see *HALAT*, 1177). In 2 Kgs 22:16, 20 רָעָה returns, as it also does in 21:12 in YHWH's judgement on Jerusalem.

[63]Cf. J.-P. Sonnet, 'Le livre trouvé': 2 Rois 22 dans sa finalité narrative', *NRTh* 116 (1994), 840.

a king: the book of Deuteronomy. As observed earlier, in Deut. 17:18-20 we are told that the ideal king should make a copy of the *torah*, and read in it all the days of his life. The motivation for this instruction is given in Deut. 17:19b-20, where we read that the king should do this in order not to '*deviate* from the commandment, *to the right or to the left*' (Deut. 17:20).[64] Thus, already in the introduction Josiah is implicitly linked with the *torah* of Moses, in a way comparable to what was pointed out about Joshua in the first paragraph of this chapter: during the entry into the Promised Land he should let himself be guided by 'all the *torah*' that Moses enjoined upon him, and which he should not *deviate from*, '*neither to the right nor to the left*' (Josh. 1:7).[65] Thus, the vocabulary of 2 Kgs 22:2 is a vague reminder of the 'book of the *torah*' (Deut. 17:18-20; Josh. 1:7-8), and at the same time of the book of Deuteronomy. Our curiosity has been roused,[66] and the next pericope exploits this in a surprising manner.

22:3 And it came to pass in the eighteenth year of king Josiah,
– after the king had sent[67] the scribe Shaphan, the son of
Azaliah, the son of Meshullam

[64]See C. Schäfer-Lichtenberger, 'Der deuteronomische Verfassungsentwurf: Theologische Vorgaben als Gestaltungsprinzipien sozialer Realität', in: G. Braulik (ed.), *Bundesdokument und Gesetz: Studien zum Deuteronomium*, Freiburg 1995, 116: 'Dem Verfasser von Dtn 17:14-20 ist mit seiner Vorstellung von Königtum das Kunststück gelungen, menschliche Herrschaft so zu definieren, daß der Anspruch JHWHs ebenso gewahrt bleibt wie jener Israels auf eine Gesellschaft von gleichberechtigten JHWH-Verehrern.'

[65]Cf. also the way in which the phrase סוּר יָמִין וּשְׂמֹאל is used in Deut. 5:32 (29), in relation to what YHWH 'commanded' (צוה), and in Josh. 23:6 in relation to 'everything that is written in the *torah* of Moses'. The remaining places where the expression occurs are Deut. 2:27, 1 Sam. 6:12 and 2 Chron. 34:2 (|| 2 Kgs 22:3).

[66]The references to texts within and outside Kings demonstrate that the framework (2 Kgs 22:1-2) should not be seen exclusively as a stereotype only serving the function of giving the Josiah story a place within the composition of Kings as a whole (contra Van Dorp, *Josia*, 43). See Sonnet, 'Le livre trouvé', 841-2, who holds that the profile sketch of Josiah has a proleptic function, and raises the question how matters are going to develop in the narrative that follows. Cf. Tagliacarne, *'Keiner war wie er'*, 368-9.

[67]After the temporal adjunct in 22:3a, the perfect שָׁלַח in 2 Kgs 22:3b functions as a second adjunct to וַיְהִי. For this reason, I have translated it here by a pluperfect. See Chapter 1, note 31; cf. Van Dorp, *Josia*, 18 and 50. The clause dependent on וַיְהִי starts with the narrative וַיֹּאמֶר in 22:8.

to the house of YHWH, saying:
4 Go to Hilkiah, the high priest,
let him take the full amount of money that has been
deposited in the house of YHWH,
which the guards of the threshold have collected from
the people.
5 They will deliver it to the workmen
who are in charge of the house of YHWH,
and they in turn will pay it to the workmen who are in
the house of YHWH
that they may repair the damage[68] to the house,
6 to the carpenters, the labourers, and the masons
for the purchase of wood and quarried stones,
for repairing the house.
7 However, no account will be kept with them
for the money that they have been given,
for they deal honestly –
8 that the high priest Hilkiah said to the scribe Shaphan:
the book of the *torah*, I have found it in the house of YHWH!
Hilkiah gave the book to Shaphan,
who read it aloud.
9 Shaphan, the scribe, went to the king.
He reported to the king, saying:
Your servants have melted[69] the money that was in
the house.
They have given it to the workmen
who are in charge of the house of YHWH.
10 And the scribe Shaphan reported to the king:
The high priest Hilkiah has given me a book!
Shaphan read it to the king.
11 It came to pass,
at the moment[70] when the king heard the words of the book
of the *torah*,
that he rent his clothes.

The backdrop to the story is given in the assignment with which Josiah sends Shaphan the scribe to Hilkiah the high priest. Hilkiah

[68] בֶּדֶק means 'tear', 'fracture' (see *HALAT*, 106-7, 'Riss'). It is used for damage to the temple (2 Kgs 12:6[2x], 7, 8[2x], 9, 13; 22:5) and to a ship (Ez. 27:9, 27, in a metaphorical sense).

[69] The original meaning of נתך is 'to pour out'. In combination with כֶּסֶף it may refer to the pouring of metal in a melting furnace (see *HALAT*, 692; Van Dorp, *Josia*, 21).

[70] After an introductory וַיְהִי, כְּ plus infinitive indicates simultaneousness (see Joüon § 166l; Schneider §§ 49.3, 53.2).

is to see that the temple, the 'house of YHWH', is repaired. It is immediately clear to the reader of Kings that this puts Josiah in a positive light: he now follows in the footsteps of king Jehoash, of whom in 2 Kgs 12:1-16 we read how he broke through the priests' inertia and reluctance regarding the restoration of the temple.[71] On the initiative of the priest Jehoiada, the money that has been collected is after many years finally used for its intended purpose, and under the responsibility of 'the high priest' and 'the king's scribe' the temple is repaired (2 Kgs 12:10). Although there are many similarities between the story of king Jehoash and that of Josiah,[72] there is also a striking difference. In 2 Kgs 22:3 it is king Josiah who from the start takes the initiative.[73] It is he who sends the scribe Shaphan to the temple. The fact that in the rest of the pericope the use of Josiah's name is avoided and he is always referred to by his title[74] underlines the emphasis placed here on the king as initiator, which – as will become clear from the discussion of the next pericopes – is a structuring factor in the whole of 2 Kgs 22:1-23:30.

The instruction about the restoration of the temple is related extensively (2 Kgs 22:4-7). This is the more noticeable because Shaphan, in his report on the execution of the assignment, does

[71] See Eslinger, 'Josiah and the Torah Book', 42, about Josiah's role: 'He is simply carrying on the work initiated by Jehoash and this is not his outstanding contribution.'

[72] See J. van Dorp, 'De tempelrestauratie van Jehoash (II Koningen 12): Het gebruik van een motief in het boek Koningen', *ACEBT* 9 (1988), 77-89; E. van den Berg, *Beelden van Joas: Narratieve, stilistische en masoretische structuren als sleutels tot de interpretatie van 2 Kon 11-12 en 2 Kron 22:10-24:27*, Zwolle 1999, 49-50.

[73] See Würthwein, *Bücher der Könige*, 447: 'Nichts geschieht – auch in den folgenden Szenen – ohne die Initiatieve des Königs. Das is gewiß literarische Absicht: der König steht von Anfang an im Mittelpunkt.' See also Van Dorp, *Josia*, 65, 68-9. Van Dorp also thinks that the assignment to Josiah to restore the temple is nothing more than the continuation of Manasseh's syncretism, because the reform of the cult still has to take place (2 Kgs 23:4-20) and does not precede the restoration, as in Jehoash's case (2 Kgs 11). This is not, however, a valid comparison, since Jehoash in 2 Kgs 11 is made a child king, whereas the reform of the cult is carried out by the 'people of the land' together with the priests. The difference between Jehoash and Josiah has nothing to do with the attitude they brought to the task of restoration, but is about the position which these kings occupy, both literally and figuratively. Cf. Smelik, *2 Koningen* (Belichting van het bijbelboek), 's-Hertogenbosch 1994, 140.

[74] In 2 Kgs 23:16 the name Josiah returns for the first time after this.

not spend many words on the restoration itself (2 Kgs 22:9). The attention has shifted, which becomes clear when we concentrate on the chain of characters in 2 Kgs 22:3-11 and trace the occurrences of the verb 'to give' (נתן) in order to see what happens between these people.

Josiah the king	
↓	
Shaphan the scribe	
↓	
Hilkiah the high priest	
↓	
guards of the threshold	
↓	*give* the money to ... (22:5)
workmen in charge of the house	
↓	*give* the money to ... (22:5)
workmen in the house	
	the money *has been given* to them (22:7)
Hilkiah	
↓	*gives* the book to ... (22:8)
Shaphan	
	the money *has been given* to the workmen (22:9)
↓	
	Hilkiah *gave* me a book (22:10)
the king	

In 2 Kgs 22:8 the story takes an unexpected turn.[75] Hilkiah tells Shaphan that he found the 'book of the *torah*'. The first thing he does next is to give the book to the scribe, which not only bends the chain back in the direction of the king, but also suddenly shifts the attention to another object.[76] The focus is now on a book instead of on the money that is to be used for the repair of the temple, and the restoration of the temple has been moved to the background.[77] This is reflected in the circumstance that

[75] A comparison with the parallel passage in Chronicles shows the surprising element: in 2 Chron. 34:14-18 we are told first that Hilkiah found the 'book of the *torah*' when he went to get the money which had been collected.

[76] Cf. Eslinger, 'Josiah and the Torah Book', 43 (n. 14), who points to the discontinuity between 2 Kgs 22:7 and 22:8 because of a 'temporal and causal gap'.

[77] See K.A. Deurloo, 'De koning hoort naar de Tora (2 Kgs 22 en 23)', *ACEBT* 3 (1982), 65, who concludes that the author does not tell us *how* the book was found.

the verb 'to give' (נתן), which until now has been used as the keyword in relation to the money, is now applied to the book that is found. In Shaphan's answer to the king this is emphasised even more, by means of a remarkable reversal. First, he relates how *the money* was *found* in the temple and *given* to the workmen; in other words, he does not mention the discovery of the book at all (2 Kgs 22:9).[78] The main point of the rest of his report (נגד; Hiph), however, is the fact that Hilkiah *gave* him *a book* (2 Kgs 22:10). Thus, analysis of the pericope on the basis of the use of the verb 'to give' shows what happens at the turning point in 2 Kgs 22:8: at first, the story seemed to be about the temple and its restoration, but a book has now been substituted for the temple.[79]

Perhaps not surprisingly, 'the book' are the first words Hilkiah says to Shaphan.[80] Remarkably, it is assumed that the discovered scroll is well-known.[81] Hilkiah does not report the discovery of *a* book, but of *the* book, the 'book of the *torah*'. The answer to the question what exactly he is referring to is crucial to the exegesis of 2 Kgs 22:1-23:30 as a whole.

As discussed earlier, the phrase 'the book of the *torah*' in 2 Kgs 22:8 has for centuries been interpreted as a reference to the actual discovery of a document that most scholars think is the book of Deuteronomy or an earlier version of it. In other words, this would be a reference to a historical object, a document that would have existed *outside* the text of Kings.[82] Although in the

[78]Sonnet, 'Le livre trouvé', 847, points out the effect of this: 'Retardant la révélation au roi de ce que le lecteur sait être la nouvelle, le compte rendu de Shafân crée un incontestable effet de suspense.'

[79]This does not, however, mean that 2 Kgs 22:4-7 is 'only' the introduction to the discovery of the book (contra Dietrich, 'Josia', 23). As we will see, there is a connection between the fact that the book is found in the temple, and the contents of the book.

[80]In 2 Kgs 22:8 there is a *casus pendens*: the object has been moved from its usual place after the verb to front position, so that it becomes the sentence focus. See GKC § 142f.

[81]See F.L. Hossfeld, E. Reuter, *ThWAT*, Bd. 5, 937.

[82]As an example I would like to quote the following statement by G.R. Berry, 'The Code Found in the Temple', *JBL* 39 (1920), 49: 'It is generally agreed that the account of the finding of the code and related matters as given in II K. 22-23 is historically accurate, unless perhaps in minor details which are unimportant for the present purpose.' This last phrase refers to Berry's hypothesis that the discovered document was not 'D' (Deut. 5–26/28), but 'H' (Lev. 17–26).

historical-critical exegeses 2 Kgs 22 is usually not considered a historically sound text, the allusion to the finding of the 'book of the *torah*' is nevertheless by many still viewed as a historical reference.[83] The premise that the original text of the Hebrew Bible – especially in the case of unexpected or illogical twists – exhibits traces of the merging of supposed sources or of editorial changes to earlier versions, has the effect that a reference to a book in the text itself is automatically viewed as a reference to that supposed source or earlier version.[84]

Exegetes cannot be too cautious, but their caution should be applied not only to the actual text, but also to the premises on which the exegesis rests. In other words, if we want to be historical-critical – and every exegete should be – we should not suddenly become uncritical on a point we consider crucial.[85] The fact alone that the so-called discovery of an authoritative document is a recurring motif in ancient classical and eastern literature[86] makes it difficult to interpret 2 Kgs 22:8 as a historical

[83]See Noth, *Überlieferungsgeschichtliche Studien*, 93ff., who holds that the 'Deuteronomist' included the story about Josiah in his work because of the historical importance attached by this writer to the discovery of the book. Cf. Paul, *Archimedisch punt*, 312-3, who states that 2 Kgs 22 refers to the discovery of the old covenant charter which presumably had been lost; and W. Boyd Barrick, *The King and the Cemeteries: Toward a New Understanding of Josiah's Reform* (VT.S 88), Leiden 2002, 119-43, esp. 131-2.

[84]Cf. E.W. Conrad, 'Heard but not Seen: The Representation of "Books" in the Old Testament', *JSOT* 54 (1992), 48.

[85]P.R. Davies, *In Search of 'Ancient Israel'* (JSOT.S, 148), Sheffield 1992, 40-1, mocks the credulity of a large number of historical-critical exegetes: '[But] scarcely a biblical scholar has ever entertained the thought (at least in print) that this story might just be a convenient legend, that maybe no such reform took place.' According to Davies it is irresponsible that such a huge amount of tradition-historical and redaction-critical research into Josiah/2 Kgs 22–23 has been carried out 'upon an unjustified gesture of credulity'. In the course of the centuries, especially at the time of the Enlightenment, the idea of a so-called *pia fraus* has been advanced more often, even on paper, but this only makes Davies' criticism all the more relevant (see Paul, *Het archimedisch punt*, 71ff.; Davies, *Scribes and Schools*, 95ff.).

[86]See W. Speyer, *Bücherfunde in der Glaubenswerbung der Antike: Mit einem Ausblick auf Mittelalter und Neuzeit* (Hypomnemata, 24), Göttingen 1970, esp. 125ff. on 'angebliche Buchfunde in Tempeln'; B.J. Diebner, C. Nauerth, 'Die Inventio des ספר התורה in 2 Kön. 22: Struktur, Intention und Funktion von Auffindungslegenden', *DBAT* 18 (1984), 95-118. Cf. T.C. Römer, 'Transformations in Deuteronomistic and Biblical Historiography: On "Book-finding" and Other Literary Strategies', *ZAW* 109 (1997), 1-11. K. van der Toorn, 'The Iconic Book: Analogies between the Babylonian Cult

reference – even if one wanted to defend the thesis that the writer of the book of Kings intended to use the motif of the book-finding to legitimise his own views. Although this would not fix the origin of the text in history, it would put a date to the view behind the text.[87] Be this as it may, in my opinion the situation is the other way round: the existence of parallels in extra-biblical literature will first of all prompt us to investigate the relevant references *within* the text of the Hebrew Bible.[88] As it is, the writer makes it extremely difficult to enter into historical speculations on the basis of this text, as he says nothing at all about the actual discovery. The 'book of the *torah*' suddenly materialises. If we leave aside historical speculation, this means that in order to explain the specific formulation '*the* book'[89] in 2 Kgs 22:8 we can only investigate the way in which the writer employs the motif of the finding of the book.[90]

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of Images and the Veneration of the Torah', in: K. van der Toorn (ed.), *The Image and the Book: Iconic Cults, Aniconism, and the Rise of Book Religion in Israel and the Ancient Near East* (Contributions to Biblical Exegesis and Theology, 21), Leuven 1997, 244, points to the parallel with Mesopotamian myths about the origin of cultic images/statues, some of which are also 'accidentally' found by a king.

[87]Diebner, Nauerth, 'Die Inventio', 97ff., 117f., rightly hold that the so-called *pia fraus* hypothesis is uncritical from a historical point of view, as it presupposes that something was actually found. Characters and situations within the story are historical, but not the story as such: ' "Historisch" ist wohl die Religiosität, die sich mit dieser Erzählung legitimieren mochte ...' (118). Cf. Römer, 'The Book of Deuteronomy', 192: 'So, even if there was a Josianic "reform" (and it does not seem necessary to doubt this), it is not certain that such a reform was impelled by the discovery of a book. It is more likely that the original Deuteronomy was written to accompany and legitimate Josianic policy.'

[88]Cf. Conrad, 'Heard but not Seen', 50.

[89]The Hebrew here has a construct state combination, סֵפֶר הַתּוֹרָה, where – as is usual in Hebrew – the article used with the word in absolute state also governs the preceding word in construct state (סֵפֶר is one of the segholate nouns where the form of the construct state is identical with that of the absolute state; see GKC § 93c). Translating 'a book', as for instance Buber-Rosenzweig do ('ein Buch der Weisung'), is incorrect.

[90]See Sonnet, 'Le livre trouvé', 838: 'Quels qu'aient été les faits dans le cas de *2 R 22-23*, les données babyloniennes et l'existence, dans la culture qui a marqué l'Israel de l'exil, de ce qu'on pourrait appeler le genre littéraire "invention du document fondateur" jette une certaine lumière sur le texte de *2 R 22-23*. Ces données culturelles et littéraires demandent tout à la fois une plus grande attention à la facture littéraire du récit de *2 R 22-23*, en sa logique et en ses prétentions propres.'

The expression 'the book of the *torah*' should refer back to one or more texts which precede 2 Kgs 22:8.[91] Of the places where this phrase has been used before,[92] there are two that are especially informative about the adventures of the 'book of the *torah*': the last reference in Deuteronomy (Deut. 31:26) and the first reference in Joshua (Josh. 1:8). The discussion of both these verses given above has shown how they mark the transition from Moses to Joshua, from Deuteronomy to the book of Joshua, and thus the transition from the Torah to the Former Prophets. After Josh. 1:8, the 'book of the *torah*' no longer appears as a motif, with the exception of Josh. 8:34. There we hear how Joshua blesses the people of Israel after they have arranged themselves on either side of the ark, carried by the Levites, by reading all the words of the *torah*, 'just as is written in the book of the *torah*'.

At the end of the book of Joshua there is one reference to 'the book of the *torah of Moses*' (Josh. 23:6). This phrase, too, is not used again for some time, until it returns in 2 Kgs 14:6.[93] When Amaziah, king Jehoash's son, avenges the murder of his father (see 2 Kgs 12:21) he spares the children of the assassins, and thus, according to the author, acts 'in accordance with what is written in the book of the *torah* of Moses: "YHWH commanded: fathers shall not be put to death for sons, nor sons be put to death for fathers. A person shall be put to death only for his own crime." '[94] This passage prepares the reader for the story about king Josiah.[95] For not only does Josiah follow in Jehoash's

[91] The reference in 2 Kgs 22:8 is called anaphoric. Schneider § 52.5 discusses the two kinds of referential function the article can have in Hebrew: anaphoric or cataphoric.

[92] Josh. 8:34: בְּסֵפֶר הַתּוֹרָה. Deut. 28:61: בְּסֵפֶר הַתּוֹרָה הַזֹּאת. Deut. 29:20; 30:10; 31:26 and Josh. 1:8: בְּסֵפֶר הַתּוֹרָה הַזֶּה.

[93] The phrase סֵפֶר תּוֹרַת מֹשֶׁה occurs four times in all: Josh. 8:31; 23:6; 2 Kgs 14:6; Neh. 8:1.

[94] A literal quotation of Deut. 24:16, with two minor differences: in 2 Kgs 14:6 the concluding phrase is introduced by כִּי אִם, which is missing in Deuteronomy; secondly, the predicate in this concluding phrase is singular in Kings, plural in Deuteronomy, linked to the fact that the subject is a collective noun (אִישׁ).

[95] Conrad, 'Heard but no Seen', 51, supposes an intentional rhetorical effect in view of 2 Kgs 22:8: 'The proximity of this reminder to the Josiah episode has the possible rhetorical effect of preparing the audience for the incident at the time of Josiah when the ספר הברית/ספר התורה lost from the narrative will appear again in the story.' He also points out that beside 2 Kgs 14:6, the narrator only refers to the content of סֵפֶר הַבְּרִית/סֵפֶר הַתּוֹרָה in Josh. 8:31.

footsteps by ordering the restoration of the temple, he will also – as will become clear in the discussion of the next pericope – interpret the words of the 'book of the *torah*' as a judgement on his own forefathers, who were the very opposites of Jehoash and Amaziah. Because of what his ancestors did, he fears for his own life.

From the above we may conclude that a long arc has been drawn connecting the beginning of Joshua to the end of Kings, linking Joshua and Josiah, with Joshua 23:6 and 2 Kgs 14:6 as additional supports. In other words, the 'book of the *torah*' Hilkiah gives to Shaphan the scribe is the same book which in Deut. 31:26 Moses put beside the ark.[96] This conclusion does not imply a historical judgement on the authorship of the Torah or (parts of) Deuteronomy, or on the discovery of a book at the time of king Josiah. It does, however, in a sense reactivate the authority claimed by the author of Deuteronomy, who himself tacitly implies the identification of the 'book of the *torah*' with the book of Deuteronomy.[97] The fact that nothing is said about the circumstances surrounding the discovery of the 'book of the *torah*' may be interpreted as a strategy on the part of the author of Kings. The book in question only figures in the book of Deuteronomy; in this way, the reader is referred from one book of the Hebrew Bible to another.[98] For this reference to be meaningful, the readers should be aware of the fact that Moses not only wrote down the words of 'this *torah*', spoken by him, in a book,

[96] After comparing Deut. 31:24 with 2 Kgs 23:24, both of which contain the phrase דִּבְרֵי הַתּוֹרָה, F. García López arrives at the same conclusion (*ThWAT*, Bd. 8, 608-9).

[97] Noth, *Überlieferungsgeschichtliche Studien*, 86: 'Sie [die Regierungszeit des Königs Josias] mußte für Dtr ein ganz besonderes Gewicht haben, weil in ihr jenes Gesetz, das er als die authentische Auslegung der Sinaidekalogs an den Anfang seines Geschichtswerkes gestellt hatte, im Tempel gefunden und auf Veranlassung des Königs in Geltung geworden war. So hat denn Dtr auch sogleich auf die Einführungsformel für Josia (22:1,2) den Gesetzesauffindungsbericht folgen lassen (22:3–23:3), ...'

[98] Conrad, 'Heard but no Seen', 52, reaches a similar conclusion by analysing the role of the 'narrator': 'By making general and even specific reference to a document that has been lost and found, and for the readers lost again, the narrator's voice has been empowered and given authority. The narrative voice suggests that it is knowledgeable about what the readers can only imagine, the lost ספר הברית/ספר התורה. This rhetorical technique also has the effect of empowering the narrative.'

but also that he then put 'this book of the *torah*' beside the ark – which turns the book into a symbol (Deut. 31:26). Most exegetes do not realise this last aspect. Of those who point to the connection between Deut. 31:26 and 2 Kgs 22:8, some assume – or even state explicitly – that Moses put the 'book of the *torah*' *inside* the ark.[99] The discovery of the 'book of the *torah*' continues to exercise the imagination.

Let us resume the thread of the story. At this point we should consider, beside the long arc which stretches from Deuteronomy to 2 Kgs, a second detail that also shows how the 'book of the *torah*' is established by literary allusions rather than historical references. I am referring here to the word immediately preceding Hilkiah's exclamation: 'Shaphan, *the scribe*'. In the Hebrew text this has a curious effect, as two words from the same root here bump into each other, so to speak: שָׁפָן הַסֹּפֵר ⇔ סֵפֶר הַתּוֹרָה. This may be rendered literally as: '(... said to) Shaphan the scribe ⇔ a scripture (I have ...)', which however is not a correct translation. The alliteration raises the question what game is here being played by the author of Kings. The background to this problem is best illustrated by a brief sketch of the semantic value of the Hebrew word for 'scribe'.

The scribe figuring in the Hebrew Bible is not a scribe in the modern sense of the word, but an 'indentured' scribe, a mes-

[99] As does, for instance, García López, who says that this is a document 'das *in der Bundeslade* aufbewahrt wurde' (*ThWAT*, Bd. 8, 609 and 634); Conrad, 'Heard but not Seen', 51: 'At the end of Deuteronomy the document is to be placed *in the ark of the covenant* ...' (italics GJV). A comparable remark is made by Van Dorp, *Josia*, 70 (n. 57), who says that the placing of a 'money box' next to the altar in 2 Kgs 12:10 (tr. 9) – for 'coffer' the same word is used as for 'ark' (אָרוֹן) – suggests that the book was found by Hilkiah when he opened the box. The supposition that the 'book of the *torah*' was put *in the money box* (אָרוֹן), raises the question why 'the scribe' and 'the high priest' who opened the box before him (in 2 Kgs 12:11 (tr. 10), during the reign of Jehoash), did not find it – unless one assumes that the book was put in later, for instance in a *pia fraus* by Josiah himself. Van Dorp rejects this latter possibility, although from a historical point of view he does not want to exclude it (*Josia*, 83). Thus, his reference to 2 Kgs 12:11 (tr. 10) should be considered non-relevant. Apparently, a historically plausible explanation for the discovery of the book is hard to find, even with the support of other texts from Kings. The suggestion that Hilkiah found the 'book of the *torah*' in the money box is old: it is already implied in the parallel text 2 Chron. 34:14, though without using the word אָרוֹן; see also Van den Berg, *Beelden van Joas*, 49-50.

senger.[100] It is possible that the name of this function was used as a title for a royal envoy,[101] but nothing definite can be said about the historical background.[102] It is, however, important to point out that in the Hebrew Bible the scribe of the royal court not only had administrative tasks, but also acted as the king's representative, managing his affairs.[103]

It is in this latter capacity that Josiah sends Shaphan to Hilkiah, the high priest. There is a curious difference here with the earlier temple restoration, carried out by order of king Jehoash (2 Kgs 12:4-16): Jehoash contacts the priests directly. In other words, in 2 Kgs 22 the scribe, Shaphan, has been interposed:[104] Hilkiah does not take the book to the king, but hands it to Shaphan, 'and he read it to the king'. In this way, the focus of the story is on the reading of the book rather than on its discovery. The role played by Shaphan הַסֹּפֵר, 'the scribe', turns the reading of הַסֵּפֶר, the 'book' that was found, into the connecting link in the line Hilkiah → Shaphan → the king. Shaphan first reads the book to Hilkiah, apparently still in the temple (2 Kgs 22:8), and then goes to the king to read it to him (2 Kgs 22:10). Thus, the colliding words for 'scribe' and 'book' together constitute the pivot of the pericope. By means of the actions of Shaphan the scribe, our attention is directed at the 'book of the *torah*'.

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[100]See O. Procksch, 'Der hebräische Schreiber und sein Buch', in: G. Abb (ed.), *Von Büchern und Bibliotheken* (Fs E. Kuhnert), Berlin 1928, 1: 'Ein hebräische Schreibergilde hat es wahrscheinlich nicht gegeben; wenigstens gibt es kein hebräisches Hauptwort, das unserem Begriffe des Schreibers ganz entspräche. Der hebräische Schreiber (סֹפֵר) ist eigentlich der Buchgelehrte, der mit Büchern umzugehen hat; auf die Tätigkeit des Schreibens wird dabei als etwas Selbstverständliches kein Ton gelegt. Er ist nicht Privatgelehrter, sondern hat immer Zusammenhang mit der amtlichen oder außeramtlichen Öffentlichkeit.'

[101]So A.D. Crown, 'Messengers and Scribes: The סֵפֶר and מַלְאָךְ in the Old Testament', *VT* 24 (1974), 368.

[102]See M. Haran, 'On the Diffusion of Literacy and Schools in Ancient Israel', in: J.A. Emerton (ed.), *Congress Volume Jerusalem 1986* (VT.S, 40), Leiden1988, 81-95, esp. 91ff. on 'craftsmen and scribes'.

[103]F.L. Hossfeld, E. Reuter, *ThWAT*, Bd. 5, 926. See also E. Lipínski, 'Royal and State Scribes in Ancient Jerusalem', in: J.A. Emerton (ed.), *Congress Volume Jerusalem 1986* (VT.S, 40), Leiden/New York, etc. 1988, esp. 161. This article provides an excellent discussion of the texts in which סְפָרִים appears, but this does not yield much information about 'ancient Jerusalem'.

[104]So Deurloo, 'De koning', 66; cf. Dietrich, 'Josia', 24 (n. 51).

At the end of the pericope the tension is heightened, as the question is raised what is going to happen when the book is read to the king.[105] Again, the focus is on the reading of the book rather than the book itself. Shaphan does not identify the book when he comes to the king. He does not say where it was found, or point to it as the 'book of the *torah*':[106] 'Hilkiah the high priest has given me a book!' Shaphan and Hilkiah know that this is the 'book of the *torah*' and the author of Kings has told us, the readers, so that when Shaphan reads the book again the king is the only one who does not know that this is the 'book of the *torah*'. This makes his reaction all the more telling, and a fitting climax to end the pericope.[107] The king's reaction is described succinctly, with a minimum of words, but again using a striking alliteration: as soon as the king hears the words Shaphan is reading (וַיִּקְרָאֵהוּ, 2 Kgs 22:10) he is so shocked that he rents his clothes (וַיִּקְרַע, 2 Kgs 22:11).[108]

2.5 The King Asks for an Explanation – 2 Kgs 22:12-20

22:12 The king commanded Hilkiah the priest, Ahikam, son of Shaphan, Achbor, son of Michaiah, Shaphan the scribe and Asaiah, the king's servant:

13 Go, inquire of YHWH, on my behalf and on behalf of the people, and on behalf of all Judah concerning the words of this book that has been found,

[105] Dietrich, 'Josia', 30, holds that סֵפֶר, 'book', is the 'Dreh- und Angelpunkt' in this pericope, and stresses the fact that in spite of everything we are told nothing about the content of the book. The historical approach – reflected in questions such as: what did it contain? Who wrote it? – apparently makes it difficult to see that the pericope hinges on the word סֵפֶר – 'book' *in combination with* the word סֹפֵר – 'scribe', so that the reader's attention is not directed towards the content of the book, but to its function within the story. The 'writer' Shaphan does not write the book, but reads it aloud.

[106] Cf. Sonnet, 'Le livre trouvé', 854, who moreover states that the 'book of the *torah*' is recognised by the king, without its name being mentioned.

[107] See Würthwein, *Bücher der Könige*, 448: 'Die Darstellung läuft ganz auf den König zu, er ist der einzige, an dessen Verhalten die wahre, epochale Bedeutung des Gesetzbuches sichtbar gemacht wird.'

[108] Josiah's reaction is similar to that of king Ahab in 1 Kgs 21:27-29. In both cases, the renting of clothes is explained later as an act of humiliation (כנע) before YHWH (1 Kgs 21:29; 2 Kgs 22:19); in the case of Ahab, this is a reaction to a judgement announced by the prophet Eliah; in the case of Josiah, a reaction to words which are read to him but have yet to be explained by the prophetess Huldah. Cf. W. Thiel, *ThWAT*, Bd. 7, 190-2.

For great is the wrath of YHWH that[109] has been kindled against us,
because our fathers did not obey the words of this book,
to do all that has been written concerning us.

14 Hilkiah the priest went with Ahikam, Achbor, Shaphan and Asaiah,
to Huldah the prophetess, wife of Shallum, son of Tikvah, son of Harhas, the keeper of the wardrobe.
And she lived in Jerusalem, in the second quarter.
They spoke to her.

15 She answered them:
Thus said YHWH, the God of Israel,
Say to the man who sent you to me:

16 'Thus said YHWH:
See, I will bring disaster upon this place and upon its inhabitants,
all the words of the book which the king of Judah has read.

17 Because[110] they have forsaken me
and have made burnt offerings to other gods
vexing me[111] with the work of their hands
my wrath has kindled against this place,
it will not be quenched.'

18 But to the king of Judah who sent you to inquire of YHWH,
say this to him:
'Thus said YHWH, the God of Israel
as regards the words you have heard:

19 because your heart was softened
and you humbled yourself before YHWH
when you heard what I decreed against this place and its inhabitants
– that it will become a desolation and a curse –
and because you rent your clothes and wept before me –
I also have listened.
– declared YHWH –

20 And because of that,
see, I will gather you to your fathers,
you will be gathered to the burial ground[112] in peace;

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[109] In 𝔐 this has been phrased in an exceptional formula: the pronoun הִיא has been included in a verbal clause; see GKC § 138b and Joüon § 158g.

[110] תַּחַת אֲשֶׁר is causative here; according to Joüon § 170g it is comparable to עֵקֶב (אֲשֶׁר) (in a pejorative sense, 'en punition de ce que').

[111] לְמַעַן indicates the (unintentional) effect here rather than the (intended) purpose; see Joüon § 169g.

[112] 𝔐 has a plural here: קִבְרֹתֶיךָ. This need not mean 'your burial chambers' (thus *HALAT*, 996); according to GKC § 124b this is a 'plural of extension', a collective indication of a place where there are many graves, 'burial ground'.

your eyes shall not see all the disasters which I will bring upon this place.'

So they brought back the reply to the king.

In 2 Kgs 22:12 the king takes a new initiative and the next section of the narrative starts.[113] The passage about the discovery of the book started with Shaphan the scribe being sent to the temple (2 Kgs 22:3); now the king commands Shaphan and others to go and ask for an explanation. The transition from 2 Kgs 22:11 to 22:12 is rather abrupt: without a word being said about the 'book of the *torah*' and the reaction it provoked, the king sends a delegation to the prophetess Huldah to consult YHWH about the book.[114] The effect is that for the time being the reader's attention remains focused on the book.

The composition of 2 Kgs 22:12-20 runs parallel to that of the previous pericope: an initiative from the king is followed by a

[113] As I have indicated earlier, the king's initiatives may be seen as structuring elements in the narrative. This results in the following arrangement:

2 Kgs 22:1-2	introduction; evaluation	
2 Kgs 22:3-11	'the king sent ...'	שָׁלַח restoration/discovery of the book
2 Kgs 22:12-20	'the king commanded ...'	וַיְצַו Huldah's prophecy
2 Kgs 23:1-3	'the king sent ...'	וַיִּשְׁלַח the covenant solemnized
2 Kgs 23:4-20	'the king commanded ...	וַיְצַו reform of the cult
2 Kgs 23:21-23	'the king commanded ...	וַיְצַו Passover in Jerusalem
2 Kgs 23:24-27	evaluation	
2 Kgs 23:28-30	conclusion	

This same division is given in N. Lohfink, 'Zur neueren Diskussion über 2 Kön 22-23', in: N. Lohfink (ed.), *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (BEThL, 68), Leuven 1985, 39-40. Van Dorp, *Josia*, 58 criticizes Lohfink's division, as it is based on only two historical elements, i.e., 'characters' and 'events'; moreover, only the king acts as subject, and only two verbs are used to indicate actions – according to Van Dorp. Van Dorp himself, however, despite also including 'time' and 'place' in his analysis in addition to the 'historical elements' mentioned, is nevertheless forced – to prevent his analysis degenerating into a copy of the narrative itself – to 'grade' these elements, and opts for the place of action as the basis for his division. No arguments are given for this choice. It would seem to me that the concentration on the character of king Josiah, as established above, would be a reason to view first of all those actions of which he is the subject as structuring elements.

[114] דָּרַשׁ אֶת־יְהוָה means that YHWH is asked for a statement, with a prophet acting as intermediary. This is why the command for such a consultation is often introduced by verbs indicating motion: שׁלח, בוא, הלך. See S. Wagner, *ThWAT*, Bd. 2, 313ff., esp. 323.

story about the 'book of the torah', concluding with the information that the reply (דבר; 2 Kgs 22:20) is brought to the king, in about the same way as at the end of the first pericope we are told that the king hears 'the words from the book of the *torah*' (דִּבְרֵי סֵפֶר הַתּוֹרָה; 2 Kgs 22:11).

What the 'words of the book of the *torah*' are we still are not told. From the king's command we may deduce what the crucial point is. Josiah himself has *heard* the words when they were read (2 Kgs 22:11), but realises that the fathers '*did not obey* (lit. *hear*) the words of this book' (2 Kgs 22:13) and that this kindled the wrath of YHWH. Apparently Josiah has recognised the words and also tacitly assumes that 'the fathers' were familiar with the book that was found. That the book is assumed to be familiar is demonstrated by the fact that Josiah does not explicitly name it. He twice refers to 'the book', but in neither of these cases does he add: 'of the *torah*'. In other words, the point of the narrative is not to establish the identity of the book,[115] but to show how Josiah and the fathers reacted to it. The past is not played off against the present in the process, however. Josiah does not accuse the fathers, but states that their transgressions will have consequences in 'his' (i.e., Josiah's) present: YHWH's wrath was kindled 'against *us*', because '*our* fathers' did not listen, and did not do what was written 'concerning us'.[116] Assuming that 'the fathers' refers to Israel's Exodus generation,[117]

[115]Cf. J.R. Lundbom, 'The Lawbook of the Josianic Reform', *CBQ* 38 (1976), 293-302, esp. 295ff., who from a comparison of 2 Kgs 22:16-20 and Deut. 32:15-22 concludes that the book found by Hilkiah must have been Deut. 32.

[116]Cf. U. Rüterswörden, 'Die Prophetin Hulda', in: M. Weippert (ed.), *Meilenstein* (Fs H. Donner) (ÄAT, 30), Wiesbaden 1995, 238, who says that the use of the preposition בְּעַד after דרשׁ in 2 Kgs 22:13 indicates that Josiah is not asking for advice, but is requesting intervention; he is asking Huldah to say a prayer of *intercession* (cf. Isa. 8:19; Jer. 21:2; 37:7).

[117]So T. Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition* (OBO, 99), Freiburg 1990, 318-9. For a critical reaction, see N. Lohfink, *Die Väter Israels im Deuteronomium* (OBO, 111), Freiburg 1991, esp. 7-11. Römer returns to the point in 'The Book of Deuteronomy', 207: 'It seems that at the time of the Babylonian exile (and probably earlier, cf. Hos. 12) there were alternative concepts about Israel's origin. The deuteronomistic exiles found their identity in an exodus view of origins, while those who had stayed in the "land" referred to the patriarchal tradition (cf. Ezek. 33.24). Deuteronomy and the Deuteronomists rejected this genealogical conception. For them, Israel's iden-

we here come across an identification-extended-to-the-present reminiscent of Moses' identification of the Moab-generation with the Exodus-generation in Deuteronomy.[118]

The delegation the king sends to Huldah consists, in addition to Hilkiah the high priest and Shaphan the scribe, of Ahikam, Achbor and Asaiah. Asaiah is only mentioned in this place in the Hebrew Bible,[119] Shaphan,[120] Ahikam[121] and Achbor[122] we also meet in the book of Jeremiah.[123] Through the appearance of these characters, and even more through the words spoken by Huldah, we are suddenly transported to a 'Jeremian world'. Because of the large number of quotations and references it contains, Huldah's prophecy may be seen as a patchwork of words from the book of Jeremiah, as K.A. Deurloo has shown.[124] Especially in the prophecy about Jerusalem (2 Kgs 22:16-17) it does seem as if Jeremiah himself is speaking.[125]

Many people have wondered why it is not Jeremiah who appears in the story as a prophet, the more so as according to Jer. 1:2 he was active 'in the days of Josiah'.[126] Moreover, the fact that Huldah is a woman has prompted many exegetes to attempt to dismiss her words, or, in a historical approach, derive them from an authoritative (male) source.[127] It seems more

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tity depended on its vocation and the response to its call.'

[118]See p. 9.

[119]Not counting the parallel verse in 2 Chron. 34:20.

[120]Shaphan, 'the scribe' appears in Jer. 36:10, 11, 12. Whether the father of Ahikam is the same Shaphan cannot be determined with certainty, not even on the basis of the places in Jeremiah where he is mentioned (Jer. 26:24; 39:14; 40:5, 9, 11; 41:2; 43:6).

[121]Ahikam figures in Jer. 26:24. As the father of Gedaliah he is mentioned in Jer. 39:14; 40:5, 6, 7, 9, 11, 14, 16; 41:1, 2, 6, 10, 16, 18; 43:6.

[122]Achbor is mentioned in Jer. 26:22; 36:12 as the father of a certain Elnathan.

[123]The name Hilkiah also appears in Jeremiah (29:3), but since this refers to an envoy it is improbable that this person is Hilkiah the high priest.

[124]K.A. Deurloo, 'Chulda's profetie: Een collage van woorden uit het boek Jeremia (II Koningen 22:15-20)', *ACEBT* 12 (1993), 106-15, esp. 110-1.

[125]Compare for instance 2 Kgs 22:17b with Jer. 1:16; 44:3, 5, 8; 2 Kgs 22:17c with Jer. 7:18; 25:7; 32:29; 44:8; 2 Kgs 22:17d with Jer. 7:20; 42:18; 2 Kgs 22:17e with Jer. 4:4; 7:20; 21:12.

[126]See M.D. Terblanche, 'No Need for a Prophet like Jeremiah: The Absence of the Prophet Jeremiah in Kings', in: J.C. de Moor, H.F. van Rooy (eds), *Past, Present, Future: The Deuteronomistic History and the Prophets* (OTS, 44), Leiden 2000, esp. 312-3.

[127]J. Priest, 'Huldah's Oracle', *VT* 30 (1980), 366-8 wants to demonstrate

relevant to address the question why the author – assuming he did have Jeremiah available as a literary character – decided to give his words to the prophetess Huldah. The list of members of the delegation and the detailed information about Huldah's circumstances (2 Kgs 22:14) certainly give the impression that this device was intentional.[128]

In the first place, it is important that in her prophecy about Jerusalem Huldah refers to the 'book of the *torah*'. She links the disaster YHWH will bring on the city and its inhabitants to 'all the words of the book which the king of Judah has read' (2 Kgs 22:16). This phrase refers us to the passage from Deuteronomy in which Moses commands the future king of the Promised Land to write 'a copy of this *torah* in a book' (מִשְׁנֵה הַתּוֹרָה הַזֹּאת עַל־סֵפֶר, Deut. 17:18): 'And it will remain with him, and he will read in it all the days of his life, so that he may learn to fear YHWH his God, to keep all the words of this *torah* and these laws, in order to do them' (Deut. 17:19). Josiah's command to go and consult Huldah and her prophecy both contain elements from this passage: 'all the words' (כָּל־דִּבְרֵי) from the 'book' (הַסֵּפֶר) which the king has 'read' (קרא), are 'written' (כתב) 'in order to do them' (לַעֲשׂוֹת) (2 Kgs 22:13, 16). In Deut. 28:58 the judgement of YHWH is predicted if not 'all the words of this *torah* which are written in this book' will be observed. This reversal from blessing into curse is apparently heard by Josiah during the reading of the 'book of the *torah*', and is explicitly named by Huldah. In other words, in her prophecy Huldah refers the delegation – together with the readers of 2 Kgs – back to the book which the king has read, and thus implicitly to Deuteronomy. Had Jeremiah actually appeared, such a reference would have been impossible, as this would have made an allusion to the book which bears his name impossible to avoid.[129]

In the second part of Huldah's prophecy, which is about Jo-

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that Huldah's prophecy, or at least 2 Kgs 22:20, was written by 'P'. The Priestly language would then be explained by the fact that Huldah was the wife of a temple officer, and may even have worked in the temple herself. See also Deurloo, 'Chulda's profetie', 108; K. Butting, *Prophetinnen gefragt: Die Bedeutung der Prophetinnen im Kanon aus Tora und Prophetie* (Erev-Rav-Hefte: Biblisch-feministische Texte, 3), Schneverdingen 2001, 156-60.

[128]Cf. Würthwein, *Bücher der Könige*, 449-50.

[129]Cf. Smelik, *2 Koningen* (Belichting van het bijbelboek), 's-Hertogenbosch 1994, 142.

siah (2 Kgs 22:18-19), the 'book of the *torah*' is again referred to, more especially when she mentions that Josiah heeded the words of YHWH. Josiah is told that he will have a worthy funeral and will not have to witness the disaster that will befall the city. The justification for this remarkable pronouncement as regards Josiah is that he has heard (שמע; 2 Kgs 22:11, 18, 19): just as Josiah heard, so did YHWH hear (2 Kgs 22:19). This latter fact is actually the only 'new' piece of information that Huldah has to give. What she proclaims about Jerusalem[130] Josiah is found to have understood already when he heard the words of the 'book of the *torah*'. This becomes clear when we compare Huldah's prophecy with Josiah's command to go and consult her (2 Kgs 22:13). Thus, her prophecy is not an oracle about the future of city and land, but a positive judgement on king Josiah's attitude and at the same time a confirmation of the authority of the 'book of the *torah*'.[131]

Secondly, it is not for the first time that we meet a female prophet in the Hebrew Bible. The first prophet to appear in the Former Prophets is Deborah (Judg. 4:4-14a), Huldah is the last. Female prophets are exceptions,[132] but these two women framing the Former Prophets constitute a significant duo.[133] This

[130]Huldah's prophecy is framed by the statement that YHWH will bring 'disaster' over Jerusalem (2 Kgs 22:16b, 20d).

[131]Sonnet, 'Le livre trouvé', 852, points out that is it not only the fact *that* Josiah hears which is crucial, but also *what* he hears: 'L'oracle est explicite: le salut du roi s'est joué dans son écoute – et dans la qualité de son écoute – des "paroles" (du livre).' L.K. Handy, 'The Role of Huldah in Josiah's Cult Reform', *ZAW* 106 (1994), 40-53, interprets the function of Huldah's prophecy on the basis of a comparison with Babylonian and Assyrian texts: '... it was necessary for Josiah to inquire of Yahweh because that is how a good ruler in the Ancient Near East instigated a reform requested by deities, by checking with the gods through established means of communication to make certain that the original divine communication was correct.' (53) He also points out that there are important differences: Huldah only speaks favourably about Josiah himself, not about his kingdom. Moreover, according to Handy her prophecy cannot be considered a legitimation of the (historical) king Josiah, but only of the view held by the author of Kings.

[132]Beside Deborah and Huldah, the Hebrew Bible mentions the following persons נְבִיאָה: Miriam (Exod. 15:20), the woman who bore Isaiah a son (Isa. 8:3), and Noadiah (Neh. 6:14).

[133]This frame has been pointed out by Deurloo, 'De koning hoort', 68; D.L. Christensen, 'Huldah and the Men of Anathoth: Women in Leadership in the Deuteronomic History', in: K.H. Richards (ed.), *Society of Biblical Literature 1984 Seminar Papers*, Chico 1984, 399: 'It is interesting to compare

frame points to a second reason why the author had no use for Jeremiah at this point. With the introduction of Jeremiah, a 'later prophet' would have been inserted into the framework of the Former Prophets; this would have disturbed the coherence and function of this part of the canon – which the frame supplied by Deborah and Huldah underscored. Thus, no artificial reduction of Huldah's role to that of spokesman is required to lend significance to her words.[134]

2.6 Renewal of the Covenant: The King Reads the Book – 2 Kgs 23:1-3

In the next pericope, Huldah's prophecy is given an unexpected sequel in which the 'book of the *torah*' again plays an important part:

23:1 The king sent for all the elders of Judah and Jerusalem,
and they assembled before him.
2 The king went up to the house of YHWH
and all the men of Judah and all the inhabitants of Jerusalem with him,
the priests and the prophets
and all the people, young and old.
And he read in their presence all the words of the book of the covenant
which had been found in the house of YHWH.
3 The king went and stood by the pillar[135]
and he solemnised the covenant before YHWH,
that they would follow YHWH,
and keep his commandments, his injunctions, and his laws

these two persons who form an inclusion of sorts around the Deuteronomistic History of life in the Promised Land.' Christensen starts from the assumption that Huldah, just as Jeremiah, belonged to the so-called 'Moses-group' from Anathoth, which advocated traditonal values from pre-monarchic times, such as for instance a relatively high appreciation of the social position of women.

[134]Cf. E. Würthwein, 'Die Josianische Reform und das Deuteronomium', *ZThK* 73 (1976), 405: 'Über die Persönlichkeit der Prophetin Hulda werden wir nie eine verbindliche Aussage machen können.' (...) 'Hulda ist, was immer sie sonst in der Zeit Josias gewesen sein mag, von DtrP zur Sprecherin seiner Anschauung gemacht worden wie andere Propheten vor ihr.'

[135]According to *HALAT*, 797-8 עַל־הָעַמּוּד refers to the 'Standort des Königs im Tempelbereich bei Staatsaktionen'. עַל־הָעַמּוּד would then mean 'an oder auf der Säule, wenn diese [Standort] ein säulenartiges Podest war.' See 2 Kgs 11:14.

with all their heart and soul,
that they would fulfil all the words of this covenant
which are inscribed in this book.
All the people entered into the covenant.

Huldah's prophecy causes the king to act. Not only does he take a new initiative (2 Kgs 23:1), but he also physically moves for the first time: 'The king went up . . .' (2 Kgs 23:2). This signals a turning point in the narrative.[136] Josiah takes the 'book of the *torah*' back to its place of origin, the temple, where it is read aloud by him, this time in the presence of all the people. By doing this he makes a covenant with YHWH. The inclusion containing the verb 'to take one's stand' (עמד) in 2 Kgs 23:3 shows that not only the king, but all the people are involved: the king takes his stand at the ceremonial place for the solemnisation of the covenant, and the entire people literally 'enters into (takes its stand inside, as it were) the covenant'.[137]

This solemnisation of the covenant in 2 Kgs 23:1-3 may be seen as a reaction to the reproach that the people have forsaken YHWH (2 Kgs 22:17a). From now on, all will 'follow YHWH' (2 Kgs 23:3). The next pericope, 2 Kgs 23:4-20, will show what this means in concrete terms: Josiah will put an end to the practice of making offerings to other gods (cf. 2 Kgs 22:17bc). Before Josiah begins this big purge, he goes to the place pre-eminently suited to the worship of YHWH: the temple, where the book is read again, this time in the presence of all the people. Thus, the so-called reform of Josiah starts with the public reading of the book, which now is no longer called the 'book of the *torah*', but the 'book of the covenant' (2 Kgs 23:3). This phrase had been used only once before in the Hebrew Bible, in Exodus.[138] In this

[136]The pericope 2 Kgs 23:1-3 is the central part in the composition of 2 Kgs 22–23. This not only becomes clear when, as has been done here, king Josiah's initiatives are taken as structuring principles (see note 113 above), but also when geographical indications are used as the basis for an analysis of the composition (see Van Dorp, *Josia*, 54ff., 192ff.). Eslinger holds that 2 Kgs 22 and 2 Kgs 23 show a parallel composition, but his division gets stuck at 2 Kgs 23:1-3, as this pericope does not have a parallel in 2 Kgs 22 ('Josiah and the Torah Book', 39ff., esp. 42).

