

TERJE STORDALEN

"An Almost Canonical Entity"

Text Artifacts and Auality in Early Biblical Literature¹

In one of his later publications Timo Veijola wrote concerning the presumably late trajectory in Deuteronomy often called DtrN:

[...] one of [its] main characteristics [...] is the notion of a completed book of Torah that had been written down by Moses in the book of Deuteronomy and that was deemed an almost canonical entity (Deut 4:2; 13:1). It is highly interesting, however, to note that alongside the growing canonical consciousness there was in the same circles [...] a living belief in a continuous oral revelation from God. The Deuteronomists were convinced that in new circumstances God announced his will beyond the Torah by either speaking himself directly (for example, Judg 10:11–14) or through his prophets (for example, Judg 6:7–10) and judges (1 Sam 8:7–9, 22a; 10:18b–19a). In the new oral tradition, the written Torah could already serve as an object of theological reflection (2 Kgs 17:13; 21:8), which, according to I. L. Seeligmann, belongs to the nature of a tradition that has become Holy Scripture.²

These nomistic redactors were in his view precursors of Tannaitic and later law experts, constituting the "Deuteronomistic roots of Judaism."³ But given the reference to Seeligmann, why would this proto-

Deuteronomy be no more than "almost canonical" in Veijola's view? One can only assume that this reflects the standard scholarly view that a book still being edited has not attained canonical status.⁴ In the following pages I hope to enhance our view of "almost canonical" texts and books in Judah in the early Persian period and earlier, and perhaps to enhance our apprehension of their status and function. For this purpose I will initially comment briefly upon the concepts of canonization and canonicity, and then the concept of textual artifacts.

I

Canonization and Canonicity

Research in the humanities from the last two decades has developed a view of canonization as a common phenomenon found in general culture as well as in religious subfields of society.⁵ In this context "canon" denotes any corpus recognized as somehow authoritative or superb by a given community. While the corpus could be a collection of texts, authors, artefacts, actions, curriculum contents, etc, "canonicity" denotes the level and mode in which such a corpus exercises influence (and there are very many levels and modes indeed). "Canonization" points to the process by which the corpus becomes canonical. In this perspective the biblical canon is but the result of one out of several broadly similar processes and should not be defined from within its particular religion and culture alone.⁶ The last two decades saw many attempts to analyse religious canons in comparative perspective.⁷

¹ It is a privilege to honour the memory of Timo Veijola, whose scholarship I long admired and whose gentle friendship I came to experience and appreciate, especially through the Nordic-German network called OTSEM. On behalf of all OTSEM members I express gratitude for Timo's contributions, academically and otherwise.

² Timo Veijola, "The Deuteronomistic Roots of Judaism," in *Sefer Moshe: The Moshe Weinfeld Jubilee Volume* (ed. C. Cohen et al.; Winona Lake, Ind.: Eisenbrauns, 2004), 459–78, esp. 469–70.

³ For this argument see further Timo Veijola, *Moses Erben: Studien zum Dekalog, zum Deuteronomismus und zum Schriftengelehrtenum* (BWANT 149; Stuttgart: W. Kohlhammer, 2000), 192–240.

⁴ This would be implied in Veijola, *Moses Erben*, 214–15.

⁵ For the following, further literature and remarks are found in my article "The Canonization of Ancient Hebrew and Confucian Literature," forthcoming in *JSOT*.

⁶ Wilfred Cantwell Smith, *What is Scripture? A Comparative Approach* (Minneapolis, Minn.: Fortress Press, 1993), 206, etc.

⁷ See for example Harold Coward, *Sacred Word and Sacred Text: Scripture in World Religions* (Maryknoll, N.Y.: Orbis Books, 1988); Miriam Levering (ed.), *Rethinking Scripture: Essays from a Comparative Perspective* (Albany, N.Y.: State University of New York Press, 1989); John B. Henderson, *Scripture, Canon, and Commentary: A Comparison of Confucian and Western Exegesis* (Princeton, N.J.: Princeton University Press, 1991); Jan Assmann, *Das*

The concepts of canon and canonicity as occurring in biblical scholarship have been put to the test. In particular, there is the charge of anachronism. Wilfred Smith found that the idea of a closed canon (with fixed boundaries and a frozen text) developed only during the second to seventh century CE. Probably the Qur'an was the first canon to fully develop this concept, and it seems to have exercised influence upon Christian apprehension of the biblical canon. Moreover, the modern concept of canon is marked by the effect of technological advances like mass printing and widespread literacy.⁸ Smith defined the canonicity of a given text not as a feature residing in that text, but rather as human activity: "something we do to the text."⁹ This marks a shift of focus towards the function of scripture. Particularly interesting are relations between the canonized corpus and the canonizing society. Also important are institutions and procedures sustaining the process.¹⁰

In view of all this, the time seems ripe for a review of the canonicity and canonization of biblical Hebrew literature. The citation from Timo Veijola above (with its focus on oral as well as written authority) points in the same direction.

Textual Artifacts

Scrolls capable of holding extended texts were produced of papyrus and leather in Israel at least from the Assyrian era. Shorter texts could be rendered in tablets of stone, clay, metal or wood from quite early times.¹¹ Biblical literature contains a number of references to apparently

kulturelle Gedächtnis: Schrift, Erinnerung und politische Identität in frühen Hochkulturen (München: Beck, 1992); Udo Tworuschka (ed.), *Heilige Schriften: Eine Einführung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2000).

⁸ Smith, *What is Scripture?* 45–64.

⁹ Smith, *What is Scripture?* 18, cf. 1–20.

¹⁰ The first book to explore this in some depth for biblical literature was Philip R. Davies, *Scribes and Schools: The Canonization of the Hebrew Scriptures* (Library of Ancient Israel; Louisville, Ky.: Westminster/John Knox Press, 1998). Before him, see Assmann, *Das kulturelle Gedächtnis*.

