

# AN 'EXTRAORDINARY FACT':<sup>1</sup>

## TORAH AND TEMPLE AND THE CONTOURS OF THE HEBREW CANON, PART 1

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### Summary

*Recent studies on the final form of the Hebrew Bible suggest that it is not a literary and historical accident but rather the result of deliberate editorial activity. The present study concludes that transitional texts at the major boundaries of the canon demonstrate an extraordinary awareness of canon and provide it with the hermeneutical framework of Torah and Temple. Part 1 reviews the relevant literature, describes the methodology to be used and applies that methodology to the first major section of the Hebrew Bible, the Torah. This text begins and ends with the paramount importance of the Word of God and the presence of God.*

### I. Introduction

In 1971, Nahum Sarna published an article on the Hebrew Bible in which he noted briefly:

...Indeed the Messianic theme of the return to Zion as an appropriate conclusion to the scriptures was probably the paramount consideration in the positioning of Chronicles [at the end of the canon]. Further evidence that the arrangement of the Scriptures was intended to express certain leading ideas in Judaism may be sought in the

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<sup>1</sup>An initial version of this paper was presented at the National Association of Professors of Hebrew (NAPH) in Memphis, Tennessee, June 2, 1996. I would like to thank the following people who have read or heard versions of the paper and offered their criticisms and advice (not all of which has been heeded): Professors E.J. Revell (Toronto), Peter Gentry (Toronto), Arie van der Kooij (Leiden) and my colleagues, Barry Smith and Tony Jelsma. I would like also to thank Atlantic Baptist University for the funding to undertake this research project.

extraordinary fact that the initial chapter of the Former Prophets (Josh. 1:8) and of the Latter Prophets (Isa. 1:10) and the closing chapter of the prophetic corpus (Mal. 3:22) as well as the opening chapter of the *Ketuvim* (Ps. 1:2) all contain a reference to Torah.<sup>2</sup>

The purpose of this study is to explore this insight briefly noted by Sarna and the implications it has for contributing to the present discussion on the canonical shape of the Hebrew Scriptures. I will first provide a context for the paper by discussing the current state of 'First Testament' canonical studies, then sketch a review of some of the important literature in the field, and finally examine the general contours of the canonical form which this literature has been given. The ramifications of Sarna's 'extraordinary fact' will prove to be extraordinary indeed.<sup>3</sup>

## II. The Present State of Canonical Studies: Revolutionary Shifts in Perspective

Since the focus on the final form of the text in literary criticism, there have been numerous studies of such complete texts in the field of biblical studies. The practice of canonical or canon criticism on the Hebrew Bible<sup>4</sup>—the final form of the set of

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<sup>2</sup>Sarna, 'Bible', *Encyclopedia Judaica* III:832.

<sup>3</sup>The key phrase for Sarna is 'arrangement of the Scriptures' in his understanding of the closure of the canonical process. The present study shows that this is an important factor but certainly not the only one. As will be seen, the order of the biblical books presented below differs slightly from the order indicated by Sarna's quote. This does not detract from his point; it makes it stronger.

<sup>4</sup>I use these terms simply to distinguish this way of looking at the text from 'canonics' which traditionally designated the more historical study of the process of canonisation (often using external evidence). I have no desire to enter the controversy evoked by such terms. B.S. Childs, eschews the label 'canonical criticism' as a term for describing his concern to examine the final form of the biblical text. He believes that such a term relegates the study of canon to just one more stage of criticism in the historical-critical study of the Bible (*Introduction to the Old Testament as Scripture* [Philadelphia: Fortress, 1979] 74-75, 82-83). Although arguing that canonical criticism is not just another critical exercise, J.A. Sanders

documents accepted by Judaism as absolutely authoritative for religious practice<sup>5</sup>—has been part of this general trend.<sup>6</sup>

This hermeneutical 'Copernican' revolution resulted in significant changes in the universe of interpretation. Before the revolution, fragments of the text circled the historical-critical method, which aimed at establishing 'what really happened' at a particular moment in time; afterwards, the text as a unity became the focus and the significance it had as a canonical document to the communities at which it was aimed.<sup>7</sup> Of

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still envisions it as a logical evolution of earlier stages of biblical criticism. For relevant discussion of the debate see the following works: J.A. Sanders, *Canon and Community* (Philadelphia: Fortress, 1984) 18-20; *idem*, 'Canonical Context and Canonical Criticism', in *From Sacred Story to Sacred Text* (Philadelphia: Fortress, 1987) 155-74; G. Sheppard, 'Canonical Criticism', *ABD* I:861-66. See also the sharp criticisms of J. Barr, 'Further Thoughts on Canonical Criticism', in *Holy Scripture: Canon, Authority, Criticism* (Philadelphia: Westminster, 1983) 146.

<sup>5</sup>After an examination of the evidence in later biblical books and in the Talmud, S.Z. Leiman concludes: 'A canonical book is a book accepted by Jews as authoritative for religious practice and/or doctrine, and whose authority is binding upon the Jewish people for all generations. Furthermore such books are to be studied and expounded in private and in public' (*The Canonization of Hebrew Scripture* [Hamden: Archon Books, 1976] 14). This definition, of course, implies not only the shape of the literature but also its function. See Sanders, 'Canon', *ABD* I:839. Sheppard's helpful distinction between authoritative literature not yet part of a formal collection of material (canon 1) and the formal collection itself (canon 2) is not relevant to this study: 'Canon', *Encyclopedia of Religion* 3:62-69. For a similar distinction see L.B. Wolfenson, 'Implications of the Place of the Book of Ruth in Editions, Manuscripts, and Canon of the Old Testament', *HUCA* 1 (1924) 176ff.

<sup>6</sup>It is doubtful that canonical criticism emerged independently without being influenced by this larger development within the study of literature. See Barr, *Holy Scripture*, 78. For other reasons explaining the rise of canon criticism, such as the failure of the historical method, see Sanders, 'Scripture as Canon for Post-Modern Times', *BTB* 25 (1996) 57ff.

<sup>7</sup>Childs is sometimes ambiguous about the role he assigns to the historical-critical method. At times he assumes its 'truth' only to show that the canon has shown this 'truth' as irrelevant. See e.g., his work on Isaiah. Are there two types of truth? He seems to drive a wedge between historical truth and canonical truth; this would seem to be a dangerous dichotomy for Christian faith. One wonders if the position he advocates is a new type of Gnosticism. Barr is extremely sensitive to this question of truth and rightly so but his whole perspective is based on an

course it is well known that this particular revolution has been followed by another, that of post-structuralism, in which the text now orbits the interpreter, the new centre of meaning. The aim of the present paper, however, is not to consider the post-modern perspective<sup>8</sup> but rather to contribute to the present discussion on the canon of the Hebrew Bible.

The work of Gerald Wilson on the Psalter illustrates the different results produced by the different methods, the historical and the canonical.<sup>9</sup> With the former at the centre of the hermeneutical universe, the Psalms were regarded as revolving planets of important information about ancient Israelite and near eastern worship patterns and rituals. The main interest of interpreters was to study the Psalms for knowledge of genres, settings, dates, times and the development of the cultic aspect of Israelite religion. From this study significant religio-political events and ancient social settings could be reconstructed in the life of the nation. The final form of the Psalter itself was regarded as more the result of a gradual and rather arbitrary accumulation of psalms than the result of a deliberate plan.<sup>10</sup>

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Enlightenment understanding. For a discussion of these two perspectives which is probably too critical of Barr, see R. Topping, 'The Canon and the Truth: Brevard Childs and James Barr on the Canon and the Historical-Critical Method', *TJT* 8/2 (1992) 248ff. Nonetheless the practical effect of Childs' program is clear. The historical method has been placed in the background and the text now appears in the foreground. In the field of literature the exact opposite revolution has occurred recently with the New Criticism, which stressed the formal objective properties of texts, giving way to post-structuralism which stresses the primary role of the interpreter in assigning meaning to the text. See e.g., J. Culler, *On Deconstruction: Theory and Criticism after Structuralism* (London: Routledge & Kegan Paul, 1983); S. Fish, *Is There a Text in this Class?* (Cambridge: Harvard UP, 1980); W. Brueggemann, *Texts under Negotiation* (Minneapolis: Fortress, 1993); R. Fowler, 'Who is "The Reader" in Reader Response Criticism?', *Semeia* 31 (1985) 5-26; A.K.M. Adam, *What is Postmodern Biblical Criticism?* (Minneapolis: Fortress, 1995).

<sup>8</sup>See previous note for an introduction to this area.

<sup>9</sup>G. Wilson, *The Editing of the Hebrew Psalter* (SBLDS 76; Chico: Scholars Press, 1985).