[137]Cf. H.A. Brongers, *II Koningen* (PredOT), Nijkerk 1970, 217, who points out that the phrase עמד בַּבְּרִית is a *hapax legomenon*, probably influenced by the opening of 2 Kgs 23:3.

[138]סֵפֶר הַבְּרִית occurs two more times: in 2 Kgs 23 (23:21) and in the parallel verse of 2 Kgs 23:3, 2 Chron. 34:30.

passage we are told how Moses, before he went up the mountain to receive the tablets of stone, 'wrote down all the words of YHWH' (Exod. 24:4) and how, after he had dashed blood on an altar at the foot of the mountain, 'he took the book of the covenant and read it aloud to the people' (Exod. 24:7). The people then promise that they will 'do and heed' all that YHWH has spoken. This reference shows that in a certain sense Josiah is the representative of Moses, namely as the person who makes a covenant with YHWH by reading aloud a book. The obvious question why this passage refers to Exodus rather than again to Deuteronomy and the 'book of the *torah*' mentioned there, may be answered quite simply: in this pericope no reference to Deuteronomy is possible because, although Moses does *write* words in Deuteronomy, he does not *read* them *aloud*: they are words he *has already spoken.* Moreover, the reference to Exodus goes back to the beginning, to the solemnisation of the covenant which took place before Moses received the first tablets of stone. In other words, the discovery of the 'book of the *torah*' prompts a critical review of the entire history of the covenant, starting with the Exodus generation.[139]

Although the reference to Exod. 24 is thus shown to be meaningful we should at the same time note that a game is being played with 'the book' in 2 Kgs 22:1–23:30. The book which was found by Hilkiah in the temple is referred to as the 'book of the *torah*', but also as 'book of the covenant'.[140] The first name refers to Deuteronomy, the second to Exodus. This need not mean that Josiah read (parts of) Deuteronomy or Exodus,[141] or that these titles are being varied randomly.[142] The function of these references is to give the words of Moses, the *torah*, topical relevance in the narrative. Josiah does not claim to have a book clothed in Moses' authority actually at his disposal, but he reads out to the people the book that was found in the temple, and

[139]See the remarks on 2 Kgs 22:13 in the previous paragraph.

[140]On the equation of סֵפֶר הַתּוֹרָה and סֵפֶר הַבְּרִית see also F. García López, *ThWAT*, Bd. 8, 608: 'Auch der Vergleich von 2 Kön 23,24 mit v. 3 zeigt, daß die Begriffe תורה und ברית, eingebunden in die feste Wendungen ספר התורה und ספר הברית, sich gegenseitig interpretieren und austauschbar sind.'

[141]On the basis of the vocabulary used in 2 Kgs 23:1-3, Würthwein, *Bücher der Könige*, 455, is convinced that (parts of) Deuteronomy are being read out.

[142]So F.L. Hossfeld, E. Reuter, *ThWAT*, Bd. 5, 938.

thus speaks with the authority of Moses. The names for 'the book' used here are indications rather than identifications. What is more, although the phrase 'that they would fulfil all the words of this covenant which are inscribed in this book' (2 Kgs 23:3) contains a reference to the book of Deuteronomy,[143] the label 'this book' is in itself highly ambiguous: it may refer to Deuteronomy, to the Torah as a whole, but also to the book in which we read the story of Josiah.

2.7 Radical Reforms – 2 Kgs 23:4-20

The pericope 2 Kgs 23:4-20 is governed by an opening narrative imperfect: 'The king ordered ...', an initiative which takes up the line of 2 Kgs 23:1. In a long and detailed recital we are told how Josiah radically puts an end to idol worship. By reading the 'book of the covenant', Josiah sees how he himself and the people are put under threat and now takes action. Upon first reading the text of this pericope seems chaotic, and many scholars are of the opinion that it does not reflect any attempt at sound composition.[144] J. van Dorp, however, has shown that a meaningful articulation has been achieved by means of geographical and topographical notes.[145] In 2 Kgs 23:4-14 we are told about the reforms in Jerusalem and Judah. Three times, the removal of cultic objects from the temple is mentioned (2 Kgs 23:4; 6-7; 11-12), beginning in the middle of the temple and ending at its perimeter. Everything is taken out of the temple, and ends up in unclean places: Bethel (2 Kgs 23:4; cf. 1 Kgs 12:29), the burial ground of the common people (2 Kgs 23:6), and the valley of the

[143] Deut. 27:26: 'Cursed be he who will not uphold the words of this *torah* (תּוֹרָה), by observing them.'

[144] See for instance Würthwein, *Bücher der Könige*, 455: 'Der heutige Bericht ist wenig systematisch aufgebaut; ...' Levin, 'Joschija', 357, characterises 2 Kgs 23:4-20 as the 'Cloaca maxima des Alten Testaments' and states: 'Die Annahme einer langfristigen und vielschichtigen Ergänzungsgeschichte – die radikale Ergänzungshypothese – ist angesichts des Zustandes von II Reg 23:4-20 von vornherein die einzig sinnvolle Lösung.' He concludes that 2 Kgs 23:8a is the core phrase, from the pen of 'DtrH', and that the remainder is largely the result of elaborations on this one verse by later redactors (358ff.).

[145] Van Dorp, *Josia*, 131ff. E. Talstra, 'De hervorming van Josia, of de kunst van het beeldenstormen', *GThT* 88 (1988), 149ff., recognises the geographical arrangement, but considers it more important that the text is of a theological character. See also Barrick, *The King and the Cemeteries*, esp. 27-60; Eynikel, *The Reform of King Josiah*, 138ff.

Kidron as a place where tombs were situated (2 Kgs 23:12). In between, we also hear three times of actions outside Jerusalem (2 Kgs 23:5; 8-10; 13-14), where there is a reversed movement towards Jerusalem.

In the next part of this pericope, 2 Kgs 23:15-20, Josiah moves to the north. The cultic heights in Bethel (2 Kgs 23:15-18) and the other cities of Samaria (2 Kgs 23:19-20) are destroyed. Having dealt with Judah and Samaria, the south and the north, the king returns to Jerusalem.

With the radical reforms he carries out, Josiah observes the commandments, injunctions, and laws from the 'book of the covenant' (2 Kgs 23:3). The book itself is not mentioned in this context. I will therefore give the translation of the pericope without further explanation:

23:4 The king ordered Hilkiah the high priest,
the priests of the second rank and the guards of the threshold
to bring out of the temple of YHWH all the objects
made for Baal, Asherah and all the host of heaven.
He burned them outside Jerusalem, in the fields[146] of Kidron
and he removed[147] the ashes to Bethel.
5 He abolished the idolatrous priests
whom the kings of Judah had appointed,
to make burnt offerings at the heights in the towns of Judah
and in the environs of Jerusalem
and those who made burnt offerings to Baal,
to the sun, the moon, and the constellations,
all the host of heaven.
6 He removed Asherah[148] from the house of YHWH,
outside Jerusalem, to the wadi Kidron.
He burned it in the wadi Kidron,
he beat it to dust.

[146]The meaning of שְׂדֵמוֹת is uncertain. See *HALAT*, 1321-2.

[147]The Hebrew text here has a so-called consecutive perfect, וְנָשָׂא. It is remarkable that within this pericope this form is used five times, alternating with the narrative form of the verb (consecutive imperfect); beside 2 Kgs 23:4 it appears also in 23:5 (וְהִשְׁבִּית), 10 (וְטִמֵּא), 12 (וְהִשְׁלִיךְ) and 15 (וְשָׂרַף). This application of the perfect, and particularly with this frequency, is difficult to interpret from a grammatical point of view (see Joüon § 119z) and has been the reason that scholars have considered these passages to be later additions (see GKC § 112pp, n. 3; Talstra, 'De hervorming', 159; cf. Schneider § 48.4).

[148]אֲשֵׁרָה refers to both the goddess Asherah and the cult object which belongs to her worship. Hence, it may also be translated by 'sacred post' in this place and in 2 Kgs 23:7, 14 and 15. Cf. 2 Kgs 21:7, where we are told

He scattered its dust over the burial ground of the sons of the people.[149]

7 He tore down the cubicles of the holy men
which were in the house of YHWH,
at the place where the women wove coverings[150] for Asherah.

8 He brought all priests from the towns of Judah
and defiled the heights where the priests had been making burnt offerings,
from Geba to Beer-sheba.
He demolished the heights at the gates,
which were at the entrance of the gate of Joshua, the city prefect,
which were on the left when you entered the city gate.

9 The priests of the heights, however, were not allowed to ascend to the altar of YHWH in Jerusalem,
but they ate unleavened bread among their kinsmen.

10 he also defiled Topheth, which is in the valley of Ben-hinnon,
so that nobody might consign his son or daughter to the fire of Moloch.

11 He did away with the horses that the kings of Judah had dedicated to the sun,
from the entrance to the house of YHWH to the chamber of Nathan-melech, the courtier, which was in the precincts,[151]
and he burned the chariots of the sun with fire.

12 The altars on the roof by the upper chamber of Ahaz
which the kings of Judah had made
and the altars Manasseh had made
in the two courts of the house of YHWH
– the king tore them down.
He ran from there[152]
and scattered their ashes in the wadi Kidron.

13 The heights facing Jerusalem,

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about Manasseh that he placed אֶת־פֶּסֶל הָאֲשֵׁרָה, 'the carved image of Asherah' that he had made in the house of YHWH. In 2 Kgs 23:4, translating it by the proper name of the goddess seems more appropriate.

[149]Here the burial ground for the 'common people' is meant. See J. Kühlewein, *THAT*, Bd. 1, 320; *HALAT*, 996.

[150]The meaning of בָּתִּים is uncertain. *HALAT*, 159, does not derive it from בַּיִת, 'house', but from a conjectured בַּת and gives as translation 'gewobenes Kleid'. Whether actual pieces of clothing are meant or not, the weaving of בָּתִּים is probably a euphemism for sexual intercourse (see J.C. de Moor, *ThWAT*, Bd. 1, 476-7).

[151]The meaning of פַּרְוָרִים, the plural of פַּרְבָּר, is uncertain. See *HALAT*, 905-6.

[152]This translation assumes וַיִּרְץ מִשָּׁם was derived from רוץ rather than רצץ. See *HALAT*, 1127 and 1199.

to the south of the mountain Mashit,
which Solomon, the king of Israel, had built
for Ashtoret, the abomination of the Sidonians,
for Chemosh, the abomination of Moab
and for Milcom, the detestable thing of the sons of Ammon,
– the king defiled them.
14 He shattered their holy stones,
cut down their sacred posts
and filled up their sites with human bones.

15 Also the altar in Bethel,
the height made by Jeroboam, son of Nebat, who caused Israel to sin,
that altar, too, and the height as well, he tore down.
He burned down the height,
beat it to dust,
and burned the sacred post.
16 Then Josiah turned
and saw the graves that were there on the hill.
He had the bones taken out of the graves,
he burned them on the altar
and thus defiled it,
according to the word of YHWH
foretold by the man of God who shouted these words.
17 He said:
What is that[153] memorial I see?
The men of the town replied:
That is the grave of the man of God who came from Judah.
He foretold these things that you have done to the altar of Bethel.
18 He said:
Let him be,
let nobody disturb his bones!
So his bones also guaranteed the safety of the bones of the prophet who came from Samaria.
19 All the houses on the heights in the towns of Samaria,
which the kings of Israel had made vexing YHWH,
Josiah abolished.
He dealt with them according to all the actions he had done in Bethel.
20 He slew all the priests of the heights who were there, on the altars,
he burned human bones on them.

Then he returned to Jerusalem.

[153] הַלָּזוּ is the abbreviated form of the rare הַלָּזֶה, which has a strongly deictic

2.8 Passover in Jerusalem: The Exemplary King – 2 Kgs 23:21-23, 24-27, 28-30

21 The king commanded all the people:
Prepare[154] Passover for YHWH, your God,
as it is written in this book of the covenant.
22 Verily, a Passover like this had not been prepared
since the days of the judges who ruled Israel,
and all the days of the kings of Israel and the kings of Judah.
23 Yet, in the eighteenth year of king Josiah
this Passover was prepared for YHWH in Jerusalem.

The last initiative on Josiah's part that is mentioned, the command to prepare Passover (2 Kgs 23:21), refers back to the reading of the 'book of the covenant' (2 Kgs 23:2-3), which is underscored by the fact that the command is situated in the eighteenth year of king Josiah (2 Kgs 23:3; see 22:3).[155] After the king has put a stop to all idolatry, Passover may be celebrated 'as it is written in this book of the covenant'. This refers to Exod. 12:1-28 and Deut. 16:1-8, which prescribe how the remembrance of the Exodus from Egypt should be celebrated. The commentary added by the author in 2 Kgs 23:22 and 23 shows how remarkable it is that by order of Josiah this Passover is actually observed. Since the days of the judges there has been no Passover, but it is celebrated now, and celebrated in Jerusalem.

There is only one other place in the books of the Former Prophets where the commemoration of Passover is mentioned: the beginning of Joshua. After the people of Israel led by Joshua have crossed the Jordan and entered the land of Canaan, first of all the men are circumcised by Joshua (Josh. 5:2-9), and then Passover is celebrated (Josh. 5:10-12). Under the judges and kings, from Joshua to Josiah, no Passover was celebrated according to

function. See GKC § 34f.

[154]The verb עשׂה, 'to make', is used for the preparation and celebration of Passover. See for instance Exod. 12:48; Num. 9:2; Ezra 6:19.

[155]See P. Tagliacarne, *'Keiner war wie er': Untersuchung zur Struktur von 2 Könige 22-23* (ATSAT, 31), St. Ottilien 1989, 412: 'Der chronologische Rahmen (22:3; 23:23) am Anfang und am Ende der dargestellten Taten Joschijas macht es sicher, daß hier keine Absicht vorliegt, über Ereignisse in ihrem tatsächlichen Ablauf zu berichten. Die dargestellten Ereignisse wurden ausgewählt und so geordnet, daß sie einem literarischen bzw. theologischen Schema dienen.'

the books. I note that again a wide arc is being drawn from the beginning of the Former Prophets to the end. The celebration of Passover after the entry into the Promised Land, by order of Joshua, forms an inclusion with the commemoration of Passover in Jerusalem by order of Josiah, shortly before Jerusalem is seized by Nebuchadnezzar and the population deported to Babylon (2 Kgs 24–25).[156]

Thus, the directive regarding Passover in Exod. 12/Deut. 16 is carried out three times: in the night of the Exodus from Egypt, at the beginning of the entry into the Promised Land, and just before the Babylonian exile. We here see 'the contours of a literary bridge linking Moses, Joshua and Josiah'.[157] This observation confirms the connection between these three literary figures pointed out above on the basis of the role played by the 'book of the *torah*'. Josiah's reading of the 'book of the covenant' in the temple in Jerusalem ends in, on the one hand, the termination of idol worship, on the other hand in the commemoration of the Exodus from Egypt. Thus, Josiah is the ideal king, observing the words from the 'book of the *torah*' (2 Kgs 23:3).

I have pointed out earlier that according to Deut. 17 the ideal king in Israel is bound to the words of the *torah*.[158] His authority is mediated by means of a 'book' and is of a derivative character. The exegesis of 2 Kgs 22–23 has shown that the presentation of Josiah as the ideal king is expressed especially in the way in which he reacts to the 'book of the *torah*'. The supreme moment is the recitation of the book in the temple, in the presence of all the people. At that moment, Josiah follows in the footsteps of Joshua, who did not receive the 'book of the *torah*' for private meditation (cf. Josh. 1:8), but with the express purpose of holding the people of Israel to the way pointed by Moses: 'After that, he read all the words of the *torah*, the blessing and the curse, according to what was written in the book of the *torah*. There was not a word of

[156]Deurloo, 'De koning hoort', 68, holds that from a historical point of view Passover as a commemoration of Exodus and covenant has been antedated, but that the compositional effect of mentioning the Passover celebration under Josiah, even before the exile, is more important from an exegetical point of view. In this respect he also notes that placing this celebration 'in the eighteenth year of Josiah' (2 Kgs 23:23) is even historically improbable, considering what has happened earlier in that same year.

[157]Smelik, *2 Koningen*, 148.

[158]See pp. 49-50 and 64.

all that Moses had commanded that Joshua failed to read in the presence of the entire assembly of Israel, the women and the children and the stranger who accompanied them' (Josh. 8:34-35).[159] The arc that on the basis of various motifs – the 'book of the *torah*', the celebration of Passover and the renewal of the covenant – is drawn between Joshua and Josiah has the effect that these two literary figures are explained in terms of each other. Joshua is the prototype of a king, Josiah is the exemplary king who realises the ideal.[160] This he does first and foremost by reading aloud the newly discovered 'book of the *torah*'.[161]

23:24 And also the necromancers, the soothsayers, the idols,
the dung-gods[162] and all the abhorrences that were to be seen in the land of Judah and Jerusalem –
Josiah did away with them,
in order to fulfil the words of the *torah*,
written in the book that Hilkiah, the priest, had found in the house of YHWH.

25 Before him, there was no king like him
who turned to YHWH with all his heart, all his soul, and all his might,
in full accord with the *torah* of Moses,
nor did any like him arise after him.

26 But YHWH did not turn away from his awesome, blazing wrath,
his wrath that had kindled against Judah
because of all the things Manasseh had done to vex him.

27 YHWH said:
I will also banish Judah from my presence,
as I banished Israel.
I will reject the city I chose, Jerusalem,
and the house of which I had said: 'My name will abide there'.

28 The other acts of Josiah and everything he did:
have these not been written in the book of the chronicles of the kings of Judah?

[159] R.D. Nelson, 'Josiah in the Book of Joshua', *JBL* 100 (1981), 535-6: 'No other ceremony within Dtr's purview corresponds so exactly to Josiah's covenant renewal as Joshua's does.'

[160] Nelson, 'Josiah', esp. 533ff., shows that Joshua is presented as a truly regal figure by 'Dtr', and should be viewed as an early version of Josiah.

[161] Cf. Sonnet, 'Le livre trouvé', 857, n. 49: 'L'histoire qui va de l'une à l'autre de ces figures peut dès lors être comprise comme l'histoire d'un livre (et l'histoire jugée par un livre) initialement lu et finalement retrouvé.'

[162] The nickname הַגִּלֻּלִים for idols is probably derived from *גֵּל, 'dung', 'ex-

29 In his days, Pharaoh Neco, king of Egypt, marched against the king of Assyria,
to the river Euphrates.
King Josiah marched toward him,
but he slew him at Megiddo
at the moment when he caught sight of him.
30 His servants conveyed his body on a chariot from Megiddo
and took him to Jerusalem.
They buried him in his tomb.
The people of the land took Jehoahaz, son of Josiah,
they anointed him
and made him king in place of his father.

In 2 Kgs 23:24 and 25 all narrative lines come together. Josiah destroys everything in town and country that has to do with idolatry. In doing this, he is fulfilling the words written in the book that was found in the temple by Hilkiah (2 Kgs 22:3-20).[163] Through the appearance of this book the restoration of the temple has become the cause of a radical reform.[164] The last time the book is mentioned within the narrative is also a functional reference. Because 2 Kgs 23:24 refers simply to the 'words of the *torah*' and avoids the phrase 'the book of the *torah*', the

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crement', with the vocalisation echoing the vowels of שִׁקּוּצִים, 'abhorrences'. See *HALAT*, 185 and H.-D. Preuß, *ThWAT*, Bd. 2, 2.

[163]The most important difference between 2 Kgs 22–23 and its parallel in 2 Chron. 34–35 is that in Chronicles no connection is made between the discovery of the 'book of the *torah*' and the radical reform by Josiah. In Chronicles, the reform precedes the discovery of the book. L. Eslinger, 'Josiah and the Torah Book: Comparison of 2 Kgs 22:1-23:8 and 2 Chr 34:1–35:19', *HAR* 10 (1988), 47ff., has shown that because of these and similar changes in the order, a different story has evolved: in Chronicles the attention is focused more on Josiah as a pious, Davidic king than on the 'book of the *torah*'. Cf. Sonnet, 'Le livre trouvé', 844: 'Du réformateur précoce présenté par le Chroniste, on peut se demander s'il ne "mérite" pas, en raison de sa piété et de ses initiatives, la découverte d'un "livre de la Loi" confirmant son agir.' The general opinion in scholarly literature is that the author of 2 Chron. 34:1–35:19 based himself on the text of 2 Kgs 22–23 when writing his version. (Gieselmann, 'Die sogenannte josianische Reform', 225).

[164]The traditional separation between 'Fundbericht' (2 Kgs 22:3-20) and 'Reformbericht' (2 Kgs 23:4-20), introduced by Th. Östreicher in *Das deuteronomische Grundgesetz* (BFChTh, 27/4), Gütersloh 1923, is a consequence of the historical approach to Josiah's reform. For a 'modern', redaction-critical example see Würthwein, 'Die Josianische Reform'. The story itself does not invite such a split-up. Cf. Eslinger, 'Josiah', 39, n. 4: '... the literary correspondences argue against the older attempts to separate the report of the discovery of the book from the report of the reform as distinct literary units.'

transition is prepared to 2 Kgs 23:25, where 'the *torah* of Moses' is used. Josiah is the ideal king, not because he observed the instructions in a book, but because – by authoritatively reading the 'book of the *torah*' – he has let himself be instructed by 'Moses'. At the beginning of Kings, David holds up the '*torah* of Moses' to his son Solomon as a guide (1 Kgs 2:3). Finally, the figure of Josiah represents the king who followed the way pointed by Moses all the way to its end.[165] His adherence to the words from the 'book of the *torah*' (2 Kgs 22:11, 19) is described by means of a quotation from the pericope known in the Jewish tradition as the שְׁמַע יִשְׂרָאֵל: 'Hear O Israel, YHWH is our God, YHWH alone. You shall love YHWH, your God, *with all your heart and with all your soul and with all your might*' (Deut. 6:4-5). 2 Kgs 23:25 is the only place in the Hebrew Bible where this phrase is used again. It would be hard to imagine a way in which Josiah could have been characterised more emphatically as an ideal king.

It is then rather sobering to read that all this does not change the prophecy Huldah has spoken about Judah (2 Kgs 23:26-27; see 22:15-17). Josiah's actions have not erased the memory of his counterpart, Manasseh (2 Kgs 21:1-16). What is more, in the pericope that forms part of the standard framework (2 Kgs 23:28-30) we are told that Josiah is killed during an attempt to prevent Pharaoh Neco from coming to the rescue of the besieged king of Assyria: an ignominious end. Although Josiah has been spared from seeing the disaster YHWH was going to wreak on Jerusalem, he cannot be said to have been buried 'in peace'. The contrast

[165]There are other kings who are presented in a favourable light in this respect. In 2 Kgs 14:6 we hear that king Amaziah observes an injunction from the 'book of the *torah* of Moses' (see note 61). Hezekiah is even described in words that are almost identical with what was said of Josiah: 'He trusted only in YHWH, the God of Israel. There was none like him among all the kings of Judah after him, nor among those before him. He clung to YHWH, he did not turn away from him. He kept the commandments that YHWH had given to Moses.' (2 Kgs 18:5-6). Of king Hezekiah the same may be said as of Josiah: he meets the ideal set up by the author of Kings (for a comparison between Hezekiah and Josiah see P.J. Botha, ' "No King like Him . . . ": Royal Etiquette according to the Deuteronomistic Historian', in: J.C. de Moor, H.F. van Rooy (eds), *Past, Present, Future: The Deuteronomistic History and the Prophets* (OTS, 44), Leiden 2000, 36-49; Eißfeldt, *Einleitung in das Alte Testament*, 380). This need not imply a logical contradiction; the case is rather that at the end of the books of Kings, the author sketches the ideal king along the lines of the most positive statements about the kings made earlier.

with what has been said about the king in the preceding text is remarkable, and to a modern reader the end appears illogical. Two reactions are possible. Either we assume that these text fragments have different origins and are not connected in any way,[166] or we try to assign meaning to what at first sight seems contradictory. The latter option presupposes that the Kings text is not approached from a historical point of view or seen as an interpretation of history,[167] but is perceived as a story which in view of the future has something to say about the past.[168] This remark takes us to the problem of the place and function of the narrative discussed in this chapter within the whole canon of the Hebrew Bible. This question will be addressed in the second part of this book.

[166]For a long time a discussion has been raging among scholars about the question whether or not the ending of King is optimistic, and about any tension in Kings related to this issue. See Lohfink, 'Zur neueren Diskussion', 190.

[167]So for instance R. Bach, *RGG*^{3}, Bd. 3, 1705: 'Die K. sind unter dem Eindruck der Katastrophen von 722 und 587 vChr entstanden. Den Sinn dieser Ereignisse theologisch zu deuten, ist die Absicht des Verfassers.'

[168]A good example is F. Smyth, 'Quand Josias fait son oeuvre ou le roi bien enterré: Une lecture synchronique de 2 R 22,1-23,28', in: A. de Pury *et al.* (eds), *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* (MoBi, 34), Genève 1996, 325-39.

Chapter 3

Controversial Statements – Jeremiah 36

> *Von dem biblischen Aspekt aus ist das, was wir Geschichte zu nennen gewohnt sind, nur die Außenseite der Wirklichkeit. Sie ist das große Versagen, nicht das Versagen im Dialog, wie wir es von biblischen Menschen her kennen, sondern das sich dem Dialog Versagen, das in den Dialog nicht Eintreten; dieses Sich-Versagen ist sanktioniert in der großartigen Sanktionsform der sogenannten Weltgeschichte. Der biblische Aspekt verwirft diese Flächenwirklichkeit immer gewaltiger, am gewaltigsten in der Prophetie; er verkündigt, daß der Weg, der wirkliche Weg von der Schöpfung zum Reich, nicht auf der Fläche der Erfolge, sondern in der Tiefe der Erfolglosigkeit gegangen wird. Das wirkliche Werk vom biblischen Aspekt aus ist das spätverzeichnete, das unverzeichnete, das anonyme Werk. Es wird im Schatten, im Köcher getan.*
>
> Martin Buber, 'Biblisches Führertum', in: *Werke*, Bd. 2, München 1964, 915-6.

Although king Josiah is the central figure of the story in 2 Kgs 22–23, the key role has been reserved for a book,[1] and it is the function this book serves in the story that prompts the reader to start comparing this text with other texts from the Hebrew Bible. If we take 2 Kgs 22–23 as the point from which we look at the other books of the Hebrew Bible, we first note that this passage has been linked up 'backwards' with Deuteronomy. As we have seen, the book found by Hilkiah and read by Shaphan to Josiah points to the words that, according to Deuteronomy, Moses spoke and wrote down, and by extension to the book of Deuteronomy itself. Similarly, there are also 'forward' references. In each of the books of the three great prophets, Isaiah, Jeremiah and Ezekiel, and also in Zechariah, we find passages in which words being written down, or having been written down, play an important part.

[1] N. Lohfink, 'Das Deuteronomium: Jahwegesetz oder Mosegesetz? Die Subjektzuordnung bei Wörtern für "Gesetz" im Dtn und in der dtr Literatur', in: *Studien zum Deuteronomium und zur deuteronomistischen Literatur*, Bd. 3 (SBAB, 20), Stuttgart 1995, 162, remarks that the book is mentioned in 2 Kgs 22–23 so often '... daß er fast zum Hauptakteur der ganzen Erzählung wird'.

The story which in this respect appeals most to the imagination is that of the call to Ezekiel (Ezek. 2:1–3:15). Ezekiel is instructed to go as a prophet to the 'rebellious house' of the Israelites, and speak the words of YHWH to them without fear:

2:8 And you, mortal,
heed what I say to you,
do not be rebellious like that rebellious house;
open your mouth
and eat what I am giving you!
9 Then I looked,
and see: there was a hand stretched out to me,
and see: in it was a scroll.[2]
10 He unrolled it before me,
it was inscribed on both the front and the back
on it were written lamentations, mourning and woe.
3:1 He said to me:
Mortal, eat what you see,
eat this scroll
and go speak to the House of Israel.
2 I opened my mouth
and he gave me this scroll to eat.
3 And he said to me:
Mortal, feed your stomach,
fill your belly with this scroll I give you.
Then I ate
and in my mouth it tasted as sweet as honey.

This passage from the story about the call to the prophet suggests that the words from the book of Ezekiel have been provided by YHWH himself and have been put in the prophet's mouth, even though the labels 'lamentation, mourning, and woe' (Ezek. 2:10) are not correct characterisations of Ezekiel's prophecies.[3] The reiteration of the command to eat the scroll shows that Ezekiel will only be able to prophesy to Israel (Ezek. 3:1) if he obeys and

[2] ו here has מְגִלַּת־סֵפֶר; Ezek. 3:1, 2 and 3 have הַמְּגִלָּה.

[3] Cf. W. Zimmerli, *Ezechiel*, Bd. 1 (BK, 13/1), Neukirchen-Vluyn 1969, 76-7, who says that in Ezek. 2:10 '... der Buchinhalt von den Wirkungen her, die das im Buche stehende, vom Propheten zu verkündigende Wort zeitigen wird, [ist] beschrieben.' He moreover thinks it possible, and even probable, that Ezekiel is here thinking of the moment when he witnessed the reading of Jeremiah's prophecy in the temple, described in Jer. 36. The 'lamentations, mourning and woe' would then refer to the prophecy of Jeremiah (79). W. Eichrodt, *Der Prophet Hesekiel: Kapitel 1-18* (ATD, 22/1), Göttingen ^{3}1968, 11-2, also links Ezek. 2:8-3:3 to the events in Jer. 36.

literally ingests the words of YHWH (Ezek. 3:3).[4] Compared to other prophets, what happens to Ezekiel is exceptional. Isaiah's vocation is confirmed in the touching of his lips by a seraph (Isa. 6:5-7), the words of YHWH are put into Jeremiah's mouth (Jer. 1:9), but Ezekiel is the only one of whom we are told that he actively and physically eats the words of YHWH in the shape of a scroll.[5]

The Latter Prophets contain more places where our attention is drawn by a scroll. Unlike the verses in Ezekiel these are not about the vocation of a prophet, but these passages do centre on the relation between the scroll and the text of the prophecy in which it appears. A splendid example is the beginning of Zechariah 5:

5:1 I looked up again,
and saw a flying scroll![6]
2 He[7] said to me:
What do you see?
I said:
I see a flying scroll,

[4]According to Eichrodt, *Der Prophet Hesekiel*, 11, there is no question in Ezek. 2:8-3:3 of a 'Theorie der profetischen Inspiration' in which a pre-existent divine word is mechanically and passively received as 'objective matter' by the prophet. 'Vielmehr geht es hier einerseits um einen Gehorsamsbeweis des Erwählten, andrerseits um seine Vergewisserung über den von seinem subjektiven Ermessen unabhängigen, göttlichen Ursprung der ihm aufgetragenen Botschaft.'

[5]The only comparable place is Jer. 15:16: 'When your words were offered, I ate them. Your word brought me delight and joy of knowing that your name is attached to me: YHWH, God of hosts.' Zimmerli, *Ezechiel*, Bd. 1, 78, states that the background to Ezek. 2:8–3:15 is probably Jer. 15:16; he sees it in any case as an example of the way in which in the book of Ezekiel a metaphor is repeatedly transformed into a concrete action. B. Seidel, 'Ezechiel und die zu vermutenden Anfänge der Schriftreligion im Umkreis der unmittelbaren Vorexilszeit: Oder: Die Bitternis der Schriftrolle', *ZAW* 107 (1995), 59ff., discerns a historical connection between Ezek. 2:8–3:15 and Jer. 36 (and 2 Kgs 22): the prophet Ezekiel takes his experience of the events reported in Jer. 36 with him into exile. Eichrodt, *Der Prophet Hesekiel*, 12-3, thinks that Ezek. 2:8–3:15 shows '... die große Rolle von Zwangserlebnissen bei Hesekiel, die bis ins körperliche eingreifen.' (12) According to Eichrodt, Ezekiel has a far more direct experience of what it means to be a prophet than do the other prophets, but cf. Jer. 4:19; see also Rev. 10:8-10.

[6]For 'scroll', 𝔐 of Zech. 5:1, 2 has מְגִלָּה.

[7]The subject is the 'angel' who was introduced in Zech. 1:9: וַיֹּאמֶר אֵלַי ... הַמַּלְאָךְ הַדֹּבֵר בִּי; the angel explains the visions to Zechariah.

twenty cubits long and ten cubits wide.
5:3 He said to me:
That is the curse which goes out over the whole:
according to this curse, anyone who steals will from now on be annihilated,[8]
according to this curse, anyone who swears[9] will from now on be annihilated.
4 I am sending it forth,[10]
– declares YHWH of Hosts –
and it will enter the house of the thief
and the house of one who swears falsely by my name,
it shall lodge inside his house,
and destroy them to the last timber and stone.

The book that Zechariah sees flying has apparently been unrolled; it is of extreme dimensions.[11] Nothing is said about any words inscribed on it: the scroll itself embodies the curse spoken over those who commit treacherous acts and are guilty of robbery and extortion.[12] Just as in the story about the call to Ezekiel, but in a different way, the physicality of the written word plays a conspicuous part. Almost by magic, the book is identified with the curse destroying the properties of thieves and impostors.

The book of Isaiah contains a passage of only one verse, 30:8, where YHWH says to the prophet: 'Now, go write it down on a tablet in their presence,[13] inscribe it in a book, that it may be with them for future days, for ever and always'.[14] The people

[8]Zech. 5:3b, and esp. the meaning of נִקָּה is a *crux interpretum*; see A.S. van der Woude, *Zacharia* (PredOT), Nijkerk 1984, 99-100 for a review of possible interpretations. The translation 'annihilated' (thus also NASB, 'purged away') has been chosen in the light of Zech. 5:4, in which the effect of the curse is sketched.

[9]I.e. everybody who swears *falsely*; see Zech. 5:4: הַנִּשְׁבָּע בִּשְׁמִי לַשָּׁקֶר.

[10]In this translation הוֹצֵאתִי is interpreted as a performative perfect; see Schneider § 48.3.

[11]Twenty by ten cubits means a length of about ten metres, and a width of about five metres; an exceptional width for a scroll. As to its length: Van der Woude, *Zacharia*, 98, points out that the Temple Scroll from Qumran is of roughly the same length.

[12]For the connotations of 'swearing falsely in the name of YHWH', cf. Lev. 19:12. See also A. Weiser, *Das Buch der zwölf kleinen Propheten*, Bd. 1 (ATD, 24), Göttingen [4]1963, 111: 'Der mit "Meineidige" wiedergegebene hebräische Ausdruck denkt nämlich ganz speziell an Leute, die im Wirtschaftsleben betrügen.'

[13]For this meaning of אֵת see *HALAT*, 97, II/3.

[14]For a discussion of the parallelism of לוּחַ ('tablet') and סֵפֶר ('book')

addressed by Isaiah witness the recording of the words, which underlines the enduring validity of the prophecy spoken by Isaiah in the preceding verses.

Finally, a similar case is Jer. 30:2, where YHWH says to the prophet: 'Write down all the words that I spoke to you in a book'.[15] This command is not given to Jeremiah after he has spoken the prophecy in question (as was the case with Isaiah), but is mentioned in the heading of a collection of prophecies (Jer. 30–31).[16]

In the four passages mentioned, a book or scroll inscribed with prophetic words always is a conspicuous motif in various ways. In Jer. 36, however, the book is more than a motif: the scroll is the main protagonist. We are not only told about YHWH's command to Jeremiah to write down all the words that had been prophesied until then, but the actual recording, the reading aloud of the text and everything this triggers are also separate moments within the story, as will be argued in this chapter. From this brief sketch we may already suspect that this story is in some way or another connected to 2 Kgs 22–23. In this chapter I will offer an interpretation of Jer. 36 in which this suspicion is confirmed, and in which the nature of the connection will be investigated. Before starting on the exegesis, however, I will embark on a brief discussion of some issues relating to the role of Jer. 36 in the debate on the book of Jeremiah, which will clarify the position and context of Jer. 36 within that book.

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and the connection with the function of the writing materials used in ancient times, see K.A.D. Smelik, 'Ostracon, schrijftafel of boekrol? Jeremia 36, Jesaja 30:8 en twee ostraca uit Saqqara', *NedThT* 44 (1990), 198-207, esp. 199-200.

[15] In the Hebrew text, a so-called *dativus commodi* is used, לְךָ (כְּתָב־), which can only be rendered by a specific emphasis in the translation (see Joüon § 133d; GKC § 135i).

[16] For this reason, Jer. 30–31 are often called the 'Book of Consolation'. These two chapters together constitute – as do various other chapters in Jeremiah – a little 'book within the book'. It does not automatically follow that at some stage they existed as separate documents in their own right. Cf. P. Volz, *Der Prophet Jeremia* (KAT, 10), Leipzig 1922, 297-8, on the uncertainty with regard to 'die zeitliche Ansetzung dieses Heilsbüchleins'.

3.1 Jeremiah and the Period of Josiah

How much of a coincidence is it that in the book of Jeremiah we find a story reminding us of the discovery of a book at the time of king Josiah, as described in 2 Kgs 22–23? Leaving aside for the moment the question whether the authors of the biblical books worked from a specific plan, we may begin by noting that the book of Jeremiah is the only book besides Kings in which Josiah is mentioned frequently.[17] In view of this, the story is certainly no coincidence: in the beginning of the book, Jeremiah's prophecy is situated in the period of Josiah and the sons who succeeded him as kings. According to the heading, the word of YHWH came to the prophet 'in the days of Josiah, son of Amon, king of Judah, in the thirteenth year of his reign' (Jer. 1:2), and 'in the days of Jehoiakim, son of Josiah, king of Judah, until the end of the eleventh year of Zedekiah, son of Josiah, king of Judah ...' (Jer. 1:3). Thus, in the story of Jeremiah's calling in Jer. 1 Josiah's name is mentioned three times, and will return frequently after that.

Also, when reading the book of Jeremiah we notice that there are many expressions and phrases reminiscent of Kings and Deuteronomy, the so-called 'deuteronomistic' formulas.[18] This points to a certain connection between these books. The fact that it is the book of Jeremiah that contains a story immediately re-

[17]The places in Jeremiah where Josiah is mentioned are 1:2, 3[2x]; 3:6; 22:11[2x], 18; 25:1, 3; 26:1; 27:1; 35:1; 36:1, 2, 9; 37:1; 45:1; 46:2. In addition to 2 Kgs 22:1–23:30 (and the parallel narrative in 2 Chron. 34:1–36:1), Josiah further appears in 1 Kgs 13:2; 2 Kgs 21:24, 26 (|| 2 Chron. 33:25); 2 Chron. 3:14, 15 and Zeph. 1:1.

[18]For lists of these 'deuteronomistic' expressions see J.Ph. Hyatt, 'The Deuteronomic Edition of Jeremiah', in: L.G. Perdue, B.W. Kovacs (eds), *A Prophet to the Nations: Essays in Jeremiah Studies*, Winona Lake 1984, 252-3; H.G. May, 'Towards an Objective Approach to the Book of Jeremiah: The Biographer', *JBL* 61 (1942), 154-5; and especially M. Weinfeld, *Deuteronomy and the Deuteronomic School*, Oxford 1972, 320-65. For Jer. 36 May mentions the expressions 'turn now each from his evil way' (vv. 3, 7), 'men of Judah and inhabitants of Jerusalem' (v. 31) and 'man and beast' (v. 29). Weinfeld only includes May's first phrase; although the other two are mentioned – together with 'to make fall a supplication' from v. 7 – they are not counted as part of the deuteronomistic layer in Jeremiah. See also G.H. Park-Taylor, *The Formation of the Book of Jeremiah: Doublets and Recurring Phrases* (SBL.MS 51), Atlanta 2000, 271-89.

minding us of the 'ideal' king Josiah and the book that was found, is no isolated instance, but has to do with the interrelations between the books of Deuteronomy, Kings and Jeremiah. In scholarly literature the word 'deuteronomistic' is often used in the reconstruction of the genesis of texts from the books in question. In this approach the guiding question is which text was written first, and which one later. In this monograph I view the connection between a number of chapters from several books of the Hebrew Bible as a literary fact. What is the function of the mutual references? Are they in any way connected with the positions of the individual stories within the whole of the Hebrew Bible? In the following discussion of Jer. 36 I first of all – from the specific perspective defined by these questions – investigate how the Masoretic text has been structured, and which references may be discerned. The connections with the texts I discuss in the other chapters will be the subject of Part Two.

Although Old Testament scholars generally assume the books of Deuteronomy, Kings and Jeremiah to be related – even though views on the nature of these interrelations differ[19] – the relation between Jeremiah and Josiah is the subject of extensive debate. It is not even certain whether such a connection actually exists, because just as Jeremiah is conspicuously absent in 2 Kgs 22–23, Josiah is not a protagonist in the book of Jeremiah, although he is mentioned often enough.[20] This circumstance has caused frequent discussions about the historical reliability of Jer. 1:2-3;[21] the various 'Jeremiological' schools may often be distin-

[19]See C. Houtman, *Inleiding in de Pentateuch*, Kampen 1980, 193ff.; R.P. Carroll, *Jeremiah* (OTL), London 1986, 66.

[20]Almost all places in Jeremiah where Josiah is mentioned are headings containing dates, with the exception of the prophecies about 'Shallum, son of Josiah' (22:10-11) and 'Jehoiakim, son of Josiah' (22:13-19). The latter passage reflects a positive image of Josiah, but this may be because it has to serve as a mirror for Jehoiakim.

[21]L.G. Perdue, 'Jeremiah in Modern Research: Approaches and Issues', in: Perdue, Kovacs (eds), *A Prophet to the Nations*, 2-3, gives six reasons why it is unlikely that Jeremiah started his prophetic activities in the period of Josiah, for instance the facts that the prophet never mentions Josiah, and never alludes to Josiah's reform (with the possible exception of Jer. 11:1-17, if the word בְּרִית used there is equated with the book of Deuteronomy). About Jer. 22:15-16 (see previous note) he remarks that this text '... may indicate no more than Jeremiah's familiarity with Josiah's reputation. It does not sufficiently prove that Jeremiah either knew Josiah or that he prophesied during his reign.' (2)

guished by their interpretation of the heading of the book alone: did Jeremiah indeed start his prophecies in the thirteenth year of Josiah's reign, is this a retrospective projection,[22] or should we take it to mean that the prophet was born at that time and only started his activities later?[23] The question of the correct date is in fact the crucial point in the research into and the desired reconstruction of the 'historical Jeremiah'.[24]

How problematic such a reconstruction is may be seen from the various answers to the more substantial question connected with the problem of the date: what was Jeremiah's attitude towards Josiah's reform?[25] Should we conclude from the fact that he prophesies from the thirteenth year of Josiah's reign onwards – i.e., about five years before the discovery of the book and the start of the reform[26] – but does not say anything about the ac-

[22] J. Schreiner, 'Jeremia und die joschijanische Reform: Probleme – Fragen – Antworten', in: W. Groß (ed.), *Jeremia und die 'deuteronomistische Bewegung'* (BBB, 98), Weinheim 1995, 11ff. holds that the text of Jer. 1:2 gives the impression of having been inserted later.

[23] So W.L. Holladay, *A Commentary on the Book of Jeremiah* (Hermeneia), vol. 2, Minneapolis 1989, 25-6; he provides a reconstruction of the chronology of Jeremiah's birth, vocation and activity in 'The Background of Jeremiah's Self-understanding: Moses, Samuel and Psalm 22', *JBL* 83 (1964), 161ff.

[24] In the 20th century, the search for 'the historical Jeremiah' has been the central focus of the studies on the book of Jeremiah. As a recent example I mention Holladay, *Jeremiah*, 1, who describes '... the most basic question of all: To what degree, if at all, can one reconstruct a historical Jrm from the material of the book, and, if one can reconstruct him, what are the details of that reconstruction?'

[25] This question has long been the hot potato in many publications on Jeremiah. See S. Herrmann, *Jeremia: Der Prophet und das Buch* (EdF, 271), Darmstadt 1990, 11ff., 66; Perdue, 'Jeremiah in Modern Research', 4-6. Scholars' theories about the date when Jeremiah started his activities often determine their views of his opinion of Josiah's reform, but the reverse is also possible. Thus, J.Ph. Hyatt, 'Jeremiah and Deuteronomy', *JNES* 1 (1942), 159, 166, states that Jeremiah did not agree with the emphasis the reform placed on the cult, and did not start his prophesying until ten years after the reform, often voicing contrary opinions. J. Scharbert, 'Jeremia und die Reform des Joschia', in: P.-M. Bogaert (ed.), *Le livre de Jérémie: Le prophète et son milieu, les oracles et leur transmission* (BEThL, 54), Leuven ^{2}1997, 40ff., distinguishes four hypotheses: (1) Jeremiah only started his prophecies after Josiah's death; (2) Jeremiah supported the reform; (3) Jeremiah rejected the reform; (4) Jeremiah kept silent during the reform, (a) because he supported it, (b) because he was sceptical about it.

[26] Josiah reigned from 640-609 BCE, which means that Jeremiah would have started his prophecies in 627 (Josiah's thirteenth year), and that the book we

tual reform, that he was in favour of it and did not feel obliged to speak out about it? Or is the reverse the case, and should we interpret Jeremiah's criticism of a complacent temple cult (see Jeremiah 7 and 26) as a rejection of or distancing from Josiah's reform?[27] Moreover, the question is whether and to what extent the text may be taken to be historically accurate on this point: in later redactions Jeremiah's prophecy may have been retrospectively aligned with what, according to 2 Kgs 22–23, Josiah wanted.[28] Comparing texts from Jeremiah with 2 Kgs 22–23 will not provide definitive answers to these questions. Since the characters of Josiah and Jeremiah nowhere figure together, research perspectives aiming at historical reconstruction find no foothold in the text and – to the extent in which they take the same text as basis – will not get beyond suppositions at best, speculations at worst.[29]

Yet, much literature has been written from exactly this historical, reconstruction-oriented perspective, not only about the

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are told about in 2 Kgs 22 was found in 622 (Josiah's eighteenth year). For a discussion of the chronology of Tanakh and its relation with dating systems in the ancient Near East see H. Jagersma, *Geschiedenis van Israel in het oudtestamentische tijdvak*, Kampen 1979, 177-81; for further references see N. Lohfink, 'Die Gattung der "Historischen Kurzgeschichte" in den letzten Jahren von Juda und in der Zeit des Babylonischen Exils', in: *Studien zum Deuteronomium und zur deuteronomistischen Literatur*, Bd. 2 (SBAB, 12), Stuttgart 1991, 63, n. 22.

[27]See M. Buber, *Werke*, Bd. 2, München 1964, 413; cf. Hyatt, 'Jeremiah and Deuteronomy', 156ff.

[28]See Schreiner, 'Jeremia und die joschijanische Reform', 28, who concludes '... daß im Jeremiabuch ein dtr verstandener Jeremia, der sich auch als solcher nicht dazu geäußert hat, für die dtr konzipierte Kultreform des Königs Joschija herangezogen werden soll.' See also T.C. Römer, 'How Did Jeremiah Become a Convert to Deuteronomistic Ideology?', in: L.S. Schearing, S.L. McKensee (eds), *Those Elusive Deuteronomists: The Phenomenon of Pan-Deuteronomism* (JSOT.S, 268), Sheffield 1999, 189-99.

[29]H. Niehr, 'Die Reform des Joschija: Methodische, historische und religionsgeschichtliche Aspekte', in: Groß (ed.), *Jeremia und die 'deuteronomistische Bewegung'*, 50-1, occupies a radical position on this point. He holds that no traces of Josiah's reform may be found in history, takes this as a confirmation *e negativo* of the unhistoric character of 2 Kgs 22–23, and then concludes that the prophets cannot have known about the reform: '... Zephanja, Jeremia, und das Jeremiabuch schweigen von der Reform des Joschija, weil sie eine derartige Reform, wie 2 Kön 22-23 sie erzählt, noch nicht kennen konnten.' (51) For criticism of this position see Chr. Uehlinger, 'Gab es eine joschijanische Kultreform? Plädoyer für ein begründetes Minimum', in: Groß (ed.), *Jeremia und die 'deuteronomistische Bewegung'*, 69ff.

opening but also on the book of Jeremiah as a whole. This is also due to an embarrassment shared by all about a curious ambivalence demonstrated by the book of Jeremiah. On the one hand, the general composition of the book is clear and uncontroversial.[30] On the other hand, the composition does nothing but raise questions, since the rationale behind it remains unclear. Thus, the various approaches to the book of Jeremiah both now and in the past not only reflect different methods of text analysis, but at the same time express what each scholar supposes to be the 'rationale' of the book.[31]

The analysis according to the so-called literary-critical school tries to isolate the supposed sources at the basis of the book of Jeremiah. B. Duhm introduced this approach by qualifying certain passages as poetic – and authentic, i.e., going back to the historical Jeremiah –, and by declaring the third-person narrative passages about the prophet Jeremiah to be a separate source, attributed to Baruch, the scribe who in the book acts as Jeremiah's confidant and secretary.[32] As Jeremiah studies developed further, style and the biographical character of certain passages have re-

[30]The structure is as follows:

Jer.1	prologue
Jer. 2–25	prophecies addressed to Judah and Israel
Jer. 26–36	stories about the prophet and prophecies before the fall of Jerusalem
Jer. 37–45	stories about the prophet and prophecies after the fall of Jerusalem
Jer. 46–51	prophecies about the nations
Jer. 52	epilogue

The main and most hotly debated variant on this structure is the transfer of Jer. 46–51 to immediately after 25:13, following 𝔊, which deviates from the order in 𝔐 by placing the prophecies about the nations immediately after the first block, Jer. 2–25 (Jer-𝔊 25:14–31:44) instead of at the very end. After Jer-𝔊 32:1 the translation of Jer-𝔐 25:15–45:5 follows. See C. Rietzschel, *Das Problem der Urrolle: Ein Beitrag zur Redaktionsgeschichte des Jeremiabuches*, Gütersloh 1966, 25-90.

[31]A complicating factor here is the fact that both as regards size and the arrangement of the various elements (see previous note), Jer-𝔊 considerably deviates from Jer-𝔐. For a discussion of the relation between these texts and a survey of the debate so far see E. Tov, *Textual Criticism of the Hebrew Bible*, Assen 1992, 319-27. According to Tov, Jer-𝔊* goes back to an original, Hebrew 'edition' of Jeremiah, of which Jer-𝔐 is the expanded version ('edition II').