¹¹ Hans Peter Rüger, "Schreibmaterial, Buch und Schrift," *BRL* 2: 289–92, and more recently Menachem Haran, "Book-Scrolls in Israel in Pre-Exilic Times," *JJS* 33 (1982): 161–73; Rüger, "More Concerning Book-Scrolls in Pre-Exilic Times," *JJS* 35 (1984): 84–85.

well known and authoritative books. In particular, there are many pointers to what may be called torah: several of them may go to broadly the same text (but not the same version). Some of these are ספר יהוה,¹² ספר תורת משה,¹³ ספר משה,¹⁴ תורת משה,¹⁵ ספר יהוה,¹⁶ or ספר תורת יהוה,¹⁷ cf. the references to "this" book or "these" laws,¹⁸ and perhaps also to ספר הברית.¹⁹ Jeremiah too has pointers to different collections, letters, etc.,²⁰ and Ellen Davis sees this as evidence that prophetic speech was at the time of composition associated with a tradition of fixed words.²¹ Interestingly, later times know an apparently authoritative חקת בית יהוה (Ezek 44:5), as well as משפט דויד (2 Chr 8:14) and certain normative directives from David and Solomon (2 Chr 35:4). Most but not all references above are from D literature and they would have been authored or edited no later than the early Persian times. Some are perhaps earlier.²² I take it for granted that books were a common phenomenon in Jerusalem in the early Persian period and presumably also some time before that.

It is a common phenomenon in world religion that books, scrolls, slabs, and other objects holding sacred texts occur as textual artifacts. That is: one treats the physical object in ways that convey a meta textual message about one's view of the text; reverence, perception of power, etc.²³ This artifactual status is regularly visible in the physical form of

¹² Deut 28:61; 29:20; 30:10; 31:26; Josh 1:8; 8:34; 2 Kgs 22:8, 11; Neh 8:3; 2 Chr 34:15.

¹³ Josh 8:31; 23:6; 2 Kgs 14:6; Neh 8:1.

¹⁴ Ezra 6:18; Neh 13:1; 2 Chr 25:4; 35:12.

¹⁵ Josh 8:32; 1 Kgs 2:3; 2 Kgs 23:25; Mal 3:22; Ezra 3:2; 2 Chr 23:18; 30:16.

¹⁶ Neh 9:3; 2 Chr 17:9; 34:14.

¹⁷ Ex 13:9; 2 Kgs 10:31; Isa 5:24; 30:9; Jer 8:8; Am 2:4; Ps 1:2; 19:8; 119:1; Ezra 7:10; Neh 9:3; 1 Chr 16:40; 22:12; 2 Chr 12:1; 17:9; 31:3–4; 34:14; 35:26.

¹⁸ Deut 1:5; 4:8; 17:18–19; 27:3, 8, 26; 28:58, 61; 29:19–20, 26, 28; 30:10; 31:9, 11–12, 24, 26; 32:46; Josh 1:8; 2 Kgs 23:3, 21.

¹⁹ Ex 24:7; 2 Kgs 23:2, 21; 2 Chr 34:30.

²⁰ Jer 25:13; 29:1, 5; 30:2; 36:2, 32 (et passim); 45:1; 51:60.

²¹ Ellen F. Davis, *Swallowing the Scroll: Textuality and the Dynamics of Discourse in Ezekiel's Prophecy* (JSOTSup 78; Sheffield: Sheffield Academic Press, 1989), 50.

²² In particular: Ex 13:9, which could after all be D, cf. Brevard S. Childs, *Exodus* (Old Testament Library; London: SCM, 1974), 184–86, 202–4; and Am 2:4, where the wording is perhaps not significant.

²³ I was directed to the matter through Brian Malley, *How The Bible Works: An Anthropological Study of Evangelical Biblicism* (Walnut Creek, Calif.: AltaMira, 2004): 45–48, 70–72, etc. This study formed a point of departure for the consultation group Scripture as Artifact in the

the object (size, illuminations, etc.), in its economic (and sometimes ideological) value, in regulations for how to copy the text of the object, how to store and use it (where, when, and by whom), regulations on public recitation, on its ritual purity or impurity, etc.

A good example of the phenomenon as attested in literary sources occurs in *The Letter of Aristeas*.²⁴ The heathen king, when receiving the Torah scrolls, is said to make ritual obeisance to them. He seems to be prompted to do so by their extraordinary embellishment. The scrolls had designated coverings (perhaps a chest?). The arrival of the textual artifact in the land of Egypt is celebrated by a banquet. After a meticulously regulated translation, a second episode occurs when the Greek book is read and publicly accepted by the Jews. All elements described here are classical. Public reverence, public reading, festive setting, rules for copying the text, the books having costly appearance and special storage—all this contributes effectively to a metatextual message about the Jewish Torah.

The argument is of course not that the events described in *Aristeas* did in fact occur in this way. Given the fictional character of the book, one is bound to take this rather to reflect the apprehension and use of biblical books among Hellenistic Jews in Egypt towards the end of the second century BCE. The point is that the book testifies to a mind-set recognizing the artifactual value of holy scriptures. Such a script would not develop without the existence of texts that actually *were* acknowledged as textual artifacts.

Students of Rabbinic Judaism easily identify a number of regulations reflecting the artifactual status of the Tanach and also of written excerpts of the holy tradition.²⁵ Leipoldt and Morenz gave evidence for these dimensions of sacred texts throughout the ancient Mediterranean

2006 SBL Annual Meeting in Washington. For the phenomenon in world religion, see for instance Florian C. Reiter, "Heilige Schriften des Taoismus," in Tworuschka, ed., *Heilige Schriften: Eine Einführung*, 211–33, see 219–20; Christoph P. Baumann, "Heilige Schriften des Sikhismus," in Tworuschka, ed., *Heilige Schriften: Eine Einführung*, 197–210, esp. 207–9; Tilman Seidensticker, "Koran," in Tworuschka (ed.), *Heilige Schriften: Eine Einführung*, 111–30, esp. 127–30.