<sup>10</sup>With rare exceptions, scholarly investigation into the pss completely ignores any question of Psalter structure or pss arrangement. The literature is almost exclusively concerned with the illumination of textual

Wilson's study, however, with its focus on the final form of the Psalter, reached quite different results. His work revealed that this liturgical text had been deliberately organised to highlight the theme of the kingship of God.<sup>11</sup> Consequently the fourth 'book' of the Psalter, in which there are so many royal and 'orphan' psalms, was considered to be the 'editorial "center" of the Hebrew Psalter.'<sup>12</sup>

This example from the psalms is only a small sample of the results of the hermeneutical revolution in biblical studies caused by the canonical emphasis. As will be seen below, entire collections of canonical books are now being viewed in the same way that Wilson understands the Psalter.

This significant change in the literary study of the Bible has been accompanied by a parallel one in 'canonics'—the historical study of the process of the formation of the canon. The standard theory of how the canon emerged adduced as its main evidence the tripartite structure of the canon. A three-stage canonical development was postulated in which the Torah was canonised first, probably sometime shortly after the exile (400 BCE), the Prophets, shortly after the Samaritan schism (200 BCE) (since the Samaritans did not accept the Prophets as canonical), and finally the Writings around the turn of the second century CE (90 CE). This 'gradual formation of the Canon through three successive stages'<sup>13</sup> also entailed the

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ambiguities, or the further refinement of pss genres and/or cultic matrices' (*ibid.*, 3). As an example *cf.* the introduction to A. Weiser's commentary on the Psalms (*The Psalms. A Commentary* [Philadelphia: Westminster, 1962] 52-91, 95-101), in which almost 40 pages are devoted to the various types of Psalms and 6 pages to the structure of the Psalter; and even this structure is analysed from a diachronic perspective.

<sup>11</sup>Wilson's study paid close attention to the seams of the Psalter—the redactional 'glue' which bound the main divisions together, the themes of the content of the divisions, the introduction and conclusion to the Psalter and the Psalm titles.

<sup>12</sup>*Ibid.*, 215.

<sup>13</sup>H.E. Ryle, *The Canon of the Old Testament. An Essay on the Gradual Growth and Formation of the Hebrew Canon* (London: Macmillan, 1895) 10-11. Ryle was the first to argue for this thesis and, as is well known, his conclusions have been accepted rather uncritically for almost a century. See Sanders, 'Canon', *ABD* 1:837-52, who remarks that Ryle's theory had the status of a formula which was simply repeated from one generation to another.

closure of each division once canonisation occurred. In other words, books could not be added to a division once it was pronounced canonical. This conveniently explained why the book of Daniel, assumed to be obviously prophetic and also late, could not be added to the prophetic collection (already closed) and had to be added to the Writings, which was closed at a much later date.<sup>14</sup>

In addition, it was argued that there was evidence for an Alexandrian canon, which formed the basis for the Septuagint. The Greek manuscripts showed evidence of not only a different arrangement of books but also a larger collection.<sup>15</sup> Eventually, as a result of various factors, the Palestinian canon prevailed in early Judaism.

This standard view of the canonisation of the Hebrew Bible, while plausible enough, is currently being strongly challenged. Scholars have questioned some of its central assumptions. The process of canonisation seemed to reflect a retrojection of the way the early church dealt with such matters, *i.e.*, by conciliar decision. Evidence for such a decision made at a so-called council of rabbis at Jamnia (90 CE) was thin if not non-existent.<sup>16</sup> The dating of the closure of the canon has also been called into question. While maintaining the main lines of the theory, Leiman argued for an earlier closing of the third canonical division during the Maccabean period.<sup>17</sup> Freedman pushed back the canonisation of the Hebrew Bible (with the exception of Daniel) even further to the early post-exilic period during the time of Ezra (see below). Most others hold to either the traditional view<sup>18</sup> or a canonisation process which extends

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<sup>14</sup>H.E. Ryle, *The Canon*, 104-90; N.H. Sarna 'Bible', *Encyclopedia Judaica* III:821ff.

<sup>15</sup>R.H. Pfeiffer, 'Canon of the Old Testament', *IDB* I:498-520.

<sup>16</sup>J.P. Lewis, 'What do we mean by Jabneh?' *JBR* 32 (1964) 125-32.

<sup>17</sup>Leiman, *Canonization*, 29-30, 130ff.

<sup>18</sup>See *e.g.*, typical comments such as: '...the tripartite division of the present canon is usually judged to reflect accurately the sequential and chronological development of scripture'; '...it is generally accepted that the Hebrew canon in its present form (TaNaK) was a matter of consensus by the end of the first century C.E.' (D.F. Morgan, *Between Text and Community: The Writings in Canonical Interpretation* [Minneapolis: Augsburg, 1990] 35, 104).

to a period well into the second century CE, when the third division, regarded up to this time as more or less inchoate, became fixed.<sup>19</sup> It is frequently stressed that this later canonical form should not be superimposed on an earlier, much more theologically diverse, Judaism.

The assumption of the three canonical divisions reflecting a gradual evolution of the canon is also being re-examined. Would it not be equally possible that each of the divisions remained open, allowing for additions until they were all closed at the same time? Would it not be likely that in the exile or even late pre-exilic period, there was an unedited canonical Torah, some canonical prophets and some canonical psalms and wisdom literature?<sup>20</sup> Could there not have existed two types of 'canonical' literature, authoritative writings not (yet) part of an official collection and the official collection itself? Presumably all canonical material in the latter sense would have had the former status at the beginning.<sup>21</sup>

Whereas previous scholars argued that 'this tri-partite division of the Scriptures is simply a matter of historical development and does not, in essence, represent a classification of the books according to topical or stylistic categories'<sup>22</sup> others are claiming that such categories have in fact played a significant role in the canonical shape. In addition, the view of a separate Alexandrian canon is no longer tenable.<sup>23</sup> In short, the whole field of the historical study of the canon is in flux. A

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<sup>19</sup>J. Lightstone, 'The formation of the biblical canon in Judaism of late antiquity: Prolegomenon to a general reassessment', *SR* 8 (1979) 135-42. See also *idem*, *Society, the Sacred, and Scripture in Ancient Judaism. A Sociology of Knowledge* (Studies in Christianity and Judaism 3; Waterloo: Wilfred Laurier UP, 1988) and Sanders, *Canon and Community*, 17.

<sup>20</sup>See e.g., the theory proposed by M. Margolis, *The Hebrew Scriptures in the Making* (Philadelphia: Jewish Publication Society, 1922) 53, 70, 78, 81-2.

<sup>21</sup>See note 5 above.

<sup>22</sup>E.g., Sarna, 'Bible', *Encyclopedia Judaica*, III:822.

<sup>23</sup>A.C. Sundberg, *The Old Testament of the Early Church* (Cambridge: Harvard UP, 1964). Strangely, Sundberg sees the Greek evidence as testifying to a more open-ended understanding of scripture that the nascent Christian Church and the Judaism of the first century had in common; however, Judaism closed its canon at the end of the century, while the evidence would indicate that the church did not.

revolution in the reassessment of the process of canonisation is under way.

It is interesting that both of these revolutions, the literary/hermeneutical and the historical are not based so much on newly discovered evidence. There is very little.<sup>24</sup> These revolutions represent different ways of *seeing*. New ways of looking at the same data have allowed contemporary scholars to detect problems which eluded the vision of older generations of scholars as well as patterns in the biblical evidence significant for determining canonical structure.<sup>25</sup> For example, the historical evidence supplied in the Mishnah and Talmud is now regarded by many as more a reflection of the period when it was written than the period about which it was written.<sup>26</sup> The only major new data as such is the recently published text from Qumran, 4QMMT, with its apparent synonymous expressions to designate the Hebrew Bible: 'The Book of Moses [and the

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<sup>24</sup>A fact that many scholars working on this problem are quick to point out, e.g., R.T. Beckwith, *The Old Testament Canon of the New Testament Church and its Background in Early Judaism* (London: SPCK, 1985) 7ff.; J. Barton, *Oracles of God. Perceptions of Ancient Prophecy in Israel after the Exile* (Oxford: Oxford UP, 1986) 35. It is true that the evidence from Qumran has helped scholars reassess early Judaism. Sanders would also argue that a copy of the Psalter (11QPSa) in which seven additional psalms are to be found would suggest the need for a re-evaluation of the process of canonisation but others would disagree. For the debate see Beckwith, *The Old Testament Canon*, 77ff.

<sup>25</sup>On this phenomenon in the history of science see the standard work: T.S. Kuhn, *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 1962). Note the problems of earlier scholarship observed by Beckwith, *The Old Testament Canon*, 7ff.