[32]B. Duhm, *Das Buch Jeremia* (KHC, 11), Tübingen 1901.

mained the criteria on the basis of which the book of Jeremiah was analysed.[33] An important part is played in this respect by the discussion about the deuteronomistic passages mentioned earlier, and the question whether they may be ascribed to a separate source.[34] Length and nature of these passages, mainly found in sections with the character of an address, are interpreted in very diverse ways; consensus about the demarcation of the (deuteronomistic) sources and about the criteria for 'authenticity' seems farther and farther away.[35]

A possible solution may be found in a historical development model, as used in the so-called tradition-historical approach[36] and the redaction-historical approach.[37] The tradition-historical

[33]For a survey see Herrmann, *Jeremia: Der Prophet und das Buch*, 53ff.; Carroll, *Jeremiah*, 38-50. See also Perdue, 'Jeremiah in Modern Research'; J. Dubbink, 'Eén boek, vele visies: Een overzicht over de stand van het onderzoek naar Jeremia', *ACEBT* 16 (1997), 7-31.

[34]Following S. Mowinckel, *Zur Komposition des Buches Jeremia*, Kristiana 1914, this supposed source is labeled 'C'. In Jeremiological jargon, the prophecies in poetic style from Jer. 1–25 are source A, the stories about the prophet in Jer. 26–45 are source B.

[35]The problem is that elements from C also occur in A and B, and that conversely A and B also appear in C. Attempts to explain this unavoidably lead to a pile-up of hypothesis upon hypothesis, if one wants to hold on to the supposed 'sources' as the starting point for analysis. See the accumulation of questions presented by Hyatt, 'The Deuteronomic Edition of Jeremiah', 251, with regards to the deuteronomistic element in Jeremiah: 'How extensive is this element? Is it a source, either oral or written, used by an editor; or should we speak of a Deuteronomic edition of the book? If it was a source or edition, when was it made and by whom? Was Baruch the Deuteronomist? What is the value of the Deuteronomic material for recovering the life and teachings of the prophet Jeremiah?'; see also J. Dubbink, *Waar is de Heer? Dynamiek en actualiteit van het woord van Jhwh bij Jeremia*, Gorinchem 1997, 19-22; cf. Park-Taylor, *The Formation of the Book of Jeremiah*, 292ff.

[36]See for instance S. Herrmann's remarks in 'Die Bewältigung der Krise Israels: Bemerkungen zur Interpretation des Buches Jeremia', in: H. Donner *et al.* (eds), *Beiträge zur Alttestamentlichen Theologie* (Fs Walther Zimmerli), Göttingen 1977, 166: '... niemand mehr wird in einem Prophetenbuch den chronologisch exakten, dokumentarisch reinen und unberührten Niederschlag prophetischer Rede sehen wollen, gleichsam ein kopiertes Rohmanuskript, durch und durch die Handschrift des Propheten selbst verratend.' But if we want to be critical, according to Hermann our duty is '... Absicht und Ziel der Tradenten und der schrifltichen Überlieferung im Rahmen des Literaturwerkes "Prophetenbuch" zu erfragen und zu erforschen.'

[37]For a survey see Herrmann, *Jeremia: Der Prophet und das Buch*, 66ff. A description is given in Carroll, *Jeremiah*, 37: 'A redactional analysis, i.e., one which emphasises the editorial contributions to the construction of the

method focuses on the reconstruction of the various evolutionary stages that resulted in the book of Jeremiah in its present form, rather than on the search for sources and 'authentic' words; the redaction-historical school tries to find out – approaching the subject from the other side, as it were – how the final redaction of the book came about. These approaches have the advantage of doing more justice to the text that is the basis for the investigations, the Masoretic text of Jeremiah.[38] In practice, however, all attention is focused on the reconstruction of the preliminary stages of the text, certainly in the redaction-historical studies.[39]

The methodological 'schools' within the field of Jeremiah studies mentioned so far all have a direct or indirect historical orientation. Exactly for this reason, Jer. 36 has always received special attention, as we are told twice in this chapter that Jeremiah dictated prophetic words to the scribe Baruch. If only we could determine what words Jeremiah dictated – and especially the order in which he dictated them – we would obtain a lot of information about origin, composition and dating of the book as we have it now. As we shall see, however, the same may be said about the study of Jer. 36 as about the book as a whole: no

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book, helps to explain the untidiness of the text and the problem created by the conflicting images of Jeremiah better than alternative approaches.' Cf. H.-J. Stipp, 'Probleme des redaktionsgeschichtlichen Modells der Entstehung des Jeremiabuches', in: Groß (ed.), *Jeremia und die 'deuteronomistische Bewegung'* (BBB, 98), Weinheim 1995, 228: 'Neben der Klärung der dtr Natur der Prosareden hat dann die redaktionskritische Analyse zur Aufgabe, die anderweitigen Zutaten der Redaktoren herauszulösen, den vorredaktionellen Zustand der bearbeiteten Texte wieder herzustellen und das Verfahren der Redaktion samt ihrer leitenden Triebkräfte näher zu beschreiben.'

[38]See M. Kessler, 'Jeremiah Chapters 26-45 Reconsidered', *JNES* 85 (1968), 82: the 'traditio-historical method' analyses the book in the form the 'final redactor', the 'Jeremian traditionist', gave it. According to Kessler, this approach results in an 'increased attention to the text as it stands'; Herrmann, 'Die Bewältigung der Krise Israels', 173: 'Sobald aber das ganze Buch in seinem perspektivischen Gefälle in den Blick kommt und auch die Frage erwogen werden muß, wann eigentlich letzte Hand an dieses Ganze gelegt wurde, dann ergeben sich im Vergleich mit anderen alttestamentlichen Überlieferungen Gesichtspunkte, die dazu zwingen, das Jeremiabuch als eine Urkunde zu behandeln, in die Israels ganzer Kampf um seine Vergangenheit und seine Zukunft eingegangen ist.'

[39]Cf. Stipp, 'Probleme des redaktionsgeschichtlichen Modells', 256, who holds that the last decades have shown 'daß die korrekte Beschreibung der Entstehungsgeschichte biblischer Bücher nun einmal primär eine Frage korrekter Vorstufenrekonstruktion ist – . . .'

satisfactory answers to these kinds of questions have been found, and consensus seems far away.[40] Still, the fact remains – and this justifies the traditionally great interest in Jer. 36 – that a story in which 'book-production' figures so prominently raises questions about historicity and the relation between text and history. These questions will be discussed further in Part Two of this study.

Recently, texts from Jeremiah have been analysed more and more often by means of a structural approach.[41] This approach, however, is only just starting on a huge job: clarifying the design of the book as a whole and the rationale behind it. So far, the investigation has restricted itself mainly to parts of the book of Jeremiah.

In the following paragraphs, I will analyse Jer. 36 along the lines followed in the previous chapters: keywords, stylistic devices and references are taken as elements that may throw light on the composition of the text. The readings of Deuteronomy and Kings offered in this study here provide a specific perspective: the question what role is played by 'a book'.

3.2 The Command to Write and Read – Jer. 36:1-8

Just as in the Former Prophets, especially in Kings, the history of Israel and Judah is presented as an assessment of the kings in view of the *torah* of Moses,[42] the Latter Prophets present the reaction to contemporaneous events in the prophetic preaching.[43]

[40] According to Carroll, *Jeremiah*, 62, this is the result of the 'editorial inconsistency' which unavoidably characterises the book of Jeremiah. From this he concludes: 'To the question "what is the relation of the book of Jeremiah to the historical Jeremiah?" no answer can be given. The question assumes too many things which require prior arguments before they can be incorporated into a formal query about the "historical" Jeremiah.'

[41] See Herrmann, *Jeremia: Der Prophet und das Buch*, 101ff. Some examples, in order of appearance: K.A.D. Smelik, 'De functie van Jeremia 50 en 51 binnen het boek Jeremia', *NedThT* 41 (1987), 273-6; A. Rofé, 'The Arrangement of the Book of Jeremiah', *ZAW* 101 (1989), 390-8; Chr.R. Seitz, 'The Prophet Moses and the Canonical Shape of Jeremiah', *ZAW* 101 (1989), 3-27; Dubbink, *Waar is de Heer?*; M. Kessler, 'Jeremiah 25:1-29: Text and Context; A Synchronic Study', *ZAW* 109 (1997), 44-70. See also various contributions in A.R. Pete Diamond *et al.* (eds), *Troubling Jeremiah* (JSOT.S, 260), Sheffield 1999.

[42] See Chapter 2, pp. 50-51.

[43] See K. Bouhuijs, K.A. Deurloo, *Dichter bij de profeten*, Baarn ^{3}1979, 18ff., esp. 23-4.

In other words: history (at least as presented in these texts) in the Latter Prophets takes the form of current events. This holds true especially for the book of Jeremiah: in none of the other prophetic books do we find such an enormous amount of detailed information, taken from history and related to the literary figure of the prophet. For this reason, the book itself at first sight appears 'historical' and seems to offer much detail about the biography of the prophet Jeremiah.[44] This impression is deceptive: the apparently high level of concreteness is accompanied by an equally high level of vagueness. I will cite an example that is also relevant to the reading of Jer. 36.

Historically, the events in the book of Jeremiah are situated in the forty years before the capture of Jerusalem by the Babylonians,[45] seen as a period during which Judah's internal politics were dominated by the international superpowers: at first Egypt, later Babylon. According to the book of Jeremiah, three Judaean kings play a significant (political) role: Josiah and his two sons Jehoiakim and Zedekiah.[46] Josiah's appearance in the book of Jeremiah was discussed briefly in the previous paragraph. His son Jehoiakim tries to escape the influence of the upcoming superpower Babylon by adopting a pro-Egyptian policy, but in the end does not have a chance.[47] He does not pay any attention to the critical words of the prophet Jeremiah (cf. Jer. 22:13-19). Equally without avail are Jeremiah's attempts to dissuade Zedekiah from a similar strategic game, which results in the destruction of the city of Jerusalem, the start of the period which later came to be called the 'Babylonian exile'.[48] The remarkable point here is that Jeremiah not only has no direct contact with Josiah (who as stated earlier is no protagonist in the book), but does not confront Jehoiakim either, however much is said about the clash

[44]Cf. Holladay, *Jeremiah*, 1.

[45]See O. Eißfeldt, *Einleitung in das Alte Testament*, Tübingen [3]1963, 468-9; A. Weiser, *Das Buch Jeremia* (ATD, 20/21), Göttingen 1966, IX-XIV and XIV-XXII; H. Cazelles, 'La vie de Jérémie dans son contexte national et international', in: P.-M. Bogaert (ed.), *Le livre de Jérémie*, 21-39.

[46]The two 'interim popes' Shallum (=Jehoahaz), son of Josiah, and Coniah (=Jeconiah), son of Jehoiakim, only appear in the oracles regarding the kings (Jer. 21:1–23:8), in 22:11-12 and 22:24-30, respectively (and Coniah also in the headings 24:1 and 37:1).

[47]Cf. Jer. 25:1-13; 26; 27:19-22; 28:4; 52:2.

[48]Cf. Jer. 21; 24:8; 27; 32; 34:21; 37; 39; 44:30; 52.

between Jehoiakim's policy and Jeremiah's prophecy (see Jer. 26; see also § 5). Only with Zedekiah is there direct contact (Jer. 34:1-7; 37:17-21; 38:14-28). Thus, the suspicion arises that although Jeremiah's prophecy is situated in the period from the reign of Josiah to the fall of Jerusalem, this is done with Zedekiah's reign as the starting-point. This would mean that from this perspective – the confrontation between prophet and king in the last days of Jerusalem – the reigns of Jehoiakim and Josiah acquire a retrospective significance within the book of Jeremiah, which rather diminishes the historical relevance of the concrete details given about the last days of these kings. At the end of this chapter, I will return to the significance of this limitation for our view of the book of Jeremiah, on the basis of my interpretation of Jer. 36. The retrospective issue itself is immediately clear in the first section, Jer. 36:1-8:[49]

36:1 It came to pass in the fourth year of Jehoiakim, son of Josiah, king of Judah,
that the following word came to Jeremiah from YHWH:
2 Take a scroll and write upon it
all the words that I have spoken to you
concerning Israel, Judah and all the nations
from the day I spoke to you,
from the days of Josiah until this day.
3 Perhaps they will hear, the house of Judah,
all the disasters I intend to bring upon them,
so that[50] they will turn back, each from his wicked way

[49]There is a general consensus as to the global composition of Jer. 36:

36:1-8	introduction: the instruction to write a scroll and read it
36:9-26	body of the narrative: the reading in the temple, and Jehoiakim's reaction
36:27-32	conclusion: repeated command; prophecy about Jehoiakim; execution of the command

See Carroll, *Jeremiah*, 666; Holladay, *Jeremiah*, 254; M. Kessler, 'Form-Critical Suggestions on Jer 36', *CBQ* 28 (1966), 390ff., who emphasises the unity of the chapter as a whole. The variations occur especially with respect to the dividing line between the first and second part, in connection with the question how 36:8 relates to 36:9. Weiser, *Jeremia*, 324ff., for instance, sees 36:5-10 as one unit. Jer. 36:9-26 may be divided into four scenes (9-10;11-13;14-19;20-26); see H.M. Wahl, 'Die Entstehung der Schriftprophetie nach Jer 36', *ZAW* 110 (1998), 366.

[50]Joüon § 169g points out that in addition to a final meaning ('in order to'), לְמַעַן may also have a consecutive meaning ('so that'); this is the case with 'une action voulue dont on considère l'effet plutôt que le but'. See also

and I will pardon their transgressions and their sin.
36:4 Then Jeremiah called Baruch, son of Neriah.
Baruch wrote down, from the mouth of Jeremiah, all the words of YHWH
which he had spoken to him, in a scroll.
5 Jeremiah instructed Baruch:
I am being held,
I cannot go to the house of YHWH.
6 You go there
and read aloud the words of YHWH from the scroll you wrote from my mouth
in the presence of the people, in the house of YHWH, on a fast day;
and also in the presence of the whole of Judah, all those who came from their towns,
you shall read them:
7 perhaps their entreaty will come before YHWH
and they will turn back, each from his wicked way,
for great is the anger and wrath with which YHWH has spoken against this people.
8 And Baruch, son of Neriah, did according to everything Jeremiah, the prophet, instructed him:
to read the words of YHWH from the book in the house of YHWH.

The concrete and matter-of-fact manner in which we are here told about the production of a book containing Jeremiah's words rouses every exegete's curiosity: how exactly were they written down?[51] Are the details historically correct[52] and do they provide

HALAT, 581, 1c.

[51]B. Stade, 'Streiflichter auf die Entstehung der jetzigen Gestalt der alttestamentlichen Prophetenschriften', *ZAW* 23 (1903), 157, for instance rejects as modern speculation the theory that Jeremiah would have used notes when dictating, and gives the following answer to the question why he was dictating to Baruch: '...er thut es, weil es der Wiederholung der Ekstase bedurfte, um die früher gehaltenen Reden zu reproduzieren, und weil man im Zustande der Inspiration redet aber nicht schreibt.' Both interpretations reflect the opinions and preconceptions of the exegetes: source criticism and the view that the prophets of Israel were ecstatics, respectively. On the theory that Jeremiah used notes or even manuscripts, see A. Baumann, 'Urrolle und Fasttag', *ZAW* 80 (1968), 352, n.12.

[52]W. McKane, *Jeremiah* (ICC), vol. 2, Edinburgh 1996, 910, implicitly assumes that the text is historically reliable: 'If chapter 36 is an excellent example of storytelling serving the ends of edification, how does this combine with its ostensible historical content?' K.A.D. Smelik, 'De intocht van de ark in Jeruzalem', *ACEBT* 4 (1983), 28 and 35, n.12, is more cautious, and holds

information on the genesis of 'our' book of Jeremiah?[53] These and similar questions not infrequently lead to a search for the contents of the scroll allegedly inscribed by Baruch, for which a closer definition of the day of fasting on which, at the instruction of Jeremiah, he is to read from the scroll might be a starting-point.[54] These searches have not resulted in anything other than interesting but highly speculative hypotheses, even when in addition to the text of Jeremiah secondary data are also included in the investigation.[55] The critical question to be asked of such hypotheses is whether they contribute to the understanding of the text. I will for the moment leave my own curiosity unsatisfied and suspend a historical judgement, and will start off with a look at the composition of this first passage.

After the heading, which together with the date and the so-called 'word formula' serves as introduction,[56] two sections may be distinguished: the first about a divine word from YHWH containing a command for Jeremiah, which he carries out (Jer. 36:2-5), the second about Jeremiah in turn giving an instruction to Baruch, which is also carried out (Jer. 36:6-8). In both sections, a 'scroll' or 'book' (מְגִלַּת־]סֵפֶר[) figures, both in the commands and in their execution (Jer. 36:2, 4; 36:6;8).[57] Its position at the begin-

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that Jer. 36 is an example of texts probably derived from annals or eyewitness accounts.

[53]J. Muilenburg, 'Baruch the Scribe', in: J.I. Durham, J.R. Porter (eds), *Proclamation and Presence: Old Testament Essays in Honour of Gwyne Henton Davies*, London 1970, 226, considers Jer. 36 a unique story, among other reasons because it is so rich in 'graphic and circumstantial detail'. Weiser, *Jeremia*, 322, says that Jer. 36 is generally ascribed to Baruch himself on account of its style and wealth of detail.

[54]Lohfink, 'Die Gattung', 64, n. 5, is of the opinion that the expression יוֹם צוֹם, which further only occurs in Isa. 58:3, cannot be linked to a historical event: 'Wir sind so gut wie ganz auf den Kontext in Jer 36 angewiesen.'

[55]See for instance Baumann, 'Urrolle und Fasttag', 353ff., who thinks that there should have been an external reason for the fast day, and mentions the hypothesis that the capture of the city of Ashkelon by Nebuchadnezzar, during a campaign from May/June 604 to January/February 603 BCE, is the background to this fast, or a long period of drought (with a reference to m. Ta'anit I,5).

[56]Cf. Th. Seidl, 'Datierung und Wortereignis: Beobachtungen zum Horizont von Jer. 27:1', *BZ* NF 21 (1977), 23-44; 184-99; Idem, 'Die Wortereignisformel in Jeremia: Beobachtungen zu den Formen der Redeeröffnung in Jeremia im Anschluß an Jer. 27:1,2', *BZ* NF 23 (1979), 20-47.

[57]In Jer. 36 the expression מְגִלַּת־סֵפֶר is only used in this passage, vv. 2 and 4. From v. 6 onwards, it is either מְגִלָּה (twelve times, in 36:6, 14[2x], 20,

ning of the command issued by YHWH and at the end of the command executed by Baruch provides an inclusion for the whole.

The question arises how within this whole the two sections relate to each other. As the reason for the command to write down all the words spoken to Jeremiah YHWH mentions the hope or expectation that the house of Judah will *perhaps* (אוּלַי) hear and turn back from its wicked way, which is not specified further at this point (Jer. 36:3). When Jeremiah commands Baruch to go to the house of YHWH, he takes up these words: '*perhaps* their entreaty will come before YHWH and they will turn back, each from his wicked way' (Jer. 36:7). At the same time the issue has shifted slightly, because in Jeremiah's phrasing the change in Judah's attitude is also made dependent on YHWH's disposition.[58] The forgiveness YHWH speaks about is not mentioned by Jeremiah. Thus, the command YHWH gives to Jeremiah is not literally repeated by the prophet, but translated into a new command.[59]

Another new aspect in the command given to Baruch is the explicit mention of what apparently had been tacitly assumed earlier, i.e., the fact that the words of YHWH have been written down in order to be read. The instruction 'Take a scroll and *write*' (Jer. 36:2) changes to: '*read* from the scroll ... you wrote' (Jer. 36:6). Crucial to the exegesis and interpretation of this shift is the pivotal verse Jer. 36:4. The fact that Jeremiah here interprets the

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21, 23, 25, 27, 28[2x], 29, 32), or סֵפֶר (six times, in 36:8, 10, 11, 13, 18, 32). Remarkably, מְגִלָּה occurs only in this chapter in Jeremiah, and is used very rarely elsewhere in Tanakh (eight times: in Ezek. 2:9; 3:1, 2, 3; Zech. 5:1, 2; Ps. 40:8; Ezra 6:2).

[58]Cf. the use of the combination תְּחִנָּה and לִפְנֵי in Jer. 37:20; 38:26 and 42:2, 9.

[59]This shift is also connected with the position of Jer. 36 within the book. Jer. 36 is the counterpart to Jer. 26; there are clear parallels between these two chapters (see Carroll, *Jeremiah*, 662-3; Muilenburg, 'Baruch the Scribe', 223-4; G. Wanke, *Untersuchungen zur sogenannten Baruchschrift* (BZAW, 122), Berlin 1971, 62-3). However, there are differences: Jeremiah's performance in the temple in Jer. 26 focuses on the exhortation to repent, whereas in Jer. 36 the damage has practically already been done; king Jehoiakim does not appear in Jer. 26, but plays a central part in Jer. 36 and does not see Jeremiah. See also Kessler, 'Form-Critical Suggestions', 392; Lohfink, 'Die Gattung', esp. 81ff., assumes that Jer. 26 and 36 originally were one unit, and considers these chapters – which he situates in a historical frame on the basis of the dates in the headings – to be a continuous story, a 'historische Kurzgeschichte'.

instruction 'to write down the words of YHWH' as tantamount to having them written down by Baruch, need not in itself be cause for surprise, even though this is the only time we read about it in the book (cf. Jer. 45:1).[60] For, although in the rest of the book little is said about Baruch, we do know that he is Jeremiah's confidant who will also be dealing with the prophet's paperwork, so to speak.[61] What is more interesting is the ambiguous formula that tells us Jeremiah dictates to Baruch the words 'which he had spoken to him'. Are these the words YHWH spoke to Jeremiah, or the words Jeremiah then spoke to Baruch? The Hebrew does not provide an answer, or rather allows for both interpretations.[62] It is exactly this ambiguity which gives the verse its pivotal function: the words of YHWH end up in the scroll which will be read by Baruch. In other words, the hinge function of Jer. 36:4 is reflected on plot level in the scroll containing the words of YHWH/ Jeremiah the prophet. As we shall see in the next paragraph, this scroll will be the axis on which the story hinges.

At the same time, the active role of Jeremiah is restricted, as becomes clear from the next verse, in which he says: 'I am being held, I cannot go to the house of YHWH'. Elsewhere in Jeremiah reference is made a number of times to the fact that the prophet spent some time in prison,[63] but this cannot be meant here in view of the sequel, in which Jeremiah's whereabouts are unknown (see Jer. 36:19, 26). It is easy to lose oneself in all sorts of speculations about what reasons or motives may have impelled Jeremiah to send Baruch instead of going himself.[64] The

[60]Cf. Weiser, *Jeremia*, 324: 'Daraus ist nicht zu entnehmen, daß Jeremia des Schreibens unkundig gewesen wäre; vermutlich hat er einzelnes schon vorher aufgezeichnet gehabt (...), dessen er sich beim Diktat bediente.' Weiser adds, however, that this can never be more than a conjecture.

[61]See Jer. 43:3, 6; 45:1, 2 and esp. 32:12-16.

[62]See Carroll, *Jeremiah*, 658-9; J. Bright, *Jeremiah* (AncB, 21), Garden City, New York ²1986, 179, thinks it is more probable that YHWH is the subject, but does not provide any arguments for this.

[63]See Jer. 33:1; 39:15, where just as in 36:5 the verb עצר is used. Cf. Jer. 32:2, 3, which have כלא.

[64]Some examples: Muilenburg, 'Baruch the Scribe', 227-8, wonders whether Jeremiah might have been unable to write, or had an illegible handwriting, and what sort of a relationship he had with Baruch, and says: 'The most plausible explanation for Jeremiah's summoning of Baruch is precisely that the occasion called for one who could represent him in the Temple, one who could have ready access to the chamber of Gemariah, son of Shaphan, to

question is, however, whether the vagueness here is functional in the context, and whether the author did not deliberately limit the active role of Jeremiah in view of the story that is to come.[65] This is one way of reading the text, but it is an interpretation that ties in well with the reading of the preceding verses offered here. The way in which the scroll functions within the YHWH-Jeremiah-Baruch triangle clarifies Jeremiah's disappearance from the story as a character.[66] In the story proper (Jer. 36:9-26) he does not figure any longer, as he will be present in the words of the scroll read out by Baruch.[67]

At the end of the passage, in Jer. 36:8, the reading is mentioned, accompanied by the spatial adjunct 'in the house of YHWH' (see Jer. 36:5, 6), which here occurs in the text for the third time. This motif reminds us of 2 Kgs 22, where – as we have seen – a book is read in the temple by Shaphan, the scribe (2 Kgs 22:8). The reference in that case was to a particular book that was found in

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whom Jeremiah was bound by many years of friendship, esteem, and mutuality of respect'; Bright, *Jeremiah*, 179: 'The probable sense is that Jeremiah had (after the incident of xx 1-6?) been forbidden to enter the temple; or perhaps it was simply that the authorities had him under observation and would stop him if he tried to speak there'; Holladay, *Jeremiah*, 16: '... one may guess, however, that he is *persona non grata* for having announced, directly after the battle of Charchemish, that the foe from the north is coming'; Weiser, *Jeremia*, 325, 'Die beabsichtigte Wirkung der Gottesworte wäre von vornherein in Frage gestellt gewesen, wenn Jeremia an ihrer Verlesung durch einen gewaltsamen Eingriff der Priester gehindert worden wäre.'

[65]Cf. Y. Hoffman, 'Aetiologie, Redaction and History in Jeremiah 36', *VT* 46 (1996), 183-4, who sees the vagueness as a strategy on the part of the redactor of Jer. 36: he wants to draw the reader's attention to the 'authentic' scroll, and thus to his own book (i.e., Jeremiah).

[66]Cf. Carroll, *Jeremiah*, 665: 'The text offers no reason for the temple being inaccessible to him, but the story requires him to be debarred, otherwise there will be no role for Baruch the scribe. So Jeremiah is excluded from going to the temple to speak his words and therefore has to write them and delegate Baruch to deliver them at the next large public gathering.' Carroll expresses this point more pithily in his article 'Manuscripts Don't Burn – Inscribing the Prophetic Tradition: Reflections on Jeremiah 36', in: M. Augustin, K.-D. Schunck (eds), *'Dort ziehen Schiffe dahin...* ', Frankfurt am Main 1996, 33: 'If his [Jeremiah's] words are being transferred from the realm of speech to the realm of writing, then his absence is already inscribed in the narrative.'

[67]Cf. Carroll, *Jeremiah*, 662, who in this respect speaks of the difference between Jer. 26 and 36: 'Between the two stories the motif of the divine word itself has come to the fore, and that is symbolised by Baruch's role as a scribe writing down what Jeremiah says and then reading it out in various chambers of the temple and palace. The written word has *replaced* Jeremiah.'

the temple; in this case, it is to YHWH's words that have been dictated by the prophet Jeremiah. The situations are not the same, but the allusion is sufficiently unequivocal to warrant a comparison, and makes us curious as to whether the sequel will continue to support such a comparison.

3.3 Burning the Book – Jer. 36:9-26

The beginning of this sequel seems at first sight to be a compressed repetition of what went before. After a heading containing a date, which gives the impression that the narrative is starting all over again, we are again told that Baruch reads from the scroll in the temple:

36:9 It came to pass in the fifth year of Jehoiakim, son of Josiah, king of Judah,
in the ninth month,
after a fast had been proclaimed before YHWH[68] –
all the people in Jerusalem and all people who had come to Jerusalem from the cities of Judah:
10 then Baruch read from the book the words of Jeremiah, in the house of YHWH,
in the chamber of Gemariah, son of Shaphan, the scribe,
in the upper court, near the new gateway of the house of YHWH,
in the presence of all the people.

People who assume that a narrative always progresses along a straight line will view these verses as corrupt and possibly redundant.[69] It would be more elegant and helpful if we could find an explanation that enabled us to view everything as a whole, by assuming that the text itself constitutes one unit. We begin to pick up the scent of such an explanation once we note that the repetition is an example of a technique frequently used in the Hebrew Bible: first, a compact overview of the plot is presented

[68] Jer. 36:9b has a second adjunct, after the temporal one in 36:9a. The main clause dependent on וַיְהִי starts in 36:10; see also Chapter 1, note 31.

[69] Bright, *Jeremiah*, 180, considers the words in Jer. 36:8b 'superfluous' because they anticipate 36:10: 'Perhaps they are a gloss.' P. Volz, *Der Prophet Jeremia* (KAT, 10), Leipzig 1922, 325, thinks that the order of the verses is wrong: 'Erst, wenn man 9 vor 5 setzt, kommt Sinn in die Erzählung; . . . '; and: '. . . v.9 fiel allem nach einmal aus, am Rand beikorrigiert, kam er an falsche Textstelle; als er weg war, fühlte ein Bearbeiter das verständliche Bedürfnis, eine kurze Angabe über den zeitlichen Anlaß am Rand beizufügen, die dann v.6 in den Text geriet.'

before the narrative is unfolded.[70] Seen from this angle, Jer. 36:8 is the preliminary summary, and 36:9 is the upbeat to the story proper.[71] At the same time it becomes clear that the duplicate verse contains variations and shifts in emphasis,[72] connected with the position and function of the verse in question.

I have pointed out earlier that in the main part of the story, Jer. 36:9-26, we do not meet Jeremiah as protagonist. It is certainly no coincidence that in this resumption we hear that Baruch reads 'the words of Jeremiah' from the book (Jer. 36:10), whereas in the preceding pericope the preliminary review concluded with the statement that he read 'the words of YHWH' (Jer. 36:8). By means of this variation the author tells his listeners and readers that the words of YHWH and those of the prophet Jeremiah are identical. Another remarkable aspect is that the phrase 'words of Jeremiah' is used at the moment when we are told about the public reading in the temple (Jer. 36:10). Although the text does not say that Baruch mentioned Jeremiah's name during the reading – in this respect, the listeners *within* the story may well know less than the listeners to or readers of the book of Jeremiah – this is nevertheless a striking detail, all the more so because Jeremiah himself in his instruction to Baruch also spoke of 'the words of YHWH' rather than 'my words' (Jer. 36:6). Thus, as the story develops the character of Jeremiah vanishes into the background, but to the hearers and readers of the story his name is explicitly linked with the words of YHWH. Whether this fact will also play a part within the story we have yet to discover.

One change with respect to the first presentation of the story is reflected in the date. From the fourth year of Jehoiakim we have moved to the fifth, more specifically the ninth month, which means November/December. So, some time has passed between the moment when Jeremiah dictated the words and the reading by Baruch in the temple. During this period a day of fasting has been proclaimed, which Jeremiah had already mentioned (Jer.

[70]See Chapter 1, note 48; Lohfink, 'Die Gattung', 61, n. 17. Cf. McKane, *Jeremiah*, vol. 2, 914.

[71]See Weiser, *Jeremia*, 324: 'Mit v. 9 beginnt in nachholendem Erzählungsstil, der auf vorher Angedeutetes zurückgreift, der ausführliche Bericht des Baruch über die Ereignisse, bei denen er selbst im Mittelpunkt steht.' Weiser refers to Jer. 35:18 and 37:1, 5, where he says the same stylistic device is used.

[72]See Wanke, *Untersuchungen*, 64; cf. Carroll, *Jeremiah*, 659.

36:6), but whose background again is not explained.[73] Apparently, the function of the fast day within the story is that of an excuse or pretext: the focus is on the assembling of people from all over town and country rather than on the reason for proclaiming such a day. We are told pointedly that *all* the people (כָּל־הָעָם) were present in the temple (Jer. 36:9[2x]), and that Baruch reads the words to *all* the people (Jer. 36:10). This is the ideal moment to declaim prophetic words.[74]

New in comparison to the earlier text is the detailed description of the place where or from where[75] Baruch is reading: 'in the chamber of Gemariah, son of Shaphan, the scribe, in the upper court, near the new gateway of the house of YHWH' (Jer. 36:10). Apparently the place in question is highly suitable for addressing crowds (cf. Jer. 7:2; 26:10).[76] From the perspective here applied to Jer. 36, however, it is especially the fact that the owner of the space is mentioned which is interesting: Gemariah is a son of the scribe Shaphan, whom we met in the previous chapter of this study.[77] Thus, we are again reminded of the story in 2 Kgs 22–23.[78] As we will see, the reactions to Baruch's reading will

[73]Lohfink, 'Die Gattung', 61ff., proposes that following 𝔊 we should read 'in the eighth year' instead of 'in the fifth year'. This *lectio difficilior* would be supported by the historical situation (61, n. 18): according to Lohfink, the proclamation of the fast day had best be linked to the rebellion which Jehoiakim started after Nebuchadnezzar's failed offensive against the Egyptian army, December 601 (65). See note 55 above; cf. Holladay, *Jeremiah*, 255-6.

[74]Volz, *Der Prophet*, 328, thinks the moment itself is also suitable, as the people are receptive on a fast day: 'Die augenblickliche Not und Reue am Fasttage müssen das Volk empfänglich stimmen.'

[75]Cf. Carroll, *Jeremiah*, 659: 'The chamber here was either extremely large or an open area for "all the people" to have heard the reading.' According to Volz, *Der Prophet*, 325, what is meant in 36:10 cannot be an 'abode, chamber' as in 36:12; he thinks the phrase 'vom Gemach des Staatsschreibers Gemariah, des Sohnes Shafans, aus... ' should be deleted, '... denn ein Gemach eignet sich nicht zur öffentlichen Vorlesung'.

[76]Cf. B.J. Oosterhoff, *Jeremia* (COT), dl. 2, Kampen 1994, 341.

[77]Gemariah only figures in Jer. 36 (four times, in vv. 10, 11, 12, 25). For the discussion on whether 'Shaphan' in Jer. 36 refers to one or to several persons, see G. Odasso, *La famiglia di Shafan e la funzione di* ''ašer ᶜal habbayiṯ', Roma 1978, 51ff. He draws the convincing conclusion that the text offers no reason to suppose more than one person: there is one Shaphan, the same scribe as mentioned in 2 Kgs 22:12.

[78]This analysis assumes that הַסֹּפֵר in Jer. 36:10 is an adjunct to 'Shaphan'. Although from a grammatical point of view הַסֹּפֵר may be linked to both 'Shaphan' and 'Gemariah', it is more obvious to read 'Shaphan, the scribe',

reflect similarities and differences vis-à-vis the text from Kings. The first person to react is one of Gemariah's sons, Micaiah:

36:11 Micaiah, son of Gemariah, son of Shaphan,
heard all the words of YHWH from the book.
12 He went down to the house of the king, to the chamber of the scribe.
There he found all the officials:
Elishama, the scribe, Delaiah, son of Shemaiah, Elnahan, son of Achbor, Gemariah, son of Shaphan, Zedekiah, son of Hananiah, and all the other officials.
13 Micaiah told them all the words he had heard
as Baruch read from the scroll in the hearing of the people.

The first thing that strikes us in these verses is what we do not get to hear: the reaction of the people. Baruch has read aloud in the hearing of all the people, but the scene changes without telling us what the effect of his words is on the crowd: the story moves from the 'house of YHWH' to 'the house of the king', from the temple to the nearby[79] palace.

In the palace, Micaiah goes to the chamber of the scribe Elishama.[80] In addition to Elishama he finds 'all other officials'

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not only on account of the word order in the Hebrew, but also because the title in 36:12, where Gemariah is mentioned again, is missing. Odasso, *La famiglia*, 34ff., concludes the following as regards the role of Gemariah in Jer. 36:10-25 (after a discussion of the verses where the sons of Shaphan are mentioned): 'Ghemaria è figlio dello scriba Shafan e padre di Michea. Anche egli, come Ahiqam e Godolia si mostra favorevole a Geremia e questo spiega perché Baruc abbia potuto utilizzare la sua camera per proclamare al popolo gli oracoli del profeta.' (46) Wahl, 'Die Entstehung', 380ff., defends the hypothesis that the 'Saphanids' were part of deuteronomistic circles and edited Jer. 36 on the basis of 2 Kgs 22; see also J.A. Dearman, 'My Servants the Scribes: Composition and Context in Jeremiah 36', *JBL* 109 (1990), 408ff., 417ff.

[79] According to K. Galling, 'Die Halle des Schreibers: Ein Beitrag zur Topographie der Akropolis von Jerusalem', *PJ* 27 (1931), 57, the topography may be explained in the light of the so-called reform of king Josiah: 'Die Lage der Halle des Schreibers mit einem Zugang sowohl zum Tempelvorhof wie zum Palasthof läßt sich am besten verstehen, wenn man annimmt, daß dadurch dem Volke eine bequeme Art des Zugangs zur Regierung und zum König geschaffen werden sollte.'

[80] In Jer. 36:12a, 'the scribe' refers to Elishama; this becomes clear not only from the immediate sequel, 36:12b, but also from 36:20, 21. Elishama is the scribe of the court of king Jehoiakim, as Shaphan (see 36:10) was at the court of king Josiah. Cf. McKane, *Jeremiah*, vol. 2, 903-4; Dearman, 'My Servants the Scribes', 412.

there, among whom his father Gemariah (Jer. 36:12b; cf. 36:11a). About the other persons mentioned, Delaiah, Elnathan and Zedekiah, we learn little or nothing from the Hebrew Bible.[81] Their role in the story is determined by the position they have at court. Just as the royal scribe was a kind of 'minister of state',[82] the council of officials may be seen as a 'cabinet meeting': they belong to the circle of executives around the king at court.[83] It is this set who first of all are told by Micaiah about the words Baruch has read. From this we may conclude that whatever other motives Micaiah may have had, he in any case considered the reading in the temple politically important.[84]

The other thing that strikes us here is that this time the author offers no indication as to whether the words that Baruch read should be viewed as words of YHWH or of Jeremiah (Jer. 36:13). The fact that the phrase 'all the words' is not specified further does not serve a function *within* the story – we do not know whether Micaiah actually said that these were YHWH's or Jeremiah's words – but, just as the variation in Jer. 36:10 discussed above, is intended for the audience of the book of Jeremiah. It prepares the hearers and readers for the next part

[81] In addition to Jer. 36:12, 25 (and possibly 2 Kgs 24:8, as the father-in-law of king Jehoiakim), Elnathan appears in Jer. 26:22, where he leads a delegation that by order of Jehoiakim fetches the prohet Uriah, who had fled to Egypt. Uriah, who had prophesied 'according to all the words of Jeremiah' (Jer. 26:20), is then put to death by Jehoiakim. The scribe Elishama is possibly mentioned in Jer. 41:1 || 2 Kgs 25:25, in additon to Jer. 36 (vv. 12, 20, 21), as the grandfather of the person who kills Gedaliah. The others only appear in Jer. 36: Delaiah in vv. 12, 25, Micaiah's father Gemariah, son of Shaphan, in vv. 10, 11, 12, 25, and Zedekiah in v. 12. Odasso, *La famiglia*, 23ff., includes this Zedekiah in a reconstruction of Shaphan's family tree, which however, as he himself admits, can only be extremely hypothetical on account of the scarcity of data.

[82] This title is used by A. van Selms, *Jeremia* (PredOT), vol. 3, Nijkerk 1974, 137. See for the connotations of the word סֵפֶר Chapter 2 of this study, 73-4.

[83] Cf. H. Niehr, *ThWAT*, Bd. 7, 868. Bright, *Jeremiah*, 180, compares them to 'the cabinet ministers'. Lohfink, 'Die Gattung', 61, speaks of 'die Regierung' and 'Regierungsbeamten', who according to him represent the group who saved Jeremiah when priests and prophets made an attempt on his life (67); see Jer. 26.

[84] Cf. McKane, *Jeremiah*, vol. 2, 917-8, about the position of the officials: '... they, as statesmen responsible for the security of Judah, had to consider what were the political implications of so public an intervention by Jeremiah.' (917)

of the story, which focuses on the question of the status of the words read by Baruch.

36:14 Then all the officials sent Jehudi, son of Nethaniah, son of Shelemiah, son of Cushi, to Baruch, saying:
That scroll from which you read in the hearing of the people, take it, and come here!
Baruch, son of Neriah, took the scroll
and came to them.
15 They said to him:
Sit down
and read it to us!
And Baruch read it to them.
16 It came to pass, when they heard all these words,
and they were afraid, one after the other,[85]
that they said to Baruch:
We really have to report all these words to the king!
17 They asked Baruch:
Tell us how you wrote down all these words – from his mouth?
18 Baruch said to them:
From his mouth – he reads all these words to me
and I write them down in the book in ink.
19 The officials said to Baruch:
Go and hide yourselves, you and Jeremiah,
let no man know where you are!

The officials react to Micaiah's report by sending one Jehudi, who is to tell Baruch to bring the scroll to them. Their primary concern here is the scroll rather than Baruch.[86] They are not content with hearsay, but want to know from Baruch himself what he read from the scroll in question. We are not told anything about their reasons. Had Micaiah's words roused their curiosity? Had they become afraid? The only definite thing that may be said is that first of all they want to know at first hand which words have been spoken in the temple. To this end they do not ask Micaiah to fetch Baruch, but send Jehudi, apparently because he is an official envoy (see below, Jer. 36:21). This Jehudi is an enigmatic character: we are given an impressive genealogy going back three

[85]The main clause dependent on וַיְהִי starts in Jer. 36:16c with וַיֹּאמְרוּ. In 36:16ab there are two adjuncts. See note 68 above.

[86]The Hebrew text emphasises the scroll because הַמְּגִלָּה in Jer. 36:14 is a *casus pendens*; see Joüon § 156. Cf. Kessler, 'Form-Critical Suggestions', 395.

generations (Jer. 36:14),[87] but neither here nor elsewhere are we told anything about him in the Hebrew Bible.[88] Could this enigma be related to the meaning of his name, 'Judaean'? It is in any case remarkable that the officials send this 'Judaean', of Cushite descent, to fetch the scroll which was read in the hearing of all of Judah.[89]

After Baruch has sat down in the circle of officials and read 'all the words' to them,[90] the effect of these words makes one

[87]Carroll, *Jeremiah*, 659, refers to the conjecture often made in commentaries that the name of Shelemiah was originally preceded by וְאֵת, so that he would not be Jehudi's grandfather, but a second envoy accompanying Jehudi; cf. Volz, *Der Prophet*, 325. The exceptionally long genealogy, however, is in itself no reason to split the sentence in two. See Bright, *Jeremiah*, 180; Van Selms, *Jeremia*, vol. 3, 137.

[88]Jehudi does not appear in Jeremiah outside chapter 36, but the names 'Judaean' (34:9) and 'Judaeans' do (32:12; 38:19; 40:11, 12; 41:3; 43:9; 44:1; 52:28, 30). As to the names mentioned in the genealogy in Jer. 36:14: Jehudi's father Nethaniah might possibly be the father of Ishmael mentioned in 40:8 and 41:9, his grandfather Shelemiah might be the same as the father of Jehucal mentioned in 37:3 and 38:1. About the great-grandfather, Cushi, we know nothing (see also the following note); Van Selms, *Jeremia*, vol. 3, 137, states that if this Cushi is the same as in Zeph. 1:1, Jehudi's genealogy would go back to king Hezekiah.

[89]The name 'Cushi' in Jer. 36:14 may be read as a *nomen gentilicum*, as it usually is in the other places in Jeremiah (13:23; 38:7, 10, 12; 39:16) and elsewhere in the Hebrew Bible. This means that Shelemiah, or Jehudi himself, are said to be 'Cushites', like the envoy Ebed-melech in Jer. 38:7-13. Thus, Jehudi would be a foreigner or a person of foreign descent, with the name 'Judaean'. Cf. Holladay, *Jeremiah*, 258, who holds that the use of clan names here leads to the suspicion that '... the name Jehudi marks the naturalization of a foreigner'; Cf. also Weiser, *Jeremia*, 321, n. 4; Volz, *Der Prophet*, 324 (his translation).

[90]Muilenburg, 'Baruch the Scribe', 231, assumes that Baruch was admitted because he himself was an official, and thus was among colleagues. The text does not, however, provide any grounds for such an assumption. According to N. Avigad, 'Jerahmeel & Baruch: King's Son and Scribe', *BA* 42 (1979), 114-8, the answer is provided in an archeological discovery. A 7th-century bulla contains the text לברכיהו/בן נריהו/הספר, 'belonging to Berechiah / son of Neriah / the scribe'. This Berechiah must have been an official at court, and was the same person as the Baruch from the book of Jeremiah, Avigad thinks. From this he concludes: 'The presence of Baruch's bulla in an archive amidst bullae of royal scribes also seems to indicate that at some time Baruch belonged to the category of scribes, as did his contemporaries, Gemariah ben Shaphan the scribe and Elishama the scribe (Jer. 36:10-12).' (118) To finish his argument, Avigad further supposes that at one stage Baruch went over to the prophet Jeremiah, and that the bulla in question dates from the preceding period, during which Baruch was a member of the royal household.

thing clear: the officials are afraid of how the king might react. Just as Micaiah thought it necessary to report the words to the officials, the officials consider it their immediate duty to inform (הַגֵּיד, Jer. 36:13, 16) the king. Strangely enough, however, we are not told anything about the actual substance of their reaction (just as in the previous scene with Micaiah), although the text leaves us in no doubt as to its character. The officials are scared stiff, and are unanimously of the opinion that the king should be told,[91] but we still do not know why this should be so. As long as we are not told what the actual words were that Baruch read, readers and listeners will be left guessing.

A tip of the veil is lifted when the officials address Baruch again after their 'official' reaction, the reaction expected of them as royal ministers. They ask him 'unofficially' to tell them about a second matter (to 'report', הַגֶּד־נָא, Jer. 36:17). During the reading it has apparently become clear that these are words of Jeremiah, but the officials want to be sure that these words carry the prophet's authority, and are not merely hearsay. Here, too, the focus is on a formal aspect of the words. By asking Baruch whether the words have been taken down from Jeremiah's mouth, they are not interested in finding out Jeremiah's manner of dictation or Baruch's writing technique,[92] but they want to know what status should be accorded to the words.[93] The mouth of Jeremiah represents his authority as a prophet, who should speak the words of YHWH.[94] Baruch gives them a perfectly clear answer: the words come from Jeremiah's mouth, every time he acts as scribe to the

[91]The use in Jer. 36:16 of the infinitive absolute of הַגֵּיד followed by the preformative form of the same verb indicates that the officials are strongly convinced of their duty. See Joüon § § 113m, 123h.

[92]Cause for an instrumental view of the officials' question is found in Jer-𝔊 43:17, where a translation of מִפִּיו in Jer-𝔐 36:17 is lacking; this shifts the emphasis to the question how Baruch wrote. Similarly, the suggestion is sometimes made to read בְּיָדִי ('with my hand') instead of בַּדְיוֹ ('in ink'), although a parallel in Jer-𝔊 is missing, so that בַּדְיוֹ is the *lectio difficilior*. Cf. Wanke, *Untersuchungen*, 62.

[93]See G.J. Venema, 'De woorden van JHWH, de mond van Jeremia en de hand van Baruch: Jeremia 36:17-18', *ACEBT* 16 (1997), 73-9; cf. Y. Hoffman, 'Aetiologie', 184-5.

[94]See Jer. 15:19, where we read about Jeremiah as 'the mouth' of YHWH against the people; Jer. 23:16, where (false) prophets are said to 'speak visions from their own minds', not 'the mouth of YHWH'. Cf. F. García López, *ThWAT*, Bd. 6, 522ff., who points to the parallel between Jer. 1:9 and Deut. 18:18, where YHWH says of the prophet he will raise up: וְנָתַתִּי דְבָרַי בְּפִיו.

prophet.[95] Consequently, his authority as a scribe and reciter is derived from that of the prophet. This 'unofficial' knowledge has consequences for the ministers' 'official' position; without mincing words, they point out the possible effects of all this to Baruch and command him to go into hiding, together with Jeremiah, and betray their whereabouts to nobody, not even the king. This advice declares their position in the conflict that threatens to erupt between prophet and king. After they have advised the prophet to make himself scarce, they themselves go to the king, where the next act will take place.

36:20 They came to the king, in the court.
But the scroll they had left in the chamber of Elishama, the scribe.
They reported all the words to the king.
21 Then the king sent Jehudi to fetch the scroll
and he fetched it from the chamber of Elishama, the scribe.
Jehudi read it to the king, and to all the officials who were standing round the king.
22 – The king was sitting in the winter house, in the ninth month,
and the brazier was[96] before him, burning. –
23 And it happened, every time Jehudi had read three or four columns,
that he would cut these[97] off[98] with the scribe's knife, and throw[99] them into the fire in the brazier,
until the entire scroll had vanished in the fire in the brazier.

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[95] The preformative form יִקְרָא in Jer. 36:18 may be read as a frequentative, a so-called 'imperfect expressing habit' (see GKC § 107e; Joüon § 113e). Schneider § 48.6 states that the imperfect, if used 'in erzählendem Kontext', indicates a committed mode of speaking, comparable to the *praesens historicum*. The translation given above, in the present tense ('reads'), follows Schneider's opinion. Baruch is not referring to a specific moment when he wrote down the words dictated by Jeremiah, but to Jeremiah's general *functioning* as a prophet and his own *functioning* as a scribe. Cf. Holladay, *Jeremiah*, vol. 2, 258, who moreover points to a similar use of the verbs in Jer. 36:23.

[96] וְאֵת־הָאָח is difficult to translate. According to GKC § 365l, the accusative introduced by וְאֵת is dependent on 'a verbal idea, virtually contained in what has gone before, and consequently present to the speaker's mind as governing the accusative'. BHS gives וְאֵשׁ as conjecture.

[97] Although the suffix is in the third person sing. (feminine), it refers to the plural הַלְּחוֹת. For this use of the suffix see GKC § 135p.

[98] The main clause governed by וַיְהִי in Jer. 36:23 is introduced by the combination of verb forms יִקְרָעֵהוּ and וְהַשְׁלֵךְ (see also the following note).

[99] The Hebrew here has an infinitive absolute, וְהַשְׁלֵךְ which is used as a

36:24 They showed no fear,
they did not rent their clothes,
neither the king nor any of his courtiers who heard all these words.
25 Elnathan, Delaiah and Gemariah begged the king not to burn the scroll,
but he would not listen to them.
26 The king ordered Jerahmeel, the king's son, Seraiah, son of Azriel, and Shelemiah, son of Abdeel, to fetch Baruch, the scribe, and Jeremiah, the prophet,
but YHWH had hid them.

Even though the officials have taken up their positions in the imminent conflict, when they get to the king it becomes clear that they do not intend to show their true colours. They have seen to it (פקד; Jer. 36:20) that the scroll read by Baruch has remained safely behind in the chamber of the scribe Elishama. In other words, they keep in reserve the 'proof' of what they are reporting. They do not lodge a complaint against Baruch with the king, but neither do they defend him. They simply report to the king אֵת כָּל־הַדְּבָרִים 'all the "words" ' (Jer. 36:20), by which the words of the scroll may be meant (Jer. 36:16), or – more probably, given the fact that they hide the scroll itself from the king – what happened in Elishama's chamber.[100] Thus, in the account of the officials' report nothing is said about their motives; a lot is left unsaid, which gives the impression that their main object is to prevent the imminent conflict from coming to a head, and that their unanimity is only strategic. Read in this way, the fact that the officials advise Baruch and Jeremiah to hide does mean that they have chosen their position as regards those two, but it does not mean that they are actually on their side.[101]

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continuation of the preceding יִקְרְעֶה (see Joüon § 123x; GKC § 113z).