²⁴ For the following see *Aristeas*, 176–81; 301–21.

²⁵ See for instance *Baba Batra* 1 or *Megillah* 2.

world.²⁶ If a similar phenomenon could be documented in ancient Israel, it would potentially throw light upon such texts as the "almost canonical" book of Deuteronomy mentioned by Veijola. And indeed, ancient indications of texts (including biblical ones) treated as sacred artifacts were recorded already in the 1950's.²⁷ Also, some artifactual status of Scripture was recently again hinted at by Karel van der Toorn.²⁸ Still, the best part of biblical scholarship is not well informed on this issue. So I turn now to some biblical indications of this phenomenon.

Before we hit the material, a note is needed on the textual fixation of text artifacts. In *Aristeas* it is evident that the sacred books are (and should remain) textually fixed. In the material of Leipoldt and Morenz, however, textual fixation is not an important issue. Recent comparative study has indicated that many canons do not develop closed contents or fixed texts.²⁹ In the following, therefore, it is not taken for granted that a text being treated as textual artifact is indicative of its having a frozen text.

II

Aiming to form an opinion as to the status of textual artifacts in ancient Judah and Yehud,³⁰ one would preferably evaluate as much evidence as possible, textual as well as archaeological. Indeed, there is archaeological data that should be considered for its value to the present discussion, such as the copper scroll, silver plates or ostraca with apparent scripture

²⁶ Johannes Leipoldt and Siegfried Morenz, *Heilige Schriften: Betrachtungen zur Religionsgeschichte der antiken Mittelmeerwelt* (Leipzig: Harrassowitz, 1953), 161–77.

²⁷ In addition to Leipoldt and Morenz, *Heilige Schriften*, see Alfred Bertholet, *Die Macht der Schrift in Glauben und Aberglauben*, (Abhandlungen der Deutschen Akademie der Wissenschaften zu Berlin. Philosophisch-historische Klasse. Jahrgang 1948, 1; Berlin: Akademie-Verlag, 1949). Bertholet assumes that virtually any script could become what we here call an artifact, and so can be said to regard "Scripture as artifact" only as a subgroup of those general instances.

²⁸ Karel van der Toorn, "The Iconic Book: Analogies between the Babylonian Cult of Images and the Veneration of the Torah," in *The Image and the Book: Iconic Cults, Aniconism and the Rise of Book Religion in Israel and Ancient Near East* (ed. K. van der Toorn; Leuven: Peeters, 1997), 229–48, recently gave a summary of some salient evidence and suggested a thought-provoking interpretation.

²⁹ Cf. Stordalen, "Canonization," n. 15 *et passim*.

³⁰ I use these two names to denote the shifting geographical, political and cultural units centred on Jerusalem during the Assyrian, Babylonian and Persian periods.

citations and also certain inscriptions. However, the present format does not allow for such investigation. As a first, more limited contribution, therefore, I endeavour to survey only certain information available in biblical sources.

Magical or Symbolical Artifacts with Short Texts³¹

Numbers 5 contains an instruction for a trial of jealousy. It belongs to the P layer and is dated accordingly, usually to the early Persian era. Its procedures, the offering and the ordeal, are likely to be older. In this ritual the woman takes an oath prescribed in the law (v. 19–22). The priest then writes down the oath, washes its ink off into an already prepared bowl of water and dust, and the woman drinks the solution (23–24). If she fell ill, she was guilty. The water has such an effect because (a) it contains dust from the floor of the Tabernacle (v. 17) and (b) it holds ink from the divinely prescribed curse (23) having been uttered before YHWH (18).³² Apparently the priestly text artifact has the power of discriminating truth from lie. But it seems to have acquired that power from its content having been recited before YHWH. The effect of the artifact is dependent upon the ceremony and the priest.

Excerpts from holy tradition could also convey blessing or protection. This is the case in Exod 13:9, 16, referring to a sign on the arm and the forehead. These verses are often perceived as pre-P (or: non-P) tradition.³³ It is not evident what exactly the sign is. It seems to be pointing to what is “told” in v. 8, and to help keeping תורת יהוה constantly in the addressee’s mouth (v. 9). Therefore the sign is best seen as a short text or textual icon of some sort.³⁴ The same phenomenon occurs in Deut 11:18 (and cf. 6:6), possibly part of an earlier liturgy, here

³¹ The phenomenon is recognized in Bertholet, *Macht der Schrift*, 7–13; 13–18; 21; 25–6; 27–8. He refers also to Rev 10:9; 4 Ezra 13:39–40.

³² Cf. Baruch A. Levine, *Numbers 1–20* (AB 4; New York: Doubleday, 1993), 209–12.

³³ Cf. recently William H. Propp, *Exodus 1–18* (AB 2; New York: Doubleday, 1999), 380–82, cf. 423–25.

³⁴ Cf. Childs, *Exodus*, 203, taking this as D tradition and hence similar to Deut 6:6; 11:18.

adapted by the Deuteronomic editorial strand.³⁵ With Weinfeld we may see these passages as referring literally to textual amulets worn on the body and to excerpts of scripture posted on doors (like the later *mezuzim*). Archaeological data would show that it was not uncommon in ancient Judah or Yehud to use such artifacts for personal and domestic purposes.³⁶ William Propp interprets it as something like a literal fulfilment of the priestly benediction (Num 6:24–27).³⁷

Such inscribed objects were used first and foremost for protective purposes.³⁸ One would assume that the inscribed object symbolically mediates (*pars pro toto*) the power and benefit of the entire canonical tradition for which it is a symbol. The power behind the torah is present in an artifact holding even a small excerpt of it. Secondly, the characteristically didactic description in Deuteronomy has the artifact serve for recollecting the Law. It reinforces the individual’s sense of belonging to the Yahwistic community. In this case the artifact seems more like an icon, representing the totality of tradition through some significant *chiffre* thereof. Again, in both cases the power of the artifact did not actually reside in the artifact. Rather it came from the tradition for which the artifact was perceived as an icon or a symbol.