<sup>26</sup>See Lightstone, 'Formation of the Biblical Canon', 139: '...it has been probatively shown that not even the Mishnah and Tosefta, the earliest rabbinic compilations, can be counted upon to provide accurate information regarding what was said or done by early rabbis or their Pharisaic ancestors... Extended narratives describing [putative] first- and second-century institutions and events come, moreover, from still later documents...such passages represent what rabbis of the third, fourth and fifth centuries thought or chose to say about first-century Judaism.'



words of the Pr]ophets and of Davi[d...]' and '[...The Book] of Moses and [the words of the Prophe]ts.'<sup>27</sup>

Finally, it may be that keeping the hermeneutical and historical fields of canonical study apart has contributed to the problem. If, as one recent study claims, the final product—the canon—is a work of art, it would be foolhardy to separate these two fields, the internal evidence in the form of editorial influence in the canon itself and the mainly external evidence of early witnesses to canonical form.<sup>28</sup> For it is the argument of this paper that editorial influence detected in the canon itself—the ultimate redaction—is possibly the earliest witness to canonical form. This is the 'extraordinary fact' which has been largely overlooked. Consequently, a relatively recent statement regarding the study of the Hebrew canon needs to be seriously re-evaluated: 'no amount of study of the form or content of a document is likely to tell us how the finished product came to be used.'<sup>29</sup>

### III. Review of Literature: The Emergence of the 'Extraordinary Fact'

In the following review of literature, some of the salient contributions to the study of the canon of the Hebrew Bible will be considered. The accent is on the study of the literary

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<sup>27</sup>R. Eisenmann and M. Wise, *The Dead Sea Scrolls Uncovered* (New York: Penguin Books, 1992) 198-99, lines 10, 16. It must be admitted that this is a difficult text to read. See plates 15 and 16 in the same volume.

<sup>28</sup>Note the relevant comments of P. Perkins, discussing the question of many various methodologies for understanding the biblical text ('Canon, Paradigms and Progress?' *Biblical Interpretation* 1 [1993] 95): 'Rigid divisions do not work. A particularly significant new understanding in one area or methodology will and should have implications for others.' I think that this perspective is one of the (few) salutary effects of post-modernism.

<sup>29</sup>Lightstone, 'Formation of the Biblical Canon', 135. Curiously, in a later study Lightstone concludes that the final form of the Hebrew Bible reveals a great deal about how the finished product came to be used. See his *Society, The Sacred and Scripture in Ancient Judaism. A Sociology of Knowledge* (Waterloo: Wilfred Laurier UP, 1988) 61ff.

evidence within the canon itself, although studies of the historical evidence are not excluded.

The names of Brevard Childs and James Sanders are almost synonymous with canonical criticism. They have been pioneers in the field, bringing their different perspectives to bear on understanding the final form of the biblical text and its hermeneutical implications. Their exploratory work has blazed a trail for a significant group of scholars who have seen its relevance for both understanding the ancient text, the community which gave it birth and its relevance to contemporary communities of faith. Childs' massive introduction to the Old Testament in methodical fashion examined the failure of the historical method to account for an understanding of each book in the canon. He then showed how the final form of each book was much more than the sum of its parts and contained a crucial theological force. Childs focused on the product—the text—of canonisation. For him the crucial issue was the final form of the text. But surprisingly, for all his attention to the final product, Childs did not really examine the form of the canon itself. This is a significant oversight.<sup>30</sup> If the final form of the text is to be regarded as an indispensable goal of interpretation, then it would appear obvious that the final form of the Old Testament itself, the *ultimate text* as it were, would be the logical object of study and not just the numerous texts which combined to produce it?<sup>31</sup>

On the other hand, Sanders, followed by a number of others, was concerned to reflect on the significance of this ultimate text—the shape of the entire Hebrew Bible and the implications it had for the community that was involved in moulding this shape. According to Sanders the shape of the text revealed much about the process leading up to canonisation—

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<sup>30</sup>Cf. Brueggemann, *The Creative Word. Canon as a Model for Biblical Education* (Philadelphia: Fortress, 1982) 5: '...Childs approaches biblical books one at a time. That is problematic because one never gets a sense of the whole of the Bible or of the whole of the Old Testament.'

<sup>31</sup>Perhaps this is due to the fact that there is evidence for fluidity in the arrangement of the second and third divisions of the Hebrew canon. See Childs' comments in a rather brief section on the differences between the Hebrew canon and the Christian Old Testament (*Introduction*, 666-67).

in particular the self-understanding of the communities that produced it.<sup>32</sup> For Sanders, then, the operative word was process and not product. For example, Sanders argued that the Torah was shaped by exilic and post-exilic Israel's experiences of disintegration and transformation. The reason why the Torah comprised five books and did not include Joshua, which seems to be a more natural conclusion, was due to the experiences of the community that gave the text its final form. The profound shock of being in a foreign land and the return to a much humbler condition in the land of Palestine resulted in the decision to remove Joshua from the Hexateuch and therefore create the Pentateuch. Judaism would now be a diaspora religion, a *religion of hope*, living in anticipation of crossing the Jordan. Similarly the Prophets and the Writings received their shape in answers to the profound questions of the struggling community which had inherited them.

As stimulating as Sanders work is, it often suffers from speculative reconstructions.<sup>33</sup> Although Joshua does seem to be the natural conclusion to an earlier, longer canon, there is no evidence (except perhaps literary critical) that it ever was. Moreover, Sanders' description of the self-understanding of exilic Judaism is plausible but not necessary.

Sanders also directed attention to the significance of the sequence of the books in the canon. Noting Israel Yeivin's observation that the sequence of the first nine books of the TaNaK, the Torah and Former Prophets, never varied in contrast to the diversity attested for the remainder of the canonical writings, Sanders argued that this was 'simply

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<sup>32</sup>J.A. Sanders, *Torah and Canon* (Philadelphia: Fortress, 1972) 50ff, 91ff.

<sup>33</sup>*Ibid.*, 47-52. This view of Sanders is of course based on the massive assumption of the presence of a Hexateuch, which was shaped into a Pentateuch and a separate historical work by the Jewish community. Such a view is hardly necessary, or desirable given at least the equal plausibility of views such as an original Tetrteuch, and a Deuteronomic History. Although Childs would probably accept Sanders' view of the formation of the Pentateuch, Sanders' methodology invites Childs' telling criticisms (*Introduction*, 57): 'He [Sanders] assumes a knowledge of the canonical process from which he extrapolates a hermeneutic without demonstrating, in my opinion, solid evidence for his reconstruction.' See also Barr's general criticisms of Sanders' work (*Holy Scripture*, 156-57).

because this section of scripture is a story-line and whether in scroll or codex form, the story-line provided the sole stability of the TaNaK until the invention of the printing press.<sup>34</sup> Again this is possible but there needs to be an explanation for the pattern not being continued in the second half of the canon, which contains books characterised by a similar story-line such as Chronicles and Ezra-Nehemiah. The 'story-line' also does not explain why Ruth did not follow Judges. While Sanders' theory has definite merit, there are probably other factors involved in the formation of the first section of the canon.

R.E. Clements' study of the literary development of the first two divisions of the Hebrew Canon led him to postulate a different theory of the canonical process. Initially, he observed in the second canonical division a conspicuous silence of the Former Prophets about the Latter Prophets. Clements considered this intentional since editors were probably aware that the individual latter prophets were 'the subject of a related literary collection' which functioned to complement the historical work.<sup>35</sup> The implication, of course, was that the material in the second section of the canon did not reach its final shape in an arbitrary manner. Clements claimed further that literary devices which explicitly linked the first and second divisions of the canon pointed to the need for a revision of the dominant explanation of the canonisation process. This evidence, which shaped the prophetic message in a Torah-like mould, led him to the conclusion that both the Law and the Prophets were joined together at an early stage and each 'subsequently underwent a good deal of expansion and further editorial development.'<sup>36</sup> Consequently the idea of a simple evolutionary model of canonisation is seriously flawed.

Joseph Blenkinsopp observed that the lack of canonical consciousness on the part of scholars was especially evident in the Christian academic discipline of Old Testament theology where the shape of the canon has been barely acknowledged as

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<sup>34</sup>'Scripture as Canon for Post-Modern Times', 58. For Yeivin's study see *Introduction to the Tiberian Masorah* (trans. and ed. by E.J. Revell; SBLMS 5; Missoula: Scholars Press, 1980) 38-9.

<sup>35</sup>R.E. Clements, *Prophecy and Tradition* (Atlanta: John Knox, 1975) 45ff.

<sup>36</sup>*Ibid.*, 55.

having any significance.<sup>37</sup> Moreover, he concluded that a failure to study the final form of the canon has been a serious omission in biblical studies in general since 'canon implies the attempt to impose a definitive shape and meaning on the [biblical] tradition as it comes to expression in the texts.'<sup>38</sup> In his own investigation of the significance of that final shape Blenkinsopp concluded that this finished form reveals the fundamental constituent element of Judaism, *i.e.*, a basic tension between normative order (law) and charisma (prophecy). First the Torah was canonised without any need of addition, but later the Prophets were added reflecting the dynamic of this constitutive element at work. Finally, the attachment of the Writings indicated a transformation of prophecy since much of this material was produced by clerics and scribes. The implications for theology are important for the canon preserves these two modes of knowledge. Prophecy alone—eschatology—would lead to wild sectarianism while law itself—theocracy—would lead to bureaucratic legalism. Both must be held together in tension and are in fact consciously combined in the final form of the canon.