[100]See *HALAT*, 203, 2. Van Selms, *Jeremia*, vol. 3, 139, holds that כָּל־הַדְּבָרִים in Jer. 36:20 must refer to the events; he thinks the translation 'words' utterly impossible, as it would imply that the officials have learnt the text by heart already. The question, however, is not whether or not the officials are able to remember every word, but how much prominence they give to the words in their report.

[101]Weiser, *Jeremia*, 327, assumes that the officials are completely on Jeremiah's side and act from the knowledge that with king Jehoiakim a critical prophet can never be sure of his life (referring to Jer. 26:20-23). The text, however, is silent on the officials' motives; hence it is not possible either to say, conversely, that the officials were convinced of the political danger and so decided to go to the king (thus McKane, *Jeremiah*, vol. 2, 918 and 920,

Whatever the officials may think about the words of Jeremiah, it is clear that they think it is in their own interest not to have Jeremiah, Baruch and the scroll make their appearance for the time being. Apparently, they fear the possible consequences of the king's reaction to all this. What exactly they were afraid of also remains a subject of speculation, all the more because so far nothing has been said about the contents of the scroll.[102] What is certain, however, is that when the officials set out to see the king they leave the scroll behind, which further increases the suspense in the story.

The officials' fears certainly prove correct. The king does not even enter into a discussion with them, but immediately gives orders to fetch the scroll from the scribe Elishama. He wants to hear with his own ears what these words are. This time it is Jehudi, again acting as an envoy, who has to read the scroll, since Baruch himself has disappeared – on the advice of the officials, but the king does not know that. This results in a curious scene: the king is surrounded by his officials and listens to an envoy named Jehudi, 'Judaean', reading the words of the scroll, while Jeremiah and Baruch are absent. The king is the only one present who has not yet heard the words of the scroll: all of Judah (Jer. 36:9-13) and all the officials (Jer. 36:14-20) have heard them already. When the book has been fetched again and is being read for the third time, the decisive moment has arrived, with everything depending on Jehoiakim's reaction.[103] The parenthetic clause in Jer. 36:22 repeats the dating from the beginning of the story (Jer.

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who assumes that פָּחֲדוּ in Jer. 36:16 is a secondary, deuteronomistic addition, intended to create the false impression that the officials were on Jeremiah's side). From the sequel (Jer. 36:25-26) it becomes clear that when the officials see Jehoiakim's reaction to Jeremiah's words they are not unanimous. Cf. Bright, *Jeremiah*, 182.

[102] Cf. Bright, *Jeremiah*, 180: 'Presumably they had a shrewd idea of what the king's reaction would be and wanted, if possible, to keep the scroll out of his hands.' For more (psychological) speculations see Wanke, *Untersuchungen*, 66, n. 15.

[103] It is especially the triple reading of the scroll which lends the narrative its tension, with the officials' reaction in Jer. 36:16 bringing matters to a head. Cf. Lohfink, 'Gattung', 84; Carroll, *Jeremiah*, 660 (on Jer. 36:20): 'Presumably the scroll was left behind to facilitate giving the king a modest summary of its contents suitably toned down or perhaps to heighten the tension of the story by delaying the moment when king and scroll would encounter each other.'

36:9, 'the ninth month'), so that all the threads from the preceding passages are gathered just before the decisive moment: the king's burning of the scroll. Nothing definite can be said about Jehoiakim's motives: he is not reported as saying anything.[104] His actions, however, are all the more revealing.[105] The actual burning is described very graphically: as soon as a part[106] of the scroll has been read it is torn off and thrown into the fire, until everything has gone up in flames.[107]

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[104]See Holladay, *Jeremiah*, 259-60. Cazelles, 'La vie de Jérémie', 34, supposes, with reference to 1 Kgs 24:1, that Jehoiakim burns the scroll because the threat of a siege of Jerusalem by Nebuchadnezzar has passed. This assumption links up with Jer. 36:29, but is only speculative.

[105]From a grammatical point of view, the subject of יִקְרָעֵהוּ in Jer. 36:23 may be either Jehudi or king Jehoiakim. In all the other verses of the pericope Jer. 36:20-26, הַמֶּלֶךְ is either the agent or the person at whom the action is directed. Hence it is probable that it is the king who is the subject of 36:23b. The responsibility for the burning of the scroll is his, in any case (see Jer. 36:25; cf. Holladay, *Jeremiah*, 259).

[106]The meaning of דְּלָתוֹת in Jer. 36:23 is uncertain; there is only one, extrabiblical, parallel, i.e., Lachish IV. The phrase in question, כתבתי על הדדלת ככל אשר שלח אדני אלי does not, however, offer a solution. 'Column' is considered the most probable meaning. Thus for instance K. Galling, 'Tafel, Buch und Blatt', in: H. Goedicke (ed.), *Near Eastern Studies in Honor of William Foxwell Albright*, Baltimore 1971, 210: 'Das hebr. *delet* bezeichnet primär die Tür (Türflügel). Man konnte den Ausdruck für ein Diptychon übernehmen, da sich die Tafeln eines Faltbuches in den Scharnieren wie eine Tür drehen. Wenn in Jer. 36:23 von *d^{e}latot* (=Spalten, Kolumnen) einer *m^{e}gillat seper* die Rede ist, die der König Jojakim mit dem Schreibermesser abtrennt, so ist offensichtlich der Terminus "Türen" vom Diptychon für die Kolumnen der Papyrusrolle übernommen.'; cf. R.L. Hicks, '*Delet* and *m^{e}gillah*: A Fresh Approach to Jeremiah xxxvi', *VT* 33 (1983), 57: 'I suggest, therefore, that we have a centuries-long connection running from Sumerian GIŠ.IG through Assyrian *daltu* to classical Hebrew *delet*, as indicating writing material and then indicating the column of writing itself, and even continuing down into later rabbinic Hebrew where *delet* was used for the first line of a poem which opened the composition, hence its "door".'

[107]The description leads us to suppose that מְגִלָּה here refers to a papyrus scroll (see Galling, 'Tafel, Buch und Blatt', 218-9; H. Haag, *ThWAT*, Bd. 4, 388). In ancient Judaism writing was mostly done on leather, sometimes on papyrus or wood. Short texts – possibly also first drafts – were usually written on potsherds (see Smelik, 'Ostracon, schrijftafel of boekrol?', 198ff.). Hicks, '*Delet* and *m^{e}gillah*', 62, assumes that the scroll in Jer. 36:23 is of leather: 'He [Baruch, i.e., when he was presumably writing down the text of 36:23, GJV] was indicating that Jehoiakim, determined to destroy the scroll, cut it up sheet by sheet, *at the sutures*, and that some sheets contained 3 columns, others 4 – exactly like 1QJs^{a}.' See also O. Eißfeldt, *Einleitung in das Alte Testament*, Tübingen ^{3}1963, 907ff.; E. Tov, *Textual Criticism of the*

At this point in the narrative the echoes of the story about king Josiah in 2 Kgs 22–23 become so all-pervading that the comparison simply cries out to be elaborated. First of all, I would like to point to a formal parallel: in both stories, a book is read out three times.

2 Kgs 22:8	Shaphan reads the discovered book to Hilkiah, the high priest, in the temple
2 Kgs 22:10	Shaphan reads the book to king Josiah [in the palace of the king]
2 Kgs 23:2	Josiah reads the book to all Judah in the temple
Jer. 36:10	Baruch reads the book containing Jeremiah's words to all Judah in the temple
Jer. 36:15	Baruch reads the book to the officials, in the chamber of the scribe Elishama
Jer. 36:21	Jehudi reads the book to the king and the officials in the palace

A glance at this formal parallel shows the substantial similarities and formal contrasts between the two narratives. In 2 Kgs 22–23 there is a movement from the temple to the palace and back again to the temple, as the reading becomes increasingly more public. The first reading takes place covertly, when Shaphan is handed the book found by Hilkiah, but the last one is highly public, involving all of Judah. In Jer. 36 the reverse happens: after a public reading in the temple by Baruch, in the presence of all Judah, the book vanishes into the palace via the chamber of the scribe Elishama, and is not seen again after it has been read to the king.[108]

In both stories, a mediating role is played by a scribe: Shaphan, and Baruch and Elishama, respectively.[109] The effect of one inter-

Hebrew Bible, Assen 1992, 201ff.

[108] According to C. Minette de Tillesse, 'Joiaqim, repoussoir du "Pieux" Josias: Parallélismes entre II Reg 22 et Jer 36', *ZAW* 105 (1993), 363, the position of the public reading in the temple at the beginning of Jer. 36 and in 2 Kgs 23:1-3 is the result of an intentional arrangement: '... les deux textes sont inversément parallèles: ils sont tête-bêche.' There is certainly a structural parallel here, but given the order of the books of Kings and Jeremiah the term 'chiasm' is out of place.

[109] Cf. Carroll, *Jeremiah*, 664-5: 'By absenting Jeremiah from the temple, a role is created for Baruch the scribe and the parallel maintained to 2 Kgs 22.'

cession, however, is quite the opposite of the other: king Josiah takes the words from the book to heart, king Jehoiakim destroys the scroll. Thus, in both cases the king's reaction to the words read to him is the salient point in the story, but the reactions themselves are diametrically opposed.[110] This contrast is poignantly expressed in the statement that Jehoiakim and his courtiers do *not* rent their clothes[111] when they hear the words of the scroll (Jer. 36:24, קרע). In this way, Jehoiakim is explicitly contrasted with Josiah, of whom we read that at the moment when he heard the words of the book of the *torah*, he rent his clothes (2 Kgs 22:11, קרע).[112] Jehoiakim, however, does not tear his clothes in reaction to the reading; he destroys the scroll itself (Jer. 36:23, קרע).[113] As was the case in 2 Kgs 22:10, the drama is underlined by a telling alliteration: Jehudi reads the

[110]Cf. Minette de Tillesse, 'Joiaqim', 368: 'En Jer 36, tout comme en II Reg 22:8-23:3, la pointe du récit se trouve dans la lecture du "Livre" devant le roi et dans la réaction de ce dernier: réaction correcte dans le cas de Josias; réaction erronée dans le cas de Joiaqim.'

[111]Holladay, *Jeremiah*, 260, supposes the עֲבָדִים in Jer. 36:24, who are not afraid (פחד), to refer to other persons than the שָׂרִים in 36:14-21. This hypothesis is correct if we assume that the officials, who in 36:16 were afraid (פחד) when Baruch read the words, will 'of course' again be afraid now. The question to be asked, however, should be of what the officials in 36:16 were afraid – of the words which were read, or of the king's expected reaction to those words? When the king burns the scroll, there is certainly nobody openly showing fear with respect to the words. This also holds true for the officials, who therefore, in addition to others, may be included with the courtiers in 36:24: their fear evaporates when they see that the king is not afraid. In 36:25, we hear that three of the officials have a different reaction; although they, too, are not afraid, they do try to dissuade the king from his purpose. Cf. S. Herrmann, 'Die Bewältigung der Krise Israels: Bemerkungen zur Interpretation des Buches Jeremia', in: H. Donner *et al.* (eds), *Beiträge zur Alttestamentlichen Theologie* (Fs Walther Zimmerli), Göttingen 1977, 175; Kessler, 'Form-Critical Suggestions', 395; McKane, *Jeremiah*, vol. 2, 907-8; 919.

[112]Ch.D. Isbell, '2 Kgs 22:3-23:24 and Jeremiah 36: A Stylistic Comparison', *JSOT* 8 (1978), 33-45, lists the terminological correspondences between 2 Kgs 22–23 and Jer. 36, and from the fact that in both stories the verb שׂרף ('to burn') occurs, concludes '... that this five-fold employment of שׂרף points to a conscious effort on the part of the Jer 36 narrator to pattern his story upon the earlier event.' (38)

[113]Cf. J.-P. Sonnet, 'Le livre trouvé': 2 Rois 22 dans sa finalité narrative', *NRTh* 116 (1994), 854: 'Dans sa mise en forme littéraire, la réaction de Yoyaqîm en Jr 36, 23-26 a donc tout l'air d'une parodie de celle de Josias en 2 R 22, 10-11.'

scroll aloud (וַיִּקְרָאֵהוּ, Jer. 36:21), king Jehoiakim tears it up (יִקְרָעֵהוּ, Jer. 36:23).[114]

The result of Jehoiakim's actions is that the officials no longer act as one body. A number of those who had been explicitly mentioned earlier (Jer. 36:25; cf. 36:12) urge the king not to burn the scroll, which implies that the others, Elishama and Zedekiah, do not join in this plea.[115] Thus, the collective performance of the officials has ended. Whereas king Josiah immediately obeyed the words from the recited book by uniting the entire people in a covenant (2 Kgs 23:1-3), Jehoiakim straight away becomes the centre of division. Jehoiakim's attitude, which first becomes apparent when the scroll is read, is further confirmed in the report of his behaviour towards Jeremiah and Baruch. Here, too, there is an outright contrast with the story from 2 Kgs 22–23. Whereas Josiah immediately had Huldah the prophetess consulted for an explanation, Jehoiakim sends three envoys, not mentioned until now, to fetch Baruch and Jeremiah.[116] It cannot be a coincidence

[114]The verb קרע is the keyword in the pericope Jer. 36:9-26, where it occurs nine times: 36:9, 10, 13, 14, 15[2x], 18, 21, 22. See F.L. Hossfeld, H. Lamberty-Zielinski, *ThWAT*, Bd. 7, 136.

[115]The text of Jer-𝔐 36:25 is seen as problematic by some scholars on account of a comparison with Jer. 26:22-23, where 'Elnathan, son of Achbor' fetches the prophet Uriah from Egypt to be executed by king Jehoiakim. This errand would make it improbable for Elnathan to be defending Jeremiah's words in 36:25. This consideration might have been the reason why in the parallel verse in Jer-𝔊 43:25 ($\mathfrak{G}^{B}$, $\mathfrak{G}^{S*}$) μη is lacking: Jehoiakim would then be positively encouraged to burn the scroll. The omission of Gemariah's name at this place in the same manuscripts corresponds to this: because of 36:10 (𝔐) ‖ 43:10 (𝔊) he is counted among Jeremiah's supporters. Continuing along this line, it is sometimes suggested – citing other mss. of Jer-𝔊 – that the name of Delaiah, of whom we know nothing, should be replaced by that of Gedaliah, who in Jer-𝔐 38:1-6 turns out to be one of Jeremiah's adversaries (thus Lohfink, 'Die Gattung', 77; Holladay, *Jeremiah*, 252-3; cf. Van Selms, *Jeremia*, vol. 3, 140). This urgent need to map out supporters and opponents of Jeremiah takes us away from the main point: the collapse of the group of officials, who in Jer. 36 started out as a united whole. As regards the role of Elnathan, it should be pointed out that the fact that in Jer. 26:22 he is sent out by Jehoiakim to fetch Uriah does not necessarily mean that he supported this mission.

[116]About Jerahmeel and Seraiah nothing further is known. The adjunct בֶּן־הַמֶּלֶךְ qualifying Jerahmeel should perhaps not be taken literally, but might be a title (see Avigad, 'Jerahmeel & Baruch', 116-7; Holladay, *Jeremiah*, 260-1). Shelemiah is not mentioned elsewhere in Tanakh either; the Shelemiah in Jer. 36:14 is a different one, the son of Cushi. Whether one of these is the father of Jehucal (Jer. 37:3; 38:1) is not certain. According to Dearman, 'My

that this is the first time in Jer. 36 that both their professions are named.[117] They are wanted by the king in their qualities of scribe and prophet. His exact intention is not made clear, but readers and hearers will suspect that the fate of these two may well resemble that of the scroll they have produced: in Jer. 36:26 the verb לקח ('to fetch') is used, in the same way as in the commands to Micaiah (36:14) and Jehudi (36:21) to fetch the scroll.[118] The king will in any case not be concerned about the words of that scroll, because they have been destroyed.

Next, however, a limit is set to Jehoiakim's actions: Jeremiah and Baruch cannot be found. They have apparently followed the advice of the officials and hid *themselves* (Jer. 36:19). At the end of this pericope, however, it does not say that they hid themselves, but that *Yhwh* hid them. A pious conclusion, inserted by the author of the story?[119] In that case it functions at the same time as a short but powerful reminder that the words Baruch took down from Jeremiah's mouth were not just a dictation. They represent the prophetic voice of Jeremiah, and thus the words of YHWH. This is the reason why Jehoiakim will not stop before he also gets his hands on Baruch and Jeremiah; as soon as he tries to do this, however, he finds himself up against YHWH. In this way, YHWH intervenes at the crucial moment in the story. The question is whether this intervention signifies more than simply a way of keeping Jeremiah and Baruch out of Jehoiakim's hands. The answer will be found in the next and last section of Jer. 36.

Servants the Scribes', 412-4, Seraiah and Jerahmeel may be identified on the basis of bullae, in the same way as Baruch and Gemariah.

[117] In Jer-𝔐 43:26 only the names of Baruch and Jeremiah are mentioned, not their functions. According to P.-M. Bogaert, 'De Baruch à Jérémie: Les deux rédactions conservées du livre de Jérémie', in: P.-M. Bogaert (ed.), *Le livre de Jérémie: Le prophète et son milieu, les oracles et leur transmission* (BEThL, 54), Leuven 21997, 169ff., Jer-𝔐 contains 'additions' intended to emphasise the authority of Jeremiah as a prophet, and to portray Baruch as the person whose weight as a royal scribe will vouch for the transmission and preservation of the prophetic message.

[118] Cf. Jer. 26:23, where king Jehoiakim has Uriah the prophet assassinated.

[119] Jer-𝔊 43:26 reads: καὶ κατεκρύβησαν, 'they hid themselves'. According to Volz, *Jeremia*, 326, יהוה (Jer-𝔐 36:26) is a dittography of וַיהוִי (Jer. 36:27). McKane, *Jeremiah*, vol. 2, 909, detects here as well as elsewhere in Jer. 36 the traces of a desire to embellish the text of Jer-𝔐 with 'pious sentiments'.

3.4 A Second Scroll – Jer. 36:27-32

The fact that the narrative is not yet finished is in itself already remarkable: if we look back to the beginning (Jer. 36:1-8) from this point, the story seems to have come full circle. Jeremiah has obeyed YHWH's command, has delivered a scroll, and has had Baruch read it out in the temple. The reaction of the authorities – officials and king – has resulted in the scroll being destroyed, and Jeremiah and Baruch having gone undercover. The plot of the story is thus clear. If, however, we stop reading at this point, we are left with a few questions: what are Jeremiah and Baruch going to do next? What was in the scroll? And which words caused all this commotion? The last pericope of Jer. 36 addresses these questions, but in a rather surprising way.[120] As readers and hearers we expect the answers in an epilogue, in which we are told what happened afterwards to the characters we have read about in the story. Instead, the story seems to be starting again from the beginning:

36:27 The word of YHWH came to Jeremiah
after the king had burned the scroll containing the words
that Baruch had taken down from Jeremiah's mouth:
28 Take another scroll
and write upon it all the first words,
that were on the first scroll
that was burned by Jehoiakim, king of Judah.
29 And to Jehoiakim, king of Judah, you shall say:
'Thus says YHWH:
You burned that scroll, saying:
"Why did you write on it:
The king of Babylon will come, he will certainly come,
he will destroy this land
and finish man and beast in it?"
30 And so,
thus speaks YHWH about Jehoiakim, king of Judah:
Nobody of his [line] shall sit on the throne of David,
his corpse shall be left exposed,[121]
to the heat during the day, to the freezing cold by night.

[120] Cf. Wanke, *Untersuchungen*, 67: 'Daß an dieser Stelle ein retardierendes Moment eingefügt ist, zeigt wiederum die hohe Kunst des Erzählers.'

[121] The addition of תִּהְיֶה lends the participle מֻשְׁלֶכֶת a future meaning, and at the same time a durative aspect; see Joüon § 121e: 'son cadavre demeurera jeté (=restera gisant)'.

36:31 I will bring home to him, his offspring and his courtiers their transgressions,
on them, on the inhabitants of Jerusalem and on the men of Judah I will bring all the disasters of which I have spoken to them;
but they would not listen.'
32 Jeremiah took another scroll
and gave it to Baruch, son of Neriah, the scribe.
And he wrote on it, from the mouth of Jeremiah, all the words of the book
that Jehoiakim, king of Judah, had burned in the fire.
And many more of the like[122] words were added.

Our first encounter with the text leaves us confused: what exactly is happening between YHWH, prophet, and king? A glance at the overall structure, which is simple and clear, will prove helpful. Just as in Jer. 36:1, the introductory sentence begins with the so-called 'word formula', here followed by a subclause recapitulating the crucial moment from the preceding passage, the burning of the scroll. Next, the renewed command to Jeremiah to write a scroll follows (Jer. 36:28), which together with the description of its execution (Jer. 36:32) constitutes the frame of the pericope.[123] Inside this frame, in a second command a prophecy is formulated, which Jeremiah is to communicate to Jehoiakim (Jer. 36:29-31).

Let us begin with this last point. The contents of the prophecy reveal which words caused Jehoiakim's aggressive reaction. He cannot bear to hear Jeremiah predict that Nebuchadnezzar, the king of Babylon, will conquer Judah in a destructive campaign. This is a recurrent motif in the book of Jeremiah: the prophets' criticism of national independence as the ultimate political goal causes the authorities and powers-that-be great irritation.[124] Conversely, the tyranny of especially Jehoiakim in his continuing pursuit of this political aim gives rise to harsh prophecies of doom, as we see here (Jer. 36:30-31; cf. 22:13-19).[125] Jehoiakim is given the prospect of a death unworthy of a king: he will end

[122] כְּהֻמָּה is a *hapax*; GKC § 103k.

[123] Cf. Lohfink, 'Die Gattung', 62, n. 20.

[124] See for instance Jer. 19:14–20:6; 21:1–22:9; 26; 32; 37; 38. The phrasing of the prophecy in Jer. 36:29 has no exact parallel elsewhere in the book; cf. Holladay, *Jeremiah*, 261.

[125] On the change from 2nd pers. sing. to 3rd pers. sing. in both texts, see Wanke, *Untersuchungen*, 68-9.

up as discarded trash, totally ignored.[126] This prophecy forms a stark contrast to the promise made to king Josiah by Huldah the prophetess, that he will be buried 'in peace' (2 Kgs 22:20). Huldah's assurance is also a prophecy, not a prediction of the future, as is clear from the report of Josiah's violent death (2 Kgs 23:28-30). Huldah's prophecy portrays Josiah as an example and a pledge of Judah's future. For Jehoiakim and his descendants, however, there will be no future,[127] and moreover, as king he will drag everybody down with him in this catastrophe – as expressed in the enumeration in Jer. 36:31, which describes widening circles until it has become clear that all of Judah will be struck by the 'disaster', the arrival of the king of Babylon.[128] This disaster will fall upon the people as a judgement, because they 'would not listen' (Jer. 36:31).[129] This last phrase echoes the thought behind the initial command to Jeremiah: 'Perhaps they will hear, the house of Judah ...' (Jer. 36:3).

After the indication of the content of the scroll that has been read out, the tension in the story has, as it were, been resolved. At the same time, the reasons for the conflict between king and prophet have been clarified: this is what the commotion was about. Many exegetes think that for a correct understanding and interpretation of Jehoiakim's behaviour in the preceding

[126]Cf. Jer. 22:19, where Jehoiakim is predicted a קְבוּרַת חֲמוֹר, an 'asses' burial'. In Jer. 22:19, too, the verb שלך is used in this context, as in 36:30, where it acquires an ironic undertone because of the reference to 36:23: just as Jehoiakim threw the columns of the scroll into the fire, his corpse will be thrown out. The bitter tone is completed by the remark that his body will be consumed by heat and cold (cf. Gen. 31:40; Carroll, *Jeremiah*, 661).

[127]Strictly speaking, this statement is contrary to other information in the book of Jeremiah, since Jehoiakim's son Jehoiakin succeeds him as king. The use of כִּסֵּא ('throne', 'seat'), however, as a motif in Jeremiah shows that these kinds of prophetic statements are not subject to the logic of (historical) chronology (cf. Jer. 13:13; 17:25; 22:2, 4, 30; 29:16-19; 33:17, 21; see also Lohfink, 'Die Gattung', 62-3, n. 21).

[128]Cf. Holladay, *Jeremiah*, 261, who points out that the phrase 'inhabitants of Jerusalem and men of Judah' elsewhere in Jeremiah always occurs in reverse order (4:3, 4; 11:2, 9; 17:25; 18:11; 32:32; 35:13). He is right, except for the fact that Jer. 4:3 has only 'Jerusalem' instead of 'inhabitants of Jerusalem'.

[129]This is all we are told about the people's reaction to the reading of the scroll. The reaction itself is not described in Jer. 36:9-13, which suits the composition of the chapter: everything is focused on the moment when the scroll is read to king Jehoiakim.

text it is necessary to cast ahead, so to speak, to Jer. 36:29.[130] Of course, once one has read the complete story it is impossible not to include this verse in the interpretation of the first parts of this chapter. A responsible reading, however, will proceed from start to finish; in other words, the interpretation of a passage will take into account what went before, and from that basis attempt to deal with the sequel as if the ending were still hidden. The fact that, although the content of the scroll was the driving force in the plot of the story, it was nowhere explicitly mentioned, of course served a function: in this way, the attention was exclusively focused on the scroll itself as the representative and bearer of the prophetic authority of Jeremiah. In the last pericope of the chapter this slant is consolidated rather than negated by the dissolving of the tension, noted above.

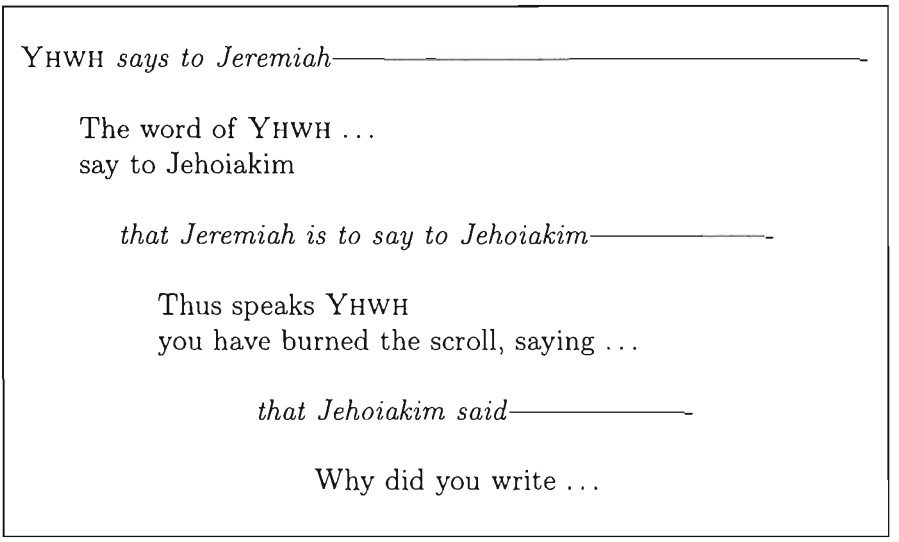
This effect is in the first place due to the fact that the content of the scroll is merely indicated rather than described at length. Anybody who is curious to know what the words are that Jeremiah dictated and that have been read as many as three times, will certainly not be satisfied: only one sentence is spent on them (Jer. 36:29). Secondly, the indirect character of the preceding pericope (Jer. 36:9-26) is maintained; even though the structure is simple and clear, the question nevertheless arises: who is speaking to whom here? It is this obliqueness that causes the confusion noted earlier, and requires a retrospective.

3.5 The Prophet's Presence in his Prophecy

Jehoiakim calls Jeremiah to account about what he has written about the king of Babylon, but Jehoiakim's actual words we do not immediately hear from his own mouth. It is Jeremiah who *makes* Jehoiakim pronounce this accusation-in-the-form-of-a-question in the prophecy he addresses to the king. Next, a similar observation can be made as regards this prophecy: it is imposed on Jeremiah by YHWH, and thus does not come straight

[130] See the critical question posed by Lohfink, 'Die Gattung', 84, as regards 'die erzählerische Organisation des Stoffes' in Jer. 36: 'Der Inhalt des Buches wird innerhalb des Grundbestands von Jer 36 erst ganz am Ende nebenbei und indirekt erwähnt (36:29). Man kann sagen, er werde vorausgesetzt, die angezielten Leser hätten ihn gekannt. Aber hätte man nicht doch etwas früher in der Erzählung einen Hinweis darauf erwartet, wenn er ja auch am Ende beiläufig gegeben wird?'

from the mouth of the prophet himself. This results in a double layering: YHWH instructs Jeremiah to tell Jehoiakim that what he (the king) did and said with respect to Jeremiah's scroll has been the reason for YHWH's reported prophecy of doom in relation to Jehoiakim. Conversely, this also means that the words Jehoiakim speaks, although in first instance addressed to Jeremiah, also prove to be addressed to YHWH[131] because of the way in which they have been put into the king's mouth. Arranged in a diagram, this looks as follows:



The curious aspect of this construction is that Jeremiah and Jehoiakim are talking to each other, but not directly. The only character who is actually speaking in the story is YHWH. Prophet and king only communicate within the framework of the prophecy that is uttered and written down. Neither here nor elsewhere in Jeremiah do we read that the prophecy is actually pronounced in a real confrontation between king and prophet.[132] What is more: the story about the sermon in the temple (Jer. 26) rather supports the notion that there is distance between the two. In that chapter we are told about a performance of Jeremiah in the temple that almost costs him his life; officials and elders manage to restrain the priests and prophets from killing Jeremiah. Just

[131] With this interpretation it is not necessary to assume, as Holladay does (*Jeremiah*, 261), that the narrator intentionally leaves the subject of כָּתַבְתָּ in Jer. 36:29 ambiguous, leaving the reader to guess whether this is YHWH, Jeremiah, or Baruch.

[132] Cf. Volz, *Jeremia*, 329.

as in Jer. 36, this confrontation takes place during the reign of Jehoiakim (26:1). The king has had nothing to do with the consequences of Jeremiah's preaching in the temple, but the fate of Uriah, a prophet speaking in the spirit of Jeremiah (Jer. 26:20-23), bodes no good. Jehoiakim has him pursued into Egypt and brought in, and then gives orders to assassinate him. Thus, both in Jer. 26 and in Jer. 36 we see a confrontation between Jeremiah and king Jehoiakim, triggered by Jeremiah's prophecy, with the actual political consequences determined by the officials who are between king and prophet. The two chapters are each other's counterparts. Consequently, after the story about the sermon in the temple and the fate of Jeremiah's kindred spirit Uriah, the readers of Jer. 36 eventually expect a direct confrontation between king and prophet.[133] This confrontation, however, does not materialise: Jeremiah and Jehoiakim never meet face to face.

It is the distance between these two that creates the space inside the story for the scroll to take centre stage. This was the situation in the preceding pericope (Jer. 36:9-26), and it is again the situation here. The inclusion of the prophecy about Jehoiakim (Jer. 36:29-31) formed by the command to write another scroll (Jer. 36:28) and the execution of this command (Jer. 36:32), thus becomes a significant stylistic device. In this way, Jer. 36 concludes with the production of a book. Again Baruch writes down the authoritative words of the prophet Jeremiah. The result is 'another scroll' (Jer. 36:28, 32), but a scroll containing 'all the *first* words' of the '*first* scroll' (רִאשׁוֹן; Jer. 36:28).[134] Even though king Jehoiakim has unilaterally broken off all communication by destroying the scroll, this does not mean he will escape the words of YHWH that Jeremiah pronounced with his authority as a prophet. A new scroll will again represent these words. The repeated manufacture of a scroll underlines what has been said above about the relation between the prophet himself and his recorded words: Jeremiah is present in the words that are read.

[133]Cf. M. Kessler, 'The Judgment-Promise Dialectic in Jeremiah 26-36', *ACEBT* 16 (1997), 71: 'Since the scenario in chap. 26 left matters hanging in the balance, the response of king Jehoiakim in chap. 36 could presumably have turned the tide in favor of Jeremiah and the word of God.'

[134]In Jer-𝔊 43:28 this adjunct is missing, both with 'words' and with 'scroll': καὶ γράψον πάντας τοὺς λόγους τοὺς ὄντας ἐπὶ τοῦ χαρτίου. Contra McKane, *Jeremiah*, vol. 2, 909, who remarks about this point: '... there is not much at stake exegetically.'

This relationship between king, prophet and book becomes even more telling when we take this aspect as the starting-point for another comparison between this story and that of 2 Kgs 22. After the discovered book has been read to him, king Josiah sends envoys to ask the prophetess Huldah for an explanation. Her prophecy does not bode much good for Judah but is favourable with respect to Josiah, because he is willing to listen to the words from the book. In reaction to Huldah's prophecy, Josiah reads out the book in the temple. In Jer. 36, the book has already been read in the temple, but king Jehoiakim nevertheless does not want to know about it. He does not ask Jeremiah for an explanation, but first destroys the book and then wants to call the prophet to account. Greater contrast cannot be imagined; Josiah and Jehoiakim are each other's complete opposites.[135]

Where there is a difference, however, there must also be similarities: in other words, it is important to pinpoint the common aspect which shapes the contrast. Here, what links Josiah and Jehoiakim is the fact that in both cases contact with the prophet is not established directly. Communications between king and prophet are circuitous, and they are mediated by a book.[136]

[135] Cf. Wahl, 'Die Entstehung', 375, who sees Jer. 36 as a 'negativer Abdruck' of 2 Kgs 22–23.

[136] Cf. M. Kessler, 'The Significance of Jer 36', *ZAW* 81 (1969), 382-3. T.C. Römer, 'Y a t-il une rédaction deutéronomiste dans le livre de Jérémie?', in: A. de Pury *et al.* (eds), *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* (MoBi, 34), Genève 1996, 440, states that comparing 2 Kgs 22-23 with Jer. 36 reveals other opposites besides the reactions of the kings: 'On peut cependant également lire 2R 22 et Jer 36 comme des réflexions sur la relation entre la parole prophétique et le livre. (...) Les prophètes sont en retrait par rapport au livre, ce qui veut dire que les deux récits insistent sur la priorité du livre par rapport à la parole prophétique (...).'

Chapter 4

Scripture Opened – Nehemiah 8

> *It has been taught: R. Jose said: Had Moses not preceded him, Ezra would have been worthy of receiving the Torah for Israel. Of Moses it is written: 'And Moses went up unto God', and of Ezra it is written: 'He, Ezra, went up from Babylon.' As the going up of the former refers to the [receiving of the] Law, so does the going up of the latter. Concerning Moses, it is stated: 'And the Lord commanded me at that time to teach you statutes and judgements'; and concerning Ezra, it is stated: 'For Ezra had prepared his heart to expound the law of the Lord [his God] to do it and to teach Israel statutes and judgements.' And even though the Torah was not given through him, its writing was changed through him, ...*
>
> Babylonian Talmud, Sanhedrin 21b

One of the murals in the synagogue of Dura-Europos, next to the so-called Torah niche, shows a man in Greek dress, an open scroll in his hands. Over the scroll he is looking the viewer straight in the eye. Two similar pictures, above the niche, show Moses being revealed the Torah: in one, he is standing next to the burning bush (Exod. 3:1-6), in the other he seems to be receiving the tablets of stone (Exod. 31:18; Deut. 9:9). Is the man holding the scroll also Moses? It is possible, but because he reads from a scroll instead of the tablets of stone, he might also be Ezra, of whom we are told that he read to Israel from the 'book of the *torah*' (Neh. 7:72b–8:18 [tr. 8:1-19]).[1] The fact that this one figure may be either Moses or Ezra is not the result of a coincidental likeness, but illustrates the close relationship that traditionally exists between them. The painting in Dura-Europos may even be called representative for the image of Ezra in the rabbinical tradition:[2] in rabbinical literature Ezra is seen, on the basis of

[1] See E.R. Goodenough, M. Avi-Yonah, *EJ*, vol. 6, 294: 'The reader seems to be Moses giving the Law to the Israelites after his descent from Sinai, [...] Other identifications, however, have been suggested [...] and no positive judgment can be made.' A picture of this mural can be found in *EJ*, vol. 6, 286.

[2] This cannot be said of the synagogue as a whole. The upper synagogue, which contains the painting of Moses/Ezra, was according to an Aramaic inscription built in 244/245 CE (*EJ*, vol. 6, 276), and the paintings date from

Ezra 7–10 and Neh. 8, as the reformer who after the Babylonian exile restored the authority of the Torah in Jerusalem. If Moses had not been there first, it would certainly have been Ezra who received the Torah from the hands of the God of Israel.[3] In other words, Ezra is the second Moses.

The basis for this representation of Ezra is found in the book of Ezra-Nehemiah. After Josiah and Jeremiah, Ezra is the third character to appear in the Hebrew Bible who because of his actions, and especially the part played by a book in these actions, reminds us of Moses. In Ezra's case this is even stated explicitly, because the story in Neh. 8 about the reading from the *torah* leaves us in no doubt as to the identity of the scroll in question; already in the introduction we read that Ezra is requested to bring 'the book of the *torah* of Moses' (סֵפֶר תּוֹרַת מֹשֶׁה; Neh. 8:1):

> ... they assembled, the entire people as one man
> in the square before the Water Gate
> and they told Ezra, the scribe
> to bring the book of the torah of Moses,
> with which YHWH had charged Israel.

In Chapter 2 of this monograph we have seen that via the expression 'the book of the *torah* of Moses' an arc is drawn between the beginning of Joshua and the end of Kings, between Joshua and Josiah, and that this links the book that Moses puts next to the ark at the end of Deuteronomy with the book that turns up in the temple and is read to king Josiah.[4] Now that we again run into Moses and his 'book', the question arises whether there is a connection between the figures of Moses, Josiah, Jeremiah and Ezra? For, after the Former Prophets (Josiah) and the Latter Prophets (Jeremiah), we now, in the last part of the Hebrew canon, the Writings, again come across a story in which – as we shall see – a book is the protagonist and points back to the end of the Torah, where Moses writes down the 'words of the *torah*'. One could of course assume this to be an accidental correspondence

249-250 (H.O. Thompson, *AncBD*, s.v. Dura Europos) – i.e., the early period of the rabbinical tradition – but the rich decorations and such details as the Greek robe of Moses/Ezra do not conform to the spirit of the Talmud, and raise the question whether rabbinical Judaism was already the normative practice at this period (*ibidem*).

[3]This is stated in so many words in, among other writings, b. Sanh. 21b.

[4]See p. 71, especially note 92.

in vocabulary, but the exegesis offered in the previous chapters of this study has already demonstrated that more is at stake here. These are stories that, each in a different way, have the 'book of the *torah*', or words from the *torah*, respectively, as their central character. Moreover, the mutual allusions between these stories – both explicit and implicit – have proved numerous and convincing. I will briefly sketch the pattern we have discovered so far.

At the end of Deuteronomy, Moses hands over the words of YHWH to the people as a hidden treasure to take on the road: the tablets of stone he received from God's hands are put inside the ark. All the words of the *torah* Moses has spoken – words *about* the words of YHWH – are recorded in the book he places *beside* the ark. Then the question arises: will the kings of Israel put these words, handed over by Moses' representative Joshua, into practice? King Josiah, as the 'ideal' king, shows what should happen and what role the 'book of the *torah*' should play in the lives of the people. In the actual practice of the history of Israel, however – as related by the authors who present history through these stories –, things turn out differently: the kings fail. King Jehoiakim is presented as the antitype of Josiah: when the prophet Jeremiah in his own way relates the words of the *torah* to the actual situation, he is forcefully silenced. The violent reactions triggered by Jeremiah's words do not come as a surprise for those who are able to view the whole pattern. At the beginning of this study we already saw how Moses, too, had to contend with the total denial of the words he spoke in the name of YHWH. That reaction clarifies why the words of YHWH are hidden once they are written out again. The publicising of Jeremiah's prophecy seems a reflection of what happened to the tablets of stone in Deuteronomy: after the destruction of the first copy, the second version is not exposed to the same dangers again.

This seems to close the circle: first, we are introduced to the 'book of the *torah*', and made immediately aware of the problems inherent in association with the words from this book; next, the people's own conduct is critically analysed, to see whether or not they will allow themselves to be guided by the words of the *torah*; and finally, we are given a picture of how things work in practice: words are defenceless against violence. Yet, this is not the end of the story. In a move fairly unexpected for the reader, at the end

of the canon of the Hebrew Bible[5] we meet a 'scribe' (סֹפֵר) who is 'expert' in the *torah* of Moses (סֹפֵר מָהִיר בְּתוֹרַת מֹשֶׁה), and who with the *torah* (דָּת) in his hand journeys from Babylon to Jerusalem: Ezra (Ezra 7:1-14).[6] In this chapter I will discuss Neh. 8, the story about Ezra reading the *torah* to Israel. The leading question here will be whether this story, in view of the role played in it by the book, is in any way linked with those from Deuteronomy, Kings and Jeremiah discussed in the preceding chapters of this study – in other words, does Ezra join the ranks of Moses, Josiah and Jeremiah, and if so, how does he fit in?

4.1 Ezra the Scribe

Before we can embark on our discussion of Neh. 8, there are a number of preliminary matters to be attended to. First, we must look at the whole of Ezra 1–10, which consists of two parts: Ezra 1–6, in which Ezra himself does not figure, and Ezra 7–10, the Ezra story proper, in which he plays the main part.[7] For the purposes of this study it is important next to pay attention to Ezra 7, the chapter in which Ezra is introduced and characterised by means of the titles mentioned above.

Prior to the 'Ezra-narrative' we are told in Ezra 1–6 how the exiles return from Babylon to Jerusalem, in order to rebuild the temple for YHWH. They do this, according to Ezra 1:1-5, at the command of the Persian king Cyrus, whose spirit was 'roused' to

[5]On the place of Ezra-Nehemiah within the canon of the Hebrew Bible, see the second paragraph of this chapter.

[6]For the meaning of סֹפֵר מָהִיר and דָּת, see the next paragraph, especially notes 18 and 23.

[7]The division of Ezra-Nehemiah is already obvious upon first reading. Roughly speaking, three parts may be distinguished:

Ezra 1–6

Ezra 7–10

Neh. 1–13, subdivided into 1–7 and 8–13

See for instance S. Japhet, 'Composition and Chronology in the Book of Ezra-Nehemiah', in: T.C. Eskenazi, K.H. Richards (eds), *Second Temple Studies (2): Temple Community in the Persian Period* (JSOT.S, 175), Sheffield 1994, 188. Some exegetes hold that the third part ends at Neh. 6, and that there is no clear pattern any longer in Neh. 7–13; see H.G.M. Williamson, *Ezra and Nehemiah* (OTGu), Sheffield 1987, 14.

How this division should be interpreted, however, is a different story. Views on the composition of Ezra-Nehemiah differ widely; more about this in the next paragraph.

this by YHWH (הֵעִיר; Ezra 1:1). Thus, from the beginning the return from exile has been focused on the restoration of the temple cult. This is also reflected in the list of names of returned families in Ezra 2, in which the temple officials are mentioned separately: priests, Levites, singers, gatekeepers and temple servants (Ezra 2:43-70). This 'entire community' (כָּל־הַקָּהָל; Ezra 2:64) builds the altar and offers sacrifices, 'as is written in the *torah* of Moses, the man of God' (כַּכָּתוּב בְּתוֹרַת מֹשֶׁה אִישׁ־הָאֱלֹהִים; Ezra 3:2); they also celebrate Sukkoth, the Feast of Booths, and start to build the temple (Ezra 3:6-13). This latter activity, however, does not proceed smoothly, as the local population – when, with reference to Cyrus' decree, they are banned from joining in the building activities – file a complaint against Jerusalem, on the grounds of attempting to establish autonomy (Ezra 4). By order of the Persian king the building of the temple is stopped (Ezra 4:6-23). Next, in Ezra 5 we are told how building is resumed at the instigation of the prophets Haggai and Zechariah. Again the Judaeans are called to account and again they defend themselves by appealing to the command of Cyrus. The new king, Darius, gives orders to search the archives for such a decree, and lo and behold – a scroll is found containing Cyrus' order! The resumption of this decree[8] (Ezra 6:1-5) introduces the conclusion of this section: the temple is now rebuilt and dedicated 'according to the prescription in the book of Moses' (כִּכְתָב סֵפֶר מֹשֶׁה; Ezra 6:18), after which Passover is celebrated on the first day of the first month (Ezra 6:19-22).

In Ezra 6:14 we read (assuming this verse to be a summary of the preceding events) that the reconstruction of the temple was completed 'according to the command of the God of Israel and by the order of Cyrus, Darius and Artaxerxes, king of Persia'.[9]

[8]On the relation between Ezra 1:2-4 and 6:3-5 see H.G.M. Williamson, *Ezra, Nehemiah* (WBC, 16), Waco 1985, 6ff., 80-1. As regards the phrasing of the so-called edict of Cyrus: cf. the text of the so-called Cyrus Cylinder (*ANET*, 315-6), in which Cyrus presents himself as worshipper of the Babylonian god Marduk, who in turn was said to have appointed Cyrus ruler of the world. Cyrus' policy was said to include the restoration of shrines, putting back the images, and allowing the inhabitants to return to their homes, as he did the gods.

[9]T.C. Eskenazi, *In an Age of Prose: A Literary Approach to Ezra-Nehemiah* (SBL, MS 36), Atlanta 1988, 40ff., accords to Ezra 6:14 a central, recapitulative significance.

Whether it is a summary or not, this phrase is characteristic of the prevailing tendency in Ezra-Nehemiah. In the first place, just as in the opening verse Ezra 1:1, the actions of the Persian king Cyrus are based on the authority of YHWH. In Ezra 6:14 this is reflected in the repeated use of טְעֵם/טַעַם to denote both the command of the God of Israel and of the king of Persia. Usually in Ezra-Nehemiah this word refers to decrees of the Persian kings. In combination with 'the God of Israel', however, it has a different vocalisation (hence the variation in the translation: 'command' and 'order', respectively).[10] It is the same phenomenon, seen from different perspectives. Secondly, there is the fact that the 'king of Persia' (מֶלֶךְ, singular!) here has three names: Cyrus, Darius and Artaxerxes, which is all the more strange because the last name anticipates a period which is still to come. This is a striking example of the idiosyncratic dating methods in Ezra-Nehemiah. However these are interpreted, on the grounds of this verse alone it is already clear that we do not have a strictly chronological order here. From the perspective of the rebuilding of the temple, the period in Persian history in which Ezra-Nehemiah is situated is compressed and heaped together under a single label.

When Ezra 7 next starts with: 'After these things, during the reign of Artaxerxes, king of Persia, Ezra went up ... ', it is obvious that 'these things' (הַדְּבָרִים) is not intended to be a strictly temporal adjunct.[11] After all, king Artaxerxes has been mentioned in the preceding passage, and what is even more important: the departure from Babylon is presented as if the story is starting all over again. The journey to Jerusalem is undertaken for a second time, now led by Ezra. In a clear parallel with Ezra 1 we again hear of a royal decree which legitimises the undertaking. Artaxerxes gives Ezra a copy of the decree (Ezra 7:12-26), in which he is ordered to go to Jerusalem with whoever among the people of Israel wish to go, in order to set up the temple

[10] טעם occurs 30 times in all, 21 of which in Ezra (the remaining nine occurrences are in Daniel). There are only two places where it does not refer to the authority of a king, but to that of the God of Israel (Ezra 6:14 en 7:23). Only in these two cases the מ vocalisation is טַעַם, whereas in all remaining places it is טְעֵם.

[11] See L.L. Grabbe, *Ezra-Nehemiah* (Old Testament Readings), London 1998, 26, who holds that in spite of the jump in time the story is continued: 'Ezra's mission is not separate from the rebuilding of the temple but is, rather, complementary to it.'

cult again and to appoint judges and magistrates. Again the cult in the temple is the centre of attention (Ezra 7:15-24); its high importance is reflected in the fact that Ezra is given free access to the 'royal treasury', in anticipation of the costs he will have to make for the temple (בֵּית גִּנְזֵי מַלְכָּא; Ezra 7:20).

Given these parallels with the preceding chapters (Ezra 1–6), the differences which occur in the sequel about the execution of the decree are all the more conspicuous. Very few words are devoted to the arrival in Jerusalem and the service in the temple (Ezra 8:31-36), not to mention the appointments of magistrates and judges, about which nothing further is said. The attention is concentrated in the first place on the journey to Jerusalem, during which Ezra takes care that the Levites are included (Ezra 8:15-20), considers protection by a royal army contrary to faith in God (Ezra 8:21-24), and entrusts the gold, silver and precious vessels to the care of the priests (Ezra 8:25-30). After this, the remainder of the Ezra narrative deals exclusively with the matter of mixed marriages (Ezra 9–10). When Ezra is informed of the fact that Israel has not kept itself separate from the 'peoples of the land' (עַמֵּי הָאֲרָצוֹת; Ezra 9:1), he considers this a reason to mourn, pray, and to take steps to have these marriages dissolved.

Let us return to the character of Ezra, especially to the way in which he is introduced in Ezra 7. In an excessively long genealogical note, his descent is traced back to the high priest Aaron (Ezra 7:1-6). Consequently, the first thing we are told about Ezra is that he is a priest, and moreover, one of Levite descent, i.e., from the line of Aaron and Moses (cf. 1 Chron. 6:1-15). The length of the genealogy results in an anacoluthon in the Hebrew text, which is 'rescued' in the short phrase: '... that Ezra went up from Babylon' (Ezra 7:6).[12] Immediately after this we are presented with the second qualification: Ezra is a 'scribe expert in the *torah* of Moses' (סֹפֵר מָהִיר בְּתוֹרַת מֹשֶׁה; Ezra 7:6). It is unusual that Ezra holds these two functions simultaneously; he is the only figure in the Hebrew Bible who is called both 'priest' and 'scribe' (see also Ezra 7:11, 12).[13] These titles are completely in accordance

[12]See JMur § 146e on the proleptic function of a pronoun used independently, with a noun in apposition. With one exception, this noun is always a proper noun; it is used as such also in Ezra 7:6. See also H.W.M. van Grol, 'Ezra 7:1-10: Een literair-stilistische analyse', *Bijdr.* 51 (1990), 24.

[13]Cf. Eskenazi, *In an Age of Prose*, 73: 'The emphasis on Ezra's scribal

with the character of his mission: he returns to Jerusalem in order to restore the temple cult, for which the starting-point is to be 'the *torah* of Moses'. Thus, the introduction of Ezra has been calculated deliberately to give the readers the impression that his assignment fits him perfectly.[14] Whether – on the level of the story – this is actually so has yet to become clear. This happens mainly in Neh. 8, as we shall see later.

Yet Ezra is not just called 'scribe', but סֹפֵר מָהִיר, a scribe who is 'quick', 'skilful', 'expert' (Ezra 7:6). This qualification probably does not apply to his actual writing skills, but rather refers to his general experience and talent.[15] From the rest of Ezra 7 it becomes more obvious what is meant by this:

- Ezra has 'set his heart on studying the *torah* of YHWH,[16] so as to observe its commands' (7:10)
- he is called: '... the priest, the scribe; the scribe[17] of the commandments of YHWH and his laws concerning Israel' (7:11)
- he is called: 'the priest, the scribe of the torah [דָּתָא][18] of the God of heaven' (7:12, 21)

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orientation might surprise those who would expect a priest with such superlative credentials to be primarily associated with the cult; it highlights, however, the emphasis on the book', and 75: 'Whatever priestly Torah may have meant for the prophets or preexilic writers, here it is a book and its priest is first and foremost a scribe. This is the first and only occasion in the Hebrew Bible where the two functions are explicitly combined or rather fused. One of Ezra's chief contributions in Ezra-Nehemiah may in fact be this fusion.'