Magical or Symbolical Book Artifacts

If indeed tablets with shorter texts were thought to convey power, one would expect the same for artifacts holding larger texts that included, among other things, those same shorter passages (or something very similar). So it comes as no surprise that Deuteronomy is said to bring

³⁵ For a discussion, cf. Moshe Weinfeld, *Deuteronomy 1–11* (AB 5; New York: Doubleday, 1991), 341–43 (cf. 337–54), and 448.

³⁶ See Othmar Keel and Christoph Uehlinger, *Göttinnen, Götter und Gottessymbole* (QD 134; Freiburg i.B.: Herder, 1992), 417–22.

³⁷ Propp *Exodus 1–18*, 424. Interestingly, those later *mezuzim* reproduce even the well-known graphical peculiarities in Deut 6:4, cf. *The New Encyclopedia of Judaism* (ed. Geoffrey Wigoder; New York: New York University Press, 2002), 256–57. As such they are primary examples of textual artifacts.

³⁸ Cf. Dieter Sefrin, “Talisman,” in *Handbuch religionswissenschaftlicher Grundbegriffe*, Vol 5 (ed. H. Cancik, B. Gladigow and K.-H. Kohl; Stuttgart: Kohlhammer, 2001), 162–65.

upon its readers the curses or the blessings contained in the book.³⁹ At least in the present form of the book, the power of curse or blessing is not resident in the book as such. They come from YHWH who will act according to the covenant into which these blessings and curses are set. Admittedly, the function of torah as "witness" against Israel could also accord some power to the book artifact.⁴⁰ But in general the book with blessings and curses in Deuteronomy seems to depend for its power upon the office of religious leaders, perhaps mainly prophets. This is rather similar to the priestly writing that disseminates curse in Numbers 5 (above).

Jeremiah's scroll *versus* Babylon seems to be invested with considerable symbolic or magical power (cf. Jer 51:59–64). The scroll is said to hold oracles of evil (רעה) against Babylon (perhaps like those in MT chapters 50–51, but apparently not as large, cf. v. 60*: אל ספר אחד). Seriah submerges the scroll in the Euphrates to signal that Babylon shall sink like the scroll. It is not clear whether the power of this artifact is due to the magic of the book, or if it is rather the incident that is powerful, more like those in chapters 18 and 19.⁴¹ Still, the scroll artifact in chapter 51 seems to play a rather more important part than, say, the pottery in chapter 18. It is perhaps best to assume some perception of magic when acting upon that scroll and its *chiffres*. If so, this appears as the clearest example of a text artifact incurring "autonomous" weight in biblical literature of the period. One much later example of a similarly effective scroll is the flying one in Zech 5:1–4. It too brings curse to the land. In this feature both vaguely resemble the priestly writ in Numbers 5 (above), but both are considerably more autonomous. Is this an indication that Jer 51:59–64 is from a later period?⁴²

The scroll eaten by Ezekiel (2:9–3:9) makes him into a prophet. This seems to be envisioned as a heavenly scroll, of the kind to be used

by God in heaven.⁴³ That would account for the prophet speaking divine words.⁴⁴ On the other hand, one cannot rule out the implication that sacred books known on earth (such as priestly law codes) would have something of the same effect.⁴⁵ At least this seems to be implied in the other incident of eating YHWH's words: Jer 15:16.⁴⁶ Given the allusion in this verse towards the priestly benediction,⁴⁷ the words to be "eaten" would be those residing (in written or oral form) in the temple. Both instances are symbolical or metaphorical (the same goes for the apparently later views of wisdom as clothing, Prov 6:20–21; 7:1–3). Since the scroll in Ezekiel is a heavenly one, and there is no mention of a text artifact in Jeremiah, we are again primarily pointed to the realm *behind* the text when asking for its power. God speaking in heaven and God or prophet speaking in temple are the real powers of both scrolls.

All in all, authors in Judah and Yehud in the early Persian time and before were aware of shorter and more extended texts that had attained a status surpassing that of most other texts. These text artifacts appear as symbols or icons for a divine or ritual reality, and they point at that reality for their dignity and power. Save perhaps for the scroll in Jeremiah 51, it is not the text artifact itself that incurs effect. Timo Veijola's remark fits even these items well: they convey a sense of continued divine speech through prophets, judges and priests. Before exploring this impression through the awareness of oral and aural dimensions of scripture mirrored in biblical literature, let us turn briefly to a few more indications of textual artifacts and their importance.

³⁹ As in Exod 32:32–33; Mal 3:16; Ps 69:29; 87:6; 139:16; Dan 7:9–10; 12:4 and numerous instances in the Pseudepigrapha. For this phenomenon, see still Leo Koep, *Das himmlische Buch in Antike und Christentum* (Theophaneia 8; Bonn: Peter Hanstein, 1952).

⁴⁰ Also, his eating the scroll is clearly an act of submission, cf. Moshe Greenberg, *Ezekiel 1–20* (AB 22; New York: Doubleday, 1983), 78–81.

⁴¹ This is the main interpretation in Walter Zimmerli, *Ezekiel 1* (BKAT XIII/1; Neukirchen: Neukirchener Verlag, 1969), 79 (cf. 76–81) who assumes the prototype for Ezekiel's scroll may have been a prophetic scroll. Greenberg, *Ezekiel 1–20*, refers to Numbers 5 as a parallel instance of digesting curse.