Although this simple 'thesis (Torah)/antithesis (Prophets)/synthesis (Writings)' schema does seem like the imposition of an alien grid on the data of the canon and postulates competing interests in its formation,<sup>39</sup> a particularly important advance in Blenkinsopp's work is the attention given to some of the seams of the canon: Deuteronomy 34 and the two appendices of Malachi (3:22; 23-24). In Blenkinsopp's judgement these seams are crucial for understanding the canonical process. The editors of the first seam envisaged no addition whatsoever to the Torah, while the editors of the second accommodated prophecy uneasily to the Pentateuch.

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<sup>37</sup>J. Blenkinsopp, *Prophecy and Canon. A Contribution to the Study of Jewish Origins* (Notre Dame: University of Notre Dame Press, 1977) ix-xi. For explicit confirmation of his views see M.H. Goshen-Gottstein, 'Tanakh Theology: The Religion of the Old Testament and the Place of Jewish Biblical Theology' in P.D. Miller *et al.* (eds.), *Ancient Israelite Religion* (Philadelphia: Fortress, 1987) 643-44, n. 64.

<sup>38</sup>*Ibid.*, 9.

<sup>39</sup>The influence of Max Weber is obvious here, as Blenkinsopp acknowledges (*ibid.*, 148ff.).

Yet Blenkinsopp's discussion of the first seam is capable of another interpretation, and he does not consider redactional evidence for the attachment of the Writings to the canon. His understanding of the essential incompatibility of law and prophecy also reflects a modern perspective which is quite alien to the epistemological world of ancient Israel.

Walter Brueggemann dealt with this epistemological question in his study of the canon and in particular the significance the tripartite shape has for education in the synagogue and church. For Brueggemann the three divisions of the canon provided a valuable heuristic model for the pedagogical process as they each represented a different epistemology. The Torah stressed the normative and legal, the Prophets the disruptive, and the Writings the empirical.<sup>40</sup> Moreover, the final canonical shape revealed the mutual influence of the various canonical divisions upon one another, *e.g.*, a 'Torahising' of prophecy, a sapiential impact on Torah, *etc.* Brueggemann concluded that religious educators should be alert to each of these dimensions in the educational process in order to maintain a proper balance in their teaching. Each 'serves a distinctive theological and educational function.'<sup>41</sup>

To be sure, Brueggemann's scheme does tend to simplify the contents of the canon, *e.g.*, the wisdom literature is a small minority of the literature of the third canonical division, which seems more like a potpourri of various genres: history and liturgy, apocalyptic and lamentation. But an underlying assumption of his work is that the relation between the various sections of the canon is not arbitrary and these various canonical emphases are necessary for proper pedagogical instruction in believing communities. Significant editorial work on the part of the shapers of the canon has achieved this result.

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<sup>40</sup>W. Brueggemann, *Creative Word*.

<sup>41</sup>*Ibid.*, 112. F.A. Spina also develops Brueggemann's insights on the canon in order to help the Christian university understand what it means to have the Bible as its theological foundation. The canon inherently strikes a balance between the need for stability and adaptability which the university must have as it faces the modern world and seeks to be faithful to its mission. See his 'Revelation, Reformation, Recreation: Canon and the Theological Foundation of the Christian University', *Christian Scholar's Review* 18 (1989) 315-32.

Gerald Sheppard, Childs' student, and an important influence on Brueggemann, stressed the presence of an intentional linking of biblical books to one another within the canon. These 'canon-conscious redactions' were claimed to be replete with theological significance.<sup>42</sup> For example, Joel and Amos have been linked together in the Twelve prophets by the expression 'The Lord roars from Zion' and their mutual stress on the Day of the Lord. But in Joel the emphasis is on God's lion-like salvation for Israel at such a time, while in Amos it means lion-like judgement. In Sheppard's opinion the editors who made this arrangement of the books were 'engaging Israel in the counterpoints of a profound theological conversation.'<sup>43</sup>

Sheppard also claimed that the wisdom tradition influenced the final shape of canonical books. The category of wisdom, which was so prominent during the period in which the canon was probably being shaped, provided a 'hermeneutical construct' which influenced the editing of

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<sup>42</sup>By these redactions Sheppard means the creating of meaning by the juxtaposing of one book to another. This is slightly different from the work of Seeligman who observed what could only be described as a *Kanonbewusstsein* on the part of the later biblical writers as they interpreted earlier biblical writers for their communities. In doing so they used an array of exegetical techniques to present their results. See I.L. Seeligman, 'Voraussetzungen der Midraschexegese' SVT 1 (1953) 150-81. M. Fishbane has exhaustively studied these techniques of inner biblical exegesis and while some of the examples he uses to demonstrate his main point are not, in my opinion, convincing, he has sufficiently proved that such exegetical activity flourished during the biblical period and assumed a consciousness of canon. See M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Oxford UP, 1985).

<sup>43</sup>G. Sheppard, 'Canonization: Hearing the Voice of the Same God in Historically Dissimilar Traditions', *Interpretation* 36 (1982) 25. Interestingly, a similar point was made about 50 years earlier by another scholar who argued that the use of these verses was the work of an individual who used them as an editorial device tantamount to saying 'See the book of Joel' or 'What follows is a logical continuation of the prophecy of Joel.' See R.E. Wolfe, 'The Editing of the Book of the Twelve', ZAW 53 (1935) 114. Other scholars are now treating the Twelve as one book and have gone further than Sheppard. See the following suggestive work: T. Collins, *The Mantle of Elijah: The Redaction Criticism of the Prophetic Books* (The Biblical Seminar, 20; Sheffield: JSOT Press, 1993); J. Nogalski, *Redactional Processes in the Book of the Twelve* (BZAW 218; Berlin/New York: de Gruyter, 1993).

biblical books, such as the endings of Hosea, Ecclesiastes and Deuteronomy as well as the introduction to the Psalter, and such a construct supplied a guide for interpretation.<sup>44</sup> The editors, then, did not just arrange and rearrange the data they had before them; they also contributed specific editorial comments which showed an awareness of the larger canonical structure.

Like Blenkinsopp, Sheppard also discussed the issue of canonical seams. In an article on the theology of the Psalms, he observed that Joshua 1:8 which urges meditation on the Torah was added by a redactor who wished to subordinate the Prophets to the Pentateuch and 'in effect serve as a commentary on it.'<sup>45</sup> The redactor according to Sheppard may have been inspired by Psalm 1, in which a similar admonition is found.<sup>46</sup> Surprisingly, Sheppard, did not discuss any canonical redactional value for Psalm 1, which begins the third division of the Bible in many manuscripts.<sup>47</sup>

An important writer who has contributed groundbreaking research in this area is Roger Beckwith. His monumental *The Old Testament Canon of the New Testament Church* was mainly a contribution to canonics. Nonetheless, his study of the internal evidence supplied by the order of the canonical books provided an objective means to verify his conclusions based on external evidence. According to his study, the earliest canonical order was identical to the order of the listing of the books in the *baraita* in *Baba Bathra* 14b.<sup>48</sup> Beckwith

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<sup>44</sup>G. Sheppard, *Wisdom as a Hermeneutical Construct* (BZAW 151; Berlin: de Gruyter, 1980).

<sup>45</sup>G. Sheppard, 'Theology and the Book of Psalms', *Interpretation* 46 (1992) 153.

<sup>46</sup>*Ibid.*

<sup>47</sup>I am indebted to Sheppard's insight on Jos. 1, for it was his interpretation of this text more than anything else that first stimulated me to think of the possibility of a canonical redaction for the entire Hebrew Bible.

<sup>48</sup>The order of the books which follow the Torah is as follows: Joshua, Judges, Samuel, Kings, Jeremiah, Ezekiel, Isaiah, the Twelve, Ruth, Psalms, Job, Proverbs, Ecclesiastes, Song of Songs, Lamentations, Daniel, Esther, Ezra-Nehemiah, Chronicles A *baraita* is a Tanaaitic tradition (70-200 CE) which has not been included in the Mishnah.



observed that within each canonical division, the organising principle for the sequence of historical books was chronological, that of non-historical books, descending order of size.<sup>49</sup> A significant exception to this arrangement is, of course, the occurrence of Chronicles after Ezra-Nehemiah. Beckwith posited a redactor of the canon who made this change in order to have the final book of the Bible serve as a 'recapitulation of the whole biblical story, from the Creation to the return.'<sup>50</sup> Thus, the canon was not in any way an arbitrary accumulation of books that were gradually recognised as authoritative by the Jewish community; rather it was a genuine work of art. 'A logical motive is discernible in every detail of the distribution and arrangement.'<sup>51</sup> Beckwith also argued that the process of canonisation took place in two stages. First the Law was closed and then sometime later, during the Maccabean period, the rest of the canonical material was sub-divided and closed.<sup>52</sup>

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<sup>49</sup>Note Beckwith's full statement (*The Old Testament Canon*, 165): 'The three sections of the canon are not historical accidents but works of art. The first consists of the Mosaic literature, partly historical and partly legal, arranged in chronological order. The other two sections of the canon also both contain historical and non-historical books. The historical books cover two further periods and are arranged in chronological order. The non-historical books (visionary or oracular in the case of the Prophets, lyrical and sapiential in the case of the Hagiographa) are arranged in descending order of size. A logical motive is discernible in every detail of the distribution and arrangement.' For artistic and stylistic factors in the arrangement of the Masoretic canon see also J.C.H. Lebram, 'Aspekte der alttestamentlichen Kanonbildung', VT 18 (1968) 176ff.