[14]Cf. Grabbe, *Ezra-Nehemiah*, 27: 'In Ezra's case there does not seem to be a clear distinction made between his being a priest and his being a scribe. He is both – and he is particularly concerned with the teaching of YHWH the God of Israel in its broader sense. He is a scribe but not a normal scribe; he is more than a scribe.'

[15]See the only biblical parallel, Ps. 45:2: 'my tongue is like the pen of a סֹפֵר מָהִיר'; cf. Prov. 22:29. See also *HALAT*, 523.

[16]This is the only place in the Hebrew Bible where the combination of דרשׁ and תּוֹרָה occurs. Cf. R. Rendtorff, 'Esra und das "Gesetz" ', *ZAW* 96 (1984), 175.

[17]The striking fact that the noun סֹפֵר is used twice in close succession is often passed over in translations (see also Eskenazi, *In an Age of Prose*, 74). It is reminiscent of the 'clash' of the two forms of the root ספר in 2 Kgs 22:8 (see pp. 73-4).

[18]The Aramaic דָּת, 'law', in the context of Ezra 7 has the same connotations as the Hebrew תּוֹרָה (cf. Eskenazi, *In an Age of Prose*, 75; Grabbe, *Ezra-Nehemiah*, 144).

In view of the context, this last expression 'scribe of the *torah*' does not mean that Ezra is the author, but that he is 'expert' in the *torah*, i.e., in reading and applying it. The explanation in Ezra 7:11 by 'the commandments of YHWH and his laws' (מִצְוֹת־יְהוָה וְחֻקָּיו) only underlines this. From this point of view, translating סֹפֵר מָהִיר by *Schriftgelehrter* ('scholar' in a Pharisaic sense) would not be incorrect, were it not that in this context the word is an anachronism calling up the wrong associations.[19] All in all, although the meaning of the phrase סֹפֵר מָהִיר becomes somewhat clearer it is nevertheless impossible on the basis of the available information to get a clear picture of the function Ezra holds.[20] Partly because of the lack of parallels[21] it is impossible to describe Ezra's qualifications exactly; these will necessarily

[19]In the course of time scholars have become more and more cautious in their interpretations of סֹפֵר in Ezra 7. J. Meinhold, 'Esra der Schriftgelehrte?', in: K. Budde (ed.), *Vom Alten Testament* (Fs Karl Marti) (BZAW, 41), Giessen 1925, 197ff., holds that in Ezra 7 the 'Chronicler' is trying to represent Ezra as a 'scholar' in order to hide the original meaning: Ezra is the author of the memoirs which bear his name. According to S. Mowinckel, *Studien zu dem Buche Ezra-Nehemia*, Bd. 3: Die Ezrageschichte und das Gesetz Moses, Oslo 1965, 117ff., Ezra was a γραμματεὺς; in Ezra 7, in both the Hebrew and the Aramaic sections, Ezra is presented as a *doctor juris divini* instead of an *auctor legis divinae*. Although with this view he is distancing himself from the opinion of H.H. Schaeder, who sees Ezra as a precursor of the later *resh galuta*, Mowinckel, too, explains the terminology in Ezra 7 in the light of the later Jewish tradition. See also K. Koch, 'Ezra and the Origins of Judaism', *JSSt* 19 (1974), 183, who rejects the views of both Schaeder and Mowinckel, and states that we will never get beyond the conjecture that the 'Chronicler' saw Ezra 'as a scribe among the priests' (n. 5). For Schaeder's view, see note 22 below.

[20]See D. Kraemer, 'On the Relationship of the Books of Ezra and Nehemiah', *JSOT* 59 (1993), 81, n. 16: 'We are left with the impression that the descriptions are somehow formulaic; they have no immediate association to reality.' See also L.L. Grabbe, 'Israel's Historical Reality after the Exile', in: B. Becking, M.C.A. Korpel (eds), *The Crisis of Israelite Religion: Transformation of Religious Tradition in Exilic and Post-Exilic Times* (OTS, 42), Leiden 1999, 21; L.L. Grabbe, 'The History of Israel: The Persian and Hellenistic Period', in: A.D.H. Mayes (ed.), *Text in Context: Essays by Members of the Society for Old Testament Study*, Oxford 2000, 407.

[21]There is one known extra-biblical parallel: in the Ahikar text we hear of a ספר חכים מהיר; see *ANET*, 427ff.; J.C. Vanderkam, *AncBD*, s.v. Ahikar; J. Blenkinsopp, 'The Sage, the Scribe and Scribalism in the Chronicler's Work', in: J.G. Gammie, L.G. Perdue (eds), *The Sage in Israel and the Ancient Near East*, Winona Lake 1990, 309, about the semi-legendary Ahikar and scribes in Babylon.

remain somewhat vague. In exegetical literature, this vagueness has long been the basis for various theories about Ezra's position at the Persian court[22] and the contents of the *torah* (תּוֹרָה) and the 'law' (דָּת), respectively, of which he was the 'writer'/'author' and which he carried 'in his hand' to Jerusalem (Ezra 7:14, 25).[23]

[22]Very influential in this respect was the study by H.H. Schaeder, *Esra der Schreiber* (BHTh, 5), Tübingen 1930. According to Schaeder, the etymology of סֹפֵר should be traced back to Akkadian *sapāru*, which originally meant 'einen (Boten) senden', and later came to be used for 'schreiben, korrespondieren'. Schaeder considers the decree of Artaxerxes in Ezra 7:12-26 a reliable source, which explains how Ezra came by the title of סֹפֵר. For in Aramaic, the language of the decree, סָפְרָא denotes the function of minister of state, and כָּהֲנָא is used for the leader of the autonomous Jewish religious community. Consequently, the phrase כָּהֲנָא סָפְרָא דִּתָּא in Ezra 7:12 must refer to the title of Ezra's function: דִּתָּא should not be interpreted as an objective genitive, but as qualifying an administrative sphere. 'Auf den Titel Esras sinngemäß angewandt bedeutet dies, das er als hoher Beamter bezeichnet wird, dessen Ressort das "Gesetz des Himmelgottes", die Tora Jahves ist.' (*Esra*, 46) This leads him to the following definition of סָפְרָא in Ezra 7:12: 'Sekretär (oder: Minister) vom Gesetz des Himmelgottes. Und dieser Titel kann nichts anderes bedeuten als einen Beamten, dessen Ressort innerhalb der persischen Verwaltung die Belange des jüdischen Gottes, bzw. Seiner Gemeinde sind.' (Esra, 48-9)

However, even before the 'Chronicler', who was responsible for the text of Ezra 7:1-11, Ezra had ceased to be the Persian official but had come to be seen as the reformer of the Jewish community, according to Schaeder. Thus, the meaning of the Hebrew סֹפֵר in Ezra 7:6, 11 had shifted, so that the 'Chronicler' had created confusion. 'So wurde aus Esra dem Schreiber, der das Gesetz Moses brachte, der Kenner dieses Gesetzes, der Schriftgelehrter.' (*Esra*, 50) To sum up: Schaeder explains the vagueness in the Hebrew and Aramaic texts of Ezra 7 by etymological suppositions, which in a historical reconstruction are connected into a meaningful whole. According to Schaeder, in Ezra we observe the transition to the new period of traditional Judaism, that of the *soferim*, of whom Ezra was the first: '... aus "Schreiber" wurde "Schriftgelehrter", weil Esra in der Tradition der jüdischen Gemeinde aus einem Schreiber ein Schriftgelehrter wurde.' (*Esra*, 42)

Schaeder's theory about Ezra has become widely accepted, even though his arguments have been frequently criticised and there are no parallels supporting the notion that a function such as 'minister of state for Jewish-religious matters' actually existed. See L. L. Grabbe, 'What Was Ezra's Mission?', in: T.C. Eskenazi, K.H. Richards (eds), *Second Temple Studies (2): Temple Community in the Persian Period* (JSOT.S, 175), Sheffield 1994, 293-4; T. Veijola, *Moses Erben: Studien zum Dekalog, zum Deuteronomismus und zum Schriftgelehrtentum* (BWANT, 149), Stuttgart 2000, 224-36, esp. 225.

[23]In the preceding, תּוֹרָה and דָּת have been considered synonymous. Rendtorff, 'Esra und das "Gesetz" ', 167ff., is of a different opinion. He holds that – leaving aside the titles in Ezra 7:12, 21 – דָּת is always a legal term,

They usually take as their point of departure, and are based on, the assumption that the decree of Artaxerxes (Ezra 7:12-26) is authentic and thus historically reliable.[24] This takes us on to a completely different track, i.e., the search for an Archimedes' point in order to be able to explain historically the origin of the Torah or the Pentateuch. Further on in this chapter I will return to the questions related to this approach.

As stated earlier, my starting-point is the question whether Ezra continues the line Moses-Josiah-Jeremiah. The image offered in Ezra 7 shows various elements that, in view of the interpretations offered in the preceding chapters of this study, look familiar: the attention paid to both the temple and a book, and in connection with this the appearance of a 'priest' and a 'scribe' and the repeated mention of 'the *torah* of Moses'. However, the familiarity of these elements does not in itself turn them into significant allusions. Whether we are at all justified in calling Ezra 'the second Moses' has yet to be proved. Prior to the discussion of Neh. 8, however, we must take a short look at the whole composition Ezra-Nehemiah. A global indication of the division may be easily given, but upon closer inspection the structure of Ezra-Nehemiah

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without religious connotations. Although nothing meaningful can be said about the contents of the 'law', he nevertheless thinks that the terminology used here leads to a confirmation and critical specification of Schaeder's view of Ezra: 'Esra wird in dem königlichen Erlaß mit seinem offiziellen Titel als סֵפֶר bezeichnet, dessen amtliche Funktion sich auf den Bereich des "Gesetzes" bezieht, das gegenüber Esra selbst als "Gesetz(e) deines Gottes" (Esra 7:14,25,26), im amtlichen Titel mit der in der persischen Diaspora geläufigen jüdischen Gottesbezeichnung als "Gesetz des Himmelgottes" bezeichnet wird.' Thus, Artaxerxes' decree, whether authentic or not, would show that Ezra's mission was of a legal nature. Cf. Williamson, *Ezra and Nehemiah*, 92, who disagrees with Rendtorff's analysis and justly holds that the context does not provide any grounds for a distinction between תּוֹרָה and דָּת. Civil and religious law seem to complement each other in Ezra 7:25, according to Williamson. See also R. Rendtorff, 'Noch einmal: Esra und das "Gesetz" ', *ZAW* 111 (1999), 89-91.

[24]For an argument advocating the authenticity of (parts of) Ezra 7:12ff. see K. Koch, 'Der Artaxerxes-Erlaß im Esrabuch', in: M. Weippert (ed.), *Meilenstein* (Fs H. Donner) (ÄAT, 30), Wiesbaden 1995, 87ff. See also E. Zenger, 'Der Pentateuch als Tora und als Kanon', in: E. Zenger (ed.), *Die Tora als Kanon für Juden und Christen*, Freiburg 1996, 10ff., for the various views on the so-called 'Reichsautorisation' theory, according to which '... die Entstehung der Endkomposition des Pentateuchs und dessen Torahcharakter im Zusammenhang einer offiziellen Autorisierung jüdischen Rechts durch die persische Zentralregierung gesehen werden kann bzw. sogar muß.'

turns out to be so complex that a general idea of the structure of the whole is required for a correct understanding of Neh. 8.

4.2 Ezra-Nehemiah: A Name that Speaks Volumes

There is something curious about Ezra-Nehemiah. In the last paragraph, we saw how in Ezra 7 the story seems to start all over again, when we are told for the second time about 'going up' (עלה) from Babylon to Jerusalem (Ezra 7:6, 7, 28; 8:1; cf. 1:3, 5, 11; 2:1). If after Ezra 10 we go on to read Nehemiah we totally lose track, as the text informs us for the third time that the journey from Babylon to Jerusalem is undertaken. This time the expedition is led by Nehemiah, who serves at the Persian court as the king's cupbearer (Neh. 1:11). When he hears that Jerusalem is in ruins, he asks the king to be sent out with a commission to rebuild the city. Armed with royal letters of attorney and protected by an army, Nehemiah travels to Jerusalem, where he immediately starts on the restoration of the city walls (Neh. 2–3). In spite of sabotage from the rulers of the surrounding regions, who accuse him of rebellion, Nehemiah continues the building activities, with one half of his servants working on the wall, guarded by the other half carrying arms (Neh. 4:9-17 [tr. 15-23]). After a chapter describing the social reforms that Nehemiah achieved as a 'governor' (פֶּחָה; Neh. 5:14), we read in Neh. 6:15 that the rebuilding of the wall was completed within fifty-two days. The narrative concludes with an account of a registration, and the names of the people who came up from Babylon (Neh. 7:4-72) – the same list as was given before the account of the first journey (Ezra 2). Thus, in Neh. 1–7 we find for the third time a story about the return from exile, with its own distinctive character.

Even though the gross structure is clear (Ezra 1–6; 7–10; Neh. 1–7), when we reach Neh. 7 the question arises whether there is a specific organising principle informing Ezra-Nehemiah. This is no simple thing to determine. The three 'story rounds' do contain common motifs, for instance the mission ordered by a Persian king, the written powers of attorney provided, and the resistance of the rulers around Jerusalem. This might indicate parallelism. At the same time, the dates given suggest a continuing line,[25]

[25]For a list of the successive dates in Ezra-Nehemiah see Grabbe, *Ezra-*

even though it proves not quite to 'fit': the relative datings vis-à-vis the Persian kings do not always fit the familiar historical order, as we have seen in the list of kings in Ezra 6:14. The attempts to discover or introduce some system in Ezra-Nehemiah often link up with this fact by trying to (re)construct a chronological order, since this is felt to be the most obvious organising principle.[26] The prime obstacle here is Ezra 7:7-8, where the date for Ezra's journey is given as 'the seventh year of king Artaxerxes'. In that period, however, there were three kings of that name.[27] The most obvious solution is to assume the first one is meant (Longimanus 465-425), in which case 'the seventh year' would be 458.[28] Other scholars think the reference is to the second Artaxerxes, (Mnemon 405-359), which results in the year 398.[29] However this may be, the text offers no decisive answer.[30] Still, this issue has dominated the scholarly debate since the end of the nineteenth century.[31] This is not only connected with the problem of dates in general but also with the historical approach to these biblical stories.[32] Until recently the explanation of the

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Nehemiah, 98-9.

[26]See F.M. Cross, 'A Reconstruction of the Judean Restoration', *JBL* 94 (1975), 4-18, esp. 17, where he offers a 'Chart of the high priests of the restoration and of their contemporaries'. Cross thinks that the names of two high priests, Eliashib and Jehoiada, have been omitted from the list in Neh. 12 (vv. 10; 22-23; cf. Ezra 10:6) because of haplography; adding these results in an order which 'fits' and yields the following dates: 458 BCE for Ezra (the 7th year of Artaxerxes I), 445 BCE for Nehemiah (the 20th year).

[27]See J.M. Myers, *Ezra-Nehemiah* (AncB, 14), New York 1965, XXXVI.

[28]See U. Kellermann, 'Erwägungen zum Problem der Esradatierung', *ZAW* 80 (1968), 62ff., 79ff.

[29]See K.-D. Schunck, *Nehemia* (BK, 23/21), Neukirchen-Vluyn 1998, 16-7. The third Artaxerxes, Ochus (359-339 BCE), is not a serious possibility. Some scholars, however, advocate a third variant by offering a conjecture in Ezra 7:8, stating that not the seventh, but the *thirty-seventh* year of Artaxerxes I is meant, i.e., the year 428 BCE. This takes us into all sorts of juggling with dates: exegesis is made subservient to a historical reconstruction, to which the phrasing of the text to be interpreted will if necessary be adapted. Williamson, *Ezra, Nehemiah*, XL-XLI, justly holds that this is not a methodologically sound approach.

[30]See Kellermann, 'Erwägungen', 78. Cf. Japhet, 'Composition', 207: '... in the matter of chronology it is clear that the book is not built on any chronological structure that can be verified in historical-political terms'.

[31]For references to surveys of the research on the dating problem see Williamson, *Ezra, Nehemiah*, XXXIX.

[32]See A.H.J. Gunneweg, 'Zur Interpretation der Bücher Esra-Nehemia:

structure of Ezra-Nehemiah consisted primarily of a discussion of the genesis of the book, concluding with the chronological arrangement of the dates. The history of this line of research shows similarities with that of the study of the so-called Deuteronomistic History, which has been discussed in Chapter 2 of this study. In view of these similarities, and because of its importance as regards the historiographic character of the biblical texts which are the subject of this monograph, I will first give a brief survey of the history of Ezra-Nehemiah studies.

As was the case with the Pentateuch, the study of Ezra-Nehemiah was long dominated by so-called source criticism, especially the theory that the book originated from individual documents.[33] Such an approach seemed necessary in order to distinguish between the different genres which occur in the book: in addition to the various lists of names (for instance Ezra 2 and its parallel Neh. 7) we for instance find letters written in a different language (Ezra 4:8–6:18 and Ezra 7:12-26, in Aramaic), and chapters that stand out because they have been written in the first person singular (Ezra 7:27[tr. 28]–9:15). The latter prompted a theory that for many appeared to be so self-evident that it did not need further proof, namely the assumption that Ezra 7–10 constitute 'The Memoirs of Ezra'. This not only fixes the genre, but also the author.[34] Ezra himself was supposed to have recorded what was important with regard to the return to Jerusalem.[35] In analogy to

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Zugleich ein Beitrag zur Methode der Exegese', *VT.S* 32 (1981), 146: 'Die historische Fragestellung also hat und hatte vielfach das Gewicht des die Erkenntnis leitenden Interesses... '

[33] In *EJ*, vol. 6, 1115, a list is given of the various sources supposedly used by the 'Chronicler' in Ezra-Nehemiah. See also Myers, *Ezra-Nehemiah*, XLIII-LII. According to S. Talmon, recent years have seen a reappraisal of the historical credibility of Ezra-Nehemiah going back to the sources. However ideologically biased the text of Ezra-Nehemiah may be, the extant documents do make a reconstruction of the history of this period possible, Talmon says ('Esra-Nehemia: Historiographie oder Theologie?', in: D.R. Daniels *et al.* [eds], *Ernten, was man sät* [Fs K. Koch], Neukirchen-Vluyn 1991, 329ff.)

[34] O. Eißfeldt, *Einleitung in das Alte Testament*, Tübingen [3]1963, 738, holds that the 'I' is Ezra himself, and that passages have been borrowed from his memoirs. Koch, 'Ezra', 176ff., thinks that a separate 'Ezra source' existed, and sees the shift from third to first person singular as a clue to the *Gattung*, that of 'biographical inscriptions'.

[35] According to Schaeder, *Esra*, 6ff., Ezra's ego-document, the so-called 'Esra-Denkschrift', did not consist of memoirs, but was written for a specific

this, the supposition is often made that Neh. 1:1-7:5, also written in the first person singular, are the 'Memoirs of Nehemiah'.[36]

The distinction between the various documents and genres almost automatically leads to the problem of the status of Ezra-Nehemiah. For instance, did Ezra on the basis of his own 'memoirs' take an active interest in the rest? Or did somebody incorporate the 'Ezra memoir' in a greater whole, together with other documents? Scholars from the tradition-critical and redaction-critical schools try to picture the genesis of Ezra-Nehemiah: how did it grow, who put it together or edited it? The fact that the conclusion of Chronicles (2 Chron. 36:22-23) is literally identical with the opening of Ezra (Ezra 1:1-3a) became the starting-point for the by now firmly established theory that these books represent the position of somebody who is offering his view of history, the so-called 'Chronicler'.[37] Thus, in the Hebrew Bible we would not only find a Deuteronomistic History written by the 'Deuteronomist' ('Dtr'), but there was also assumed to be a Chronistic History, 'ChrG', consisting of Chronicles and Ezra-Nehemiah, and written by the 'Chronicler', 'Chr'. The similarities in vocabulary, style and content between Chronicles and Ezra-Nehemiah were supposed to demonstrate this clearly. Moreover, in 1 Esdras a combination of parts from both books is found,[38] which

purpose. This was originally a report addressed to the Persian king and the Jews in Babylon, in which Ezra accounts for his actions. R. Fruin, 'Is Esra een historisch persoon?', *NThT* 18 (1929), 121ff., arrives at the conclusion that 'Ezra's memoirs' are apocryphal; he does not consider Ezra a historical figure, but sees him as comparable to for instance Daniel, Judith and Tobith.

[36]For a survey of views on 'The Nehemiah Memoir' and 'The Ezra Material', see Williamson, *Ezra and Nehemiah*, 15ff. See also A. Tångberg, *TRE*, Bd. 24, 243, where we read that 'die selbstbiographische Nehemiaquelle' is possibly the source of Nehemiah; cf. Schunck, *Nehemia*, 10-1. See also H.G.M. Williamson, 'The Belief System of the Book of Nehemiah', in: B. Becking, M.C.A. Korpel (eds), *The Crisis of Israelite Religion: Transformation of Religious Tradition in Exilic and Post-Exilic Times* (OTS, 42), Leiden 1999, esp. 278-82.

[37]This development started with L. Zunz, 'Dibre-Hayamim oder die Bücher der Chronik', in: Idem, *Die gottesdienstlichen Vorträge der Juden historisch entwickelt*, Berlin 1832, 13-36. The work of C.C. Torrey has been very influential; according to him, both the 'Ezra Memoir' and the 'Nehemiah memoir' were written by the 'Chronicler' (see W.F. Stinespring, 'Prolegomenon: C.C. Torrey's contribution to Ezra Studies', in: C.C. Torrey, *Ezra Studies* [LBS], New York 1970, XI-XXVIII).

[38]1 Esdras, the so-called 'Greek Ezra', is an apocryphal text; in the main codices of 𝔊 it is called Εσδρας Α'. For its history and textual criticism, see D.

has given rise to the theory that this text was an earlier or later version of the Chronistic History.

The Chronistic History ('ChrG') has often been said to be related to, or even based on, the Deuteronomistic History,[39] but a similar detailed theory as that about 'DtrG' has never materialised. This may be the reason why the authorship of the 'Chronicler' became so generally accepted – to the extent that people tended to forget that this was still only a hypothesis. During the last decades this has changed, because various scholars have pointed out that in spite of the similarities between Chronicles and Ezra-Nehemiah there are also a great number of differences.[40] On the one hand this has led, analogously to the development of the theories about 'DtrG', to a distinction between various redactional layers attributed to 'Chr_1', 'Chr_2' and 'Chr_3'.[41] In this way,

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Böhler, *Die heilige Stadt in Esdras α und Esra-Nehemia: Zwei Konzeptionen der Wiederherstellung Israels* (OBO, 158), Freiburg 1997, 1-77. According to Th. Denter, *Die Stellung der Bücher Esdras im Kanon des Alten Testaments: Eine kanongeschichtliche Untersuchung*, Marienstatt 1962, 18ff., 1 Esdras, as the most important of the Ezra books, came first in the canon that was used in the Greek Church, whereas the canonicity of Ezra cannot be determined with any certainty. In the Latin Church the situation changed under the influence of Jerome, who adopted the *veritas hebraica* and placed Εσδρας Α' as III Ezras in an appendix behind the New Testament. The book of Ezra became I Ezras, Nehemiah II Ezras. Thus, the nomenclature of the books Ezra has a rather confusing history. See *AncBD*, s.v. Esdras, for a survey of the history of these names; a diagram of the names used is given in Myers, *Ezra-Nehemiah*, XXXVIII; M. Sæbø, *TRE*, Bd. 10, 375.

[39]See M. Sæbø, *TRE*, Bd. 8, 87ff. As an example I mention G. von Rad, *Theologie des Alten Testaments*, Bd. 1, München [8]1982, 359ff., who states that the 'Chronicler' builds on the work of 'Dtr', but thinks the resulting history lacks cohesion and unity in both form and content. Thus, Von Rad considers these two completely disparate; the 'Chronicler' no longer has the Torah as a whole as his subject, but wants to legitimise the cult and to this end focuses on individual rules and rituals: the start of a dubious legalism, according to Von Rad. As regards Ezra-Nehemiah, the view of Mowinckel, *Studien*, 71, 97, is important. He assumes that the 'DtrG' was the model for 'EG' (die Ezrageschichte) and thinks it inappropriate to speak of the modern genre of 'memoirs': Ezra-Nehemiah is an 'erbauliche Geschichtserzählung', a compact version of 'DtrG'.

[40]R.L. Braun, 'Chronicles, Ezra, and Nehemiah: Theology and Literary History', in: J. Emerton (ed.), *Studies in the Historical Books of the Old Testament* (VT.S, 30), Leiden 1979, 52-64, points to important differences in the attitudes towards revenge, relations with foreigners, the Davidic monarchy, and the temple. For an extensive discussion see Eskenazi, *In an Age of Prose*, 14ff.

[41]See for instance Cross, 'A Reconstruction'.

differences may be explained while at the same time maintaining the supposed unity of the Chronistic History. On the other hand, we find the theory that Chronicles and Ezra-Nehemiah could not have been written by the same author, and should be viewed as individual books.[42] Although the discussion about the 'Chronicler' is still ongoing[43] it is no longer taken for granted that his supposed authorship guarantees the unity of Chronicles and Ezra-Nehemiah.[44]

Any discussion of Chronicles in relation to Ezra-Nehemiah immediately gives rise to the question of the order in which these books are supposed to figure in the canon. Although the conclusion of Chronicles is identical to the beginning of Ezra-Nehemiah, the *Biblica Hebraica Stuttgartensia* (BHS),[45] the standard edition of the Hebrew Bible, prints Ezra-Nehemiah before Chronicles[46] so that the chronological order is disrupted and the identical formulas in 2 Chron. 36:22-23 and Ezra 1:1-3a no longer follow each other, but rather become a kind of inclusion for the last two books of the Hebrew canon.[47] Incidentally, it is highly

[42]This theory goes back a long way: it was held by, among other scholars, W.M.L. de Wette (see Talmon, 'Esra-Nehemia', 332, on the 'Zwei-Autoren-These'). S. Japhet has revived it in her article 'The Supposed Common Authorship of Chronicles and Ezra-Nehemiah Investigated Anew', *VT* 18 (1968), 330-71. In it, she investigates the linguistic and stylistic similarities and differences between Chronicles and Ezra-Nehemia, and concludes that '...each book exhibits strong and distinct traits of its own, some of which reveal a true linguistic opposition and could not have been written by one author' (332-3). She thinks there probably was a large time gap between the appearance of the books.

[43]Gunneweg, 'Interpretation', 147ff., for instance opposes Japhet's theory; he thinks that the differences in language and content should be traced back to the 'bewußten Kompositionswillen des Chr'. See *TRE*, Bd. 8, 81-2.

[44]See T. C. Eskenazi, 'Current Perspectives on Ezra-Nehemiah and the Persian Period', *Currents in Research: Biblical Studies* 1 (1993), 74, 80; K.H. Richards, 'Reshaping Chronicles and Ezra-Nehemiah Interpretation', in: J.L. Mays *et al.* (eds), *Old Testament Interpretation: Past, Present and Future* (Fs G.M. Tucker), Edinburgh 1995, 211ff.

[45]Stuttgart, ^{2}1983.

[46]In modern translations Ezra-Nehemiah usually comes after the books of Kings, following Chronicles. This originated in the 𝔊 traditions, in which the chronological principle was a factor in the arrangement of the books. For the same reason, 1 Esdras is often placed between Chronicles and Ezra-Nehemiah in the 𝔊 codices. See A. Jobsen, *Ezra en Nehemia: Een praktische bijbelverklaring* (Tekst en Toelichting), Kampen 1997, 11-2; Williamson, *Ezra, Nehemiah*, XXII.

[47]Nevertheless, the original unity of Ezra-Nehemiah and Chronicles is still

remarkable that the BHS here deviates from the Codex Leningradensis, the manuscript on which the BHS edition is based.[48] In this codex, Chronicles is the first of the Writings, preceding the Psalms.[49] Ezra-Nehemiah is the last of the Writings and concludes the canon. I will return later to the consequences arising from these discrepancies. Here, I just note that on the level of the canon we encounter the same phenomenon as within Ezra-Nehemiah: the order in which the books are presented is not strictly chronological. One could of course try to make the order more 'logical' – which people have done from ancient times, witness the arrangement of 1 Esdras[50] – but in that case the texts will be different and consequently will have a different meaning.

This takes me back to Ezra-Nehemiah itself. In the discussion about its structure the following points play an important part:

- the question whether the letter of Artaxerxes (Ezra 7:12-26) is authentic and may constitute a reference point for a chronological ordering
- in connection with this, the question about the order of appear-

often assumed. The order of the books in the Hebrew canon would then be the result of the fact that Ezra-Nehemiah was included first, and Chronicles only later (see Eißfeldt, *Einleitung*, 720; *EJ*, vol. 6, 1111). According to R.J. Coggins, *The Books of Ezra and Nehemiah* (CNEB), Cambridge 1976, 1-2, the repetitive resumption of the verses indicates a reunion of both books in the canon. He does not say anything about the order here.

[48]D.N. Freedman *et al.* (eds), *The Leningrad Codex: A Facsimile Edition*, Grand Rapids 1998. In the BHS introduction the fact is stated, but not explained: 'In der Anordnung der biblischen Bücher weicht die BHS wie schon die BHK von der Handschrift L nur insofern ab, als 1/2 Ch an das Ende gestellt ist.'(III)

[49]See Eißfeldt, *Einleitung*, 599, 772; J.A. Sanders, *AncBD*, s.v. canon. In other mss., such as for instance the *Codex Aleppo* (925), this is also the case. In the Palestinian tradition Chronicles is the first of the Writings, in the Babylonian tradition it follows Ezra-Nehemiah and comes at the end of the canon (see b. B. Bat. 14b).

[50]The general composition of 1 Esdras is as follows: the book opens with the text of 2 Chron. 35–36, then comes Ezra (partly in a different order), and finally Neh. 7:72-8:13. Only 1 Esdras 3:1–5:6 has no parallel in the Hebrew Bible. According to Z. Talshir, *I Esdras: From Origin to Translation*, Atlanta 1999, esp. 5-6, this text block is the reason 1 Esdras was created. She views the book as 'a section deliberately cut out from Chr-Ezr-Neh, to form a framework for the Story of the Youths' (6). See also Grabbe, *Ezra-Nehemiah*, esp. 115, who sees 1 Esdras as an earlier stage in the redactionary development that culminated in Ezra-Nehemiah.

ance of Ezra and Nehemiah: who arrived in Jerusalem first?

- the question whether Neh. 8 is in the 'correct' place.

In fact, all three questions may be reduced to the same issue: that of the order of the component parts of the book in relation to the dates, about which some remarks have already been made earlier.[51] In summary, the following two alternatives may be distinguished.

Whoever assumes the authenticity of the letter mentioned in Ezra 7[52] becomes enmeshed in a discussion about correct dating, and thus about the order in which Ezra and Nehemiah make their appearances.[53] If an early date is surmised for Ezra (458 BCE), his arrival precedes Nehemiah's;[54] in that case, Nehemiah arrived thirteen years after Ezra (Neh. 2:1, 'the twentieth year of king Artaxerxes'). However, Ezra appears again in the eighth chapter of the book of Nehemiah, accompanied by Nehemiah. As it does not seem likely that thirteen years have passed without anything

[51]The following statement by J.M. Myers, *EJ*, vol. 6, 1114 is characteristic: 'It is not a question of the historicity of the component parts of Ezra-Nehemiah, but of their order. A clue to the purpose of Ezra-Nemehiah may be the fact that Ezra was made to precede Nehemiah, whereas many scholars have claimed that the reverse was probably the case.' Cf. Eskenazi, 'Current Perspectives', 80: 'At present the pendulum of scholarly consensus has swung back to the canonical order in which Ezra precedes Nehemiah, largely (though not exclusively) for lack of sufficient evidence to justify a reversal (...).'

[52]Recently for instance Williamson, *Ezra, Nehemiah*, 98-9; Koch, 'Ezra', 184.

[53]For a survey of the standpoints regarding 'the Ezra problem' in the 19th and the beginning of the 20th century, see Stinespring, 'Prolegomenon'; in addition to the radical view held by C.C. Torrey (Ezra is a fictional character, created by the 'Chronicler'), he distinguishes the 'traditional view': Ezra 458/Nehemiah 445 BCE, and the view of the 'critical orthodoxy': Nehemiah 445/Ezra 397 BCE (XXIII). See also the survey in Cross, 'A Reconstruction', 4ff., which includes the third possibility: Ezra came to Jerusalem during or in-between Nehemiah's visits (see Neh. 13:6, where Nehemiah says that after twelve years he returned to Babylon, and after that again went to Jerusalem).

[54]To support this option, reference is often made to the papyri found in Elephantine, which date from 407 BCE. These mention a certain Sanballat, governor of Samariah, assumed to be the same Sanballat who appears as an opponent of Nehemiah (see for instance Neh. 4:1; 13:28). See B. Porten, A. Yardeni, *Textbook of Aramaic Documents from Ancient Egypt*, vol. 1, Jerusalem 1986, A4.7, A4.8; cf. A. Cowley, *Jewish Documents of the Time of Ezra: Translated from the Aramaic*, London 1919, XVII and No. 30; Cross, 'A Reconstruction', 7. Even these papyri, however, do not provide complete certainty (see Coggins, *The Books*, 7).

being said about Ezra, many scholars conclude that Neh. 8 (Neh. 8–10, respectively)[55] belongs elsewhere: somewhere in Ezra 7–10. If conversely Ezra is given a late date (398 BCE), Neh. 8 should also be moved, in this case because Ezra appears so many years *after* Nehemiah.[56]

Thus, in this approach the position of Neh. 8 is a permanent problem. For, one of the most striking characteristics of the story in Neh. 8 is the fact that although the chapter is placed in the book of Nehemiah, Ezra is clearly the main protagonist. If we remain fixed on the question of the origin or the author of the book this feature rather spoils things, and of course one then starts to wonder whether Neh. 8 would not originally have been in a different, 'better' place. Even though the dates do not provide the definitive answer, it is easy to think of alternatives. The reading from the *torah*, for instance, might have taken place after the dissolution of the mixed marriages and Ezra's confirmation of this (Ezra 9–10),[57] or it may equally well have taken place before it, as a kind of legitimisation before the fact.[58] This would certainly have been possible, but a choice for either of these two or still other options[59] always makes an arbitrary impression and is often used to make a reconstruction of supposed earlier stages of the present book seem plausible. This quickly leads to a pile-up of hypothesis upon hypothesis, which is methodologically irresponsible since the object of the investigation – the book of Ezra-Nehemiah itself – vanishes behind the pile.

The second alternative is not to view the letter in Ezra 7 as authentic.[60] In that case, a 'correct' chronology ceases to be the

[55]In Neh. 11:1 the story line from the conclusion of Neh. 7 is resumed; Neh. 8–10 is clearly a separate unit.

[56]See for instance P.R. Ackroyd, *I & II Chronicles, Ezra, Nehemiah* (TBC), London 1973, 26; for a list of arguments in favour of this view see Williamson, *Ezra and Nehemiah*, 60ff.

[57]This is why, following I Esdras, many exegetes place Neh. 8 after Ezra 10. See for instance Mowinckel, *Studien*, 7ff.; Koch, 'Ezra', 179; cf. Talshir, *I Esdras*, 31-4.

[58]The order of the 'Esraerzählung' preferred by many exegetes is Ezra 8 / Neh. 8 / Ezra 9–10 / Neh. 9–10 (see A. Tångberg, *TRE*, Bd. 24, 243).

[59]Schaeder, *Esra*, 12, for instance places Neh. 8–9 between Ezra 8 and 9; similarly Eißfeldt, *Einleitung*, 742ff.

[60]The legendary character of Ezra 7:12-26 has been pointed out by for instance Grabbe, 'What was Ezra's Mission?', 291. According to Gunneweg, 'Zur Interpretation', 151, the letter does reflect historical events but the text

highest priority of the exegesis; the question of the function of the dates in Ezra-Nehemiah remains the subject of study. It seems to me that this is not the end of the world; on the contrary, it opens the way to a new approach, which aims at uncovering the significance of the composition of the book in its present form. The order in which Ezra and Nehemiah appear on the stage then becomes a fact which requires explanation within the context of the book as a whole; the same applies to the position of Neh. 8, and Ezra's role in it. However strange it may be that Ezra of all people is the main protagonist of the story, the question to be asked is: what is the function of this chapter in its present position? The fact alone that in Neh. 9 we again read about an assembly of Israel, at which again passages from the *torah* are read, followed in Neh. 10 by a renewal of the covenant in which the people pledge to 'follow the *torah of God*, given through Moses, the servant of God' (Neh. 10:30 [tr. 29]) – all this indicates that Neh. 8 is no stray boulder, but does have its place within the direct context.[61] What is more, U. Kellermann pointed out some time ago that the composition of Neh. 8–10 is similar to that of Ezra 7–10, and that these two units form an inclusion of Neh. 1–7.[62]

In recent times, a number of studies have appeared in which the explanation of the structure of Ezra-Nehemiah has been given greater priority. Instead of shifting chapters around or judging the order in which the two men appear on its historical plausibility, these studies try to analyse the position and function of the component parts within the book as a whole. Most outspoken is

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itself has a strong 'Chronistic' and Judaic slant. J.C.H. Lebram, 'Die Traditionsgeschichte der Esragestalt und die Frage nach dem historischen Esra', in: H. Sancisi-Weerdenburg (ed.), *Achaemenid History I: Sources, Structures and Synthesis* (Proceedings of the Groningen 1983 Achaemenid History Workshop), Leiden 1987, 115ff., is of the opinion that neither language nor content offer any reason to suppose that this is an authentic document. According to Lebram, it is clear that the author of Ezra-Nehemiah placed the text before the Ezra narrative as a 'programmartige Darstellung der Funktionen Esras als Vollender des Jerusalemer Gottesstaates' (122).

[61] See also B.S. Childs, *Introduction to the Old Testament as Scripture*, London 1979, 632: '...even if the original historical sequence is not represented in the present position of Neh. 8, one must be aware of the possibility of a new dynamic having been established within the chapters which has disregarded the earlier chronological sequence.'

[62] U. Kellermann, *Nehemia: Quellen, Überlieferung und Geschichte* (BZAW, 102), Berlin 1967, 32, 90-2.

T.C. Eskenazi in her monograph *In an Age of Prose: A Literary Approach to Ezra-Nehemiah*, in which she consistently views the idiosyncrasies of the Hebrew text of Ezra-Nehemiah as 'literary devices that carry the meaning of the text'.[63] Others take the unity of the book as a starting-point, focusing on the question how the present structure came about. S. Japhet, for instance, does not reject paying attention to the development of Ezra-Nehemiah, but considers it no longer justified to assume *e silentio* that the present, canonical form of the book is without significance. Without being naive, she says, Ezra-Nehemiah should still be interpreted 'as a book that was produced "all at once", by an author, according to a clear plan'.[64] She sees this 'author' primarily as a redactor; in other words, her approach is redaction-critical rather than literary-analytical. This method is also followed in the work of A.H.J. Gunneweg and H.G.M. Williamson; the latter sees redaction-criticism as 'the most reliable guide to the central concerns of a given work'.[65] Yet others emphasise the different traditions that have merged in Ezra-Nehemiah, although they express respect for the unity of the book. L.L. Grabbe, for instance, in a recent study combines a literary analysis with a tradition-historical approach.[66]

In the background of the various approaches to Ezra-Nehemiah there lingers an issue which so far has not been mentioned, but now, at the end of this paragraph, should be made explicit. For, what is crucial to the interpretation – both as regards method and results – is the question whether one presupposes one book Ezra-Nehemiah, or two individual books, Ezra and Nehemiah.[67]

[63] Eskenazi, *In an Age of Prose*, 5. She also calls her approach 'discourse-oriented', as opposed to 'source-oriented'.

[64] Japhet, 'Composition', esp. 200-1, 213.

[65] Gunneweg, 'Zur Interpretation'; Williamson, *Ezra and Nehemia*, 78. Especially important is Williamson's commentary in the WBC series, *Ezra, Nehemiah*; see esp. XXXV-XXXVI.

[66] Grabbe, *Ezra-Nehemiah*, esp.1-4, 102ff. Grabbe arrives at the conclusion that 'despite the gross structure which serves to create the unity of Ezra-Nehemiah' a distinction should nevertheless be made between 'three complexes of tradition' (Joshua/Zerubbabel [Ezra 1–6]; Ezra [Ezra 7–10]; Nehemiah [Neh.]).

[67] As far as the studies mentioned above are concerned: Williamson speaks of Ezra, Nehemiah or Ezra and Nehemiah, i.e., two separate entities. Gunneweg ('die Bücher Esra-Nehemia') and Grabbe ('the books of Ezra and Nehemiah') use the same vocabulary. Japhet and Eskenazi use the singular ('the book of Ezra-Nehemiah'). See also the arguments adduced by William-

The titles used in translations and text editions are already helpful on this point.[68] The BHS presents the Hebrew text of Ezra-Nehemiah as a single unit, in accordance with the *Codex Leningradensis*, which gives the total of the פסוקים (verses) at the end of Nehemiah: calculated for Ezra and Nehemiah together. The ms. leaves no doubt about this single whole, because at Neh. 3:32 we read in the margin that this is the middle: Ezra and Nehemiah clearly belong together. In spite of this, Ezra and Nehemiah are mentioned as individual books in the table of contents of the BHS. What is more, in the margin of Neh. 1:1 the publisher has placed the Hebrew text ספר נחמיה, 'The book of Nehemiah', whereas this note is absent from the *Codex Leningradensis*! In the ms. itself there is only a blank line between Ezra and Nehemiah.[69] Thus, the nomenclature forces a choice that – even if made implicitly – literally speaks volumes. What is so unique about this biblical literature is that the names scholars use already show their preference for a synchronic or a diachronic approach. Anybody who consistently talks about the 'books of Ezra and Nehemiah', betrays an interest in dating, sources or redactional layers.[70] The name 'Ezra-Nehemiah', on the other hand, indicates a focus on the structure and composition of the Masoretic text. Hence the title of this paragraph.

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son, *Ezra, Nehemiah*, XXI-XXII, in favour of the (original) unity of the two books.

[68] According to Eißfeldt, *Einleitung*, 735, Ezra-Nehemiah was originally seen as a single work, but already at the birth of 𝔊 opinions became divided on account of the superscription in Neh.1:1: 'The words of Nehemiah, son of Hacaliah'. Origenes views Ezra-Nehemiah as one book, but is the first to mention both parts separately (1 Ezra and 2 Ezra). Jerome does the same, and justifies this in the prologue to *Liber Ezrae* as follows: '... *et apud Hebraeos Ezrae Neemiaeque sermones in unum volumen coartantur*'. Luther is the first to call 2 Ezra 'Nehemiah' on account of Neh. 1:1 (Myers, *Ezra-Nehemiah*, XXXVIII). From 1448 the Hebrew text editions also use both 'Ezra' and 'Nehemiah'.

[69] Freedman *et al.* (eds), *The Leningrad Codex*, 919 (folio 454, recto). See also the note on p. 1015: 'only one line break in the text'.

[70] J.C. VanderKam, 'Ezra-Nehemiah or Ezra and Nehemiah?', in: E. Ulrich *et al.* (eds), *Priests, Prophets and Scribes: Essays on the Formation and Heritage of Second Temple Judaism in Honour of Joseph Blenkinsopp* (JSOT.S, 149), Sheffield 1992, 60ff., views Ezra and Nehemiah as individual books on account of differences in language, use of sources, and especially differences in themes presented. Kraemer, 'On the Relationship', 75ff., also argues in favour of approaching Ezra and Nehemiah as separate books, among other arguments appealing to the tradition since Origenes. His main argument is that there are irreconcilable ideological differences between Ezra and Nehemiah.

4.3 The Assembly of the Congregation – Neh. 7:72b–8:3

After wading through the list of returned exiles in Neh. 7 readers unexpectedly find themselves in a quite different scene:

7:72b When the seventh month arrived
and the sons of Israel were in their towns,
8:1 the entire people assembled as one man
in the square before the Water Gate
and they told Ezra, the scribe
to bring the book of the *torah* of Moses,
with which YHWH had charged Israel.
2 Ezra, the priest, brought the *torah* before the congregation,
men as well as women
and all who could listen with understanding,
on the first day of the seventh month.
3 And he read from it,
facing the square before the Water Gate,
from the first light until midday,
to the men and women and those who could understand.
The ears of all the people were given to the book of the *torah*.

In the last paragraph it was already stated that the immediate continuation of Neh. 7 seems to come in Neh. 11:1. This observation will guide our interpretation of the intervening chapters, Neh. 8–10, which may be viewed as a separate unit. In scholarly literature there is indeed a general consensus about this point, even though opinions differ as to the cohesion of the individual chapters within this unit.[71] The situation as regards the transition from Neh. 7 to 8 is different; this transition is hardly no-

[71] Eskenazi, *In an Age of Prose*, 96ff., discusses Neh. 8–10 under the heading 'Consolidation according to Torah'; she distinguishes four sections: 8:1-12, 'First reading and implementation of Torah'; 8:13-18, 'Second reading and implementation of Torah'; 9:1-37, 'Third reading and implementation of Torah'; 10:1-40, 'The result: a *written* pledge to Torah and house of God by community'. Japhet, 'Composition', 194, asserts that although Neh. 9:4-10:40 raises all sorts of questions, it nevertheless forms a single unit with 8:1-9:3: 'Ezra is the main protagonist of the narrative, and the story has a uniform character.' Williamson, *Ezra, Nehemia*, 275-6, thinks that the three chapters have different origins, but have been deliberately combined by the 'redactor' into a unit which he gives the title of 'Covenant renewal'. Furthermore, the unit is often subdivided into Neh. 8 on the one hand, and 9–10 on the other.

ticeable but takes place very quickly, inside one verse: Neh. 7:72 may be combined with the beginning of 8:1 and read as the continuation of the preceding, but at the same time it takes the reader to a new situation.[72] Many exegetes are of the opinion that there is no real connection as to content, which is why they wish to move Neh. 8 (and 9–10).[73] The reason for this is the date in Neh. 7:72b, 'the seventh month'. The seventh month of which year? The most obvious solution is to link this up with the year mentioned last, the twentieth year of king Artaxerxes (Neh. 1:1; 2:1; 5:14). If, however, the intention is to reconstruct Ezra's memoirs, this vagueness suggests moving Neh. 8 to between 'the fifth month' and 'the ninth month', which are mentioned in the Ezra-narrative (Ezra 7:9 and 10:9, respectively).[74] Other scholars attempt to find a meaning in the date as it is formulated in its present place. I join their ranks.

A striking aspect here is the fact that Neh. 7:72b–8:1a is almost identical with the beginning of Ezra 3: 'When the seventh month arrived and the sons of Israel were in the towns, the entire people assembled, as one man, in Jerusalem.' (Ezra 3:1) In that chapter we are told how, under supervision of Jeshua and Zerubbabel, the altar is built anew in order to offer burnt offerings, 'as is written in the *torah* of Moses, the man of God' (Ezra 3:2). Next, the Feast of Booths is celebrated (Ezra 3:4). There seems to be a clear parallel with Neh. 8: there, too, the Feast of Booths is celebrated in the seventh month, to conclude a renewal of the cult: in this case the reading from the '*torah* of Moses' (8:13-18). The parallel becomes even more obvious if we consider the position of both narratives: Ezra 3 as well as Neh. 8 follow an exhaustive list of returned exiles (Ezra 2; Neh. 7).[75]

[72]For this reason, Neh. 7:72b is often given the number 8:1 in modern translations, so that the 𝔐 verse numbers change: 8:1-18 becomes 8:2-19 in the translations. Unless stated otherwise I use the 𝔐 numbers.

[73]For this point, see for instance Grabbe, *Ezra-Nehemiah*, 52: 'From the point of view of narrative construction, this cannot be considered ideal. From a traditio-historical perspective it suggests that a redactor has inserted Neh. 8-10 into a narrative which arguably once went from the end of Neh. 7 immediately to the beginning of Neh. 11.'

[74]So for instance Eißfeldt, *Einleitung*, 743-4; Schaeder, *Esra*, 12; Williamson, *Ezra and Nehemiah*, 39-40.

[75]Coggins, *The Books*, 108, speaks of a 'deliberate parallel'; cf. Vanderkam, 'Ezra-Nehemiah', 68, who because of the many years between Ezra 3 and Neh. 8 talks of 'a sizable historical blunder'.

Thus, the renewal of the cult is not an isolated phenomenon, but is done with the community of returned exiles in mind, and is accomplished in their midst.

In addition to several similarities, comparing Neh. 8 to Ezra 3:1 shows a number of differences that give Neh. 7:72b–8:3 a profile of its own. In the first place, in Ezra 3:1 the congregation assembles in Jerusalem, but in Neh. 8:1 'in the square before the Water Gate'. Of course, this is a location in Jerusalem, but the name selected suits the moment in the story. In Ezra 3, we are at the beginning of the first 'round' of narratives (Ezra 1–6): the temple still has to be rebuilt, as has the wall around the city. The erection of the altar and the celebration of the Feast of Booths mark the return of the exiles and establish the foundation for the new *Jerusalem*. In Neh. 8 this is all over and done with; in three 'rounds' of narrative we have read how the restoration of the temple is finished, how Ezra has brought the *torah* to Jerusalem (Ezra 7–10), and how the wall around the city has been rebuilt (Neh. 1–7).[76] Then, as a conclusion and climax of all this, we get the reading from the *torah*, again accompanied by the celebration of the Feast of Booths. The setting for this 'finale' is not the temple, but *a square in the city*, i.e., a wholly public place, accessible to all.[77] This takes us to a second point of difference. Neh. 8:1 speaks of 'the *entire* people', an emphasis reinforced by the recurrence of the phrase in the chapter.[78] What happens in the square before the Water Gate involves all Israel, men as well as women, and all who can understand, old as well as young.

[76]This might also be the reason for saying 'in their towns' (בְּעָרֵיהֶם; Neh. 7:72b), instead of 'in the towns' (בֶּעָרִים; Ezra 3:1).

[77]Opinions differ as to the site of the Water Gate (שַׁעַר הַמַּיִם). In Neh. 3:26 and 12:36 we are told in general terms that it is on the east side of the city. In a note, the Leiden Bible Translation (1912) tells us that this is the east *temple wall*. Mowinckel, *Studien*, 45, even thinks the entire scene is set in the temple grounds. These theories have probably been influenced by the parallel in 1 Esdras 9:38, which does not speak of the Water Gate but of the 'eastern gate of the temple' (... τοῦ πρὸς ἀνατολὰς τοῦ ἱεροῦ πυλῶνος). D.E. Suiter is right when he says: 'All that is known about the gate is that it was located on the east side of Jerusalem.' (*AncBD*, s.v. Water Gate). It is improbable that this site had anything to do with the temple; see also Myers, *Ezra-Nehemiah*, 114ff.; Williamson, *Ezra,Nehemiah*, 287.