⁴² The text of this passage is problematic, and so is its interpretation. Cf. McKane, *Jeremiah: Volume 1*, 351–54. For relations between Jer 15:6 and Ezek 2:8–3:3, and for metaphorical parallels (Ps 19:11; 119:3; Prov 16:24; 24:13–14), see Zimmerli, *Ezekiel 1*, 77–79.

⁴³ Num 6:26, cf. its reception in Deut 28:10; Dan 9:19.

³⁹ Most explicit examples: Deut 29:1–2, 15, 19, 20, 26.

⁴⁰ E.g., Deut 31:26; 32:46; cf. Jer 25:13 and perhaps Isa 30:8.

⁴¹ William McKane, *Jeremiah: Volume II* (ICC; London: T & T Clark, 1996), 1357–59 reviews earlier scholarship and opts for a magical interpretation.

⁴² Cf. Georg Fischer, *Jeremia 26–52* (HKThAT; Freiburg i.Br.: Herder, 2005), 632, characterising it as "a form of mixing, factious summary," cf. the section 626–32.

Text Artifacts Stored in Significant Locations

Rules for where and how to store holy texts are common. Indeed, one would not expect otherwise if the physical objects were perceived to take part in the power of that which their texts relate. Correspondingly, biblical literature portrays a number of texts stored in religiously significant locations.

Most explicitly, Samuel deposits a book holding laws for the kingdom literally *לפני יהוה* (1 Sam 10:25).⁴⁸ Joshua too writes a document (in the final text: *ספר תורת אלהים*) and deposits it in a shrine (Josh 24:26).⁴⁹ This is analogous to the location of the tablets of the Decalogue in Deuteronomy (reading Deut 10:5 along with 1 Kgs 8:9), and also in P (if we read Exod 25:16–25 with 40:2, etc.).⁵⁰ In fact, in P the existence of writings inside the Ark (which carries the holiness) is implied in the name *ארון העדות*.⁵¹ In Deut 31:26 even “this book of law” (that is, some version of Deuteronomy⁵²) is placed next to the Ark. A most enigmatic reference to a book in the shrine is the *ספר התורה* in 2 Kgs 22 (2 Chr 34). It is inconceivable that a book would be dignified by storage in the shrine and then become “forgotten.” I would not try to unravel the text genetics in this passage. Still, even this chapter knows the convention of keeping significant books in the shrine. Such a practice would undeniably imply reverence of the books in question.

⁴⁸ LXX reads “laws for the king,” which is usually dismissed as an influence from 8:9, 11. Whatever document was intended, is now probably lost according to P. Kyle McCarther Jr., *1 Samuel* (AB 8; New York: Doubleday, 1980), 193–94.

⁴⁹ J. Alberto Soggin, *Joshua* (OTL; London: SCM, 1972), 240–41 assumes the reference to “Elohim’s law” is secondary and tends to identify the document and the stone as a stela. The fact that *masseboth* are prohibited in Deut 16:21 makes him assume the tradition is older than D.

⁵⁰ For the complex cf. conveniently Hans-Jürgen Zobel, “אָרֹן,” *TDOT* 1 (1974): 363–72, esp. 370–71 (with further literature).

⁵¹ Exod 25:21–22; 26:33–34; Num 7:89 etc. See further Horatio Simian-Yofre, “עֹד,” *TDOT* 10 (1999): 495–516, esp. 512.

⁵² Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (München: Kaiser, 1992), 66.

Text Artifacts Read at Significant Occasions

Another indication that texts attain special status occurs when they are publicly recited at occasions of great significance. A few examples occur in biblical literature. Moses reads *ואת כל-המשפטים יהוה ואת כל-דברי יהוה* in Exod 24:3–7. Contextually this phrase, which seems rather influenced by D language,⁵³ would refer to the tablets. Pragmatically it points to every statute in the Law of Moses at the time of writing. To read this text in the context of instituting a covenant is certainly to dignify it. A similar move occurs in several D texts.⁵⁴ Deut 31:11 commands that “this law” be read during covenant renewal. Joshua similarly reads *ואת כל-דברי התורה* to the Israelites in Shechem (Josh 8:34). Josiah recites *ואת כל-דברי ספר הברית* to the people in Jerusalem (2 Kgs 23:2).

Tanach’s most elaborate passage on public reading occurs in the somewhat later Nehemiah 8. In view of the evidence above, this chapter may perhaps reflect reading practices going back to early Persian time. Especially the reverence for the book (v. 5 etc.) speaks to its status as textual artifact.

The passages in paragraphs c) and d) are mainly from D literature, some are older. Taken together, they imply that authors and audience of the early Persian era (and earlier) were familiar with the practice of storing books in religiously significant vicinities and reciting them publicly at potent occasions. Judging from the material in paragraphs a) and b) these people were also familiar with the existence and use of shorter and longer texts for magical and religiously symbolic purposes. In a comparative perspective documents used in these ways did have a particular status. Obviously, they could not have been canonical in the way that a version of the Gutenberg Bible may be canonical to a modern Protestant. But they would have been as canonical as Hindu, Daoist or Buddhist scriptures ever were. Perhaps we may for the moment dub their status as “proto-canonical.”

⁵³ With Crüsemann, *Tora*, 63. On apparent literary complexity in Exodus 24, see already Brevard Childs, *Exodus*, 499–502.

⁵⁴ For the D concept of Torah, cf. Timo Veijola, *Moses Erben*, 213 (etc.).

III

One clue to the level and mode of canonicity in such books is their awareness of an oral dimension of religion. There is a debate on whether or not orality is a salient concept for biblical literature.⁵⁵ Michael Floyd and Donald Redford launched serious critique to the use of the distinction oral/written in biblical studies.⁵⁶ This distinction is often applied to the question of the *composition* of biblical literature. What I am aiming at is something different, namely an awareness in biblical literature of its oral, or better: aural, context.