<sup>50</sup>*Ibid.*, 158. Another exception to this theory is the occurrence of the longer Lamentations after the shorter Song of Songs.

<sup>51</sup>*Ibid.*, 165.

<sup>52</sup>*Ibid.* Note that for both Beckwith and Leiman the passage in 2 Mac. 2:13-15 provides the main clue for determining the last phase of the canonisation process. It is also worth noting that E.E. Ellis in a recent study ('The Old Testament Canon in the Early Church', in M.-J. Mulder (ed.), *Mikra, Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* [Philadelphia: Fortress, 1988] 690) essentially endorses the work of Beckwith which he believes 'is the most comprehensive treatment in this generation and promises to become the standard work from which future discussions will proceed.' Beckwith's work, of course, is not without its critics. For example, Sanders ('Scripture as Canon for Post-Modern Times', 58) believes the latter relies more on lists than on texts. But one could argue that a list which is centuries earlier

In a more provocative work, D.N. Freedman has argued for the literary unity of the Hebrew Bible. Freedman used as his main evidence for his theory statistical data resulting from computer application to the text of the Bible as well as the results of his own literary analysis. His research compelled him to conclude that there is a pervasive editorial unity<sup>53</sup> and that a 'single mind or compatible group was at work in collecting, compiling, organising and arranging the component parts into a coherent whole.'<sup>54</sup> This was done essentially during the time of Ezra and Nehemiah.<sup>55</sup> According to Freedman, the Hebrew Bible can be divided into two equal parts—hardly a coincidence—the Primary History which includes Genesis-2 Kings, and the remainder from Isaiah to the end. The first division chronicles the story of God's promise to Israel and its punishment for being disobedient; its length consists of 150,000 consonants. The second section affirms the first message but offers hope and consolation for an Israel that can await a future restoration; its length is also 150,000 consonants. The whole work is tied together by the concluding words of Ezra-Nehemiah, אֱלֹהֵי לְטוֹבָה, which may echo the theme word of Genesis 1:1-2:3 and the leitmotif of the entire Hebrew Bible: טוֹב.<sup>56</sup> Here, Freedman accepted the early Tiberian manuscript evidence in which the third canonical division begins with Chronicles and ends with Ezra-Nehemiah.

Although Freedman's work is stimulating and creative much of it is speculative and in his own words 'outrageous.'<sup>57</sup>

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than a text may have much more value in determining an original sequence of scrolls. D.N. Freedman (*The Unity of the Hebrew Bible* [Ann Arbor: University of Michigan Press, 1993] 107 n. 15) thinks that Beckwith's 'overt theological presuppositions' cause him to skew the evidence in favour of a New Testament standard. To be fair to Beckwith, though, no one is without theological presuppositions (often covert); and the New Testament does provide an extremely important witness to the development of canon.

<sup>53</sup>Freedman, *Unity of the Hebrew Bible*, 98; *idem*, 'The Symmetry of the Hebrew Bible, *Studia Theologica* 46 (1992) 83-84.

<sup>54</sup>*Unity of the Bible*, 73.

<sup>55</sup>*Ibid.*, 91ff.

<sup>56</sup>*Ibid.*, 93.

<sup>57</sup>*Ibid.*, viii. Note the understatement regarding his forced attempt to correlate the Decalogue and the Primary History (*Ibid.*, 36): 'We have

For example, he can attain the equality of consonants in each half of the canon only by excluding Daniel from the second division. Thereby he also attains the number of 23 books, the number being used, according to him, to indicate the number of the Hebrew alphabet as a didactic device in the manner of Psalms 25 and 34 where the letter ם has been added to the alphabet to provide the mnemonic םלך.<sup>58</sup> Unfortunately the whole scheme is marred by an editor who admitted Daniel into the canon a few centuries later.

Working independently of Freedman, John Sailhamer gave the group or person responsible for the editorial unity of the canon the name of 'canonicler'.<sup>59</sup> In a careful study, Sailhamer examined some of the main seams of the Hebrew Canon: Deuteronomy 34, Joshua 1, Malachi 3, and Psalm 1. He discovered that a careful analysis of these passages can only lead to one conclusion: one mind has been at work in editing the canon and this mind stresses that the era of revelation is over, and the community must spend its time in study, namely studying the Torah.<sup>60</sup> The importance of the wisdom milieu as the context for such editing is obvious (*cf.* Sheppard's work). For example can it be a coincidence that the second and third sections of the canon begin with a command to study the Torah day and night in order to experience a successful life? Thus there is 'a remarkably coherent line of thought' in the redactional seams which points to an unmistakable canonical consciousness and even an 'apologetic for the Hebrew canon itself.'<sup>61</sup> This assumes that the third section of the Hebrew canon began with the Psalms. The problem of different initial orders of this canonical division is not really addressed. This evidence from the Psalms is crucial internal evidence that has been largely overlooked in considering the canon question.

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shown that with a modicum of ingenuity and adjustment, we can correlate the two groups, the Decalogue and the Primary History.'

<sup>58</sup>'Symmetry of the Bible', 102.

<sup>59</sup>J.H. Sailhamer, *Introduction to Old Testament Theology. A Canonical Approach* (Grand Rapids: Zondervan, 1995) 240.

<sup>60</sup>*Ibid.*, 249.

<sup>61</sup>*Ibid.*

Sailhamer develops some of the work that has been done by Sheppard and Blenkinsopp. To anticipate my own work, let me briefly note that I have independently reached similar conclusions to Sailhamer's by also focusing on the seams of the Hebrew canon, the 'redactional glue' of the canon, while also considering the beginning and ending of the Hebrew Bible. I have also tried to show how this evidence has important ramifications for determining the original form of the Hebrew canon.

One of the few works that has dealt solely with the third division of the Canon, The Writings, has been that of Donn Morgan.<sup>62</sup> This division has always been regarded a collection of quite diverse literature and hence 'the most amorphous of canonical divisions.'<sup>63</sup> Morgan's analysis concluded that this diversity was a product of the ongoing dialogue of different communities in the post-exilic period as they responded to the canonical scripture of the Torah and the Prophets. In particular one of the strengths of the analysis is the demonstration of the conscious dependence of the Writings on earlier canonical material<sup>64</sup> and also a thematic unity in the literature which has not been detected by many scholars.<sup>65</sup> One of the weaknesses in the study is the omission of any discussion of the significance of various arrangements of the canonical division and possible evidence within the division itself which points to redaction. In addition it is not immediately obvious how some of this literature, *e.g.*, wisdom, can be regarded as a response to Torah.

John W. Miller has contributed another recent and stimulating attempt to show the unity and thematic message of the canon as well as offer a possible reconstruction of the actual process of canon formation.<sup>66</sup> He accepted—perhaps a bit uncritically—the canonical order in *Baba Bathra* 14b. Much of his reconstruction of the actual process relied heavily on

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<sup>62</sup>D.F. Morgan, *Between Text and Community*.

<sup>63</sup>*Ibid.*, 9.

<sup>64</sup>*Ibid.*, 57-71.

<sup>65</sup>*Ibid.*, 126ff.

<sup>66</sup>J.W. Miller, *The Origins of the Bible: Rethinking Canon History* (New York: Paulist, 1994).

evidence for a significant rivalry between priestly orders in ancient Israel, each of which would have been committed to the writing and transmission of biblical texts.<sup>67</sup> While the evidence upon which the theory is based cannot help but be a bit speculative, Miller had some important insights. He demonstrated that the shape of the canon has a universalistic thrust. This begins in Genesis 1-11, is reinforced at the midpoint of the canon with the building of the temple for all peoples of the world (1 Ki. 8), and it is continued with the pervasive international flavour of the third canonical division.<sup>68</sup> Moreover he also supplied a possible editorial reason for the juxtaposition of Lamentations and Daniel in the third division as Daniel provides a dramatic foil of hope for the despair of Lamentations.<sup>69</sup>

The above review of literature shows how the evidence is being seen differently as interpreters consider the 'forest' of the text and not just the individual 'trees.' It would be wrong, however, to state that there is anything like a consensus. James Barr, for example, has taken strong exception to some of these trends. He argued that there is no hermeneutical guidance provided within the canon, no scriptural evidence to decide what were the exact limits of canon and certainly no canonical consciousness evidenced within the biblical writings.<sup>70</sup> In fact, the process of canonisation was done long after the biblical books were written and under quite different theological and intellectual conditions.<sup>71</sup> Clearly, for Barr the idea of a redaction of the canon at the end of the biblical period is out of the question.