[78]The expression occurs eleven times in all in this chapter: Neh. 8:1, 3, 5[3x], 6, 9[2x], 11, 12, 13. According to Eskenazi, *In an Age of Prose*, 97, the intention here is to demonstrate that the people rather than Ezra are the agent: the initiative is with them, not Ezra.

What is more, the entire people is assembled 'as one man'.[79] This scene is reminiscent of the ending of Deuteronomy, where Moses orders that during the Feast of Booths the *torah* shall be read to all Israel, men, women and those 'who have not had the experience', i.e., the children (Deut. 31:10-13; cf. Josh. 8:34-35).[80] At the start of the last section of Ezra-Nehemiah (Neh. 8–13) all the people assemble in order to celebrate the Feast of Booths and to hear the *torah* being read.

The specific purpose of the meeting is immediately made clear: Ezra is commanded to bring 'the book of the *torah* of Moses' (Neh. 8:1). The execution of this injunction is reported briefly and to the point: Ezra brings the *torah* before the congregation and reads from it, and all the people give ear (Neh. 8:2-3). The striking aspect here is that Ezra's name is accompanied by two different titles: 'the scribe' (הַסֹּפֵר) and 'the priest' (הַכֹּהֵן). The titles are not surprising in themselves, as we also saw them used when Ezra was introduced (Ezra 7:11, 12, 21). Here, however, they are not used together, but separately: when the order to bring the *torah* is given, Ezra is called 'scribe', when he actually brings it he is called 'priest'. This reminds us strongly of 2 Kgs 22, where 'the priest' Hilkiah hands over the discovered book, and 'the scribe' Shaphan reads it out. Both functions, and the actions associated with them, are now combined into a single person, Ezra. One of the results of this is that the function of 'priest' is directly related to the *torah*, not to a cultic action in a stricter sense of the word, as for instance offering sacrifices.[81]

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[79]Cf. Williamson, *Ezra and Nehemiah*, 97-8, who points to the public nature of the gathering in the square: 'The law was here being presented as something which could indeed serve as a foundation for the life of the community.'

[80]See Ackroyd, *I & II Cronicles*, 293-4: 'There is clearly some relation between what is here described and the injunction laid down in Deut. 31.'

[81]This does not mean of course, as Kraemer, 'On the Relationship', 82ff., claims, that in Neh. 8 we have to do with another Ezra than in Ezra 7–10. Kraemer wants to demonstrate that Ezra-Nehemiah consists of two different books, and thus plays off cultus and *torah* against each other. Ezra is a 'priestly book', Nehemiah a 'lay book'. 'In Ezra, Ezra is a priest, a man concerned with the cult and its purity, while in Nehemiah he is a scribe, a man of the book, who is entirely unconcerned with the Temple or sacrifices.' (83) If this were true, there would be no reason to call Ezra a 'priest' in Neh. 8. Rendtorff, 'Esra', 179, also points to the order in which הַסֹּפֵר and הַכֹּהֵן occur. He sees a connection with the later cult in the synagogue: 'Möglicher-

From the fact that Ezra brings the *torah* as a 'priest' one might also deduce that he probably went to the temple to get it; the echo of 2 Kgs 22:8 (and its parallel in 2 Chron. 34:14-15) in any case gives rise to this assumption. Wherever he gets the book from, the narrative focuses only on what is to happen to it rather than its provenance.

As an anticipatory summary, Neh. 8:3 tells us that Ezra reads from the *torah*; the actual reading is described in the sequel.[82] This is the first time after 2 Kgs 22 that the 'book of the *torah*' is mentioned again. To introduce it, an expression is used that we have come across earlier: 'the book of the *torah* of Moses' (סֵפֶר תּוֹרַת מֹשֶׁה, Neh. 8:1; cf. Josh. 8:31; 23:36; 2 Kgs 14:6).[83] In Joshua and Kings, this designation served as a reminder of the 'book of the *torah*' from which Joshua read to mark the entry into the Promised Land, and from which Josiah read just before the exile, at the renewal of the covenant. Even though after these passages nothing further is said in the Hebrew Bible about the fortunes of the 'book of the *torah*', the explicit mention of the name of Moses reminds us of these passages from the Former Prophets, and thus of the ending of Deuteronomy. After this allusion, the book is in the rest of the chapter simply called 'the *torah*' (8:2, 7, 9, 13, 14), the 'book of the *torah*' (8:4), or '(the book of) the *torah* of God' (8:8, 18).[84] In the next chapter of this book I will return to the matter of these designations, and the significance that should be accorded to them in connection with the texts discussed in the preceding chapters.

At this point, one last remark remains to be made. In Neh. 8:3 it says that Ezra reads *from* the *torah*, not that he reads *the torah*.[85] This may seem an overly subtle distinction, but it is

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weise spiegelt sich darin schon die Tradition wider, daß ein Priester als erster zur Tora augerufen wird.'

[82]Cf. Kellermann, *Nehemia*, 25, according to whom Neh. 8:3 is 'als zusammenfassende Vorwegnahme von Neh 8:4-12 eine Art Exposition und Überschrift'.

[83]See Chapter 2 of this book. Cf. 2 Chron. 34:14: סֵפֶר תּוֹרַת־יְהוָה בְּיַד־מֹשֶׁה, 'the book of the *tora* of YHWH (given by) the hand of Moses'.

[84]The only other place where this last expression occurs is Josh. 24:6; in Neh. 9:3 it says בְּסֵפֶר תּוֹרַת יְהוָה אֱלֹהֵיהֶם, 'in the book of the *torah* of YHWH their God'.

[85]See *HALAT*, 1055, for the meaning of קרא ב: 'hersagen aus (Buch, Rolle), lesen in/aus'. Cf. also, among other instances, Deut. 17:19; Jer. 36:6-23; Hab. 2:2.

nevertheless crucial. It should certainly not lead us to conclude that Ezra read 'only' parts of the Pentateuch, let alone to try and find out which parts these would have been, or how far he got in his reading.[86] On the contrary, the phrase 'and he read *from it*' prevents these kinds of speculations. It diverts the attention from the length and actual contents of the *torah* and the parts Ezra recites, and focuses on the reading itself, as an event. This event is the subject of the next pericope.

4.4 The Reading from the *torah* – Neh. 8:4-8, 9-12

8:4 Ezra, the scribe, stood upon a wooden platform,
made for the occasion,
and beside him stood Mattithiah, and Shema, Anaiah, Uriah,
Hilkiah and Maaseiah at his right hand
and at his left hand Pedaiah, Mishael, Malchijah, Hashum,
Hashbaddanah, Zechariah and Meshullam.
5 Ezra opened the book in the sight of all the people:
he was above all the people;
and as he opened it, all the people stood up.
6 Ezra blessed YHWH, the great God,
and they answered, all the people, with hands upraised:
Amen, amen!
Then they kneeled and prostrated themselves before YHWH,
with their faces to the ground.
7 And Jeshua, Bani, Sherebiah, Jamin, Akkub, Shabbethai,
Hodiah, Maaseiah, Kelita, Azariah, Jozabad, Hanan,
Pelaiah and the Levites explained the *torah* to the people,
while the people stood in their places.
8 They read from the book, from the *torah* of God,
elucidating, and giving the sense,[87]
so that they understood the reading.

This pericope has an unusual structure. At first there is a clear articulation, provided by three narrative forms with Ezra as their

[86] See for a short survey of the leading views on the identity of Ezra's 'book of the law' in the past centuries G. Widengren, 'The Persian Period', in: J.H. Hayes, J.M. Miller (eds), *Israelite and Judaean History*, London 1977, 514-5.

[87] The absolute infinitive is here used as a continuation of the preceding finite verb, here an imperfect consecutive (GKC § 113z). Why this absolute infinitive is chosen is usually unclear: it may be for the purpose of stylistic variation, or to emphasise that the subject is not precisely defined (Joüon § 123x). The latter option seems the case in Neh. 8:8, where the people who were mentioned by name in 8:7 collectively form the subject of וַיִּקְרְאוּ.

subject: he stood on a platform (8:4), he opened the book (8:5), and he blessed YHWH (8:6). When we consider the passage as a whole to be the expansion of the statement in 8:3 – 'he [Ezra] read from it' – the conclusion must be that the reading from the *torah* comprises not only the actual reading, but also the actions carried out by Ezra together with the people beside him. In other words, the reading is a ritual. In this ritual Ezra is the principal actor: his opening the book implies the reading.[88] Thus, blessing YHWH apparently is the conclusion rather than the introduction to the reading, which also becomes clear from the people's approving 'Amen, amen!', a typical closing formula.[89]

Ezra, however, is not the only one to take the stage. On the contrary, both before and after the opening of the book and the blessing of YHWH we are given a large number of names of lay people who, together with the Levites, are involved in the reading. In the end they themselves also read, elucidating and explaining the texts (8:8), because the aim is for the people to understand the *torah* (see 8:2, 3). Thus, Ezra leads the reading, followed by the laity and the Levites. When the text is interpreted in this way it is not necessary to suppose, following 𝔊, that an error has occurred and that the grammatical subject of Neh. 8:8 is really Ezra.[90]

The principal role played by Ezra in the reading ritual is reflected in the title he bears at the beginning: 'scribe'. This is in

[88]It is usually assumed that the blessing of YHWH after the book has been opened precedes the reading. This, however, is not certain, and this assumption presents a problem for the interpretation, as the reading by Ezra is not explicitly mentioned in this pericope. Cf. Rabbi Yosef Rabinowitz, ספר נחמיה/*Nechemiah – The Book of Nehemiah: A New Translation with a Commentary Anthologised from Talmudic, Midrashic and Rabbinic Sources* (ArtScroll Tanach Series), Brooklyn 1990, 126; Williamson, *Esra, Nehemia*, 289.

[89]See the other places where the expression אָמֵן אָמֵן occurs: at the end of Pss. 41, 72 and 89, and in Num. 5:22, where these words are spoken by a woman suspected of adultery, as a finish to, and expression of approval of, the curse formulated by the priest.

[90]According to Schaeder, *Esra*, 53, the current phrasing of Neh. 8:8 is characteristic of 'Chr', but is not original: 'Esra wird also dadurch ausgeschaltet, und das ist nach der ganzen Situation unmöglich.' It seems to me that on the contrary this 'elimination' of Ezra is rather functional. See also the criticism of Schaeder in A. van der Kooij, 'Nehemia 8:8 and the Question of the "Targum"-tradition', in: G.J. Norton, S. Pisano (eds), *Tradition of the Text* (Fs D. Barthélemy) (OBO, 109), Freiburg 1991, 84-5.

accordance with the way in which this title was used in 8:1-2, as distinguished from 'priest'.[91] This is at the same time the only familiar fact we are given, since we are witnessing what is otherwise a truly unique event. Nowhere in the Hebrew Bible do we read about a 'wooden platform', about a book that is opened, or a blessing of the 'great God', endorsed 'with hands raised'.[92] The most remarkable aspect, however, is the large number of people that surround Ezra: six people on the right, seven on the left.[93] Who they are is impossible to determine, as none of these names comes with a genealogical note. Some names do occur elsewhere in Ezra-Nehemiah, but whether these are the same persons we do not know.[94] Most important, however, is what is *not* said: the names are given without further qualifications. These people, in other words, are not priests or Levites, but 'ordinary people', lay persons. How unusual this is becomes clear when we compare this text with Deut. 31:9-13, where Moses assigns the task of reading out the *torah* during the Feast of Booths to 'the priests, the sons of Levi' (see also Deut. 33:8-11). These Levites are soon to play an important part (Neh. 8:7), but first it is established beyond doubt that they will do that amidst, and in the service

[91] Rendtorff, 'Esra', 181-2, strangely enough holds that there is no connection in Neh. 8:1, 4, 13 between the title סֹפֵר and (the reading of) the *torah*. At the decisive moment, Ezra is not called סֹפֵר but כֹּהֵן, according to Rendtorff.

[92] The expression מִגְדַּל־עֵץ (Neh. 8:4; cf. 1 Kgs 8:22 en 2 Chron. 6:13; see Ackroyd, *I & II Chronicles*, 294) is a *hapax legomenon*; similarly מֵעַל (Neh. 8:6). This is the only place where the verb פתח has סֵפֶר as a direct object (Neh. 8:5). Blessing YHWH occurs elsewhere as well, but the phrase הָאֱלֹהִים הַגָּדוֹל is unique (Neh. 8:6; see for the occurrences of the related expression הָאֵל הַגָּדוֹל Williamson, *Esra, Nehemia*, 289).

[93] Out of a desire for a nice symmetry and a symbolic number, it is sometimes supposed that a name should be added; thus for instance the Leiden Bible Translation, which following 1 Esdras 9:43 adds Azariah. Another option, of course, is to delete one name. This, too, is an old tradition: in b. Meg. 23a, 'Meshullam' together with 'Zechariah' are seen as one name, Zechariah 'the perfect'; see on this Rabinowitz, ספר נחמיה/*Nechemiah*, 125; cf. Koch, 'Esra', 194 (n. 3), who considers 'Meshullam' secondary.

[94] For the sake of completeness: a Mattithiah is mentioned in Ezra 10:43; the name Anaiah appears in Neh. 10:43; Uriah in Ezra 8:33; Neh. 3:4, 21; Hilkiah in Ezra 7:1; Neh. 11:11; 12:7, 21; Maaseiah in Ezra 10:18, 21, 22, 30; Neh. 3:23; 8:7; 10:26; 11:5, 7; 12:41, 42; Pedaiah in Neh. 3:25; 11:7; 13:13; Malchijah in Ezra 10:25, 31; Neh. 3:11, 14, 31; Neh. 10:4; 11:12; 12:42; Hashum in Ezra 2:19; 10:33; Neh. 7:22; 10:19; Zechariah in Ezra 5:1; 6:14; 8:3, 11, 16; 10:26; Neh. 11:4, 5, 12; 12:16, 35, 41; Meshullam in Ezra 8:16; 10:15, 29; Neh. 3:4, 6, 30; 6:18; 10:8, 21; 11:7, 11; 12:13, 16, 25, 33.

of, 'the people'. This observation is eloquently supported by the threefold mention of 'the entire people' during the central moment of Ezra's actions: the opening of the book (Neh. 8:5).

In Neh. 8:7 there are also thirteen names, different from those in Neh. 8:4, but again listed without any genealogical information; no clues are provided. This time, however, we are not told about people standing beside Ezra, but about persons who together with the Levites explain the *torah* to the people. Again, this purpose is emphasised by means of a reiteration of the verb 'to understand' (בין, Hiph.; Neh. 8:7, 8; cf. 8:2, 3). They play their part by executing three actions, like Ezra: they read (קרא), elucidate (פרש) and give the sense (בין). What exactly is meant by 'to elucidate' is an intriguing question, not in the least for exegetes who are involved in Jewish or Christian liturgy. The meaning of the Pual participle מְפֹרָשׁ has been extensively discussed, but because it only occurs in this place there is room for various interpretations. Most translations opt for 'read clearly'.[95] Other scholars think that it refers to the quality of transmission as much as to the presentation: 'elucidate'.[96] A third possibility is 'reading in sections, verse by verse'.[97] Finally, some scholars opt for 'to translate'.[98] This last possibility is based on the much-vaunted idea that Neh. 8 shows the beginning of the *targum*, the oral translation into Aramaic which in ancient liturgy was given immediately after the reading from the Hebrew text. This idea is already found in the Talmud[99] and until recently was considered historically plausible.[100] Of late, scholars have become more cau-

[95] As do, for instance, the Vulgate ('distincte'), Luther ('klerlich'), King James ('distinctly'), RSV ('clearly'), La Bible (A. Chouraqui) ('distinctement'). Cf. Ezra 4:18, where king Artaxerxes in his answer to governor Rehum and his colleagues writes נְשַׁתְוְנָא דִּי שְׁלַחְתּוּן עֲלֵינָא מְפָרַשׁ קֳרֵי קֳדָמָי.

[96] So for instance, Buber-Rosenzweig ('verdeutlichend') and the alternative RSV translation ('with interpretation').

[97] So for instance, La Sacra Bibbia ('a brani distinti'); La Bibbia ('a sezioni'). See also Williamson, *Ezra, Nehemiah*, 277-9, who translates 'paragraph by paragraph'.

[98] For instance La Bible de Jérusalem ('traduisant').

[99] For instance in b. Meg. 3a; see Rabinowitz, ספר נחמיה/*Nechemiah*, 128.

[100] The most conspicuous example is Schaeder, 'Esra', 52ff., who asserts that Ezra himself translated directly into Aramaic as he read, because as a Persian court official he would have had a lot of experience with this. Myers, *Ezra-Nehemiah*, 154, also thinks along these lines. Mowinckel, *Studien*, 56, is quite sure: 'Wir haben hier das erste Zeugnis von einem mündlichen Targum.'

tious.[101] However attractive the thought, it is highly improbable that this passage actually constitutes the origin of the synagogal liturgy.[102] No matter what this origin is, one has to be willing to overlook quite a lot if one wants to discover a clear image of the historical roots of later synagogal worship in this passage from Ezra-Nehemia.[103]

It would be more realistic to suppose that the story about the reading of the *torah* by Ezra and the Levites served as a legitimisation for later liturgical practice.[104] Hence, our conclusion should be that there is no certainty to be had concerning the meaning of מְפֹרָשׁ. It seems to me most probable – also in view of the sequel to Neh. 8:8 – that what is meant here is a way of reading that is also explicatory.[105] Whatever the translation of מְפֹרָשׁ may be, it is clear what is happening: under the direction of Ezra and the Levites, and assisted by many from the community, texts are read out and explained in order that 'all the people' will understand the *torah*. The sequel should tell us whether this is indeed the case.

8:9 Then Nehemiah – that is the Honoured –
and Ezra, the priest, the scribe
and the Levites who were explaining to the people

[101] See especially the discussion of this issue by Van der Kooij, 'Nehemia 8:8', esp. 88: the meaning 'to translate' cannot be proved, since the oldest, pre-rabbinical texts do not offer any indications to justify this theory. Grabbe, *Ezra-Nehemiah*, 53-4, also expresses strong doubts and considers this meaning implausible.

[102] I. Elbogen, *Jewish Liturgy: A Comprehensive History*, Philadelpia 1993, 187-8, points to the completely new aspect of the liturgy in the synagogue, i.e., the fact that the presence of the community of the faithful alone was enough to consecrate the meeting place.

[103] Elbogen, *Jewish Liturgy*, 130, assumes that Ezra constitutes the historical beginning of the synagogical tradition. Elsewhere, however, he states that no historically reliable information on the origin of synagogical liturgy is available (188; see also 432-3, n. 1). O. Wahl, 'Grundelemente eines festlichen Wortgottesdienstes nach Neh 8:1-12', in: J.J. Degenhardt (ed.), *Die Freude an Gott – unsere Kraft* (Fs O.B. Knoch), Stuttgart 1991, 47-59, is an example of an overly naive reading in which the later liturgy is 'read back into' Neh. 8.

[104] See Van der Kooij, 'Nehemia 8:8', 90; Lebram, 'Traditionsgeschichte', 133-4.

[105] Van der Kooij, 'Nehemia 8:8', 89: 'It means that the Levites were reading the Law clearly and plainly. (...) It is to be noted, however, that such a careful reading of an *unvocalised* text does involve an element of interpretation in the sense of linguistic exegesis.'

said to all the people:
This day is holy to YHWH, your God,
you must not mourn or weep! –
for all the people were weeping as they heard the words of the *torah.*

8:10 He said to them:
Go, eat choice foods and drink sweet drinks
and send portions to whomever has nothing prepared,[106]
for the day is holy to our Lord.
Do not be sad,
for rejoicing in YHWH is the source of your strength.
11 And the Levites quietened all the people, saying:
Hush,
for the day is holy;
do not be sad.
12 Then all the people went to eat and drink and send portions and make great merriment,
for they had understood the words that they had read to them.

This passage confronts us with a few surprises. First of all, there is the unexpected reaction of the people when they hear the words of the *torah*: they weep (בכה). The context makes clear that these are no tears of joy, but of sorrow (עצב, Niph, Neh. 8:10, 11); the people are crying as a sign of mourning (אבל, Hitp). Why this is we are not explicitly told, but references within Nehemiah provide some clues. This also holds for the second surprise, i.e., the fact that besides Ezra and the Levites Nehemiah suddenly appears as an agent.

As we have seen earlier, the first introduction of Nehemiah started with a report of the deplorable situation in which the city of Jerusalem and its Jewish inhabitants find themselves (Neh. 1:1-11). When Nehemiah – working in Susa, at the court of the Persian king – hears this, he sits, weeps (בכה) and mourns (אבל, Hitp.) for days, after which he prays to YHWH, asking for forgiveness of sins (חַטּאוֹת; Neh. 1:6), because the people have not kept the commandments he gave to Moses, his servant (Neh. 1:7). In Neh. 8:9, Nehemiah is brought into the story in a similar way. After the reading from the 'book of the *torah*' he finds himself in a comparable situation: revealing words give rise to lamentations, this time not only his own, but those of all the people. Here, too,

[106] For the use of אֵין here see GKC §§ 152v, 155n: 'A noun-clause follows לְ in Neh 8:10.' What is meant is that instead of the usual pronoun introducing a relative clause, a nominal clause is used here.

a prayer for the forgiveness of sins follows: in the next chapter, Neh. 9, we hear of a second reading from 'the book of the *torah* of YHWH, their God' (9:3), followed by an extensive confession, which starts with the creation of heaven and ends with the observation that the people have got into great trouble because of the sins of the fathers (Neh. 9:2, 32-37), after which a written pledge (אֱמָנָה; Neh. 10:1 [tr. 9:38]) is composed containing the promise to 'follow the *torah* of God, given through Moses, the servant of God' (Neh. 10:30 [tr. 29]).

Although surprising, it is not really odd that Nehemiah appears as a principal actor after the reading from the *torah*. We have got to know him as the person for whom the predicament of Jerusalem, viewed in the light of Moses' words, is a reason for lamentation, prayer and an appeal to convert. After the reading from the *torah* in Neh. 8 this is again made clear. The fact that in the preceding chapters (Neh. 2–7) we have heard how the walls and gates of Jerusalem have been rebuilt does not make any difference here. The temple has been restored, the city wall stands, but the reading reveals on which foundations Jerusalem was really built: allegiance to the words from the *torah*. Apparently the people have failed in their duties on this point.[107] Nehemiah's actions are reminiscent of king Josiah, who after having been read the book that was found in the temple also suddenly realised what a real restoration of the sanctuary implies. Josiah, too, mourns, weeps (בכה; 2 Kgs 22:19; 2 Chron. 34:27) and renews the covenant.[108] What strikes us when we compare the present story to that of Josiah is that in Neh. 8 the prayer for forgiveness and the renewal of the covenant are deferred, as it were: first it is time to celebrate! We are told three times that 'this day is holy' (Neh. 8:9, 10, 11), so that people should *not* be sad (עצב, Niph.; Neh. 9:10, 11).[109] Although judging from Neh. 9–10 a lot still needs to be said, the day of rejoicing should be celebrated first (cf. Deut. 12:7, 12, 18): a good meal and 'sweet drinks' (cf. Song 5:16), without forgetting those who, for whatever reason,

[107]See Rabinowitz, ספר נחמיה/*Nechemiah*, 129, for theories in rabbinic literature regarding violation of the rules in the Torah.

[108]See Coggins, *The Books*, 109: 'Here, as elsewhere, there are links with the reading of the law book in the time of Josiah (2 Chron. 34).'

[109]Cf. the injunction to rejoice (שׂמח) during the Feast of Weeks and the Feast of Booths in Deut. 16:11 and 16:14, respectively. See also Lev. 23:2ff., esp. 23:35, on regulations regarding the 'solemn gatherings', מִקְרָאֵי קֹדֶשׁ.

are unable to share in the merriment.[110] The legitimisation of the celebration and joy are reflected in the unique expression: 'rejoicing in YHWH is your strength' (Neh. 8:10).[111]

The special aspect of this celebration is further indicated by the last phrase, ' they had understood the words that they had read to them' (Neh. 8:12). By rejoicing in this way, the people show that they have understood the words from the *torah*: the fifth and last time the verb בין , 'to understand', is used in this chapter. This is where the reading from the *torah* realises its aim: the words that were read have also been understood, not only because perception has been acquired (Neh. 8:8), but also because it has been acted upon (Neh. 8:9-12). The parallelism between the closing sentences in Neh. 8:8 and 8:12 provides a clear connection between these two passages.[112] In the latter, the subject of ידע (Hiph.), 'to make known', must be Nehemiah, Ezra and the Levites collectively, which refers back to the beginning of the passage. In other words, the special aspect of this 'holy day' is emphasised by the concerted action of Nehemiah, Ezra and the Levites. For this reason I would think that Nehemiah's appearance in 8:9 is neither a coincidence nor a mistake.[113] The

[110] According to 𝔊 this refers to those who are poor and have nothing: 'τοῖς μὴ ἔχουσιν' (2 Esdras 18:10). The prefix ל could point in this direction (see GKC § 152v), but other theories are also possible. See also Myers, *Ezra-Nehemiah*, 151 (n. 10); Williamson, *Ezra, Nehemiah*, 292.

[111] The grammatical construction of this phrase, however, is ambiguous; an objective and a subjective genitive are both possible here. See P. Joüon s.j., 'Notes philologiques sur le texte hébreu d'Esdras et de Néhémie', *Bib.* 12 (1931), 88-9.

[112] See Williamson, *Ezra, Nehemiah*, 292-3.

[113] It is customary to view Neh. 8:9 as a gloss; see for instance Eißfeldt, *Einleitung*, 742; *TRE*, Bd. 24, 243. Ackroyd, *I & II Cronicles*, 296, speaks of a 'harmonizing note': 'Here is the result of scribal activity, drawing together the activity of two leaders whose work does not overlap in time.' This in itself is a neutral observation, but what this kind of remark really implies is that actually only Ezra is the subject, and that in view of the chronology the name of Nehemiah had better be left out, as is the case in the parallel text from 1 Esdras 9:49. F.M. Cross, 'A Reconstruction of the Judean Restoration', *JBL* 94 (1975), 8, states this in so many words and concludes: '... we must consider it a fixed point in the discussion that the Ezra-narrative has no mention of Nehemiah in its original form and that the Nehemiah-memoirs contain no reference to Ezra.' More caution is shown by D.R. Daniels, 'The Composition of the Ezra-Nehemiah Narrative', in: D.R. Daniels *et al.* (eds), *Ernten, was man sät* (Fs K. Koch), Neukirchen-Vluyn 1991, 322-3.

presence of both Ezra and Nehemiah is apparently required.[114] Rather than asking how this is chronologically possible or even suggesting 'improvements' to the text, we should look for the *significance* of this fact.[115] I will return to this later in this chapter.

Although Ezra and Nehemiah here act as one, their functions distinguish them.[116] I will therefore conclude this paragraph with a short excursion on the titles they bear. Nehemiah, to begin with, is called הַתִּרְשָׁתָא (Neh. 8:9; see also Ezra 2:63; Neh. 7:65, 69; 10:2 [tr. 1]). The meaning of this title is uncertain.[117] It is usually assumed to be the title of a high-ranking Persian official, and translated by for instance 'governor', or in more general terms, 'excellency'.[118] There is, however, no certainty to be had about

[114]Cf. Eskenazi, *In an Age of Prose*, 98-9: 'Ezra-Nehemiah is at pains to show that Ezra and Nehemiah, despite their different tasks and different "clientele", different movements and different history, nevertheless combine their effort in this momentous gathering. Both of them issue instructions in one voice, as it were (Neh. 8:9).'

[115]See J.R. Shaver, 'Ezra and Nehemiah: On the Theological Significance of Making them Contemporaries', in: E. Ulrich *et al.* (eds), *Priests, Prophets and Scribes: Essays on the Formation and Heritage of Second Temple Judaism in Honour of Joseph Blenkinsopp* (JSOT.S, 149), Sheffield 1992, 76-86. According to Shaver, not only the fundamentalist, but also the historical-critical approach fails here; he thinks text reconstruction should not be mistaken for exegesis. The question is why Ezra and Nehemiah appear together; the answer to which Shaver tries to find in the redaction history of the book.

[116]According to Kellermann, *Nehemia*, 92, the clear distinction between Ezra and Nehemiah is connected with the Chronicler's view, which is also reflected in the structure of Ezra-Nehemiah: 'Nehemia ist der Vertreter der weltlichen Gewalt, der die Bevölkerung für das Werk Esras nur zusammenrufen darf; die Theokratie wird von Esra konstituiert.' See also U. Kellermann, 'Erwägungen zum Problem der Esradatierung', *ZAW* 80 (1968), 58, about Nehemiah as 'Miniatur des großen Reformers Esra', and 79: 'Die chronistische Esrageschichte verrät eine starke Gestaltung in Nachahmung und Überbietung der Nehemiageschichte.'

[117]In the rabbinical tradition (j. Qidd. 4:1) an etymological interpretation is given. The phrase is supposed to have been derived from הַתֵּיר שְׁתָא, meaning: 'permission to drink'. As the cupbearer of the Persian king Nehemiah was not bound to observe the prohibition on wine that had been touched by a goy (see also Rabinowitz, ספר נחמיה/*Nechemiah*, 116; *EJ*, vol. 12, 937).

[118]According to W.Th. In der Smitten, 'Der "Tirschata" in Esra-Nehemia', *VT* 21 (1971), 618-20, this description goes back to W. Rudolph's theory that the title was derived from **tarsa*-, Ancient Persian for 'sich fürchten, zittern': 'der, vor dem man sich fürchtet = Exzellenz' (but cf. *HALAT*, 1655). In der Smitten himself rather prefers the theory that Nehemiah was a eunuch (see 2 Esdras 11:11, where, among other places, in codices B and S εὐνοῦχος is read instead of οἰνοχόος), and hence sees הַתִּרְשָׁתָא as a nickname derived

this, so that many translations prefer not to commit themselves and offer a transcription: 'Nehemiah the Tirshatha'.[119] Whatever the rendering, it is clear that Nehemia is somebody who acts authoritatively on behalf of the government, also in religious matters. Ezra, on the other hand, is identified as הַכֹּהֵן הַסֹּפֵר, 'Ezra the priest, the scribe' (Neh. 8:9), an epithet that links up with the preceding passage and had also been used in Ezra 7. Especially on this 'holy day', the double title proves to be appropriate. Ezra is 'priest' and 'scribe' at the same time: he has brought the book of the *torah* in order – together with the Levites and also Nehemiah – to make the people understand its words. The next day will show that a heightened understanding of the words of the *torah* will result in even greater joy.

4.5 The Feast of Booths in Jerusalem – Neh. 8:13-18

8:13 And on the second day, the heads of the fathers[' houses] of all
the people, the priests and the Levites gathered to Ezra,
the scribe,
to gain insight[120] into the words of the *torah*.
14 They found written in the *torah*,
that YHWH had commanded through Moses,
that the sons of Israel must dwell in booths during the festival
of the seventh month
15 and that they must announce and proclaim throughout all their
towns and in Jerusalem as follows:
Go out to the mountains and bring leafy branches of olive
trees, pine trees, myrtles, palms and trees with dense
foliage,
to make booths, as it is written.
16 The people went out and brought them
and made themselves booths,
each on his own roof, and in their courtyards,

---

from the New Persian *tarasch*, meaning 'der Beschnittene'. This hypothesis is no less speculative than Rudolph's.

[119]See for instance Vulgate: '*ipse est Athersata*'; Luther: 'das ist Hathirstha'; King James: 'which is the Tirshata'; La Bible (A. Chouraqui): 'lui, le Tirshata,... ' 𝔊 has nothing in this place.

[120]The infinitive construct (with לְ) is here used as a continuation and specification of the preceding finite verb, linked to it by the conjunction -וְ, as with an infinitive absolute. In such a case, stating more explicitly what is implicitly understood in the preceding, the conjunction is used emphatically (see GKC § 114p)

in the courtyards of the House of God,
in the square of the Water Gate
and in the square of the Ephraim Gate.
8:17 The whole community – they who had returned from captivity –
made booths
and dwelt in the booths.
Yea, the sons of Israel had not done so from the days of Jeshua, son of Nun, to that day;
and there was very great rejoicing.
18 They read from the book of the *torah* of God, each day,
from the first day to the last;
they celebrated for seven days
with the Interruption on the eight day,[121] as prescribed.

For the second time, the people gather to hear the *torah*. This happens on 'the second day', meaning the second day of the seventh month – a reference back to the beginning of the chapter, the gathering of all the people on 'the first day of the seventh month' (Neh. 8:1, 2). This allusion is reflected in the two verbs that are used in the opening verse of this passage: אסף – 'to gather' (Neh. 8:13, Niph.), with which also the first day was opened (Neh. 8:1),[122] and שׂכל – 'to gain understanding' (Neh. 8:13, Hiph.), which corresponds with שׂוּם שֶׂכֶל in Neh. 8:8, 'giving the sense' to the words of the *torah*.[123] The second day, however, is not merely a repetition of the first. This time, it is not all the people who gather, but only their representatives, 'the heads of the fathers' houses'. Together with the priests and the Levites they go to Ezra, who in his quality of 'scribe' is the centre of the meeting. Just as in his introduction (Neh. 8:1), Ezra is again called הַסֹּפֵר, 'the scribe'; the priestly aspect of his actions moves to the background, as becomes clear from what follows. All attention is eventually focused on the *torah* of Moses; the mentioning of his name also refers back to the beginning of the chapter (Neh.

[121] עֲצֶרֶת refers to more than a 'festive gathering', as most translations have it. What is meant here is a festival as an expression of abstinence, especially from labour. See GB, 612; *HALAT*, 825; Williamson, *Ezra, Nehemiah*, 297; cf. Lev. 23:36; Num. 29:35; Deut. 16:8.

[122] Eskenazi, *In an Age of Prose*, 97, points to the repeated use of אסף in Neh. 8:1, 13 and 9:1. However, to infer from this, as she does, that there were *three* Torah readings is incorrect. The reading takes place in Neh. 8:5-8; in 8:13-18, and also 9:1ff., something else is happening.

[123] Cf. Neh. 9:20.

8:14, see 8:1). After reading from the *torah* and celebrating the 'holy day', they try to get a grip on the words by studying them together.[124]

The structure of the next few verses is clear: in Neh. 8:14-15 we read about an injunction found in the *torah*, in 8:16-17 about its execution. After that, the passage as well as the entire chapter are concluded with v. 8:18. Although this structure is clear, the contents of the verses raise a few questions.

What did they talk about, gathered around the *torah*? The answer is apparently Sukkoth, the Feast of Booths. The Torah as we know it does indeed mention this feast several times. Leviticus (23:33-36; 39-44), Numbers (29:12-40) and Deuteronomy (16:13-15) contain rules and regulations concerning Sukkoth (cf. also Exod. 23:16). This is an important festival, one of the three 'high holy days', also simply called חַג, 'the festival' (see for instance Lev. 23:41; 1 Kgs 8:2).[125] When we look at these – extremely disparate – texts, we observe some similarities with Neh. 8:13-18 [tr. 14-19], but even more differences. Some regulations we do not find in Nehemiah at all, as for instance the rule regarding the offering of sacrifices (Num. 29:12-38), or the prohibition to do slave labour (Lev. 23:35, 36; Num 29:12, 35). Conversely, Neh. 8 mentions various matters that cannot be traced back to any of the relevant texts in the Torah, as for instance some types of foliage that do not correspond to the four traditional types mentioned in Lev. 23:40,[126] or the way in which the command to proclaim this injunction to all the towns is phrased (cf. Lev.

[124]Cf. Neh. 8:13 in the Buber-Rosenzweig translation: 'um die Reden der Weisung zu ergreifen' (see also *HALAT*, 1238). The rendering 'to examine', which is often found, suggests that this is the beginning of the *beth hamidrash*. However, nothing can be said about this with any certainty, even though in Neh. 8 we are reminded of texts that have become central to the later Jewish tradition, as for instance Deut. 6:4ff.

[125]See Ch. Pearl, R.S. Brookes, *Wegwijs in het jodendom*, Amsterdam [3]1989, 17. In the Jewish tradition, Sukkoth is also called חַג הָאָסִיף – 'Harvest festival', after Exod. 23:16. Viewed in this light, the use of the verb אסף, 'gather', 'harvest' in Neh. 8:1, 13 acquires a heightened significance: in these gatherings around the *torah* people are 'harvested'. See also Elbogen, *Jewish Liturgy*, 111, and 116-7 on Sukkoth in general.

[126]The תְּמָרִים, 'palms', and עָבֹת, 'leafy trees', are (albeit phrased differently from the passage in Nehemiah) also mentioned in Lev. 23:40, the other types of leaves, however, are not. See Rabinowitz, ספר נחמיה/*Nechemiah*, 134-5 for a detailed comparison of the two passages, and an account of the discussion these discrepancies caused in the Talmud.

23:2, 4). The Nehemiah passage most closely resembles Lev. 23, the only text from the Torah that mentions building booths, but here, too, there are differences, as for instance the instruction to build booths in the temple grounds in Neh. 8:16.

Another problem is the date of Sukkoth. Traditionally, the festival is celebrated on the *fifteenth* day of the seventh month (see Lev. 23:34, 39; Num. 29:12). This does not fit the information in Neh. 8. And talking about tradition, we should also note that there is no trace here of Yom Kippur, the Day of Atonement, which is celebrated on the *tenth* day of the seventh month, and that the *first* day does not show any similarity to the later Rosh Hashanah, the New Year's festival. In short, if we attempt to view the concluding passage of Neh. 8 as a presentation of quotations from the Torah or as a 'biblical' foundation of a liturgical ritual in the Bible itself, we get stuck. It seems as if the author of Ezra-Nehemiah here used a familiar ritual with a specific intention. What this intention was, becomes clear when we look more closely at the peculiarities characteristic of this book.

First, there is the fact that the booths are not only built on the people's own properties, as tradition prescribes, but also in public areas: in the squares before the Water and Ephraim Gates, and even in the temple grounds (Neh. 8:16). These are more than mere topographical indications. The names of the gates are connected with the leaders, Ezra and Nehemiah. In the case of Ezra this is obvious: during the reading from the 'book of the *torah*' by Ezra, the people assemble in front of the Water Gate, as we have seen (Neh. 8:1, 3). When, however, we include the final chapters of Ezra-Nehemiah in our observations, we note that in Neh. 8:16 implicit reference is made to Nehemiah as well. At the end of the book, we find an account of the dedication of the wall of Jerusalem (Neh. 12:27-39). This dedication is effected by a procession in which two choirs take part, one led by Ezra, the other by Nehemiah. Ezra's company ends up at the Water Gate (Neh. 12:37), Nehemiah's marches past the Ephraim Gate (Neh. 12:39). When they meet, both choirs take their places in the temple and sing the song of Thanksgiving (Neh. 12:40-43). This 'rejoicing in Jerusalem' constitutes the final climax of Ezra-Nehemiah; an epilogue follows it. I mention this climax because there, just as in Neh. 8, Ezra and Nehemiah act together. Thus, Nehemiah's conspicuous presence at the reading of the *torah* (Neh. 8:9) has

a counterpart in Ezra's presence at the dedication of the wall (Neh. 12:36). The mention of the Water Gate and the Ephraim Gate underscores this connection, as does the fact that in both passages the temple does not occupy an exceptional position but is included in the town as a whole.

Secondly, there is the peculiar indication of the community as הַשָּׁבִים מִן־הַשִּׁבְי, 'those who had returned from captivity' (Neh. 8:17). The expression in itself is not unusual,[127] but the fact that it is used in connection with Sukkoth is noteworthy. According to the Torah, Israel builds booths to commemorate the fact that YHWH led them out of Egypt (Lev. 23:42-43). This means that through the celebration of Sukkoth, in the way presented in Nehemiah, the people who returned from the Babylonian Exile are explicitly connected with the Exodus generation in the widest sense of the word: those who were liberated from Egypt and enter the Promised Land. Those who, led by Ezra and Nehemiah, returned to Jerusalems have experienced their own Exodus and entry into the Land. Not only the specification of the community, but also the allusion to 'Jeshua, son of Nun' (i.e., Joshua), points to this identification with the generation of Exodus and the entry into the Land.[128] The Israelites had not done this since the days of Joshua (Neh. 8:17): a statement that in a historical survey of Israelite liturgy has to be considered incorrect, if only because of the fact that in Ezra-Nehemiah of all places the celebration of Sukkoth has been mentioned already (Ezra 3:4). However, as we have seen earlier, chronology is not the primary concern in Ezra-Nehemiah; a different kind of logic prevails.[129]

This particular 'logic' is not totally new to us. In 2 Kgs 23:22 we came across a comparable statement in connection with the

[127]The exile, שִׁבְי, is mentioned eight times in Ezra-Nehemiah (Ezra 2:1; 3:8; 8:35; 9:7; Neh. 1:2, 3; 7:6; 8:17). Only in Neh. 8:17 is the word combined with a form of the verb שׁוּב, 'to return'.

[128]See Ackroyd, *I & II Chronicles*, 297 ('second exodus'); Coggins, *The Books*, 110 ('a second taking possession of the land'); cf. Myers, *Ezra-Nehemiah*, 157. Williamson, *Ezra, Nehemiah*, 296, speaks of a 'historicizing treatment of the booths', which he thinks Neh. 8 shares with Lev. 23.

[129]See Williamson, *Ezra, Nehemiah*, 293ff., who asserts that in Neh. 8 everything has been left out that does not relate to the reading of the *torah*. J. Meinhold, 'Esra der Schriftgelehrte?', in: K. Budde (ed.), *Vom Alten Testament* (Fs Karl Marti) (BZAW, 41), Giessen 1925, 205-6, elects the opposite approach, methodologically speaking, by stating that the 'Chronicler' would have left contradictions in the text intact out of respect for the sources.

celebration of Passover by Josiah (cf. 2 Chron. 35:18). It had not been celebrated in this way since the time of the Judges – a statement that, taken literally, is incorrect, but is intended to refer to Joshua (cf. 2 Chron. 30:26; 35:18). In the same way as a special version of the Passover festival has been described before the destruction of Jerusalem, a remarkable Sukkoth is celebrated after the return to Jerusalem. In both cases, the participating community is made contemporaneous with 'Joshua', and in both cases this contemporaneity is achieved by the part played by the book of the *torah* of Moses.

This takes me to the last verse of this pericope, especially the information that 'they read from book of the *torah*, each day'. The suggestion is that this reading is part of Sukkoth, which traditionally finishes with Simchath Torah, the festival of the 'Rejoicing of the Law' (cf. Neh. 8:17: שִׂמְחָה גְדוֹלָה). Although during Simchath Torah the cyclic reading of the Torah is finished and starts anew, a daily reading from the Torah does not form part of Sukkoth.[130] So here, too, the festival is presented in an idiosyncratic way. And here, too, it is done with the same intention: to focus attention on the 'book of the *torah*'. This becomes clear when we look at the only place which does connect Sukkoth with the reading from the *torah*, a place we saw earlier: Deut. 31:10-12.

31:10 Moses instructed them, saying:
every seventh year,
the year set for remission,
at the Feast of the Tabernacles,
11 when all Israel comes
to appear before YHWH, your God
in the place that he will choose,
you will read this *torah* aloud to Israel,
in their presence.

Here, as in Neh. 8, everybody is included, men, women and children 'who have not had the experience'. The entire community who will cross the Jordan to live in the Promised Land, is exhorted by Moses to 'keep all the words of this *torah* by doing them' (Deut. 31:12). The fact that he even sees a place for 'the strangers (גֵּר) who live in your cities' here, may be considered

[130]The Mishna does mention such a reading (m. Meg. 3:7), but this is probably an attempt to follow the 'command' of Ezra in Neh. 8:18 (see Elbogen, *Jewish Liturgy*, 131).

a truly prophetic statement, given the tense relations with 'the others' described in Ezra-Nehemiah.[131]

The observation of this parallelism between Neh. 8 and Deut. 31 takes us back to the beginning of this study. In the canon of the Hebrew Bible, the texts from Ezra-Nehemiah and Deuteronomy are far apart, but there is a clear substantive connection.[132] Moses' reading from the 'book of the *torah*' to Israel, in view of and immediately before the entry into the Land, is echoed by Ezra's reading after the return from exile. Viewed in this way, we do indeed have a 'second Moses'.[133] Both in Deuteronomy and in Ezra-Nehemiah the 'book of the *torah*' proves to play an important part in the actions and the mission of the main protagonist. Moses hands the 'book of the *torah*' to the people of Israel when they are at the beginning of their history; he himself remains behind and hands the leadership to Joshua, who reads from the 'book of the *torah*', and to the Levites, who carry the ark. Ezra, in his way, also vanishes into the background, since from that moment the Levites will lead the congregation in the reading of the *torah*: 'they' find written (Neh. 8:14), and 'they' read each day (Neh. 8:18).[134] Ezra has placed the 'book of the *torah*' again in the centre of Israel, and thus reminds the people of their origin.

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[131]See on the background to this B.J. Diebner, 'Juda und Israel: Zur hermeneutischen Bedeutung der Spannung zwischen Judäa und Samarien für das Verständnis des TNK als Literatur', in: M. Prudky (ed.), *Landgabe* (Fs J. Heller), Praha 1995, 86ff., esp. 112-3.

[132]See Williamson, *Ezra, Nehemiah*, 287: 'The emphasis both in Deuteronomy and here on the gathering of a full assembly of the people and the general similarity of the procedure and its purpose (...) suggests that Ezra intended his activity to comply with the law.'

[133]See H. Najman, 'Torah of Moses: Pseudonymous Attribution in Second Temple Writings', in: C.A. Evans (ed.), *The Interpretation of Scripture in Early Judaism and Christianity: Studies in Language and Tradition* (JSPE.S, 33), Sheffield 2000, 202-16, who argues that the phrase 'Torah of Moses' in Ezra-Neh. pseudonymously attributes text interpretations to Mozes: 'In order to authorize the restored Jerusalem community, the authors of Ezra-Nehemiah identified their history with the history of the authoritative figure, Moses.' (214)

[134]See Eskenazi, *In an Age of Prose*, 99-100, 142, 191.

PART TWO

Re-reading

Chapter 5

Connections

> *. . . at Thy beck the moments flee by. Grant thereof a space for our meditations in the hidden things of Thy law, and close it not against us who knock. For not in vain wouldest Thou have the darksome secrets of so many pages written; nor are those forests without their harts which retire therein and range and walk; feed, lie down, and ruminate.*
>
> Augustine, *Confessions*, transl. E.B. Pusey, Liber 11, II/3, London n.d.

At the conclusion of the canon of the Hebrew Bible, the community of Israel gathers to study the 'book of the *torah*'. When Ezra deposits the 'book of the *torah*' in their midst, it is not only the people of Israel but we, too – readers and hearers of Ezra-Nehemiah – who are taken back to the beginning, the five books of Moses. In this way, the same text that we already possessed is presented to us again, as it were: Scripture asks to be read anew.

This is not the place to really start all over again, but the clear appeal that sounds from Ezra-Nehemiah does require some sort of resumption if our readings are not to be left dangling in the air. For, if we take a step back from the text for a moment and consider the great arc from Moses to Ezra that we found at the end of the previous chapter, several questions arise from the interpretation provided there. For instance, it is possible to reverse the image of Ezra as the 'second Moses', which begs the question whether Moses should not be seen as a 'proto-Ezra'. Is Ezra the follower of Moses, or is the opposite the case – is Moses not the precursor of Ezra? In addition to this, a careful analysis is required of the situation in relation to the 'books' that link Moses, Josiah, Jeremiah and Ezra. We have seen which role is played by these 'books' in the individual stories, but what can we say about the relations between these stories on the basis of this common motif? In the same way, the relative positions of the four people mentioned require clarification. For instance, what position do Josiah and Jeremiah as king and prophet occupy in relation to the two characters who appear with them? All these topics have been touched on briefly when we passed them in the course of our reading. We must scrutinise them again in a re-reading, if we are to acquire a better view of the route as a whole.

5.1 'Let the text speak for itself'

The point at which these questions come up, and the fact that they cannot be answered without a re-reading of the texts, are connected with my decision to begin this study by coming straight to the point and launching into a reading of Deuteronomy after only a short introduction. I could have opted for a different approach. Anyone who takes up a monograph such as this would not be surprised first to find a description of the method adopted, and next see this method applied to the subject under discussion. Readers would even think it fairly normal to be presented with the conclusions first, so that the argument proper could serve to demonstrate the plausibility of these conclusions. The advantage of such a set-up is that it lends the study in question a certain utility value, in particular for colleagues working within the same field. Yet however convenient and especially practical it is to know how the land lies, what the author's position is and 'what it all boils down to', I have nevertheless opted here for a different approach. This is not because I refuse to show my true colours, or am not consciously following a particular method; by now it should be clear that neither is the case, but just to be on the safe side I shall offer some additional explanation of these matters in this paragraph. There are two reasons for the approach I have chosen.

First, it is quite simply a matter of academic propriety to select a method that shows respect for the (nature of) the subject under scrutiny; this is as much the case in the study of texts as it is in the study of nature or of man, for that matter. Few people will deny this, whichever method is applied. Thus, a correct method is one which is adapted to the object of study, is actually shaped during and by this study, and so in a manner of speaking is determined by the object itself, which 'demands' the approach that will force it to give up its secrets. This, too, most scholars will agree with. Yet we may ask ourselves whether investigators are not inclined to fall more and more in love with the method used, with their own way of working, and accord more weight to the method than to the so-called object of study, especially if the latter turns out not to 'behave' objectively. Of course it is more natural to want to keep an object within the area of a familiar method than to enter uncharted territories.

Every researcher knows this experience and the corresponding temptations. In my opinion, this means that the cyclic process that encompasses all research should be followed with caution – object, investigation according to a specific method, results, return to the object, adaptation or change of method if necessary, etcetera. This circle itself cannot be broken (unless by somebody with the talents of a Von Münchhausen), which implies that there is no single objective, absolute truth.

If we want to prevent a method from automatically becoming the standard of truth it is necessary to continuously ask ourselves whether the method still serves the object and the study of it. The danger of a reversal of the proper order – in the case of an attempt to break the cycle mentioned above – remains: before we know it, we find ourselves modelling the object at the centre of the inquiry to suit the scholarly building into which we so want it to fit if it is to have significance. This is a topsy-turvy situation, but the human mind, even the scholarly mind, proves to be surprisingly quick at adopting it as the normal state of affairs.