In his 1982 treatise, Walter Ong explored transitions from what he called primary oral cultures into cultures starting to employ writing. He named the latter "cultures with a heavy oral residue" and argued that the transition from one to the other is usually slow. Literature in cultures with heavy oral residue still very much relies upon oral modes of communication. For example written juridical records are sometimes seen as less reliable than witnesses, because witnesses would be able to give live testimony to the real thing: the event of agreement. Also, literature in these societies is often designed for oral performance, so as to be communicable.⁵⁷ In a passing reference to biblical documents, Ong remarks "they come from an orally constituted sensibility and tradition" (99). William Graham later demonstrated more fully that most sacred scriptures, including the Bible and the Qur'an, maintain an aural dimension long after having been codified in writing and submitted to mass printing media.⁵⁸

⁵⁵ See recently entries in Ehud Ben Zvi and Michael H. Floyd (ed.), *Writings and Speech in Israelite and Ancient Near Eastern Prophecy*, (SBLSymS 10; Atlanta, Ga.: Scholars Press, 2000); Susan Niditch, *Oral World and Written Word: Ancient Israelite Literature* (Library of Ancient Israel; Louisville, Ky.: Westminster/John Knox Press, 1996).

⁵⁶ Michael H. Floyd, "Write the revelation!" (Hab 2:2): Re-imagining the Cultural History of Prophecy," in Ben Zvi and Floyd, *Writings and Speech*, 103–43; Donald B. Redford, "Scribe and Speaker," in Ben Zvi and Floyd, *Writings and Speech*, 145–218.

⁵⁷ For all this see Walter J. Ong, *Orality and Literacy: The Technologizing of the Word* (New Accents; London: Routledge, 1988, reprint of the 1982 edition): 96–101, 115–16, 156–60, etc. Similar views of biblical literature are expressed or touched upon by Niditch, *Oral World*, 122–25, etc.

⁵⁸ William A. Graham, *Beyond the Written Word: Oral Aspects of Scripture in the History of Religions* (Cambridge: Cambridge University Press, 1987).

These studies help us to realise biblical literature's view of itself as something like a written deposit sandwiched between an oral origin and aural transmission.⁵⁹ The material should be well known, but since my take on it is not entirely conventional, I use some lines for paraphrasing. Most of the following examples are from D literature, corresponding to our starting point in Veijola's remark (above). However, the concept is apparently pan-biblical:

Within the world created by biblical writers, the revelation to Moses was oral. The only passage (perhaps⁶⁰) written by God was the Decalogue. The rest was received aurally (Exod 20:1; cf. 33:9; Lev 17:1 and numerous examples). Writing down the most central part of revelation was secondary to hearing and reciting it (Exod 24:3–4; Deut 5:22). Even after it had been codified, the law was perceived of as the words that God (or Moses) *spoke* (Exod 24:7; Deut 5:4, 24–25; 9:10; 10:4; Deut 1:1, 43; 4:45, etc.). Accordingly, Israel should *hear* these words (Deut 27:8–10; 31:26–28), indeed must *listen to the voice* of YHWH (Exod 15:26; Deut 8:20; 1 Sam 12:14–15, etc.) or even to "the sound of the words of YHWH" (1 Sam 15:1). Therefore torah (or the like) is read out loud (Exod 13:9; 17:14; 19:6; 24:7; Josh 1:8; 8:35; 2 Kgs 23:2; Ps 1:2; 2:7; 119:13, etc.), and is even seen as a song to be sung (Deut 31:22, cf. 31:30). All this is formulaic language mirroring some fundamental conceptions about the law. Examples could be greatly enumerated. Many passages correspondingly portray prophecy as *heard* and then *spoken* by the prophet only to be *heard* by the addressee.⁶¹ Psalmic material, too, is noted for performance.⁶² The general picture is that biblical laws, prophecy and psalmody are written deposits of a fundamentally oral communication between God and Israel. Since Moses and his audience are on the receiving end, this is basically a portrayal of the *aural* side of scripture: its being heard.

⁵⁹ The same was recently argued in more general terms by Floyd, "Write the revelation!," 123–25.

⁶⁰ Exod 24:12 (but see v. 3); Exod 34:1 (but see v. 27–28); Deut 5:22; 9:10; 10:4.

⁶¹ 1 Kgs 12:24; 2 Kgs 7:1; Isa 1:10; 28:14; 30:9; 51:4; Jer 1:9; 3:13; 7:23; 9:11–12; 23:18, 22; 36:4; 51:60–64; Ezek 3:17; 33:31; Am 3:1; Hag 1:12; Mal 2:4–9, etc.

⁶² 2 Sam 23:3–4; Ps 78:1–2; 97:8.

I am, of course, not arguing that we must accept the historicity of such accounts of the emergence of law, prophecy or psalmody. On the contrary, it seems to me that much biblical literature must have originated and certainly been shaped in literary media. My point is that biblical literature *presents itself* in this way. This would be a sensible way to acquire credibility for a literary corpus within a culture where important information is usually *heard*. From Walter Ong's account (above) we would expect that much literature generated precisely in this way, reflecting the oral modes of communication governing the largely illiterate culture. The portrayal in biblical literature (whether historical or fictional) is quite comparable to what Donald Redford found for ancient Egyptian in general, and what Karel van der Toorn and Martti Nissinen found for ancient Near Eastern prophecy.⁶³ Also, the portrayal of the mode and function of biblical literature combines well with some biblical references that are usually taken to credibly reflect religious leadership in ancient Israel. In these passages, the office of the priest, the prophet and the elder mediate themselves *orally*.⁶⁴ It also coincides with numerous instructions that torah should be continuously recited.⁶⁵ We may assume that some biblical literature did in fact emerge as written deposits of material already formulated in an oral/aural culture. If, indeed, some of the self-portrayals in biblical literature were deemed to be fictive, they would be seen as the authors' bid on why their product deserves serious consideration. In any event the view of biblical literature as textual sediment in an aural circulation of divine instruction and guidance corresponds pragmatically to a society where religious authority originated from ceremony and oral addresses. As such they indicate that the canonical item would actually not have been the written text, but the recited and *heard* text. This is important when considering canonical text artifacts.