Barr polemically targeted Childs with his main criticism, while Sanders' work was also evaluated pejoratively. John Barton provided a less polemical critique and dealt more

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<sup>67</sup>This, I think, is a massive assumption. What about the important influence of wisdom and prophetic circles for the writing, redaction and transmission of texts? The same assumption is prevalent in the work of R.E. Friedman, *Who Wrote the Bible?* (New York: Harper & Row, 1987).

<sup>68</sup>*Ibid.*, 123ff.

<sup>69</sup>*Ibid.*, 154ff.

<sup>70</sup>Barr, *Holy Scripture*, 25ff, 38ff, 67ff.

<sup>71</sup>*Ibid.*, 66.

with concrete evidence in his criticisms. He concluded that canonical shape was largely an arbitrary matter:

The 'order' of the books in Scripture turns out, then, to be of small importance. Once an order is fixed and agreed on, all sorts of theological ideas can be read into it; but these are rationalizing explanations of something which in fact arose in large measure by accident rather than design.<sup>72</sup>

Barton thus remained quite sceptical about the work of scholars like Blenkinsopp who pointed to internal evidence in the form of redactional seams.<sup>73</sup> He also was sceptical about the value of the external evidence. He himself made a valiant attempt to understand the prologue of Sirach as evidence for a bipartite canon which was still open. Thus the prologue's reference to 'the Law, the Prophets and the other writings' refers to the canon understood as the Law and the Prophets (not closed) and other ordinary writings available to Sirach's grandson and his audience.<sup>74</sup> He essentially discounted the evidence of the *baraita* in *Baba Bathra* 14b,<sup>75</sup>—a common feature nowadays, ignored evidence from Matthew 23:35 and Luke 24:44 relevant to the issue of the tripartite nature of the canon; he also reinterpreted evidence from Philo and de-emphasised the importance of Jerome's understanding. In addition, unlike Blenkinsopp, Sheppard and Sailhamer, there is not a serious attempt to consider texts that could have a strategic canonical function. Moreover, as evidence against any significance associated with the canonical ordering of books, he claimed that sequence would only be significant if one assumed the codex, a late development.<sup>76</sup> This is in spite of the fact that the sequence of the Torah and the Former Prophets does not vary, 'the Twelve'

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<sup>72</sup>Barton, *Oracles of God*, 91.

<sup>73</sup>*Ibid.*, 82-3.

<sup>74</sup>*Ibid.*, 47ff. This does seem to be stretching the evidence, given the fact that the third category of writings appears three times, always in relation to the Law and the Prophets and these three categories are to be distinguished from the writing of Sirach.

<sup>75</sup>Note how Barton prefaces his view of this evidence (*ibid.*, 88): 'If we suppose that the "order" of the scriptures here is not mere fantasy...' It does not surprise one that a negative assessment follows?

<sup>76</sup>*Ibid.*, 83ff.

almost always concludes the Latter Prophets, and the enumeration and listing of books has ancient roots.<sup>77</sup>Ø

According to Jack Lightstone, the canon was probably finalised during the course of the second century CE and the beginning of the third; the same group of rabbis responsible for the editing of the Mishnah were also involved in the final form of the 'rabbinic canon.' They decided 'which documents belonged in scripture and which did not. No less important the rabbis appeared to have declared the Hagiographa a closed canon and with it the canon as a whole.'<sup>78</sup> Lightstone considered the paucity of Messianic, particularly apocalyptic features, in the canon along with the general stress on the importance of the study of the law, as simply being a reflection of the Judaism of the second-third centuries CE. The shape of the canon with its beginning at creation and conclusion in the Restoration was a reflection of a late Rabbinic ideal. Presumably, if the canon had received its final shape in the pre-Common Era, it would have been quite different.

Lightstone's insight that the shape and redaction of the canon reflects the viewpoints of the final editors is certainly valid. But the point really at issue is the time of the redaction. A reference to the general orientation of Scripture in no way proves anything. In fact it could be argued that there is a significant Messianic and eschatological thrust in the scriptures, precisely in the evidence provided by a final redaction. This would point to a redaction of the canon well before the period of the editing of the Mishnah if Lightstone's assumptions are accepted.

Lee Macdonald in a recent work on canon recognised some of the canonical seams but did not pay significant

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<sup>77</sup>Miller echoes these sentiments of mine but in much stronger fashion (*Origins of the Bible*, 130): 'It might be imagined that as a consequence [of being written on scrolls] their arrangement was of no importance. On the contrary, precisely because books were written on separate scrolls... specifying and knowing their arrangement could be a matter of even greater importance (if in fact their sequence in relation to other scrolls was a factor in their original design), for that alone was the controlling factor in what sequence they were to be read.' On the importance of canonical lists see Beckwith's work.

<sup>78</sup>Lightstone, *Society, the Sacred, and Scripture*, 61.

attention to them.<sup>79</sup> This was probably due to the fact that his work is a consideration of the external evidence for the most part and is aimed at dealing with the larger question of the canonicity of the Christian Bible. Nonetheless, in his discussion of the new external evidence provided by 4QMMT, he concluded that this document has very little to say about the evidence for the acceptance of a tripartite canon in the Judaism of the first century.<sup>80</sup> As far as the matter of the final formation and acceptance of the canon is concerned, his conclusions were similar to those of Lightstone.<sup>81</sup>

Finally, the traditional view has received recent support in a paper by H.P. Rüger in which he argued that the lack of evidence for the book of Esther at Qumran proved that the third section of the canon was still open and its limits had not yet been decided—a rather large claim for an argument from silence. Many scholars have made similar claims regarding books of the Hebrew Bible which have not been quoted in the New Testament.<sup>82</sup>

#### IV. The Present Study—The ‘Extraordinary Fact’

The above situation shows clearly that there is considerable flux in the current state of canon research. The consensus which has dominated the field for a century is under attack as a result of the use of new paradigms. One of these paradigms has brought into focus the larger perspective and the crucial role of redactional evidence for understanding the canonical process

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<sup>79</sup>In an appendix he provides evidence that bears on the question of canon and includes as last in the series ‘canonical glue texts that tie the sections of the OT together.’ Surprisingly he barely discusses them. See L.M. Macdonald, *The Formation of the Christian Biblical Canon. Revised and Expanded Edition* (Peabody: Hendrickson, 1995) 313.

<sup>80</sup>*Ibid.*, 41ff. Note his statement (*ibid.*, 100) in dealing with Lk. 24:44, whose evidence is similar to that provided by 4QMMT: ‘we can surmise that there was not at this time any widespread recognition of a tripartite biblical canon, but that all sacred scripture was incorporated in what was called ‘the Law and the Prophets.’

<sup>81</sup>*Ibid.*, 82-83, 93-94.

<sup>82</sup>H.P. Rüger, ‘Das Werden des christlichen Alten Testaments’, *JBTh* 3 (1988) 115-33.



and shape. While some of the work in this area is deserving of needed criticism and requires more methodological control, the scholars who are exploring the 'bigger picture' are reaching important conclusions. This all stems from accepting the premise clearly expressed by Blenkinsopp: 'canon implies a definitive shape to the tradition which comes to expression in these texts.' Conversely, a study of this shape—the larger picture—reveals the 'extraordinary fact' of canonical design, a design which reveals much about the understanding which defined it.

The general tenor of the work of the above scholars, particularly that of Sheppard, Beckwith and Sailhamer, virtually demands a further study of the canonical shape in order to explore more deeply the significance it has for interpretation. The fact that the canon has now been viewed as a work of art rather than a gradual growth of texts in a three-stage process suggests a new understanding of canon. The possibility of canon-conscious redactions at critical junctures in the text suggests a hermeneutical influence which has shaped the material in a certain way in order to provide a community with interpretative guidance. And at the same time such redactions would provide early internal evidence which could help determine an original form of the canon, a fact which is overlooked by many of the above scholars.

My own study, which builds on the work of some of these authors, concludes that the canon had editors who redacted their text in order to provide a general orientation, keeping in view the main themes of the literature lest these be lost in the mass of detail, reflecting on the significance of previously written material (when possible) and providing transitions to important new developments. Such junctures would occur at the most natural places to mark orientation: introductions, transitions and conclusions. These 'contextualising' redactions would then serve as a pair of 'hermeneutical spectacles' with which to view the contents of scripture.<sup>83</sup> These 'spectacles' provided a definitive vision of

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<sup>83</sup>I have adapted the expression 'contextualising redactions' from E.J. Revell's term 'contextualising clauses' (cf. VT 35 [1985] 417-33). He uses the phrase to indicate grammatically marked clauses which serve an

how the redactors understood the nature and function of their text and the role it was to have in the life of their community.