These considerations lead me to the conclusion that methodological discussions should not dominate a study such as this, unless it is a 'meta-study', focusing on the methods themselves. This is not the case here, which is why I started my book with the reading of the actual pericopes under scrutiny. In this respect I view the methods of the medieval rabbis as an example and a warning; Abraham ibn Ezra, for instance, did not present his exegetical principles in his first commentary, but got around to that only much later, in his Torah commentary. I do not assume this was caused by a lack of knowledge or by methodological weakness.[1]

The second reason has to do with the method I have followed in the preceding chapters, and which I have hinted at in various places. In order to explain this reason and proceed with my argument, I will first have to say something about the method itself. My basic assumption here has been that the texts from

[1] See I. Zwiep, 'Magie, poëzie, exegese, geschiedenis: Een verkenning van middeleeuwse joodse benaderingen van het boek Psalmen', *ACEBT* 18 (2000), 115-6. She also points to the fact that the medieval rabbis did not finish their 'synthetic' commentaries to the Torah until they had reached an advanced age.

the Hebrew Bible – irrespective of how, when and by whom they were written, put together or edited – are of a literary nature, and demand an approach that does justice to this character. Literature should be read differently than, for instance, a historical or encyclopaedic reference book, or a legal or religious book of law. The literary nature of the Hebrew Bible also includes the concept of a God of Israel with something to say. If we want to do justice to these texts, we cannot leave this aspect aside; we will have to take it seriously and listen with a theological 'ear' as well, in spite of the doubts and qualms this will sometimes bring out in modern readers, whether they are believers or not. In the approach to the Hebrew Bible literature and theology cannot be played off against each other.[2]

As I see it, one will get closest to a literary text by looking for references and connections within the text itself. Colometry,[3] keywords[4] and such stylistic devices as inclusio, parallelism, chiasm, etcetera belong to the standard equipment of the exegetical kitchen,[5] in addition to the grammatical and lexicographical tools for the understanding of the text – you cannot bake bread without an oven. The particular use of these tools varies, dependent on the specific character (the genre) of the text under investigation. A psalm requires a different approach on the part of the reader than apocalyptic visions. In all cases, however, the point is that the text itself is not the tool by means of which *other* objects are investigated, such as historical questions, dogmatic issues or religious convictions; this is of course possible, but then we have ceased to interpret texts and have entered other disciplines. The *text* is the object of investigation, and as such 'demands' analysis and exegesis, as a literary work of art. This is where the motto 'Let the text speak for itself' comes in.

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[2]Cf. K.A. Deurloo, *Schrijf dit ter gedachtenis in het boek*, Amsterdam 1975, 22-3.

[3]See F. Rosenzweig, 'Die Schrift und das Wort', in: M. Buber, F. Rosenzweig, *Die Schrift und ihre Verdeutschung*, Berlin 1936, 76-87; M. Buber, 'Eine Übersetzung der Bibel', in: Buber, Rosenzweig, *Die Schrift*, esp. 307-9; M. Buber, 'Zum Abschluss', in: *Werke*, Bd. 2, 1176-7; on origin, meaning and significance of the colometry see F.H. Breukelman, *Bijbelse Theologie 1: Schrift-lezing*, Kampen 1980, 40ff.

[4]See M. Buber, 'Leitwortstil in der Erzählung des Pentateuchs: Aus einem Vortrag', in: *Werke*, Bd. 2, 1131ff.; E. Fox, *The Five Books of Moses* (The Schocken Bible, 1), New York 1995, XVI-XX.

[5]See R. Alter, *The Art of Biblical Narrative*, New York 1981, 180ff.

I hope to have satisfactorily sketched my position in this way, so that I can characterise the method I have followed as aiming for an interpretation that looks for (the meaning of) textual structures within the canon of the Hebrew Bible and is at the same time theological, i.e., takes into account the fact that the texts form a coherent whole, testifying to the God of Israel.[6] I will not discuss this definition any further, as I prefer to pay attention to the questions raised by the maxim quoted above.

In the undesirable event that the motto 'Let the text speak for itself' is rephrased into the question '*What* is it that the text says?', the intended meaning of the statement is immediately reversed and we find ourselves holding the wrong end of the stick. Both within and outside the discipline of theology, texts from the Hebrew Bible are often used to demonstrate the validity of certain opinions or views, with or without the support of an appeal to the text itself. The texts are defenceless against this sort of (ab)use. I am not saying this to attack theology from days gone by, or specific modern trends or opinions, but only to pinpoint a danger that obviously does threaten exegetes and other theologians. Raising one's own reading approach or method of investigation to the status of norm will not suppress this danger; rather, it demonstrates how serious the danger is. Therefore, it is best to keep both feet firmly on the ground of the Hebrew text; this concrete text not only has the first word, but should also have the last.

Another question is what exactly is meant by 'text'. Even when we take a concrete collection of texts as our starting-point – in this case, the Masoretic text of the canon of the Hebrew Bible – and search it for any structures, nothing is self-evident: structures are never up in the air; they are not self-contained, but always form part of a greater whole. One might say that developments within 20th-century hermeneutics have been determined by the various views on what exactly constituted this greater whole of which texts form part: the edifice of language, for instance, the endless ramifications and layers of society, or the

[6] Cf. K.H. Miskotte, *Om het levende Woord: Opstellen over de praktijk der exegese*, 's-Gravenhage 1948, who sees the task of biblical exegesis as grasping a few key words/concepts, in order to mediate between the multitude of reports and testimonies on the one hand, and the single basic message on the other.

interconnected network of literature. Hermeneutics set out to be a reflection on the rules for the exegesis of biblical texts, but has since the activity of the theologian F. Schleiermacher grown into a philosophical discipline contemplating people's (in)abilities to 'read' their world, and 'understand' themselves. Things have not become any simpler, but there is no escaping the conclusion: man is a hermeneutic animal. As theologians, too, are only human, it is not surprising that they end up with these hermeneutic questions on their plates, and some hermeneutic reflections might seem called for at this juncture. I will not offer these, however, for two reasons that, although vastly different, are nevertheless closely connected.

In the first place, I lack the competence to do justice to the work of such people as E.D. Hirsch, H.-G. Gadamer, or P. Ricoeur in the brief scope of this paragraph. This does not mean, however, that their work and that of others has not been influential. Secondly, within the framework of a study such as this one, as an exegete and theologian I feel committed to a specific task: explanation and interpretation of biblical texts. This is a task that imposes restrictions, on the order in which the work should be carried out rather than its extent. The study of the actual text comes first, reflection follows. This also defines the second reason behind the structure of this book: nobody can step outside the circle of the investigation (which is also a hermeneutic circle), but on the first page of one's book one has to start somewhere. Here, the reading has come first, the processing afterwards. This is also partly a reaction to my readings in hermeneutic studies. According to W. Jeanrond, Ricoeur is the first author since Schleiermacher within the field of hermeneutics who is again paying attention to the importance of texts *as scripture*.[7] Numerous hermeneutic debates expand on 'texts' without actually discussing and interpreting a single one. This may be permitted to a philosopher, but in my view an exegete and theologian cannot afford to do this. In this respect, the motto should certainly be 'Let the *text* speak for itself', as scripture is the material that we work with and posits itself as the reality preceding all reflection. R. Zuurmond is right when he says about theological hermeneut-

[7]See W. Jeanrond, *Theological Hermeneutics: Development and Significance*, London 1994, 72; cf. A.C. Thiselton, *New Horizons in Hermeneutics*, London 1992, 55ff.

ics: 'Ontology and anthropology lose their dominance and must return their central position in hermeneutics to the text itself. The reality of the text that addresses us precedes the possibility of its interpretation'.[8]

I would like to conclude this explanatory rationalisation or rationalising explanation by returning to the question that guided our readings in Part I: do the texts from the Hebrew Bible themselves clarify the maxim 'Let the text speak for itself', or, in other words, which part is played by the 'text' as 'scripture' in this literature? With this question in mind I have gone over the Hebrew Bible readings again. In four narratives, scriptures prove to be a central motif, with the 'book of the *torah*' playing an especially conspicuous part. Moreover, the exegesis shows that these stories contain many allusions to each other, and to other passages in the Hebrew Bible. In order to show these references clearly – and because of the fact that the stories in question are distributed over different books – it was necessary to draw long lines. A search was made for structures within the individual texts, and within the canon as a whole; thus, our field of activity is the theology of the Hebrew Bible and the results of the investigation have been presented in a form suited to that field. One of the consequences of this has been that in the presentation of the readings exegesis in the strict sense of the word occasionally had to give way, even though it has always been the starting-point and foundation of the actual investigation.

When we now look back, there are two aspects that first strike us: the 'book of the *torah*', which continually returns, and the fact that the narratives discussed have been distributed over the four sections of the canon: Torah (Deuteronomy), Former Prophets (Kings), Latter Prophets (Jeremiah), and Writings (Ezra-Nehemiah). This requires further investigation, in order that we may see more clearly how the stories are connected. In the next paragraph the first point will be discussed; the concept of the 'canon' will be the subject of the third paragraph.

[8] R. Zuurmond, 'A Critical Hermeneutic', in: M. Kessler (ed.), *Voices from Amsterdam: A Modern Tradition of Reading Biblical Narrative* (SBL Semeia Studies), Atlanta 1994, 73.

5.2 The 'book of the *torah*'

Usually, the genesis of the Torah is dated to 'the time of Ezra', with reference to Ezra 7 and Neh. 8, i.e., the period after the Babylonian exile from the beginning of the 5th century BCE.[9] Although we may conclude from quotations, references and allusions in other literature that the books from the Torah did indeed quickly become authoritative in this period, we have only the stories from the book of Ezra-Nehemiah itself to link the Torah to Ezra. How the origin of the canon may be viewed, and which periods are relevant in this respect, will be the subject of the next paragraph. First of all it is important to establish that no proof can be given for the attribution of the Torah to Ezra, so that the identification of the 'book of the *torah*' in Neh. 8 with the Torah of the (Masoretic) canon is historically naive. Ezra's 'book' is a literary motif within a story, whereas the Torah is a collection of books that are read in synagogue and church, and studied in scholarly literature. What is naive from a historical point of view, however, need not be so from a literary or theological perspective. What is at issue here is the one word תּוֹרָה, which for the sake of clarity I sometimes spell with and sometimes without the capital, but which in Hebrew of course is written in only one way. Hence, even though it is difficult to draw historical conclusions from Ezra-Nehemiah,[10] the question of the relationship between

[9]See for instance O. Procksch, 'Der hebräische Schreiber und sein Buch', in: G. Abb (ed.), *Von Büchern und Bibliotheken* (Fs E. Kuhnert), Berlin 1928, 12ff.; recently: J.A. Sanders, *AncBD*, 'Canon', vol. 1, 840-1: 'The Torah which was read that day in Jerusalem had been brought there by Ezra from the large exilic community in Persian-occupied Babylonia. But the sequel Genesis to Kings, no matter that Ezra's Judaism needed to break it into two liturgical divisions (called Torah and Early Prophets), was undoubtedly a stabilized written (hi)story fairly much as we now have it in the Tanak by the middle of the 6th century B.C.E.'

[10]All the same, it is possible to draw up hypotheses about the historical background that are not purely historical. There is, for instance, the provocative view of B.J. Diebner, who asserts that Torah, Prophets and Writings have been structured according to an 'ecclesiological' rather than a chronological principle (the descriptions of 'Israel'), and adduces arguments for a 'Spätdatierung'; he is of the opinion '... dass die T[ora] noch das herodianische Zeitalter reflektiert, jedenfalls aber die Makkabäerzeit im gesamten TNK [Tanakh].' (B.J. Diebner, 'Juda und Israel: Zur hermeneutischen Bedeutung der Spannung zwischen Judäa und Samarien für das Verständnis des TNK als Literatur', in: M. Prudky (ed.), *Landgabe* (Fs J. Heller), Praha 1995, 90).

the 'book of the *torah*' and the Torah remains relevant.

If we are to discuss this question, it is probably a good idea to draw up an overview of the various forms in which, and places where, the phrase סֵפֶר הַתּוֹרָה, 'the book of the *torah*', occurs in the Hebrew Bible.

book of the torah		
בְּסֵפֶר הַתּוֹרָה הַזֹּאת	–	in the book of this *torah* *Deut. 28:61*
בְּסֵפֶר הַתּוֹרָה הַזֶּה	–	in this book of the *torah* *Deut. 29:20; 30:10*
אֶת סֵפֶר הַתּוֹרָה הַזֶּה	–	this book of the *torah* *Deut. 31:26*
סֵפֶר הַתּוֹרָה הַזֶּה	–	this book of the *torah* *Josh. 1:8*
בְּסֵפֶר הַתּוֹרָה	–	in the book of the *torah* *Josh. 8:34*
סֵפֶר הַתּוֹרָה	–	the book of the *torah* *2 Kgs 22:8, 11; 2 Chron. 34:15*
אֶל־סֵפֶר הַתּוֹרָה	–	to the book of the *torah* *Neh. 8:3*
book of the torah *of Moses*		
בְּסֵפֶר תּוֹרַת מֹשֶׁה	–	in the book of the *torah* of Moses *Josh. 8:31; 23:6; 2 Kgs. 14:6*
אֶת־סֵפֶר תּוֹרַת מֹשֶׁה	–	the book of the *torah* of Moses *Neh. 8:1*
book of the torah *of* (YHWH) *God*		
בְּסֵפֶר תּוֹרַת אֱלֹהִים	–	in the book of the *torah* of God *Josh. 24:26*
בַּסֵּפֶר בְּתוֹרַת הָאֱלֹהִים	–	in the book, in the *torah* of God *Neh. 8:8*
בְּסֵפֶר תּוֹרַת הָאֱלֹהִים	–	in the book of the *torah* of God *Neh. 8:18*
בְּסֵפֶר תּוֹרַת יְהוָה אֱלֹהֵיהֶם	–	in the book of the *torah* of YHWH God *Neh. 9:3*
(אֶת־)סֵפֶר תּוֹרַת יְהוָה	–	the book of the *torah* of YHWH *2 Chron. 17:9; 34:14*[11]

All places in these lists have been mentioned in the previous chapters, and – apart from the instances from Chronicles, which

[11] Here followed by: 'given by Moses', בְּיַד־מֹשֶׁה.

are parallels to Kings – have been more or less extensively discussed. Bearing in mind the interpretations provided there, we will now have to turn to the question what these lists show us. I would like to highlight the following points:

a. The demonstrative pronoun (זֶה/זֹאת, '*this* book of *the torah*' /'the book of *this torah*') only occurs in the first five instances: four times at the end of Deuteronomy, and once at the beginning of Joshua. The first time this occurs (Deut. 28:61) one might think that reference is being made to some 'book' in which various matters are written down, a 'book' that is mentioned *in* Deuteronomy, but is not Deuteronomy itself. After the fifth and last time '*this* book' is mentioned (Josh. 1:8) this assumption is harder to maintain. As we have seen, the reference in Joshua points *back to* Deuteronomy. Viewed in this way, it seems no coincidence that the phrases '*this* book of *the torah*'/'the book of *this torah*' in Deuteronomy are used only at the end. If it referred to some 'book' or other in which Moses writes down rules and regulations, it would probably have been mentioned earlier; there are many places in Deuteronomy where this would even have been obvious. The positive argument, however, weighs heaviest: together with Josh. 1:8 these instances are references to Deuteronomy itself, as the final and concluding book of the Torah.[12] In the next chapter I will discuss the significance of this, and a possible interpretation, in more detail.

b. It is only outside the Torah that the phrase 'book of the *torah*' is combined with a name – Moses or YHWH God. Within the Torah there is no ascription. This fact may be viewed as an argument in favour of interpreting the phrase 'book of the *torah*' as a reference to Deuteronomy. On the one hand, the fact that

[12]See S.B. Chapman, ' "The Law and the Words" as a Canonical Formula within the Old Testament', in: C.A. Evans (ed.), *The Interpretation of Scripture in Early Judaism and Christianity: Studies in Language and Tradition* (JSPE.S, 33), Sheffield 2000, 30-1. Cf. F. García López, *ThWAT*, Bd. 8, 608: 'Dtn 28:61; 29:20; 30:10; Josh. 1:8; 8:31 geben ganz klar zu verstehen, daß es sich um die T. [Torah] handelt, die in einem Buch schriftlich niedergelegt wurde. Daher steht T. nicht mehr für eine individuelle Priesterbelehrung, sondern wird zur Bezeichnung einer festen literarischen Größe: das T.-Deuteronomium. Mit dieser T. werden die Fundamente des späteren T.-Pent. gelegt.' J.-P. Sonnet's basic assumption in *The Book within the Book: Writing in Deuteronomy* (BInt.S, 14), Leiden 1997, 257, says that in Deuteronomy reference is never made to the representative medium (the 'book'), but to 'the represented act of communication'.

both names are mentioned alludes to the words that, according to the stories *in the Torah* (especially Deuteronomy), Moses spoke and wrote by command of YHWH God. On the other hand, the text of Deuteronomy keeps to direct speech and avoids reference to Moses in the third person as much as possible. Linked to this is the fact that in Deuteronomy itself a 'book of Moses' is *not* mentioned: this would have an alienating effect, and would detract from its character as a farewell speech. Thus, through the explicit ascription of the 'book of the *torah*' the attention is directed towards Deuteronomy.

c. In addition to Deuteronomy, the books of Joshua and Nehemiah are well represented, i.e., the first book of the Prophets and the last book of the Writings. In other words, the expression 'book of the *torah*' links both the beginning of the Prophets and the end of the Writings to the conclusion of the Torah. Moreover, the phrase plays an important part in 2 Kgs 22–23, at the end of the Former Prophets.[13] These observations point to a pattern: the phrase 'book of the *torah*' seems to appear at strategic places within the canon, acting as a link between the various parts and lending cohesion to the whole. In this respect it is interesting to note that the conclusion of the Latter Prophets, Mal. 3:22 [tr. 4:4] evokes the same atmosphere, even though the vocabulary is not quite the same: 'Be mindful of the *torah* of Moses (תּוֹרַת מֹשֶׁה), my servant, with which I charged him on the Horeb, for all Israel.'

d. Finally, it is remarkable that the book of Jeremiah does not figure in these lists at all. The 'book of the *torah*' is not mentioned in his prophecy; all attention is focused on the scroll on which the words of the prophet himself are inscribed. Our reading has shown that Jer. 36 constitutes a clear contrast with 2 Kgs 22–23. The vicissitudes of the 'book' also demonstrate this. King

[13] Cf. B.S. Childs, *Introduction to the Old Testament as Scripture*, London 1979, 63: 'There is further evidence in the canonical development of the Law of Moses to be found in the redactional framework which surrounds the Former Prophets.' Contra N. Lohfink, 'Das Deuteronomium: Jahwegesetz oder Mosegesetz? Die Subjektzuordnung bei Wörtern für "Gesetz" im Dtn und in der dtr Literatur', in: N. Lohfink, *Studien zum Deuteronomium und zur deuteronomistischen Literatur*, Bd. 3 (SBAB, 20), Stuttgart 1995, 162, who asserts that in 2 Kgs 22–23 the name of Moses is not directly linked to ספר. Lohfink sees this as confirmation of his premise that the story is an 'Auffindungsbericht' of a 'Quelle' to be reconstructed in the exegesis; he declares 2 Kgs 23:25 (תּוֹרַת מֹשֶׁה) to be a 'dtr Rahmennotiz'.

Jehoiakim is a biblical example of somebody who thinks the text should not be allowed to speak for itself at all. His deconstruction of the text is radical, and does not even draw the line at physical violence; he literally cuts the text into pieces and burns the prophecy.

5.3 Canon and *torah*

Are we allowed to make these connections between texts that are placed so widely apart within the canon? Our reading has shown that the stories in question do contain allusions to each other and are linked to one or more of the others in various ways, the most conspicuous being an orientation toward Deuteronomy.[14] On the basis of our reading – and only *after* that reading – we discussed the phrase 'book of the *torah*' as a literary motif. The list of places where this expression occurs has not simply been taken from a concordance, but is the result of careful exegesis. Therefore, this list is not intended to be simply an enumeration; it illustrates what turns out to be the framework of the exegesis. We are thus justified in making these connections, even on the basis of the single phrase 'book of the *torah*'.

However, the question remains what exactly happens when such an approach is adopted, for a number of preconceptions come into play when we do this – not only the basic assumption that biblical texts are literary texts and demand to be analysed in a way that suits their character,[15] but also the assumption that the canon constitutes a context within which the place of the individual books determines the interpretation of the texts.

[14]See N. Lohfink, 'La morte di Mosè e la struttura del canone biblico', *CivCatt* 150/3 (1999), 217, who argues that after Deuteronomy the character of the Bible changes: 'Da un punto di vista letterario la Bibbia diviene ora "autoreferentiale". Finora ha raccontato; adesso guarda indietro, a se stessa, come a qualcosa di diverso, oggettivo, concluso. Ciò che viene adesso è ancora Bibbia, ma ciò che c'è stato prima e che con la morte di Mosè è finito è già concluso, è la *Torah*.'

[15]O. Bötticher, *Das Verhältnis des Deuteronomiums zu 2. Kön. 22-23 und zur Prophetie Jeremia*, Bonn 1906, draws connections between the same texts, but from the perspective of a historical question: which '*torah*' is it that Shaphan reads? He concludes that Josiah hears 'D', i.e., Deut. 12–26; 28. When Jeremiah and Baruch then exhort the people to observe the Torah, they also mean 'D', with the emphasis on its ethical aspects, according to Bötticher.

The word 'canon'[16] thus becomes a critical concept; it cannot be used naively, and requires explanation.

First of all there is the fact that there is no one definitive canon of the Hebrew Bible. To this day, Bible editions vary as regards the number of books they include and the order in which these appear. This variation goes back to developments during the centuries just before and just after the start of the common era, when books were granted or denied canonical status. It should be pointed out that various processes are simultaneously active here: the word 'canonical' may be interpreted in two different ways.[17] In the first place it means 'having authority'; many books were canonical in this sense of the word, but not all of them were later included in the list which constitutes the canon of the Hebrew Bible, or a book would appear in one list but not in another. This points to the second meaning of 'canonical': included in a fixed list of books. What is more, these two meanings are interrelated and cannot be played off against each other, for instance by taking the first meaning to refer to a process of historical growth, and the second to a theological or ecclesiastical phenomenon.[18] This is not a suitable place for a survey of questions relating to these complex historical developments.[19] One aspect, however, I would like to discuss in more detail: the division of the canon into three sections. This has originated in the

[16]For the meaning and original application of κανών, see: M. Rese, *DNP* 6, 248; O. Eißfeldt, *Einleitung in das Alte Testament*, Tübingen [3]1963, 758ff.; Childs, *Introduction*, 49-50; P.R. Davies, *Scribes and Schools: The Canonization of the Hebrew Scriptures*, Louisville 1998, 6-8.

[17]See J.A. Sanders, 'Canon', *AncBD*, vol. 1, 839, where Sanders distinguishes between *norma normans*, 'a collection of authoritative books', and *norma normata*, 'an authoritative collection of books'. J. Barton, 'Canons of the Old Testament', in: A.D.H. Mayes (ed.), *Text in Context: Essays by Members of the Society for Old Testament Study*, Oxford 2000, 215ff. Cf. B.J. Diebner, 'Erwägungen zum Prozess der Sammlung des dritten Teils der antik-jüdischen (hebräischen) Bibel, der כתובים, *DBAT* 21 (1985), 139ff., who speaks of 'Sanktifizierung', and alongside this, of 'Kanonisierung'.

[18]See B.S. Childs, *Introduction*, 57ff., who points to an interaction between the (genesis of) the books and the society in which they functioned: 'The formation of the canon was not a late extrinsic validation of a corpus of writings, but involved a series of decisions deeply affecting the shape of the books.' (59)

[19]See J.A. Sanders, 'Canon', *AncBD*, vol. 1, 837-52; cf. N. Lohfink, 'Gab es eine deuteronomistische Bewegung?', in: W. Groß (ed.), *Jeremia und die 'deuteronomistische Bewegung'* (BBB, 98), Weinheim 1995, 335ff.

Jewish tradition, and is usually, as reflected in the Masoretic text of the *Codex Leningradensis*, the starting-point for scholarly research – even though the presentation of this text in the BHS (as we have seen) does not always follow the manuscript faithfully as regards the order of the books.

For a long time, the general consensus among modern theologians has been that the Torah (תּוֹרָה) originated in the 5th century BCE, the collection of the Books of the Prophets (נְבִיאִים) was completed around 200 BCE at the latest, and the Writings (כְּתֻבִים) shortly after the 'synod' of Jamnia/Jabneh, at the end of the 1st century CE.[20] During the last decades, however, various studies have shown that things are not as clear-cut as that.[21] As stated earlier, a reference to 'Ezra' gives us nothing to go on as regards a dating of the Torah. Moreover, although it is highly probable that in Jamnia/Jabneh, being the seat of the Sanhedrin and centre of learning, the formation of the canon was strongly influenced by the activities of the Tannaim, there certainly was no strict rule for the extent of the canon, and the idea that something like a 'synod decision' was taken is probably a retrospective projection from later (Christian) developments.[22]

At this time, the fixing of the canon did not come about as a result of official discussions, neither in Jewish nor in early

[20]The book *Masoret ha-Masoret* (Venice, 1538) by the scholar Elijah Levita, who ascribes the division of the canon into three parts to Ezra c.s., has been very influential. Translations of *Masoret ha-Masoret* appeared until the 20th century. See M. Medan, *EJ*, s.v. 'Levita'; Eißfeldt, *Einleitung*, 764.

[21]See A. van der Kooij, 'De canonvorming van de Hebreeuwse bijbel, het Oude Testament', *NedThT* 49 (1995), 43, 61; B.S. Childs, *Biblical Theology of the Old and New Testaments: Theological Reflection on the Christian Bible*, Minneapolis 1993, 56; Childs, *Introduction*, 51-4. S.B. Chapman, *The Law and the Prophets: A Study in Old Testament Canon Formation* (FAT, 7), Tübingen 2000, 1-106, offers an overview of modern views on the genesis of the canon, from the perspective of the possible relationship between the Law and the Prophets.

[22]The basis for 'Jamnia' is m. Yad. 3.5; there is a discussion there about the status of Ecclesiastes and the Song of Songs, which is concluded with וכן גמרו 'thus they reached an agreement'. Whether this was about the canonical status of these books is unclear; it is certainly not the canon itself which is the subject. See J.J. Collins, 'Before the Canon: Scriptures in Second Temple Judaism', in: J.L. Mays *et al.* (eds), *Old Testament Interpretation: Past, Present and Future* (Fs G.M. Tucker), Edinburgh 1995, 227-8; see also L.M. McDonald, *The Formation of the Christian Biblical Canon*, Peabody [2]1995, 49-50.

Christian circles. For centuries, books from Torah, Prophets and Writings had been authoritative, but this does not mean that something like a canon, in the sense of a closed list, existed. The same can be said about the use of the *names* 'Prophets' and 'Writings'. The famous opening sentence of the Prologue to the Wisdom of Jesus ben Sirach: πολλῶν καὶ μεγάλων ἡμῖν διὰ τοῦ νόμου καὶ τῶν προφητῶν καὶ τῶν ἄλλων τῶν κατ' αὐτοὺς ἠκολουθηκότων δεδομένων – 'While many and great things have been handed down to us by the Law and the Prophets and the others that came after them' – seems to imply that at a very early stage, around 130 BCE, the collections 'Torah' and 'Prophets' were already fixed, and perhaps also the Writings ('the others'?) – although in this last case the number of books included kept on changing for a long time, as did its name.[23] But of the collections themselves the same may be said as of the individual books: their existence and canonical authority does not imply the existence of a canon in the sense of a closed list, with a fixed order.[24] It took until around 100 CE at the earliest for the extent of the list to become more or less fixed in the Jewish and (various) Christian traditions,[25] but various details in the order of the books

[23]See for instance Lk. 24:44: 'the law of Moses, and the Prophets and *the Psalms*'; cf. 24:27: 'He started with Moses and all the Prophets ...' See also the two other instances from the Prologue to Jesus ben Sirach, 8-10, 24ff.; cf. Diebner, 'Erwägungen', 139-41 and 191ff., where he points to the possibility that this Prologue has a pseudepigraphic character; as early Christian 'fiction' it would fit as late a date as the 2nd century CE. See also A. van der Kooij, 'The Canonization of Ancient Books Kept in the Temple of Jerusalem', in: A. van der Kooij, K. van der Toorn (eds), *Canonization and Decanonization: Papers presented to the International Conference of the Leiden Institute for the Study of Religions* (LISOR), *held at Leiden 9-10 January 1997* (SHR, 82), Leiden 1998, 17-40, esp. 23-4.

[24]See J. Barton, 'The Significance of a Fixed Canon of the Hebrew Bible', in: M. Sæbø (ed.), *Hebrew Bible/Old Testament: The History of its Interpretation*, vol. 1/1, Göttingen 1996, 68ff. According to Barton, consensus is only possible on the *relative* dates of the parts of the canon: first the Torah, next the Prophets, finally the Writings. The concept of an 'exclusive canon' (selecting books to be included, excluding others), played no part in ancient Judaism, according to Barton: 'It was fixed, but not closed.' (83) He is of the opinion that not until the first century CE did the Prophets and the Writings start to acquire a fixed character alongside the Torah. See also R. Beckwith, *The Old Testament Canon of the New Testament Church and its Background in Early Judaism*, Grand Rapids 1985, 154ff.

[25]The earliest rabbinical text is b. B. Bat. 14a: 'Our Rabbis taught: The order of the Prophets is, Joshua, Judges, Samuel, Kings, Jeremiah, Ezekiel,

kept changing until a long time afterwards.[26] The description of the changing positions of Ezra-Nehemiah and Chronicles in the previous chapter already made this clear.[27] Moreover, the way in which books were produced has to be taken into account: in the time around the beginning of the common era Hebrew books had the form of scrolls, so that collections were formed in a different way from the later codices.[28]

These remarks lead me to the conclusion that, from a historical perspective, the shaping of Torah, Prophets and Writings and the way in which they relate to each other did not come about as a result of the books being progressively strung together, but arose from a dynamic process, in which the presentation selected reflected a specific concept.[29] Thus, the relevance of the canon is first of all theological and literary, rather than historical: however it has grown, the present extent and structure constitute the casing for the included texts, like a frame around a painting. The canon is the first context within which the texts of the Hebrew Bible should be interpreted.[30]

The canon of the Masoretic text also reflects a specific concept; the structure is theological, and contributes to the testimonies presented in the various books. The structure of this canon forms an important part of the theology of the Hebrew Bible – although

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Isaiah, and the Twelve Minor Prophets. (...) The order of the Hagiographa is Ruth, the Book of Psalms, Job, Prophets, Ecclesiastes, Song of Songs, Lamentations, Daniel and the Scroll of Esther, Ezra and Chronicles.' On the dating of this text see Childs, *Biblical Theology*, 57-8; see also Davies, *Scribes and Schools*, 107, 169ff.; Collins, 'Before the Canon', 228-9.

[26]McDonald, *The Formation*, 50, 93, suggests that the מ canon did not acquire its definitive shape until Talmudic times; he holds the same rabbis responsible for this as were responsible for the Mishna.

[27]See also Sanders, 'Canon', *AncBD*, vol. 1, 840-1.

[28]See Beckwith, *The Old Testament Canon*, 241ff., 257 on the increasing capacity of scrolls, which also depended on the material used; cf. Davies, Scribes and Schools, 56-8 on 'formation of scrolls' and 'grouping of scrolls'; see also R. Zuurmond, 'The Structure of the Canon', *ACEBT.S* 1 (1999), 144; cf. Barton, 'The Significance', 79ff.; Barton, 'Canons of the Old Testament', 202.

[29]Cf. Beckwith, *The Old Testament Canon*, 165: 'The three sections of the canon are not historical accidents but works of art.'

[30]Cf. K.H. Miskotte, *When the Gods are Silent*, transl. J.W. Doberstein, New York 1967, 140: 'This hierarchy or, if you will, this formation of the testimony in concentric circles establishes the unity as one that is extremely different from the unity of a codex.'

'part' probably is not the correct term, it is rather the foundation of this theology. The stories about Scripture read in Part I of this study show that at strategic moments in the canon Scripture itself is mentioned. Especially the use of the phrase 'book of the *torah*' demonstrates the importance of 'Scripture' as a literary motif in the Scriptures, the Hebrew Bible. However, it is not only this expression in itself that is relevant. Its referential force lends 'meaning' to the interrelations between the scriptural stories in which it is used.[31] These structural connections are no separate entities, but constitute the exegetical path which will lead us to the meaning of what we have read.[32]

[31]See K. Schmid, 'Ausgelegte Schrift als Schrift: Innerbiblische Schriftauslegung und die Frage nach der theologischen Qualität biblischer Texte', in: R. Anselm, S. Schleissing *et al.* (eds), *Die Kunst des Auslegens: Zur Hermeneutik des Christentums in der Kultur der Gegenwart*, Frankfurt am Main 1999, 125: 'Was "Schrift" ausmacht, ist kein bestimmter Inhalt, sondern eine bestimmte Verweisstruktur, die jeweils mit anderen Inhalten verbunden ist.'

[32]See A. Alonso-Schökel, 'Hermeneutical Problems of a Literary Study of the Bible', in: G.W. Anderson, P.A.H. de Boer (eds), *Congress Volume Edinburgh 1974* (VT.S, 28), Leiden 1975, 10, on the relation between 'form' and 'content' in exegesis: 'Exegesis does not give the meaning according to the formula "Work minus form equals meaning" (W-f = M), so that the text could be suppressed as unnecessary; exegesis is an introduction to reading or giving an account of what has been apprehended in the reading.'

Chapter 6

Cross-References

> (... *Fi du présent de la mémoire, qui est intemporelle! Fi du passé simple du chroniqueur et de ses accumulations routinières de faits semblables à des gouttes d'eau tombant d'un robinet qui fuit! L'Histoire ne voulait plus entendre rien d'autre que son glorieux imparfait, le temps des anges, le temps du Livre. Elle avait été tenue trop longtemps pour un amas de choses révolues, pour de la vieille histoire, alors qu'elle n'était rien de moins que l'Alliance, l'arc-en-ciel qui avait uni le passé à l'avenir et la terre au ciel. Ici elle pouvait montrer à nouveau son vrai visage, comme elle était apparue jadis à Noé audessus des eaux de l'oubli.* ...)
>
> Frans Kellendonk, *Corps Mystique: Une histoire*, transl. Patrick Grillie, n.p. 1993, 130.

In the first chapter of the book of Numbers, Moses is commanded to take a census of the Israelite armies, to which end all tribes are gathered. Each tribe has its own camp, except for Levi – they will take care of the tabernacle and thus are exempt from the census (Num. 1:1-54). Moses receives YHWH's command in the Sinai desert 'on the first day of the *second month* in the second year following the Exodus from the land of Egypt' (Num. 1:1). The ninth chapter starts in roughly the same way, with a command given by YHWH to Moses in the desert, but this time it concerns the day on which Passover is to be celebrated and is given at a different moment, namely 'in the second year following the Exodus from the land of Egypt, in the *first month*' (Num. 9:1). There is a discussion in the Talmud about this latter passage, prompted by the fact that we are not told on which day of the first month Moses receives the command. The question is also raised why the second month is mentioned first (Num. 1), and the first month only later (Num. 9); should this not have been the other way round? R. Menasia b. Tahlifa reacts by stating: 'This means that there is no "before" and "after" in the Torah'.[1] Thus, although the chronological consistency of the texts in the Torah is important to the rabbis, they do not see it as an absolute

[1] b. Pes. 6b: זאת אומרת אין מוקדם ומאוחר בתורה; cf. H.L. Strack, G. Stemberger, *Einleitung in Talmud und Midrasch*, München [7]1982, 40.

criterion for the meaningfulness of the text. The Torah has its own 'logic', which does not coincide with chronology.

What the Talmud says about the Torah also applies to the canon as a whole: chronology is certainly not the sole guiding principle, neither in the individual books nor in the order in which they are presented. From the very beginning, the order of the books in the canon has been more chronological in one translation than in another, but these differences only show that chronology is not the only principle of composition.[2]

The apparent ease with which somebody like R. Menasia brushes chronology aside may amuse us modern readers. We consider his statement naive, or pious – which, said with a smile, means the same. If we do that, however, we unwittingly also smile at ourselves. Even though we live in a different world, we also wonder, with the rabbis, what happened to the 'before and after'. Whereas the rabbis, out of respect for the canon, saw the chronological order as subservient to the order of the canon, we westerners have since the 18th century tended to do the opposite; indeed, we even believe this particular hierarchy to be a prerequisite for meaningful thinking, writing and speaking.[3]

In this chapter, I will discuss the 'before and after' in the canon, on the basis of the fortunes of the 'book of the *torah*'. Is there any 'logic' in the four stories we have read, and if there is, what kind of logic is it?

6.1 What Is behind the Text?

Undeniably, time and again during our readings the chronological order of the texts has proved to be an issue. From the end of Deu-

[2]The position of the book of Ruth following Judges, on the basis of chronological considerations, is a good example. In many 𝔊 mss. Ruth already follows Judges in the series of books (starting from Genesis) that were supposed to be about the past; see O. Eißfeldt, *Einleitung in das Alte Testament*, Tübingen [3]1963, 773; J.A. Sanders, 'Canon', *AncBD*, 856-7; R. Zuurmond, 'The Structure of the Canon', *ACEBT.S* 1 (1999),148.

[3]After the ground had been prepared by R. Simon's *Histoire Critique du Vieux Testament* from 1685, it was especially J.S. Semler's *Abhandlungen von freier Untersuchung des Canons* (1771) which contributed to the opposition of 'theology' and 'history'. 'Canon' belongs to theology, not to history; it is an ecclesiastical-dogmatic concept, not a historical category. See H.-J. Kraus, *Geschichte der historisch-kritischen Erforschung des Alten Testaments von der Reformation bis zur Gegenwart*, Neukirchen-Vluyn, [3]1982, 103ff.; B.S. Childs, *Introduction to the Old Testament as Scripture*, London 1979, 34-5.

teronomy the question of what is happening to the 'book of the *torah*' continues to exercise us. The book suddenly pops up again, or so it seems, at the time of Josiah; after that, nothing further is said about it until suddenly Ezra returns from exile and again draws attention to a 'book of the *torah*'. If we view the canonical order of Deuteronomy – Kings – Ezra-Nehemiah as an inducement to a linear-historical reading, we are left with a number of loose elements that are hard to combine into a meaningful whole. The 'holes' left by a historical perspective turn the text into individual fragments that must be fitted within a greater whole if we are to find any unifying principle. Much time and energy has been spent on a reconstruction of the history of Israel, in which these and other texts from the Hebrew Bible serve as supporting evidence. The so-called reform of Josiah has more than once been the subject of historical research; the historical perspective has made the 'book' that Shaphan reads to him into the cornerstone of Old Testament scholarship, as we have seen. We also saw how the so-called mission of Ezra acquired a fundamental significance in the research into the genesis of the Pentateuch.

There is a fundamental problem inherent in this approach. Although the texts of the Hebrew Bible, like other texts, grew, were edited and put together within specific historical contexts, they are not historical documents. Even such books as Kings and Samuel do not have the character of historical material, certainly not in the modern sense of the word. The most we can say is that they reflect *a view of* what is supposed to be the 'history' of 'Israel'.

In the case of the texts of the Hebrew Bible, there is the additional aspect that in most cases these texts are the only sources we have that document the events described. Individual names and facts are sometimes familiar from elsewhere, but the stories and chronicles are not found anywhere else.[4] The names of the Persian kings Cyrus, Darius and Artaxerxes, for instance, are mentioned in other places, but on the subject of Ezra's mission we really only have Ezra-Nehemiah. Of the biblical stories about Abraham and Sarah, Isaac and Rebekah, Jacob/Israel and Rachel and Leah, Joseph, Moses, Miriam, Samuel, Saul, David, Deborah, Josiah, Huldah, Jeremiah, etcetera, there are no al-

[4]See H. Jagersma, *Geschiedenis van Israel in het oudtestamentische tijdvak*, Kampen 1979, 13-4.

ternative versions. For this reason, historical statements about events in biblical stories are in constant danger of getting caught up within a circular argument.[5] The fact that this argument has been repeated during many centuries of research into 'biblical history' does not make the situation any better.

However, for some time the distinction between historiography and narrative has not been applied as stringently as it used to be. There is a growing realisation that in every 'history' a story is told, even in an enumeration of dates and corresponding events, if only because of the selection process which preceded it. In Chapter 4 of this study we saw that in Ezra-Nehemiah the dates given are contradictory from the viewpoint of chronology, and thus form an obstacle for a historical exegesis. As it turned out, however, another way of looking at the text presented itself: pinpointing references that help to get a clear picture of the structure of the book. What at first seemed to be a shortcoming may well turn out to be functional. Time and again, the author seemingly miscounts, but the way in which he does this lends shape to his narrative. That there is something wrong with the chronology fits the situation; the real point at issue is something else.

Reflections on chronology and origins of biblical texts are never about history in an abstract sense. Explicitly or implicitly there is always the desire to trace the text to the person(s) who may be considered responsible for its genesis, and thus to be able to 'anchor' the text. Historically oriented exegesis may be seen as an expression of that desire. This aspiration in itself is no reason to reject the historical approach, but it can create a problem: when the historical question is given priority, the text becomes the means instead of the goal. This applies all the more in the

[5]See P.R. Davies, *In Search of 'Ancient Israel'* (JSOT.S, 148), Sheffield 1992, esp. 12, on the confusion between 'literature' and 'history'. Cf. E.A. Knauf, 'From History to Interpretation', in: D. Edelman (ed.), *The Fabric of History: Text, Artifact and Israel's Past* (JSOT, 127), Sheffield 1991, who sees an objectivistic and consistently historical method as the only option: 'We have to know history before we can interpret ancient texts (or artifacts) historically'(26); and: 'I do not think that we have the choice to interpret an ancient text nonhistorically' (54). See also J. Barr, *History and Ideology in the Old Testament: Biblical Studies at the End of a Millennium*, Oxford 2000, who is receptive to new trends in the view of 'history' in Old Testament research, but at the same time urges to maintain continuity with traditional research methods.

case of a consistently historical exegesis, when what is 'behind the text' becomes the (virtual) object of the investigation.

In my opinion, the question of what is 'behind the text' is always linked to the question of the *authority* of the text; in their search for the author, scholars often not only want to establish the origin of the text, but also its authority. Yet the fact remains that we can never find anything 'behind the text' that is not already present within it. In other words: the texts themselves are the author's credentials. Thus, preferring a structural approach to a historical one is not indicative of text fetishism, but rather of an awareness of the appeal that these stories, even those about 'history', make to the reality of actual people.[6] This holds true especially for the stories from the Hebrew Bible, which – however beautifully structured – were not written for the sake of structure, but as testimonies of a specific 'history'; they want something from their readers and hearers.[7] The scriptural stories are especially relevant here: particularly in those places where 'books' figure in the books of the Hebrew Bible, what is at issue is the question of authority.[8]

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[6]In this respect, the text of Jer. 8:8 is intriguing; although its context is not clear, it does show that scriptures in themselves are not by definition sacrosanct and edifying: 'How can you say: "We are wise, and we possess the *torah* of YHWH?" Assuredly, see, the false pen of the scribes has led to lies.' It would seem that in addition to false prophets there are also false scribes. Cf. R.P. Carroll, 'Manuscripts Don't Burn – Inscribing the Prophetic Tradition: Reflections on Jeremiah 36', in: M. Augustin, K.-D. Schunck (eds) 'Dort ziehen schiffe dahin... ', Frankfurt am Main 1996, 37-8. See also J.Ph. Hyatt, 'Torah in the Book of Jeremiah', *JBL* 60 (1941), 381-96.

[7]Cf. M.A. Beek, 'Saturation Points and Unfinished Lines in the Study of Old Testament Literature', in: M. Kessler (ed.), *Voices from Amsterdam: A Modern Tradition of Reading Biblical Narrative* (SBL Semeia Studies), Atlanta 1994, 34: 'Ancient Israelite literature differs from a "work of art" in that it was not created for beauty but for proclamation. Therefore, analysis cannot stop at structure but must pay attention to content, which may amuse ironically or as entertainment but even then it aims at "changing" the hearer.'

[8]See E.W. Conrad, 'Heard But Not Seen: The Representation of "Books" in the Old Testament', *JSOT* 54 (1992), 47: 'There is a striking difference between the historical-critical and the Old Testament representation of the origin of books. The Old Testament's representation of books does not have simplistic historical meaning, and perhaps historical meaning is entirely irrelevant. The Old Testament mention of books may be better understood in terms of a literary purpose of establishing authority for an audience.'

Looked at this way, it becomes understandable why the stories we read in Part I of this monograph sometimes seem surprisingly close to us, in spite of the great distance in time between us and them. This certainly applies to Jer. 36. Jehoiakim senses correctly that by reading the prophecy, the prophet wants something from him, and rather a lot at that! The king, however, only wishes to know one thing: who is responsible for this, and where are they? Here a concrete attempt is made to get hold of what is 'behind the text', with catastrophic consequences not only for Jeremiah, but also for Jehoiakim himself and for all of those for whom, as king, he is responsible. Thus, this story shows what happens when a text – and not just any text, but the scroll containing Jeremiah's prophecy, a 'biblical' text – ends up in the sphere of people who are in control of 'history'.[9]

These reflections prompt me to take the issue of 'authority' as my starting point, and from that perspective go back to the stories we have read, looking for specific clues on the basis of the question: what is the status of the 'books' that figure in them?

6.2 Torah, Prophets, Writings

Who reads what, and with what intention? In the liturgical practice of synagogue and church, texts from the Hebrew Bible are read or sung by somebody from the community selected to do this, with the intention and expectation of hearing the voice of the God of Israel in what is read. The situation depicted in Neh. 8 reminds us of this practice, even though circumstances are vastly different, certainly as regards Christian liturgy. Ezra reads from the 'book of the *torah*', and the reaction of the community is shown by the way in which it celebrates, serves and learns. As regards this last aspect: Ezra does not act on his own, but studies the words of the 'torah' together with the 'heads of the clans', the priests and the Levites (Neh. 8:13). We saw that in doing this he follows in Moses' footsteps. But what about Ezra's '*torah*'? Should we see that, too, as a sequel to 'Moses'? Upon closer inspection, some remarks may be made about this.

[9] Cf. R. Zuurmond on authority and influence in biblical texts, 'The Power of the Word', in: K.A. Deurloo, B.J. Diebner (eds) YHWH – *Kyrios – Antitheism, or the Power of the Word* (Fs R. Zuurmond) (DBAT.B, 14) , Heidelberg 1996, esp. 20: 'The crucial question in the vast majority of texts from the Bible is: who is (ultimately) in charge?'

In the same way as Ezra is reminiscent of Moses, the scene from Neh. 8 reminds us of 2 Kgs 22–23 where king Josiah reads from the 'book of the *torah*'. Various parallels can be pointed out:

- A 'book of the *torah*' is mentioned, which is suddenly on hand; its existence is explained only summarily: Hilkiah the priest has found it in the temple (2 Kgs 22:8); Ezra the priest-scribe brought it (Ezra 7:6).
- The reading takes place in a ritual at which 'the entire people' is present (2 Kgs 23:1-3 [Judah]; Neh. 7:72b-8:3 [Israel]).
- The reading results in the renewal of a feast which in both cases is said not to have been celebrated in this way since the days of Joshua: Passover (2 Kgs 23:21-23), Sukkoth (Neh. 8:13-18).
- The exile plays an important part in the background, as impending threat (2 Kgs 22:15-20), or as conquered past (Neh. 8:17).

Apart from this, there are important differences relating to the function of the main character and the setting of the events. Josiah is king, and goes to the temple in order to read the 'book of the *torah*' there (2 Kgs 23:2); Ezra is priest-scribe, and reads in the square in front of the Water Gate (Neh. 8:1, 3, 16). These differences have to do with the changed political and social circumstances which play a part in the context of both books: after the exile, Judah no longer has a king of its own, and the function of the temple is different from that described in the Prophets. To use a slightly anachronistic term, the reading in Neh. 8 is more democratic, as reflected in the public nature of its setting and in the participants. On this latter aspect, Neh. 8 should be compared to Deuteronomy rather than Kings, since Moses, too, addresses the entire people, young and old (Deut. 31:12) in a public space 'on the other side of the Jordan' (Deut. 1:1). This fact emphasises the references from Ezra to Moses I pointed out at the end of Chapter 4. Together, these references and contrasts form a pattern: Ezra's actions in Neh. 8 are comparable to Josiah's in 2 Kgs 22–23, but the context takes the reader back to Deuteronomy, and especially to its conclusion.

The story about the prophet Jeremiah is completely different, but, as in the case of Ezra, lines are drawn connecting this story to 2 Kgs 22–23. I have mentioned these in our reading of Jer. 36.

The conclusion was that Josiah and Jehoiakim are complete opposites of each other. This is also reflected in the fortunes of the 'book'. The reading from Jeremiah's scroll does not prompt king Jehoiakim to change his behaviour in any way. As it happens, Jer. 36 mentions a 'scroll' (מְגִלָּה or סֵפֶר [מְגִלַּת]), but no 'book of the *torah*'. We would not expect this, anyway, as we are here dealing with prophecy: Jeremiah's words are intended to persuade the king to mend his ways and keep to the words of Moses. This, at least, is the obvious interpretation if one has just read 2 Kgs, with the story about the ideal king Josiah fresh in one's mind. Jehoiakim refuses to conform to this ideal, persists in his behaviour, and thus increases the danger of exile – so the story tells us.[10]

The connections I have in this way established between 2 Kgs 22–23, Jer. 36 and Neh. 8 are confirmed as well as clarified when we look at the position of these chapters within the canon. The story about Josiah occurs in the Former Prophets, in which the past of Judah and Israel, the period from the entry into the Promised Land until the departure into exile, is assessed on the basis of the question whether or not a king follows in David's footsteps. This 'history' does not set out to be a more or less objective chronicle, but takes up its stance, both in details and in the larger whole, on the basis of an explicitly stated prejudice.[11] Nobody shows more clearly than king Josiah does what this position is.

[10] Cf. J. Vermeylen, 'L'école deutéronomiste aurait-elle imaginé un premier canon des Écritures?', in: T.C. Römer (ed.), *The Future of the Deuteronomistic History* (BEThL, 147), Leuven 2000, 227-30, where the author argues that '... la même école deutéronomiste du milieu de l'époque exilique a conçu un ensemble de textes opposant Josias et Yoyaqim, reliant ainsi de manière organique l'Histoire deutéronomiste et le livre de Jérémie.' (230) In Vermeylen's view, this exceeds mere imitation: '... l'opposition entre l'attitude exemplaire de Josias et de celle, désastreuse, de son fils est une création délibérée, qui suppose un seul système réunissant des écrits jusque-là bien distincts.' (*ibidem*)

[11] Cf. G. von Rad, *Theologie des Alten Testaments*, Bd. 1, München ^{8}1982, 349, on the historiography of 'Dtr': 'Diese Geschichtsschreibung wollte gar nicht allgemein von den politischen Großtaten der Könige handeln; (...) ihr eigenes Interesse ist ein ausgesprochen theologisches, derart, daß sie auch die politischen Vorgänge vom theologischen Standpunkt aus beurteilt wissen wollte. Vom Standpunkt des Historikers ist es also ohne Frage eine sehr einseitige und verengte Perspektive, die hier in die Königsgeschichte zurück eröffnet wird.'