⁶³ Cf. Redford, "Scribe and Speaker," 159–63, 185–89, 196–205, etc.

⁶⁴ See passages like Isa 28:7–13; Jer 2:8; 5:31; 18:18; Ezek 7:26; Mic 3:11; Zeph 3:4. Compare also the priestly office in Lev 10:11, Num 27:21, etc.

⁶⁵ This is implied in the verbs *הגיד* and *שיחזק* when applied to torah. IQS 6:27–7:1 attest to the habit even in later times of reading scripture out. Cf. Stordalen, "Scripture as Artifact," forthcoming.

IV

We have reached a point from which we may contribute to recent studies of the production, reception and canonization of authoritative books in the Persian and later eras. Research in this field has advanced considerably during the last decade. They have gained for us a new apprehension of the role and significance of scribalism in the formation, maintenance and transmission of what became the biblical scriptural canon. More clearly than before, we have become aware that one cannot write a history of biblical canonization without proper reference to the technology for writing and storage, schooling system, literacy, scribal class ethos and economy, etc.⁶⁶

However, the self-portrayal of biblical literature sketched above indicates that we also may not simply take the scribal product to be the canon. Nor should we say that scribal institutions were the only ones to perform canonization. If prophecy had authority in society as divine words mediated through a prophet, it makes little sense to say that it was "canonized" exclusively because it was recorded and edited in scribal circles. If torah achieved status through continual priestly counselling, surely the scribal editing of the *toroth* would not be creating their proto-canoncity. One may assume that the inscripturation of biblical material was a means of preserving and honouring the ceremonial and oral produce, as well as an *aide-mémoire* for re-performing it. Perhaps, it was even an attempt on behalf of the scribes to appropriate and control the power hovering in priestly, prophetic and other religious practice. Certainly, scripture was later used for this purpose.⁶⁷ But the self-description above indicates that in the early Persian era (and before) it was not the *written* record that constituted the peak of canonical power and authority. The reflections of textual artifacts studied above indicated something similar: apparently the power of such arti-

⁶⁶ Important contributions by Davies, *Scribes and Schools*, and recently especially Ehud Ben Zvi, "Introduction: Writings, Speeches, and the Prophetic Books—Setting and Agenda," in Ehud Ben Zvi, *Writings and Speech*, 1–30.

⁶⁷ See my paper "Scripture as Artifact and as Cognitive Artifact: Religious Cognition in Ancient Yehud and Its Implication for Canonization," (SBL Annual Meeting 2006), forthcoming.

facts was accorded to them because they were perceived as icons or symbols for a larger religious complex. In both cases this religious complex with its circulation in cult and oral addresses appears as the originating point for canonicity.

As for the early Persian time (and before), we should therefore not simply identify the scribal output as the canon. Rather, it originated from, and simultaneously interpreted, an ongoing hegemonic tradition supported by institutions other than the scribal ones. An important agenda in the following would be to find criteria for refining this distinction and also to pursuing the issue into later Persian and Hellenistic times.

V

Timo Veijola portrayed late D circles as entertaining an "almost canonical" book of Deuteronomy within a flow of continuous legitimate oral revelation. This study of textual artifacts reflected in literature from the early Persian era (and earlier) confirmed and enhanced his sketch, and so did the study of the awareness of an aural dimension of scripture in Deuteronomic (and other biblical) literature.

The survey, which should have been more extensive, showed that shorter and more extensive writings emerged as superb in ancient Judah and Yehud long before the emergence of anything like a completed biblical book, let alone a closed canon. Such textual artifacts were stored, retrieved, publicly recited and used in ways that qualify them as proto-canonical. They appear to have been interpreted as symbols or icons for religious practices and convictions, social organization, etc. Apparently, they derived dignity and power from these practices.

Some of these artifacts are implied to have contained text that in some form made it into the present biblical literature. For other artifacts such a connection is not at all evident. That applies for instance to any directions by Solomon (2 Chr 35:4), to Samuel's document (1 Sam 10:25) and to Jeremiah's scroll (Jer 51:59–64)—since it should have ended up in the Euphrates. In any event, it is apparent that the many

references to a law book, even if pointing to the same book, could not be referring to the same version of that book. Hence textual stability (or even continuity) is apparently no concern in these protocanonical texts.

Such fluidity in protocanonical texts is contrary to the use of the concept "canon" in much biblical study. However, it is common in religious studies. Moreover, it makes good sense when understanding protocanonical literature of the period as a textual deposit from a hegemonic tradition that propagated itself orally/aurally. Now, it should be remembered that the terms used for canonicity throughout biblical times (and beyond) are generic terms like "scriptures," "holy book," "law," "law of Moses," etc.⁶⁸ We should not insist that early examples of sacred scriptures must have a closed content and a stable textual base in order to qualify for our consideration. If we do so, we risk losing sight of the early, elusive canonical dynamism that Timo Veijola hinted at in the passage cited above, and also of its continuation into the kind of scriptural canons found in later Judaism.

⁶⁸ See conveniently Roger Beckwith, *The Old Testament Canon of the New Testament Church* (London: SPCK, 1985), 105–9.