The method used in this study will consider the content of the various canonical divisions mainly in the light of the contextualising redactions to which particular attention will be given. It is notoriously difficult to delineate the exact boundary between explicit redactional material, *i.e.*, material the redactor composed and implicit material, *i.e.*, traditional writing from another hand that the redactor utilised for his purpose. No effort will be made to distinguish the two. Nonetheless there is a pervasive theme in the literature which occurs at the major boundaries of the canon, a theme which cannot be an accident.

In the final shape of the canon, there are particular themes associated with divine authority that are emphasised repeatedly in the introductions and conclusions of the main divisions of the literature, which bear witness to an intentional editorial strategy. These texts stress what I have called the themes of *Torah and Temple* or the divine word and divine presence. Obedience to the Word of God leads to the experience of the Presence of God or blessing. Disobedience of that Word leads to the experience of the Absence of God or curse. Moreover, the texts in these strategic locations look backward to the importance of past revelation and point forward to future revelation. It is not as if, for example, the last paragraph of the Pentateuch envisages no future word, but rather it is precisely the opposite.<sup>84</sup> Similarly the end of the Prophets envisions a future revelation,<sup>85</sup> while the Writings envision a future action of God and the people in the rebuilding of the temple, with all that the event portends including the divine messenger who will suddenly return to his temple.<sup>86</sup> Thus there is also an

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important discourse function in Hebrew narrative, namely, to mark out a new narrative context.

<sup>84</sup>*Pace* Blenkinsopp (*Prophecy*, 96) who writes: 'The last paragraph of the Pentateuch gives an impression of finality. By denying parity between the age of Moses and that of the prophets, it in effect defines a period of Israel's history as normative, and does so in such a way to exclude the likelihood of any addition to this canonical narrative.'

<sup>85</sup>Mal. 3:22-24.

<sup>86</sup>2 Ch. 36:23. Cf. the prophetic note in Mal. 3:1!

undeniable Messianic orientation to the final shape of the Hebrew canon.

## V. The Torah

### 1. Introduction

The first division of the Canon is the Torah, or the Pentateuch, traditionally regarded as the five books of Moses. As many commentators have observed, the introduction to this text, Genesis 1-3, stresses the importance of the speech of God. Ten divine commands literally create the world (Genesis 1), hardly an accident as ancient Jewish interpreters have seen.<sup>87</sup> It is the Torah that gives life, and the whole is concluded with Sabbath rest (2:1-3).

Divine speech and presence are critical for understanding the world for the first couple in the garden: the man is animated by the divine breath (2:7) and the woman originates from the divine word which pronounces that it is not good for Adam to live alone (2:18).<sup>88</sup> The way to life means obeying the divine command. The result means living in a reality blessed with God's intimate presence in the fertile garden of trees, which draw nourishment from a river. The way to death means disobedience of the divine command. The result is living in an illusion, banished from the garden and thereby God's life-giving presence, placed under the curse of death (Gn. 2-3). The enemy that intrudes into this domain, the serpent, has a main line of attack which is to question the world of reality shaped by the divine speech and to offer an alternative one. It is in following the serpent's word that one becomes wise (לְחַכְמָה, Gn. 3:6). At the end of these initial chapters the first couple has been exiled by being thrust out of the garden, having chosen

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<sup>87</sup>Gn. 1:3, 6, 9, 11, 14, 20, 24, 26, 28, 29. This of course only includes the finite forms of the verb *אמר* (cf. 1:22). Gn. 1:1-2:4a is traditionally ascribed to P. On the ancient interpretation of these verses see the texts cited by U. Cassuto, *A Commentary on the Book of Genesis. Vol. 1: Adam to Noah* (Jerusalem: Magnes, 1961) 14.

<sup>88</sup>The narrative from 2:4b-4:26 is traditionally ascribed to J, and 1:1-2:4a to P.

the way of disobedience. Adam and Eve and their future progeny exist in death, east of Eden, barred from paradise by the sword wielding cherubim (Gn. 3:23ff).

## 2. Content

These themes of Torah and Temple resonate through the Pentateuch.<sup>89</sup> Divine speech literally creates Abram and his family (Gn. 12:1-3) after the cacophony of human babble (Gn. 11:1-6). Abram simply obeys even if it seems absurd and he approaches his fertile destiny from the east; it is the divine word, for which there is nothing too hard (Gn. 18:14), which literally creates life from the aged bodies of this couple. Obedience to the divine word is the path of blessing and life. The next time God speaks ten words, it is at the creation, not of the world, but of a nation (Ex. 20:1-17). The echo of these world-creating words each resounds in the giving of the Torah. The cloud of glory covers the mountain for 6 days after which Moses is enabled to enter on the Sabbath to hear the instructions for the building of a tabernacle (Ex. 24:16-18), which itself is built in six stages culminating in the sabbath rest, a clear echo of the seven-day pattern used in Genesis 1:1-2:3 (Ex. 25-31).<sup>90</sup> And it is the building of the tabernacle, certainly an early form of the temple, which is the goal of the liberation of Israel, the presence of God with the people.

When the Israelites do not wish to hear the ten bare words uttered by God himself, they have Moses as a prophet, the pre-eminent prophet, who relays the words to them. There is no incompatibility between law and prophecy since law finds its origin in prophecy. Moses ascends the mountain and meets with God face-to-face and can then communicate the laws to

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<sup>89</sup>For the standard treatment of the main themes of the Torah see D.J. Clines, *The Theme of the Pentateuch* (Sheffield: JSOT Press, 1978).

<sup>90</sup>N. Sarna, *Exploring Exodus. The Heritage of Biblical Israel* (New York: Schocken Books, 1986) 213ff. Cf. P.J. Kearney, 'Creation and Liturgy: The P Redaction of Ex 25-40' ZAW 89 (1977) 375-87. Kearney's work is less restrained than Sarna's balanced perspective. Note also G.J. Wenham's comment relating Gn. 2:2 to Ex. 40:33 (*Genesis 1-15* [Waco: Word, 1987] 35): "'And Moses finished the work", is particularly close to this verse (2:2) and suggests that the erection of the tabernacle is being compared to God's creation of the world.'

the people. Thus prophecy provides a way to mediate the life-giving words of God to the people. Nevertheless, the ten bare words of God have a critical function, standing as a summary of the Torah: they are the words that define Israel's existence. They are at the core of the Torah and in the redaction of the Pentateuch have been assigned a strategic function as the *ipsissima verba* of the *vox dei*.<sup>91</sup> All other words in the Pentateuch, inasmuch as they come from Moses who knew God face-to-face, are once removed, and all other revelation than that spoken through Moses is twice removed since no one knew God as intimately as did he (Nu. 12:1-8).

The remainder of the narrative of the Pentateuch describes how the voice of God or Torah defines Israel's existence. It literally means life or death. Obedience means the presence of God and entrance into the fertile land (Nu. 13-14); disobedience, which is the norm of Israel's experience, results in the awesome judgements of God and death outside the land (Lv. 10; Nu. 13-20).

### 3. Conclusion

After an entire generation perishes in the exile of the wilderness, the Pentateuch closes with a new generation east of its Eden, poised to enter the land of promise. Moses, in the eve of his life, is about to appoint his successor in Numbers 27, but before that event occurs in Deuteronomy 34, there is the placement of a significant amount of material which stresses the absolute importance of obeying the divine word, and the importance of worshipping at the site where God will cause his name to dwell. It is no accident that the vast majority of this material develops an almost unparalleled doctrine of the word which serves as a fitting complement to the stress on the word of God at the beginning of the Pentateuch.<sup>92</sup> The events of Sinai

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<sup>91</sup>Note the comments of Childs (*Introduction*, 174): '...the decalogue also serves as an interpretative guide to all the succeeding legal material. From a traditio-critical perspective the position is secondary; from the theological perspective of the canonical shape it is pre-eminent.'

<sup>92</sup>Cf. Barr's comments (*Holy Scripture*, 52) on the importance of Deuteronomy as a fundamental shaping force in the religion of Judaism with its stress on the law: '...it was this book that insisted that "this law", "this book of the Torah", should be decisive for all questions, should be

and even creation are rehearsed to remind the Israelites of their unique status:

The day when you stood before Yahweh, your God, in Horeb, when Yahweh spoke to me saying 'Gather for me the people and I will cause them to hear my words.' And you drew near and stood under the mountain while it burned with fire in the midst of the sky and was covered with smoke and clouds... And Yahweh spoke from the midst of the fire: the sound of words you heard; you didn't see any form but you heard a voice, and he told you his covenant which he commanded you to do—ten words and he wrote them on tablets of stone (4:10-13).