Once we reach the Latter Prophets we find ourselves in the middle of 'real life': we observe daily practice in the community. It now becomes clear that the Torah and the Former Prophets were not intended to foster ideals, but rather to offer a way through the chaos of daily life that does justice to the central issue of this specific 'history' about the entry into and the life inside the Land. In Jeremiah's prophecy this unruliness receives strong emphasis.[12] The harsh confrontation between Jehoiakim and Jeremiah is a disillusionment; the desired outcome of the history presented in the Former Prophets hangs precariously in the balance. Jeremiah himself quietly disappears at the end of the book, and ends up in Egypt. The gravity of the situation becomes painfully apparent in the promise to Baruch that Jeremiah pronounces when things have become too much for the scribe:

> Thus says YHWH:
> See, what I have built, I myself will overthrow,
> what I have planted, I will uproot –
> all this land around here!
> And do you expect great things for yourself ...
> Do not expect them!
> See, I am going to bring disaster upon all flesh
> – declares YHWH –
> but I will at least grant you your life as booty
> in all the places where you may go. (Jer. 45:4-5)

At the same time this text shows that the 'negative' aspect of the Latter Prophets is not an expression of misanthropy, but is connected to the commitment of the God of Israel, the crucial point of the Torah. This commitment itself is not in danger, not even when what has been built up is torn down again and the exile becomes a fact.[13] In this respect, the absence of the 'book of the *torah*' in Jer. 36 may be seen as a 'negative' image, fitting the

[12] A.A. Wieder, 'Josiah and Jeremiah: Their Relationship according to Aggadic Sources', in: M. Fishbane, P.R. Flohr (eds), *Texts and Responses: Studies Presented to Nahum N. Glatzer on the Occasion of his Seventieth Birthday by his Students*, Leiden 1975, 71-2 points out that in the Haggadah Jeremiah is seen as the last prophet, and as such is connected with Josiah as the last king, before the Babylonian exile.

[13] Starting in 𝔊, a rich tradition of 'Baruch-literature' has grown in which Baruch is presented, among other roles, as the person who provides the continuity between Jeremiah and Ezra. See M.E. Stone, 'Apocalyptic Literature', in: M.E. Stone (ed.), *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus*, Assen

Latter Prophets. By literally violating Jeremiah's prophecy, Jehoiakim in fact opposes the power to which the words of the 'book of the *torah*' testify, but he cannot change the words themselves. The instruction to Baruch to write a new scroll (Jer. 36:27-32) demonstrates this, together with the prophecy to Baruch in Jer. 45: Jehoiakim cannot escape it. The fact that the dates at the beginning of both chapters are identical (Jer. 36:1; 45:1) provides Jer. 45 with a key role in the book as a whole, even though chronologically it does not really fit the immediately preceding chapter: it constitutes a first conclusion to the book, introduces the collection of prophecies about the nations that follows (Jer. 46–51) and refers to Jer. 36, so that the new scroll inscribed by Baruch is recalled to our minds at a crucial moment (see also Jer. 51:59-64).[14] Retroactively, the suggestion is made that this new scroll is the book of Jeremiah itself.[15] The relationship of Jeremiah and Baruch reminds us of that of Moses and Joshua: in the same way as Joshua enters the Land carrying the new tablets of stone, so Baruch with the new scroll symbolises hope for the future of the people.[16]

1984, 408-12; cf. L. Ginzberg, *The Legends of the Jews*, vol. 4, Philadelphia [12]1987, 323; S. Herrmann, *Jeremia: Der Prophet und das Buch* (EdF, 271), Darmstadt 1990, 37.

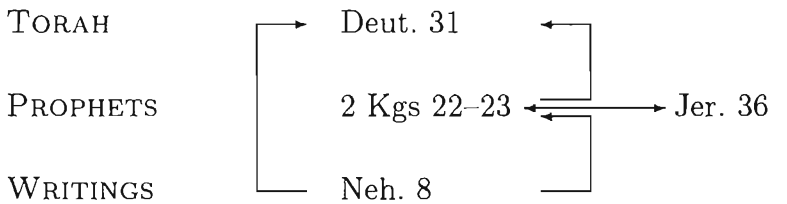
[14] See Chr.R. Seitz, 'The Prophet Moses and the Canonical Shape of Jeremiah', *ZAW* 101 (1989), 16ff. Jeremiah's instruction to Seraiah, a brother of Baruch, to take a 'book' (סֵפֶר) over to Babylon (Jer. 51:59-64) is seen by Seitz (*ibidem*, 24ff.) as a parallel to Jer. 45.

[15] Cf. Chr. Seitz, 'Mose als Prophet: Redaktionsthemen und Gesamtstruktur des Jeremiabuches', *BZ* 34 (1990), 244: 'Das Gotteswort an Baruch erinnert den Leser an den einstigen Auftrag an Jeremia, wie er am Anfang seines Buches ergeht. Am Ende trifft das Gotteswort einen Schreiber, den es als Repräsentanten einer neuen Generation daran gemahnt, daß er als Verträter Jeremias eine wichtige Rolle innehat und weiter ausüben muß.' Another question is whether (the historical) Baruch is the author of (parts of) the book of Jeremiah; cf. F. Augustin, 'Baruch und das Buch Jeremia', *ZAW* 67 (1955), 51ff.; W.L. Holladay, 'The Identification of the Two Scrolls of Jeremiah', *VT* 30 (1980), 452-67.

[16] According to Seitz, 'The Prophet Moses', Jer. 45 is 'a type of midrash' to Jer. 36 (23, n. 49); he also remarks that Baruch and Ebed-Melech (see Jer. 39:15-18) have clearly been modelled after Joshua and Kaleb. J.R. Lundbom, 'Baruch, Seraiah, and Expanded Colophons in the Book of Jeremiah', *JSOT* 36 (1986), 100ff., asserts that Jer. 45 is a colophon written by Baruch, which has its original and proper place after Jer. 1–20 (the 'first scroll'). See also H. Schulte, 'Baruch und Ebedmelech – Persönliche Heilsorakel im Jeremiabuch', *BZ* 32 (1988), 258ff.; Seitz, 'Mose als Prophet', 242-3.

In the Writings, the history of which the Prophets have testified is as it were taken into the community. The focus is no longer on the practice of life in general, but on an actual group of people.[17] The lists of names of those returned from exile (Ezra 2/Neh. 7) show that real people are being referred to.[18] Ezra's actions during the reading from the 'book of the *torah*' resemble those of Josiah, however different the circumstances. In addition to the allusions to the (celebrating) community represented by king Josiah, the references to the end of the Torah (Deut. 31) also evoke the image of Moses and of the (learning) community he envisages.[19]

If these references are analysed in general terms, we could say that the stories we have read continually refer to one or more of the others, in a way which fits their position within the canon of the Hebrew Bible. These references are established especially by the 'books' that play a part in the individual stories. Moreover, the function of these 'books' always corresponds to the part of the canon in which the narrative in question is situated. This may be presented schematically as follows:



[17]Cf. B.J. Diebner, 'Anmerkungen zur hermeneutischen Funktion des "Exils" ', *DBAT* 26 (1989-1990), 198ff., who asserts that 'exile' is a sociological rather than a historical category: '... das "Exil" das ist weniger eine Zeit, das sind eher Menschen, die in der Tradition einer bestimmten Zeit, bestimmten Ereignisse und einer geographisch-kulturellen Ausnahmesituation stehen.' By this he means people who have returned from Babylon and live as 'strangers' in their own country.

[18]T.C. Eskenazi, 'The Structure of Ezra-Nehemiah and the Integrity of the Book', *JBL* 107 (1988), 641ff., points out that the lists in Ezra 2 || Neh. 7 provide a key to the structure and meaning of Ezra-Nehemiah, and moreover reflect a shift in focus from the heroic men to the community. Cf. K.D. Tollefson, H.G.M. Williamson, 'Nehemiah as Cultural Revitalization: An Anthropological Perspective', *JSOT* 56 (1992), 61ff.

[19]Cf. P.D. Miller jr., ' "Moses my servant": The Deuteronomic Portrait of Moses', *Interp.* 41 (1987), 246-7.

6.3 Derived Authority

The interesting thing about diagrams is that there is always something that cannot be accommodated. Jer. 36 occupies a special position within the outline above, but Deut. 9–10 has not been placed anywhere. The story in these chapters could be used as a banner for the whole, as a sort of programmatic opening. It could also, however, be connected with Jeremiah, as in both cases we are told of the destruction of the first scriptures, and the production of a new version that is spared the fate of the first. In other words: it is not only the 'positive' example of the Former Prophets which is linked to Deuteronomy – by the 'book of the *torah*' –; the 'negative' contrast provided by the Latter Prophets may also be found there, in the analogy between what happens to the tablets of stone and to the scroll containing Jeremiah's prophecy.[20] Also, at the end of Chapter 1 we saw that the short pericope Deut. 31:24-26 acquires considerable weight from the presence of the ark mentioned there, which reminds the reader of the story in Deut. 9–10. This seems ample reason to look once more at the function of the tablets of stone in the book of Deuteronomy.

By placing the 'book of the *torah*' beside the ark containing the tablets of stone, Moses presents the reader with many questions. This is certainly one of the reasons why we would dearly like to sneak a quick look 'behind the text'. It is not surprising that this text has given rise to such a number of historical speculations, not only in the past; even today, for instance, serious searches are instigated for the whereabouts of the ark, not only on account of the ark itself, but also because of its contents. These have also been the subject of discussion for centuries, as we have seen; the Talmud already states that Moses did not place the 'book of the *torah*' *beside* the ark, but *beside the tablets in* the ark.[21] In the light of later synagogal practice, when the Torah

[20] See Chapter 7 below, 226-7. There is also an analogy with Jer. 32, in which a second version of a deed of sale is sealed and stored away, which is reminiscent of the tablets of stone being put away. This is about the purchase of a piece of land that serves as a pledge for the return from exile.

[21] See b. B. Bat. 14b: 'What does R. Meir make of the words, At the side of the ark? – This is to indicate that the scroll is to be placed beside the tables and not between them; but even so, it was in the ark, only at the side.'

scrolls are kept inside the Holy Ark, such an interpretation is conceivable: the 'book of the *torah*' of Moses *is* the Torah.[22] If the 'book of the *torah*' refers to the book of Deuteronomy itself, there may even be exegetical grounds for this identification. Be this as it may, according to 31:26 Moses places the 'book of the *torah*' beside the ark, not inside it, so that in any case the relationship between '*torah*' and ark, and between '*torah*' and the tablets of stone, is one of reference rather than of identity.

In the first paragraph of this chapter I said that the question of what is 'behind the text' has to do with the legitimisation of its authority, and the desire to know the person responsible for creating it. In this respect, the book of Deuteronomy is especially interesting: we meet two writers *within* the book. Both the first and second version of the tablets of stone have been inscribed by God (Deut. 9:10; 10:1). The 'book of the *torah*' was written by Moses (Deut. 31:9, 24). The scriptures and their 'scribes' turn out to be linked in a peculiar way by the structure of the whole. After the episode of the adoration of the calf, the second version of the tablets of stone acquires a new status. These 'new' tablets are put away in the ark, and thus are hidden. This means that they can no longer be subjected to any form of inquiry to validate their authority. What God has written may not be interfered with by human hand – according to Deuteronomy. Their being put away, however, has not made the words on the tablets of stone completely inaccessible: they are in the 'book of the *torah*' written by Moses. By placing the 'book of the *torah*' beside the ark, Moses indicates that his own authority and that of the 'book' he has

[22] See also B.J. Diebner, 'Gottes Welt, Moses Zelt und das Salomonische Heiligtum', in: Th. Römer (ed.), *Lectio difficilior probabilior? L'exégèse comme expérience de décloisonnement* (Fs Fr. Smyth-Florentin) (DBAT.B, 12), Heidelberg 1991, 149, esp. n. 47, who is of the opinion that the stories about the ark are mythical, and based on cultic practice in the early synagogues, '... evt. in "kultdramatischer" Erinnerung an den historischen Umstand, daß die rechte Unterweisung aus der mesopotamischen Golah nach ארץ ישראל kam'. Cf. K. van der Toorn, 'The Iconic Book: Analogies between the Babylonian Cult of Images and the Veneration of the Torah', in: K. van der Toorn (ed.), *The Image and the Book: Iconic Cults, Aniconism, and the Rise of Book Religion in Israel and the Ancient Near East* (CBET, 21), Leuven 1997, 243, who points to the analogy between the ritual function of the Torah in the synagogical liturgy, and the procession of images of gods in Babylonian texts. In both cases, we have icons representing the deity, according to Van der Toorn.

written go back to the tablets of stone, and hence are derived. On the one hand, this action indicates the relative nature of Moses' 'book', which it now appears is not the Word of God. On the other hand, it reflects an incredible pretentiousness: if you seek the Word of God you must go to Moses, or rather the words in Moses' 'book'.[23] When further along in the canon the 'book of the *torah*' appears again, it is this arrogance, this claim to authority, which prevails. This always happens at crucial moments, before and after the entry into the Land, before and after the exile.

Finally, there is an additional layer in the story that needs to be pointed out. As it happens, Moses writes his words in the 'book of the *torah*' at the end of the book of Deuteronomy. The latter has the form of one long address; at the end of his speech, Moses writes down all the words, and we, readers, at the same time reach the end of Deuteronomy. In other words, the author of Deuteronomy has chosen an ingenious structure, so that the 'book of the *torah*' and Deuteronomy itself in the end almost imperceptibly merge. The result is that any mention of the 'book of the *torah*' in other biblical books not only refers back to the 'book' that Moses wrote and placed beside the ark, but at the same time to Deuteronomy – i.e., to the 'book of the *torah*' as well as the Torah.[24] It will be clear that these allusions are not intended to raise the questions whether Josiah found (parts of) Deuteronomy, and whether Ezra brought (parts of) the Pentateuch; they shape a legitimisation which has been subtly woven into the structure of the book.[25] Because of the way in which the whole has been

[23]See C. Schäfer-Lichtenberger, 'Göttliche und menschliche Autorität im Deuteronomium', in: C. Brekelmans, J. Lust (eds), *Pentateuchal and Deuteronomistic Studies: Papers Read at the XIIIth* IOSOT *Congress Leuven* 1989 (BEThL, 94), Leuven 1990, 135-7; B.S. Childs, *Old Testament Theology in a Canonical Context*, Philadelphia 1986, 110-1: 'The central theological emphasis is that Moses, the mediator of the covenant, transfers his unique role to a written record.'

[24]J.-P. Sonnet, *The Book within the Book: Writing in Deuteronomy* (BInt.S, 14) Leiden 1997, 257ff., does note the analogy between the 'book of the *torah*' and Deuteronomy, but he does not consider this a reference (see p. 194 above, note 12). The ultimate result is that he characterises the relationship between the two as ironic: Deuteronomy is a *surrogate* for the 'book' that figures within the narrative. As I see it, the relationship is mimetic rather than ironic; the effect of the allusion is not to diminish the authority of Deuteronomy, but rather to increase it.

[25]For Ezra-Nehemiah, cf. H. Najman, 'Torah of Moses: Pseudonymous At-

built around the role played by the scriptures, Deuteronomy is invested with the authority the book itself speaks of: that of the 'book of the *torah*', which is derived from the authority of the tablets of stone in the ark.[26] Thus, in fact we have *three* sets of scriptures: two *within* the book of Deuteronomy, plus the book itself. These three sets are linked to three 'writers':[27] God, Moses, and the author of Deuteronomy. The books and the 'writers' are interrelated in such a way that the authority of one is derived from that of the other.[28]

Surveying the whole, we are struck by the fact that the stories we have read lack all anchoring in external fact. They are not 'referential' in the technical sense of the word,[29] i.e., they do not allude to facts in the reality outside the Hebrew Bible. This is remarkable, as scriptures play an important part in these stories, and it would be only natural if they did refer to sources outside the text. Instead, we have a network of interconnections, creating a world of words in which scriptures refer to scriptures.[30] In

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tribution in Second Temple Writings', in: C.A. Evans (ed.), *The Interpretation of Scripture in Early Judaism and Christianity: Studies in Language and Tradition* (JSPE.S, 33), Sheffield 2000, 212: 'Even if there was a collection of writings known as the Torah of Moses, and even if the term "Torah of Moses" was often used to refer to this collection, it does not follow that the primary function of the term was to *name* this collection of writings. Instead, it may well be that the primary function of this term was to confer authority.'

[26]See S.D. McBride, *TRE*, Bd. 8, 531; cf. p. 43, note 104.

[27]See on God and Moses as 'writers': H. Haag, *ThWAT*, Bd. 4, 393; on 'books from heaven', possibly of divine signature: A. Bertholet, *Die Macht der Schrift in Glauben und Aberglauben*, Berlin 1949, esp. 11.

[28]Cf. R. Polzin, 'Reporting Speech in the Book of Deuteronomy: Toward a Compositional Analysis of the Deuteronomic History', in: B. Halpern, J.D. Levenson (eds), *Traditions in Transformation: Turning Points in Biblical Faith*, Winona Lake 1981, 202, 211, who asserts that the implied author of Deuteronomy is on the same level as Moses: it is only they who use the phrase: 'God said ...' He concludes from this, however, that in this way they dispute each other's authority; see p. 33-4 above, note 85.

[29]See Conrad, 'Heard But Not Seen', 59: '... when the Old Testament mentions "books" that are lost for the reader, it is not referring to "books" "out there" in the world external to the text, but to "books" that the implied audience is encouraged to remember and recreate by the only means available – the "book" they are hearing in the present whose narrator (represented by the one reading it aloud) gains authority as one who has known more than the audience can ever know.'

[30]Childs, *Introduction*, 59ff., points out that those who were responsible for the establishment of the canon tried to hide their identity; '... the only signs of an ongoing history are found in the multi-layered text of scripture itself.

my opinion, what was said above with respect to the exegesis of individual texts applies equally to the canon as a whole: the structures are not there for the sake of structure, because the special characteristic of the texts of the Hebrew Bible is that they are proclamatory.[31] The non-referential character of the scriptural stories serves the proclamation of the message. The redactors/authors seem to have done everything in their power to insert the cross-references in crucial places, thus establishing connections attached to one centre of gravity: the Torah, especially the conclusion of the book of Deuteronomy.[32] However, they have done this in a way that offers no opportunities for glimpses into their writers' kitchen – not because of a concern for originality (a modern-romantic notion), but rather, it would seem, as a means to lend authority to their work.[33]

The shape of the canon directs the reader's attention to the sacred writings rather than to their redactors.' (59) See also O. Kaiser, 'The Law as Center of the Hebrew Bible', in: M. Fishbane, E. Tov (eds), *'Sha'arei Talmon': Studies in the Bible, Qumran, and the Ancient Near East Presented to Shemaryahu Talmon*, Winona Lake 1992, 100.

[31] See note 7 above.

[32] Cf. D. Boer, *Een fantastisch verhaal: Theologie en ideologische strijd*, Amsterdam 1988, 52.

[33] See Conrad, 'Heard But Not Seen', 52, who speaks of a 'rhetorical technique' (see also p. 72 above, note 98); cf. J.W. Watts, 'Public Readings and Pentateuchal Law', *VT* 45 (1995), esp. 552-3.

Chapter 7

Mimemata

> *J'aurais aimé qu'il y ait derrière moi (ayant pris depuis bien longtemps la parole, doublant à l'avance tout ce que je vais dire) une voix qui parlerait ainsi: 'Il faut continuer, je ne peux pas continuer, il faut continuer, il faut dire des mots tant qu'il y en a, il faut les dire jusqu'à ce qu'ils me trouvent, jusqu'à ce qu'ils me disent – étrange peine, étrange faute, il faut continuer, c'est peut-être déjà fait, ils m'ont peut-être déjà dit, ils m'ont peut-être porté jusqu' au seuil de mon histoire, devant la porte qui s'ouvre sur mon histoire, ça m'étonnerait si elle s'ouvre.'*
>
> M. Foucault, *L'ordre du discours*, n.p. 1971, 8.

In the course of time, exegetes, literary scholars, philosophers and others have continually chosen new positions in order to find out what a text says, how it says it, and under what conditions it is possible to define the meaning of what is said. The objectivistic approach searches 'behind' the text, to find the situation in which it originated and especially what the author intended to say. An example of this approach is the work of E.D. Hirsch, who asserts that the absolute meaning of a text may be established by looking for the author's intention.[1] Although complete certainty on this score can never be attained, it is nevertheless possible to objectively establish the one 'meaning' that should be distinguished from the many and varying interpretations ('significances'), according to Hirsch.[2] From the preceding chapters it will have become clear that I do not share this view, which however does not mean that there are no arguments in favour of this approach. In the first place, there is the desire mentioned

[1]E.D. Hirsch, *Validity in Interpretation*, New Haven 1967. Hirsch distinguishes 'meaning' and 'significance'. 'Meaning', i.e., 'the author's intended meaning', he links to understanding; 'significance', however, has to do with interpretation. '... the historicity of interpretation is quite distinct from the timelessness of understanding.' (137) Hirsch will not go so far as to speak of 'verification', but does view the determination of 'meaning' as an objective process: 'Validity implies the correspondence of an interpretation to a meaning which is represented by the text,... ' (10; cf. 170ff.). See also E.D. Hirsch, *The Aims of Interpretation*, Chicago 1976, 1ff.

[2]See M.B. van Buuren, *Filosofie van de algemene literatuurwetenschap*, Leiden 1988, 106ff., who points to the mystification that results from the 'intentional fallacy' in Hirsch's work.

earlier for a reconstruction of the historical circumstances that may provide some insight into the genesis of a text. This desire need not be condemned, if the limits of its relevance are clearly understood: knowledge about the circumstances surrounding the birth of a text is not a necessary precondition for reading it, and has no priority when it comes to establishing the meaning(s) of the text. Secondly, this approach – contrary to what is suggested by the phrase 'behind the text' – does pay attention to the text itself, and with a certain rigour at that: claiming that a text may be the vehicle for many different interpretations, but cannot have different meanings. The view that a text can have only one meaning – i.e., what its author intended the text to say – seems to me difficult to defend, but it is important to state that not everything may be read into every text. If any interpretation were possible we ultimately would not need the text at all; however, we cannot ignore the fact that the text exists.

This last remark has been formulated in simple words, but is not self-evident. For a text never stands on its own, but forms part of a context without which it cannot be a text and cannot have meaning(s). The developments in methods of text interpretation during the second half of the 20th century arose from changing attitudes towards and assessment of this context. We may try to find meaning not only 'behind', but also 'in', 'under' or 'above' the text, 'outside' the text, 'between' texts and 'before' the text. Looking back, every decade seems to have added a new approach to the range of methods: 'close reading', structuralism and post-structuralism, deconstructionist criticism, intertextuality, and 'reader-response' approaches.[3] What is more, this development is not restricted to the field of methodology, but itself is embedded in a wider context. The question arises what a 'text' is; can we, as I did in the preceding chapter, say that a text evokes a 'world'? And conversely, should we then also say that the world in which we live is a 'text'?[4] The question about the possible linguistic nature of reality takes us into the field of philosophical-

[3]See A.C. Thiselton, *New Horizons in Hermeneutics*, London 1992, esp. 80ff.; J. van Luxemburg *et al.*, *Inleiding in de literatuurwetenschap*, Muiderberg [7]1992, 66ff.

[4]For a discussion of the so-called 'linguistic fallacy', see Thiselton, *New Horizons*, esp. 92ff.; 124ff.; cf. R. Alter, 'Mimesis and the Motive for Fiction', in: R. Alter, *Motives for Fiction*, Cambridge 1984, 9.

hermeneutic problems, which fall outside the sphere of this study.

There is, however, one aspect that I do propose to discuss, namely the non-referential character of the scriptural stories from the Hebrew Bible, which has been mentioned in the previous chapter. Now that the connections between these stories have been pointed out, and the various cross-references have been discussed, we will have to conclude by considering the whole.

7.1 Fiction

The concept we will need first of all in order to talk about the (non-)referential character of texts is that of 'mimesis'. This is not to say that this word provides the key to map out, let alone solve, the many and intricately linked questions concerning the relationship between text and reality. On the contrary, the case is rather the reverse: 'mimesis' subsumes all these questions under one label, at least when we note how many different meanings are ascribed to the term. The usual Latin translation *imitatio* remains close to the Greek original, but at the same time makes clear that a vast range of translations is possible, or rather two types: μίμησις can be interpreted in both a positive ('follow', 'copy') and a negative sense ('mimic', 'counterfeit').[5] Already in the works of Plato, the first writer whose use of the word we can trace, we find both aspects of the term.[6] Thus, the same holds true for the word 'mimesis' as it does for the word 'text' in the introduction to this chapter. For instance, we may approach it objectivistically and concentrate on the question whether and how reality is represented in literature, as has been the usual perspective in the study of novels since the appearance of Erich Auerbach's famous book *Mimesis*.[7] However,

[5] See U. Zimbrich, *DNP*, s.v. 'Mimesis'; S. IJsseling, *Mimesis: Over schijn en zijn*, Baarn 1990, 7-8.

[6] As it happens, the interpretation of Plato's use of the term μίμησις, and the comparison with Aristotle's use of the same term in his *Poetics*, have always been subjects of discussion. The traditional view that Plato – contrary to Aristotle – only uses 'mimesis' in the negative sense turns out to be untenable in any case. See G. Gebauer, Chr. Wulf, *Mimesis: Kultur – Kunst – Gesellschaft*, Reinbek bei Hamburg 1992, 50ff.; A. Melberg, *Theories of Mimesis* (Literature, Culture, Theory, 12), Cambridge 1995, 10ff., 43ff. See also M. Bal (ed.), *Literaire genres en hun gebruik*, Muiderberg 1981, 18ff., for a discussion of Aristotle's use of the term mimesis, and 32ff. for a translation of his *Poetics* (J.M. Bremer).

[7] *Mimesis: Dargestellte Wirklichkeit in der Abendländischen Literatur*,

if the reader is included in the analysis as part of reality, the term may also be used in an approach that aims to be 'reader-centred',[8] which may eventually result in 'mimesis' becoming a philosophical-anthropological category.[9]

What I intend to do here is to establish a narrower definition of the non-referential character of the stories from the Hebrew Bible discussed in this book. The term 'non-referential' may easily be misinterpreted as relativising or even undermining the texts, these being 'only' stories, not referring to reality, and linked to a reality that is no more than fictional. As it happens, *fictio* is one of the possible translations of 'mimesis', and is just as many-sided, having both positive and negative connotations.[10] Its everyday use shows this clearly: in bookshops, the 'fiction' department contains roughly 'everything that has been thought up' and hence is 'not real', but its counterpart is the department of 'non-fiction'; this seems to imply that reality is defined in relation to what has or has not been 'invented'. In such a mimetic universe, who is to say what is real? Yet it is possible to establish some facts: the word 'fiction' does not deny or pass over reality itself, but rather refers to a *specific relationship* with historical reality. Fiction is best defined as 'non-referential narrative',[11] and conversely, 'non-referential narratives', such as for instance many stories from the Hebrew Bible, are best called 'fiction'.

It will not help us much if we replace one term ('non-referential') by another ('fiction') without explicitly stating how this clarifies the issue. The very nature of the phrase 'non-referential

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Bern 1946 ([6]1997); for a recent example see B. van Heusden, E. Jongeneel (eds), *De spiegel van Stendhal: Over de weergave van de werkelijkheid in literatuur*, Groningen 1998, a collection of literary-theoretical contributions about, and prompted by, Auerbach's work. See also Van Luxemburg, *Inleiding in de literatuurwetenschap*, 33ff.

[8]See for instance J.A. Varsava, *Contingent Meanings: Postmodern Fiction, Mimesis, and the Reader*, Florida 1990, 54: 'Mimesis becomes significant when the reader replicates the author's textual *performance* in an interpretive performance of his or her own.' Varsara is here opposing E.D. Hirsch.

[9]A monumental example is the work of P. Ricoeur, especially his *Time and Narrative*, 3 vols, Chicago 1983-1985. See also Gebauer, Wulf, *Mimesis*, who view mimesis as a meta-literary, anthropological concept (34).

[10]See D. Cohn, *The Distinction of Fiction*, Baltimore 1999, 2, 9-10; cf. IJsseling, *Mimesis*, 22ff.; Van Luxemburg, *Inleiding in de literatuurwetenschap*, 45.

[11]Cohn, *Distinction*, 13ff.

narrative' indicates that other types of narrative also exist, i.e., referential narratives. Of these we cannot say that, contrary to 'fiction', they are about reality, but we should say that they have a different *relationship with* reality. These are the historiographic texts, which may be viewed as descriptive and argumentative narratives. In other words, history and fiction cannot be played off against each other: both have to do with reality, both materialise as stories about reality.[12] At the same time, we should not lose sight of their different relations with reality. In modern historiography, for instance, scholars are expected to use original documents and sources, so that what is stated in the narrative may be verified. This referential character results in a diachronous presentation: in a history, the author tells us how, and if possible why, one event followed another. *Mutatis mutandis* this also applies to historiography in ancient literature,[13] among which specific parts of the Hebrew Bible. There, however, the possibility for verification is not applied as norm, so that a special genre develops: a narrative about the past with a fictional character,[14] for which 'historiography' is probably no longer a correct description.[15] For here we see what is typical of fiction

[12]Cf. M. Oeming, 'Bedeutung und Funktionen von "Fiktionen" in der alttestamentlichen Geschichtsschreibung', *EvTh* 44 (1984), 261, according to whom we cannot speak of an absolute antithesis between 'Fiktion' and 'Historie' with regard to the Hebrew Bible.

[13]J. Barr, 'Story and History in Biblical Theology', in: J. Barr, *The Scope and Authority of the Bible*, London 1980, 8, 12, asserts that in Greek historiography – contrary to the canonical literature from the Jewish and Christian traditions – a critical assessment of sources has been found as early as Herodotus.

[14]Cf. P.R. Davies, *In Search of 'Ancient Israel'* (JSOT.S, 148), Sheffield 1992, 30-1, who points out that the general admission of the fictional character of many biblical figures '... makes it harder to understand by what subterranean criteria biblical scholars can distinguish fictions with real historical settings from historical accounts. It is impossible to discern any grounds for deciding that on the one hand the Joseph story is not historical, while on the other hand the accounts of the life and times of David and Ezra are.' See also K.A.D. Smelik, *Converting the Past: Studies in Ancient Israelite and Moabite Historiography* (OTS, 28), Leiden 1992, 1ff., on the authors of especially Kings and Samuel: '... these biblical authors wrote stories about the past, meant to ensure a new future for their people. We notice that their objective was pastoral rather than historical.' (22)

[15]Cf. Th.L. Thompson, *Early History of the Israelite People: From the Written and Archeological Sources* (SHANE, 4), Leiden ^{2}1994, 372ff., on the application and definition of (biblical) historiography.

(ancient as well as modern): it is possible to refer to facts from external reality, but not essential; reference is not a prerequisite. Ultimately, what is said in these stories cannot be verified, which shifts the focus to their synchronous character; what is important are the connections and cross-references within the narrative.[16]

Thus, the fact that fiction provides no opportunity for verification does not mean that there is no relation with reality, but only that this relation is of a different character.[17] In the same way as historiography, fiction also claims to reflect reality – a claim which may sometimes seem rather far-fetched. The almost absurd pretence of the Hebrew Bible has been described by Auerbach as follows:

> Die Welt der Geschichten der Heiligen Schrift begnügt sich nicht mit dem Anspruch, eine geschichtlich wahre Wirklichkeit zu sein – sie behauptet, die einzige wahre, die zur Alleinherrschaft bestimmte Welt zu sein. Alle andere Schauplätze, Abläufe und Ordnungen haben keine Berechtigung, von ihr unabhängig aufzutreten, und es ist verheißen, daß sie alle, die Geschichte aller Menschen überhaupt, sich in ihren Rahmen einordnen und sich ihr unterordnen werden.[18]

On the basis of these considerations, the non-referential character of the stories we have read may be defined in more detail. They offer no leads for verification, and in this respect are fictional in character: the 'books' figuring in these stories are not documents that could lend a referential status to the narratives. They do refer to one another, but cannot be anchored outside the text of the canon in a reality that may be considered their origin. This does not mean, however, that they give up all claim to reflecting reality – on the contrary. It is exactly the fictional, mimetic character of these 'books', especially the 'book of the *torah*', that makes the book in which they appear, the Torah and the entire canon of the Hebrew Bible, profess its relevance to that reality.

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[16] See Cohn, *Distinction*, 112ff.

[17] Cf. Oeming's definition of fiction in the Hebrew Bible ('Bedeutung und Funktionen', 262): '... eine Art von Geschichtsdarstellung, die zwar historisch Unzutreffendes erzählt, die aber dennoch auf Historie bezogen ist, indem sie eine Wahrheit am Gewesenen aufdecken will, die in der bloßen Beschreibung nicht aufgeht.'

[18] E. Auerbach, *Mimesis: Dargestellte Wirklichkeit in der Abendländischen Literatur*, Bern ^{6}1997, 17.

7.2 'Moses'

The mimetic relationship that the 'books' from the scriptural stories in the Hebrew Bible have with each other creates the opportunity for the peculiar method of legitimisation discussed in the previous chapter, in which the authority of one 'author' is derived from the other. Surveying the whole, we should now point out that the persons in the Hebrew Bible connected with these 'books' figure as speakers rather than authors. For Moses, Josiah, Jeremiah and Ezra the defining event in their relationship with the 'book' is not writing down its words, but reading them aloud. This is of course linked to the function of books in antiquity: these were not intended to be read silently by one individual, but to be read out in public. Reading is by definition reading aloud.[19] In addition to this, the proclamatory character of Old Testament literature demands sonorous recitation, as reflected in the name by which the Hebrew Bible is usually referred to in synagogal liturgy: מִקְרָא, 'that what is read/called'. F.H. Breukelman has pointed out that the public readings by Baruch and Jehudi in Jer. 36 show that the biblical witnesses are not 'writers' who want to be 'read', but speakers of the living Word, which wants to be *called out* and heard. The words were only written down for the sake of oral transmission.[20] For this reason, it is necessary to define the mimetic relationship between the 'books' from the scriptural stories even more precisely. On the level of the story, the legitimisation as discussed earlier does not take place by means of written quotations, but by one character – 'book' in hand – quoting the other. In the discussion of Jer. 36 we saw how this creates multiple layers within one narrative: the prophet says that YHWH says that he should prophesy by saying . . . , etc.; this whole structure is then contained in the book we read, and which bears the name of the prophet. A comparable structure can be found in the book of Deuteronomy, which as a whole rep-

[19]S. Niditch, *Oral World and Written Word: Ancient Israelite Literature*, Louisville 1996, points to the 'oral mentality' of the texts of the Hebrew Bible, to which, according to her, the scriptural motifs also testify. See also F.H. Breukelman, *Bijbelse Theologie 1: Schrift-lezing*, Kampen 1980, 36-8; Gebauer, Wulf, *Mimesis*, 77; F.L. Hossfeld, H. Lamberty-Zielinski, *ThWAT*, Bd. 7, 133-4.

[20]Breukelman, *Schrift-lezing*, 38; see also K.H. Miskotte, *Om het levende Woord: Opstellen over de praktijk der exegese*, 's-Gravenhage 1948, 183ff.

resents a speech by Moses, and within which, on the level of the story, Moses tells of encounters with YHWH who commands him to say what he, Moses, is now saying. These examples show that there are also mimetic relationships between the characters who figure in the stories, not only because they pronounce what is already written, but also because they mimic each other's statements and speak in each other's name. This makes it necessary to compare the narratives one last time – this time not focusing on the 'books', but on the functioning of the main characters and the relationships between them.

The character with whom all others have a mimetic relationship is Moses. In some way or other Josiah, Jeremiah and Ezra all follow his example. As we saw in Chapter 2, king Josiah, the 'book' in hand, follows in Moses' footsteps by taking Israel back again to the words of the *torah*, and in this way renewing the covenant with YHWH (2 Kgs 23:3). We also saw that Josiah is linked to the image of the king as sketched in Deut. 17:14-20. According to this prophecy, the king 'will write a second version of this *torah* in a book' (וְכָתַב לוֹ אֶת־מִשְׁנֵה הַתּוֹרָה הַזֹּאת עַל־סֵפֶר), in the presence of the Levitical priests,[21] and 'read' in it (וְקָרָא בוֹ; Deut. 17:18-19). The term מִשְׁנֵה, 'second version', in itself already indicates mimesis – a copy is made[22] – but in this context it is especially the *function* of the copy that is crucial. By reading the words aloud, the king will tread in Moses' footsteps. This prophecy is fulfilled in the acts of king Josiah, not as regards the writing – the 'book' is found in the temple, by a priest – but

[21] When כתב is linked to מִלִּפְנֵי (see *HALAT*, 889: 'Abschreiben von'), ספר should be repeated in the subclause; in that case, the translation would be: '... in a book, from (the book) that is kept with the Levitical priests' (thus for instance KJV, Buber-Rosenzweig). It is not necessary to link these two words; מִלִּפְנֵי can also stand on its own, meaning 'in the presence of' (thus for instance E. Fox, *The Five Books of Moses* (The Schocken Bible, 1), New York 1995).

[22] In b. Meg. 31b, the name *Mishne Torah* is even used for Deuteronomy; cf. J. Weingreen, *From Bible to Mishna: The Continuity of Tradition*, Manchester 1976, who interprets *mishne torah* in Deut. 17:18 as 'authoritative rabbinical tradition' and in this way arrives at the characterisation of Deuteronomy as 'oral Torah' or 'proto-Mishna' (IX, 145-6). Here, then, Deuteronomy has become the 'oral' image of the written Torah (Genesis-Numbers) and an adumbration of the later 'oral Torah'. Cf. Melberg, *Theories*, who asserts that mimesis in some way or another always turns into 'repetition' (1).

rather as regards the reading aloud. By reciting the words from the 'book of the *torah*', 'Moses' is present again.

Although in a slightly less obvious way, the figure of Jeremiah may also be compared to Moses – even on several points, such as for instance the call and the flight to Egypt.[23] Here, however, we do not find a case of simple copying, let alone a form of historical continuity.[24] Some parallels may even prompt the conclusion that Jeremiah is an 'anti-Moses', for instance because he is not allowed to speak a prayer of intercession, whereas Moses is the preeminent mediator between Israel and YHWH.[25] Be this as it may, a comparison of the triangles YHWH – his prophet – the king-and-his-people for these two characters clearly shows a mimetic relationship between them. Both Moses and Jeremiah have words 'dictated' to them by YHWH, on the strength of which they speak with prophetic authority in his name.[26] What is more, there is a structural equivalence in that both times the words have to be written down *twice*, because a negative reaction has resulted in the destruction of the first versions of the tablets of stone and the scroll.[27] Thus, both characters show by their actions that the au-

[23]See W.L. Holladay, 'The Background of Jeremiah's Self-understanding: Moses, Samuel and Psalm 22', *JBL* 83 (1964), 154ff.

[24]Holladay, 'The Background', supposes that Jeremiah knew the text of Deut. 18:18, and that Jer. 15:16 is 'authentic', i.e., refers to the discovery of a book as historical fact. See also his article 'Jeremiah and Moses: Further Observations', *JBL* 85 (1966), esp. 25, in which he suggests a historical link between 2 Kgs 22–23 and Jer. 15: 'The scroll in the temple contained God's words mediated through Moses; this mediation was passed on to Jeremiah, the prophet like Moses, and he accepted the task.'

[25]As stated by L. Alonso Schökel s.j., 'Jeremías como anti-Moisés', in: M. Carrez *et al.* (eds), *De la Torah au Messie: Mélanges Henri Cazelles*, Paris 1981, 245ff.

[26]Cf. P.R. Davies, *Scribes and Schools: The Canonization of the Hebrew Scriptures*, Louisville 1998, 120, who argues that Jer. 36 is *not* about the origin of biblical prophecy, but about the divine authority of the words that are spoken: 'This puts the prophetic scroll on a par with the contents of the Torah. The story may be meant merely to canonize Jeremiah as a prophetic supplement to Torah (and Jeremiah as "the prophet like Moses"?).'

[27]See Chr. Seitz, 'Mose als Prophet: Redaktionsthemen und Gesamtstruktur des Jeremiabuches', *BZ* NF 34 (1990), 13ff., who points to the parallelism between Jer. 36 and Deut. 9:9ff.: 'The similarity between language here (Deut 10,1-2) and Jeremiah (36, 28) cannot be accidental.' Cf. W.L. Holladay, *A Commentary on the Book of Jeremiah* (Hermeneia), vol. 2, Minneapolis 1989, 254: 'The narrator of this chapter [Jer. 36] has precedents in mind: that of the finding of the scroll in Josiah's time (2 Kgs 22–23), and that of Moses,

thority of their words is not based on the concrete form in which they have materialised – if necessary, a duplicate is made – but on the person to whom these words are ultimately ascribed.[28] In this way, they lend a voice to what YHWH has said. The mimetic effect of writing the words down twice (Deut. 10:1-5; Jer. 36:27-32) is so strong as to create the impression that the character of Moses was modelled on that of Jeremiah.[29]

About Ezra's role as a 'second Moses' various remarks have already been made in Chapter 5. He is the most obvious representative of Moses, even to such an extent that one might imagine the figure of Moses to have been projected back from the concrete social-political context of Ezra's appearance in Ezra-Nehemiah to a comparable situation. In that case, Moses could be seen as a proto-Ezra rather than Ezra as a 'second Moses'.[30] Whether such a supposition may be anchored in a historically traceable activity on the part of the authors of the books and/or the editors of the canon of the Hebrew Bible – for instance by viewing Ezra as a personification of the emerging Pharisean movement[31] – is

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who has to duplicate the tablets of the Ten Commandments after the first tablets were broken (Exod. 34:1).' Whether Jeremiah sees *himself* as Moses' successor, as Holladay then goes on to say, is hard to verify.

[28]Cf. Alonso Schökel, 'Jeremas', 252ff., who does see Jeremiah as a positive parallel to Moses, in connection with 2 Kgs 22–23: 'El terreno común será el destino de la palabra de Dios escrita.' See also P.R. Davies, ' "Pen of Iron, Point of Diamond" (Jer. 17:1): Prophecy as Writing', in: E. Ben Zvi, M.H. Floyd (eds), *Writings and Speech in Israelite and Ancient Near Eastern Prophecy* (SBL Symposium Series, 10), Atlanta 2000, 73, on Jer. 36: 'By insisting that it came about by divine dictation, via Jeremiah to Baruch, the story effectively puts the book on a par with the scroll(s) of Moses as divine words. Prophecy (at least Jeremiah's) has the status of torah.'

[29]See E.K. Holt, 'The Chicken and the Egg – or: Was Jeremiah a Member of the Deuteronomistic Party?', *JSOT* 44 (1989), 119: 'When Deuteronomists started promoting their ideas, it became of ultimate concern to them to make the exiles believe in the doctrines of Deuteronomy. And one of the best means of persuasion to a people of little faith was the promotion of a charismatic *persona* like Moses. And (...) for this purpose the identification of the famous prophet Jeremiah with the leader from old ages was very useful.'

[30]See G. Fischer, 'Das Mosebild der Hebräischen Bibel', in: E. Otto (ed.), *Mose: Ägypten und das Alte Testament* (SBS, 189), Stuttgart 2000, 117: 'Die Person Esras als Schriftgelehrter und Schreiber des Gesetzes des Himmelgottes (Esra 7,11f) deckt sich teilweise mit wichtigen Funktionen Moses. (...) Ist das ausgehende fünfte Jahrhundert v.Chr. der Hintergrund für die Ausgestaltung dieses Mosebildes, wie es sich so profiliert in der Tora zeigt?'

[31]J.C.H. Lebram, 'Die Traditionsgeschichte der Esragestalt und die Frage

a totally different question. What is of prime importance now is to observe that the mimetic relationship between Moses and Ezra is presented in a more complete way than in the case of Josiah and Jeremiah. Whereas in the stories from the Prophets the attention is drawn to Moses through the public reading, in the figure of Ezra Moses seems actually present in person. The position within the canon of the story about this 'Moses' contributes to this impression; at the end of the Writings, which is the end of the canon, Ezra reminds the reader of Moses and the 'book of the *torah*' reminds the readers and hearers again of the Torah.

7.3 'Scripture' within Scripture

In the second book of the Maccabees we are told how Jeremiah 'commands' the tabernacle and the ark to follow him, when he climbs the mountain that Moses stood on in order to see the 'inheritance of God' (2 Macc. 2:4-8). Having reached the place where Moses stood, the prophet puts the tabernacle and the ark away in a cave, together with the altar of incense, and seals the entrance. Some of those that had followed him then try to mark the route to this place, but do not succeed. Jeremiah reproaches them for trying: the spot will remain secret until God gathers the congregation of his people, and shows them mercy. In this apocryphal story, Jeremiah and Moses are placed in a mimetic relationship in a way that we do not see in the Hebrew Bible. The prophet retraces the route to the place where Moses died (see Deut. 32:48-52; 34:1-12) and takes with him the attributes that testify to the meeting between YHWH and Moses. This creates the

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nach dem historischen Esra', in: H. Sancisi-Weerdenburg (ed.), *Achaemenid History I: Sources, Structures and Synthesis* (Proceedings of the Groningen 1983 Achaemenid History Workshop), Leiden 1987, 134, arrives at the plausible hypothesis that '... die Einführung der Esragestalt als Bringer des Gesetzes, der Jerusalem zur Stadt des volkommenen Gesetzesgehorsams machen will und alle vorhergehenden Ansätze zur Wiederbelebung von Tempel und Stadt nur zu Vorstufen der von ihm gebrachten Vollendung werden lässt, Ausdruck der Kritik einer radikal gesetzestreuen Gruppe gegen die Tempeltheokratie der Hasmonäer ist. Esra ist der Heros dieser Gruppe, die man als Vorläufer der Pharisäer oder als die ersten Pharisäer ansehen kann' (131); he does, however, recognise at the same time '... wie schwer es ist, von eine[r] beinahe mythischen Gestalt die Brücke zu ihrer historischen Identität zu finden.'

impression that Jeremiah certainly is a *Moses redivivus*, which prompts some to mark the route to the unknown spot, just to be sure. This does not work, and given Jeremiah's reaction, was not meant to: without God's permission, nobody may enter the area reserved for Moses.

This finally points to a mimetic relationship that is the cornerstone of the other relationships mentioned earlier: that between YHWH and Moses. The associations between Ezra, Jeremiah, Josiah and Moses are all in a horizontal plane, so to speak, but Moses also has a similar relationship with YHWH, which as it were lends a 'vertical bond' to the whole structure.[32] This is also reflected in the scriptural stories, and in the way in which they have been linked together. In the first place, there is the fact that has continually come up in this study: Moses' 'book of the *torah*' finds its destination *by the side of* the ark containing the tablets of stone. These two sets of scriptures belong together. In the same way as Moses received the words of YHWH in the form of the tablets of stone, they will reach those that come after him through his 'book of the *torah*'. Moses' authority – and that of the words from his 'book' – is of a prophetic nature: these are words he spoke in his address, when he claimed to speak in the name of YHWH.

This, however, is where the comparison ends. For, secondly, the parallel drawn between the tablets of stone and the 'book of the *torah*' also shows that this is not a closed mimetic universe. The tablets of stone belong within the Torah; they are not found outside it. The situation is completely different as regards the 'book of the *torah*': if we look for it, we always – following the different ways pointed out in this study – end up at the Torah, the book that we, as readers, are holding and from which we are read. In other words, the mimetic relationships *within* the scriptural stories result in a mimetic relationship involving the Hebrew Bible itself as Scripture. From this point of view,

[32]Cf. Auerbach, *Mimesis*, 19, on the Hebrew Bible: 'So viel vereinzelter, horizontal unverbundener die Erzählungen und Erzählungsgruppen nebeneinander stehen als die der Ilias und Odyssee, so viel stärker ist ihre gemeinsame vertikale Bindung, die sie alle unter einem Zeichen zusammenhält, und die Homer gänzlich fehlt. In jeder einzelnen der großen Gestalten des Alten Testaments, von Adam bis zu den Propheten, ist ein Moment der gedachten Vertikalen Verbindung verkörpert.'

to say that Moses is the 'author' of the Torah is certainly not a meaningless remark – either theologically[33] or from a literary perspective.[34]

[33]We could, for instance, characterise the relations between the 'book of the *torah*', tablets of stone and Torah in the same way as K.H. Miskotte, *When the Gods are Silent*, transl. J.W. Doberstein, New York 1967, 112, following K. Barth characterises the Bible as a whole: 'the word about the Word of the WORD'; cf. N.T. Bakker, *Geschiedenis in opspraak: Over de legitimatie van het concept geschiedenis*, Kampen 1996, 196ff., on the doctrine of the three forms of the Word: Revelation, Scripture, and Proclamation.

[34]Cf. J.F.A. Sawyer, *Sacred Languages and Sacred Texts* London 1999, 101ff.; 'Even today it can be argued that the tradition that Moses wrote the Pentateuch is more important, from a religious, theological and literary point of view, than the fact that he did not.' (102)

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Abbreviations

All abbreviations of series, handbooks and journals in this volume are in accordance with: S.M. Schwertner, *Theologische Realenzyklopädie: Abkürzungsverzeichnis*, Berlin ^{2}1994. In addition the following abbreviations are used:

AncBD	D.N Freedman (ed.), *Anchor Bible Dictionary*, New York 1992.
BHS	K. Elliger, W. Rudolph (eds), *Biblica Hebraica Stuttgartensia*, Stuttgart 1967/77.
BInt	Biblical Interpretation (Leiden).
BInt.S	Biblical Interpretation Series (Leiden)
DNP	H. Cançik, H. Schneider (eds), *Der neue Pauly: Enzyklopädie der Antike*, Stuttgart 1996- .
Fs.	*Festschrift.*
𝔊	See under S(eptuagint).
GB	*Wilhelm Gesenius' Hebräisches und Aramäisches Handwörterbuch über das Alte Testament*, ed. F. Buhl, Leipzig ^{17}1915 (often reprinted).
GKC	*Gesenius' Hebrew Grammar: As Edited and Enlarged by the Late E. Kautzsch, Second English Edition revised in accordance with the Twenty-Eighth German Edition (1909)*, ed. A.E. Cowley, Oxford ^{18}1985.
JMur	P. Joüon, T. Muraoka, *A Grammar of Biblical Hebrew* (Subsidia Biblica, 14/1-2), Roma ^{2}1993.
Joüon	P. Joüon, *Grammaire de l'hébreu biblique*, Rome ^{2}1947 (repr. Graz 1965).
𝔐	Masoretic Text.
PredOT	De Prediking van het Oude Testament (Nijkerk).
Schneider	W. Schneider, *Grammatik des Biblischen Hebräisch: Ein Lehrbuch*, München 2001.
𝔊	Septuagint.
$\mathfrak{G}^{B}$	Septuagint – Codex Vaticanus.
$\mathfrak{G}^{S}$	Septuagint – Codex Sinaiticus.
SHANE	Studies in the History of the Ancient Near East (Leiden).
WBC	Word Biblical Commentary (Waco).

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