Publications of the Finnish Exegetical Society
Series Editor: Antti Marjanen
Typography and layout by Susanna Asikainen and Kirsi Valkama
Graphic design by Ari Hirvonen
Cover photograph: Juha Pakkala

ISSN 0356-2786
ISBN 978-951-9217-50-5
ISBN 978-3-525-53607-0

Vammalan Kirjapaino Oy 2008

PUBLICATIONS OF THE FINNISH EXEGETICAL SOCIETY 95

Houses Full of All Good Things

Essays in Memory of Timo Veijola

Edited by
Juha Pakkala and Martti Nissinen

Finnish Exegetical Society, Helsinki
Vandenhoeck & Ruprecht, Göttingen
2008

"The Witness in the Clouds: Ps 89:38." *Journal of Biblical Literature* 107 (1988): 413-417.

"Das Klagegebet in Literatur und Leben der Exilsgeneration am Beispiel einiger Prosatexte." Pages 286-307 in *Congress Volume: Salamanca 1983*. Edited by J. A. Emerton. SVT 36. Leiden: Brill, 1985.

"David in Keila: Tradition und Interpretation in 1 Sam 23,1-13." *Revue Biblique* 91 (1984): 51-87.

"Remarks of an Outsider concerning Scandinavian Tradition History with Emphasis on the Davidic Traditions." Pages 29-51 in *The Productions of Time: Tradition History in Old Testament Scholarship. A Symposium at Sandbjerg Manor, Denmark, May 1982*. Edited by Knud Jeppesen and Benedikt Otzen. Transl. from the original manuscripts in Norwegian, Swedish, German and Danish by Frederick H. Cryer. Sheffield: Almond Press, 1984.

"Davidverheißungen und Staatsvertrag. Beobachtungen zum Einfluß altorientalischer Staatsverträge auf die biblische Sprache am Beispiel von Psalm 89." *Zeitschrift für die alttestamentliche Wissenschaft* 95 (1983): 9-31.

"Die skandinavische traditionsgeschichtliche Forschung. Am Beispiel der Davidüberlieferungen." Pages 47-68 in *Glaube und Gerechtigkeit: Im Memoriam Rafael Gyllenberg (18.6.1893-29.7.1982)*. Edited by Jarmo Kiilunen, Vilho Riekkinen and Heikki Räisänen. PFES 38. Helsinki: The Finnish Exegetical Society, 1983.

"Finns det en gammalttestamentlig teologi?" *Svensk Exegetisk Årsbok* 48 (1983): 10-30.

"Salomo—der Erstgeborene Bathsebas." *SVT* 30 (1979): 230-250.

Contributors

Anneli Aejmelaeus is Professor of Old Testament Studies at the University of Göttingen.

Lars Aejmelaeus is Professor of New Testament Studies at the University of Helsinki.

Mika Aspinen is Instructor in Biblical Theology at the Institute for Advanced Training (The Lutheran Church of Finland), Järvenpää, Finland.

Erik Aurelius is Bishop of Skara, Sweden.

Hans Barstad is Professor of Hebrew and Old Testament Studies at the University of Edinburgh.

Oswald Bayer is Professor for Systematic Theology and Philosophy at the University of Tübingen.

Bob Becking is Professor of Old Testament Studies at the Utrecht University.

Pancratius Beentjes is Professor at the Faculty of Catholic Theology at Utrecht.

Georg Braulik is Professor of Old Testament Studies at the University of Vienna.

Walter Dietrich is Professor of Old Testament Studies at the University of Bern.

Tapani Harviainen is Professor of Semitic Languages and Cultures at the University of Helsinki.

Else Holt is Associate Professor of Old Testament Studies at the University of Århus.

Otto Kaiser is Professor Emeritus of Old Testament Studies at the University of Marburg.

Antti Laato is Professor of Old Testament Exegetics with Judaic Studies at the Åbo Akademi University, Turku.

Kari Latvus is Principal Lecturer at Diaconia University of Applied Sciences, Järvenpää, Finland.

Christoph Levin is Professor of Old Testament Studies at the University of Munich.

Bernard Levinson is Associate Professor of Classical and Near Eastern Studies at the University of Minnesota.

Oswald Loretz is Professor Emeritus at the University of Münster.

Marko Marttila is Post-doctoral Researcher at the University of Helsinki.

Sarianna Metso is Associate Professor at the University of Toronto at Mississauga.

Tryggve Mettinger is Professor Emeritus of Old Testament Studies at the University of Lund.

Martti Nissinen is Professor of Old Testament Studies at the University of Helsinki.

Juha Pakkala is EURYI-researcher at the University of Helsinki.

Heikki Räisänen is Professor Emeritus of New Testament Studies at the University of Helsinki.

Alexander Rofé is Professor Emeritus of Jewish Studies at the Hebrew University of Jerusalem.

Thomas Römer is Professor of Hebrew Bible at the University of Lausanne.

Juhana Saukkonen is Post-doctoral Researcher at the University of Helsinki.

Seppo Sipilä is Translation Consultant at United Bible Societies.

Rudolf Smend is Professor Emeritus of Old Testament Studies at the University of Göttingen.

Raija Sollamo is Professor Emerita of Biblical Languages at the University of Helsinki.

Pekka Särkiö is Docent of Old Testament Studies at the University of Helsinki.

Terje Stordalen is Professor of Old Testament Studies at University of Oslo.

Kari Syreeni is Professor of New Testament Studies at the Åbo Akademi University, Turku.

Winfried Thiel is Professor Emeritus of Old Testament Studies at Ruhr-Universität Bochum.

Eugene Ulrich is Professor of Hebrew Scriptures at the University of Notre Dame, Indiana.

Anssi Voitila is Lecturer in Classical Languages and Biblical Studies at the University of Joensuu, Finland.

Karl William Weyde is Associate Professor of Old Testament Studies at MF Norwegian School of Theology.

Hanne von Weissenberg is Post-doctoral Researcher of Old Testament Studies at the University of Helsinki.