For ask now of past generations which lived from the time God created humanity on the face of the earth, from one part of the heavens to another. Has there been anything that has happened like this, or anything heard like this before? Has a people heard the voice of God from the midst of the fire just as you have and actually lived to tell about it... (4:32-33)

The people had the unique experience of hearing the transcendent words of the Creator, literally spoken from heaven. This made them a singular people, entrusted with life-creating words of utmost importance and not mere information. Moreover the people in Deuteronomy are reminded to repeat these words to their children everywhere, every time, to bind them to their hands, and their eyes—to let them motivate their action and direct their vision- and to inscribe them on the gates of their property (6:4-9). The words are to permeate their entire lives. Furthermore, they are to remember the lessons of the past, *e.g.*, the manna in the wilderness is to remind them that it was the divine דבר that gave them true life not the manna itself. As human beings need

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studied daily by kings (Deut. 17:18ff.) and so on; and it was the acceptance of this ideal, plus the accumulation of yet more legal materials within the Mosaic tradition and the consequent completion of the text of the Pentateuch, that formed the essential shape of the Jewish religion as it was to be.'

food and water to live, Israel as the new humanity requires a word from its Creator's mouth (8:1-3). Even the king, as the people's leader, must write out a copy of the Torah and read it daily in order to learn humility and to live a long life (17:19).

As the Mosaic sermon approaches its end, the notes which have been struck climax in a crescendo. A cascade of blessings follow for obedience to the divine word, and a deluge of curses for disobedience (28). It is stressed repeatedly that the Torah is not inaccessible but very near—in their hearts and mouths (30:11-13)—and obedience means life and disobedience means death:

I call heaven and earth as a witness against you today: Life and death I place before you, the blessing and the curse. Choose life that you and your descendants might live, to love Yahweh your God and to obey his voice and to cleave to him, for he is your very life... (30:19-20).

Significantly, Moses is depicted writing all the words of the Torah into a book, which is now called the 'book of the Torah.' This is to be placed in the Ark as a witness to the Israelites. After a song which prophesies the defection of Israel from God, Moses stresses the absolute importance of keeping the words of the law written in the book:

Pay attention to all the words which I am causing you to witness today, so that you command them to your children to observe to do all the words of this Torah, for they are not mere information but your very life (32:46-47).

The word of God is regarded as life itself.<sup>93</sup> It is literally associated with God Himself. These words recall not only the creation of heaven and earth in Genesis 1, which now act as a witness, but the life-giving qualities of obedience to that divine word uttered in the Garden of Eden.

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<sup>93</sup>Compare the relevant comments of Brueggemann on Dt. 4:5-8 (*Creative Word*, 114): 'It is not God that is heard; it is commandment. That slippage is not only problematic but definitional for Israel. The freedom of God is that there is no form. The nearness of God is a commandment.'

Repeatedly in the material there is not only a stress on the divine word, but also an almost unparalleled stress on the centralisation of worship at a particular place.<sup>94</sup> As the nation is exhorted to gather to celebrate Yahweh at his tabernacle, it is especially here where the presence of God in the form of his name is to be found.

After this dramatic emphasis on the divine word and presence the text links up again with Numbers 27 where the passage regarding Moses' imminent departure is essentially repeated (32:48-52). There follows a blessing by the dying Moses which celebrates Israel's life in the land (33). And this is followed by Moses' death, Joshua's succession and a commentary on Moses' contribution to Israel (34).

With this last text, the Pentateuch is concluded with a dramatic picture of Israel like a new Adam and Eve, east of Eden,<sup>95</sup> on the verge of entering the land and Moses ascending a mountain to view the land from a distance. Here is the juxtaposition of life and death. Like the old Adam and Eve, Moses will die east of Eden, outside Canaan. The editor notes that he is in full possession of his physical powers at the age of 120 years when he dies, an observation that proves that the venerable leader is not dying of old age but for spiritual reasons—disobedience. He does not fail to enter Canaan because he dies; rather, he dies because he does not enter Canaan.<sup>96</sup> His death is 'by the mouth of the Lord' (34:5).

As the text concludes it is clear that it has been written long after the fact. No one knows 'to this day' where Moses' grave is located (34:6). After noting Joshua's succession the text concludes with a commentary which states that there never has arisen a prophet in Israel like Moses whom the Lord knew face-to-face (34:10). The text assumes a long look back over a vast sweep of history in which many prophets have arisen who can be compared with Moses. An expression similar to 'face-to-face' in another context stresses the unique authority of Moses when

<sup>94</sup>For example, see the following texts: Dt. 12:5, 11, 14, 18, 21; 14:23, 24, 25; 15:20; 16:6, 7, 11, 15, 16; 17:15; 18:6; 23:17; 26:2.

<sup>95</sup>T. Mann, *The Book of the Torah. The Narrative Integrity of the Pentateuch* (Atlanta: John Knox, 1988) 161.

<sup>96</sup>E. Merrill, *Deuteronomy* (Nashville: Broadman & Holman, 1994) 454.



compared to other prophets (Nu. 12:8). But here at the end of the Torah the context not only gives significance to the revelatory uniqueness of Moses' position but also to the singularity of the book which he has written. It was because Moses experienced the unique presence of God that he was able to speak *and write* the unique word of God.

At the same time the material implicitly points forward to another word from God to which Israel is to respond; it may not have the same fundamental significance as the Mosaic revelation but it is an extension of it. That is, Israel must hear the words of other prophets too. The author of Deuteronomy 34 is very much aware of these other prophets since his use of the expression 'there has not arisen [קם] again a prophet [נביא] like Moses [כמשה]' (34:10) echoes the words of chapter 18 where it explicitly states twice that God would raise up a prophet like Moses someday: 'The LORD your God will raise up [יקם] a prophet [נביא] like me [כמני] from among your brothers' (Dt. 18:15); 'I will raise up [אקם] for them a prophet [נביא] like you [כמד] from among their brothers' (Dt. 18:18).

The context envisages a prophetic succession, the individual members of which will be judged by certain criteria. These, the writer of chapter 34 admits, have followed Moses, but they have not attained his stature.

So with a few strokes of his pen, the editor, by this reference to Deuteronomy 18 at the end of the Torah stresses the past—the absolute importance of the Mosaic revelation, the Torah—on the one hand, but on the other he points to the future (the past from his perspective), to a prophetic succession/individual who will continue what was initiated with Moses. Can it be a coincidence that the next section of the canon consists of the record of such a succession? This is too coincidental to be anything less than a deliberate editorial strategy in which one section of the canon is closed, and the context sketched for the next. This new division has been anticipated, validated, and yet somehow subordinated to the Torah since Moses is still regarded as the pre-eminent prophet.

At the same time the editor by his reference that there has been no equal to Moses in the prophetic succession keeps the hope alive that this promise might be fulfilled literally

someday. Although Deuteronomy 18 does envisage a succession of prophets it does not necessarily exclude 'a new Moses' in whom the line culminates,<sup>97</sup> as later generations interpreted the text.<sup>98</sup> Thus the mention of the manifest lack of an equal to Moses in Deuteronomy 34 does not in any way 'neutralise' the promise: it keeps it alive and points not only to the past but also to the future.<sup>99</sup> Can it be an accident that at the end of the next section of the canon there is mention of the coming of a prophet who was most like Moses in the Hebrew Bible (Mal. 3:23-24)?<sup>100</sup>

Thus at the end of the Torah there is a remarkable clustering of themes that echo those at the beginning—the power laden words of the Creator presenting two alternatives, life and death based on obedience and disobedience—Torah. Obedience means life with the presence of God in the land—Temple. Disobedience means death: the absence of God and exclusion from the land. At the same time there is a context sketched for a new word from God.<sup>101</sup>

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<sup>97</sup>S.R. Driver's words are relevant (*Deuteronomy* [Edinburgh: T. & T. Clark, 1895] 229): '...the terms of the description are such that it may be reasonably understood as including a reference to the ideal prophet, Who should be "like" Moses in a pre-eminent degree, in Whom the line of individuals should culminate.'

<sup>98</sup>For a helpful bibliography see the documentation in P.C. Craigie, *The Book of Deuteronomy* (Grand Rapids: Eerdmans, 1976) 263, n. 20.

<sup>99</sup>Cf. the remarks by A.G. Auld, 'Prophets through the Looking Glass', *JSOT* 27 (1983) 20.

<sup>100</sup>Thus it is clear that the editor at work here understood the prophecy in 18:18 as a succession culminating in an individual. The canonical division of the Prophets are in existence but the pre-eminent prophet has not yet arisen.

<sup>101</sup>When compared with this approach the traditional Pentateuchal analysis which divides up Dt. 34 into a collage of sources (Driver, *Deuteronomy*, 417-18; M. Noth, *A History of Pentateuchal Traditions* [Chico: Scholars Press, 1981] 276) fails to understand the larger picture. The poverty of this approach is seen by the fact that the reference to a prophet not appearing like Moses (34:10, an explicit reference to 18:18) stems from J/E, which could not be aware of the reference in 18:18 since the latter is from D! It seems highly unlikely that 18:18 is composed after chapter 34.