

“All that Yahweh Has Commanded We Will Obey”: The Public Reading of Torah as Covenant Praxis in Early Judaism

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Introduction

Scholars generally agree that the public reading of Torah was a common feature of synagogue practice in the Judaism of the first and second centuries CE.¹ Recent studies have focused on the historical details of public Torah reading and the diachronic developments of this liturgical practice.² There is much to

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¹ Cf. Stephen Catto, “The reading of Scripture was clearly a central component, probably the central component of the Sabbath gathering in the ‘synagogue’” (*Reconstructing the First-Century Synagogue: A Critical Analysis of Current Research* [LNTS 363; Edinburgh: T & T Clark, 2007], 123).

² Cf. Catto, *First-Century Synagogue*; C. Claußen, *Versammlung, Gemeinde, Synagoge: Das hellenistisch-jüdische Umfeld der frühchristlichen Gemeinde* (SUNT 27; Göttingen: Vandenhoeck & Ruprecht, 2002); L. H. Schiffman, “The Early History of Public Reading of the Torah,” in *Jews, Christians and Polytheists: Cultural Interaction during the Greco-Roman Period*, ed. Steven Fine (London: Routledge, 2005), 38-49; A. Runneson, *The Origins of the Synagogue: A Socio-Historical Study* (ConT 37; Stockholm: Almqvist and Wiksell, 2001); C. Perrot, “The Reading of the Bible in the Ancient Synagogue,” in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity*, ed. M. J. Mulder (CRINT; Assen: van Gorcum, 1988), 137-59; D. D. Binder, *Into the Temple Courts: The Place of the Synagogues in the Second Temple Period* (SBLDS 169; Atlanta: SBL, 1999); Heather A. McKay, *Sabbath and Synagogue: The Question of Sabbath and Worship in Ancient Judaism* (Leiden: Brill, 2001), 201-08; P. W. Van der Horst, “Was the Synagogue a Place of Sabbath Worship Before 70 CE?,” in

commend in these studies, such as a keen sensitivity not to read later Christian liturgies or Talmudic Rabbinic customs back into early Jewish practices.³ However, as of yet there is no significant study that analyzes the social function of the public reading of Torah within the theological framework of early Judaism.⁴ This short study will seek to fill this lacuna by examining the public reading of Torah in early Judaism with reference to the social identity and theological worldview that this practice shaped and perpetuated, namely, the covenant. William Johnson has argued that ancient reading should be analyzed not simply as “the cognitive processing by the individual of the technology of writing, but rather *the negotiated construction of meaning within a particular sociocultural context.*”⁵ Johnson’s work deals with Greco-Roman texts of the High Roman Empire, but this essay will apply his method to public reading in

Steven Fine, *Jews, Christians and Polytheists*, 16-37; see also the classic study by I. Elbogen, *Jewish Liturgy: A Comprehensive History*, trans. R. P. Scheindlin (Philadelphia: The Jewish Publication Society, 1993).

³ Michael Graves shows such precision in “The Public Reading of Scripture in Early Judaism,” *JETS* 50.3 (2007): 467-87; Graves voices the same concern as Jacob Neusner, “The Use of the Later Rabbinic Evidence for the Study of First-Century Pharisaism,” in *Approaches to Judaism: Theory and Practice*, ed. W. S. Green (Missoula: Scholars Press, 1978), 215-28; Ruth Langer, “From the Study of Scripture to a Reenactment of Sinai: The Emergence of the Synagogue Service,” *Worship* 72 (1997): 43-67; Stephan Reif, *Judaism and Hebrew Prayer* (Cambridge: Cambridge University Press, 1993).

⁴ Graves advances Perrot’s study by analyzing the public reading of Scripture within the broader context of Jewish worship and thought. The present study will take this impulse one step further and tease out the socio-cultural undercurrents of the practice within the Jewish covenantal framework.

⁵ William A. Johnson, *Readers and Reading Culture in the High Roman Empire: a Study of Elite Communities* (Oxford: Oxford University Press, 2010), 12; Larry Hurtado (“Manuscripts and the Sociology of Early Christian Reading,” in *The Early Text of the New Testament*, ed. Charles Hill and Michael J. Kruger [Oxford: Oxford University Press, 2012], 49-62), and Chris Keith (“Early Christian Book Culture and the Emergence of the First Written Gospel,” in *Mark, Manuscripts, and Monotheism: Essays in Honor of Larry W. Hurtado*, ed. Chris Keith and Dieter Roth [LNTS 528; London: T & T Clark, 2014], 22-39) have appropriated Johnson’s findings to early Christian reading practices. Similarly, Jaime Clark-Soles (*Scripture Cannot Be Broken: The Social Function of the Use of Scripture in the Fourth Gospel* [Leiden: Brill, 2003]) has analyzed the social function of Scripture within the Qumran, Branch Davidian, and Johannine communities. This present article will likewise survey the social function of Torah for Judaisms of the first and second centuries CE, but with a focus on the covenantal paradigm.

ancient Judaism. This article will also pay close attention to the *Wirkungsgeschichte* of the Sinaitic public reading event in Israel's narrated history⁶ and how it shaped the practice of the public reading of Scripture in early Judaism.⁷ This study will engage both literary recreations of public reading events (e.g. Sinai) and accounts of contemporary public reading practices in ancient Judaism (e.g. Josephus, Philo, and Qumran).⁸ In this study, an overall picture of covenantal praxis emerges in the public reading practices of ancient Judaism.

Perhaps it is uncontroversial to propose that the public reading of Torah in ancient Judaism had a covenantal dimension, but a fresh appraisal of the evidence is needed in light of recent debates about the oral versus text-centered nature of ancient Jewish social identity. The work of Catherine Hezser has significantly challenged an older paradigm that saw ancient Judaism as a

⁶ This current study will not engage the question of the historicity of the Sinai event, but it will focus on Israel's narrated history of the Sinai event as a narrative-framing *muthos* in ancient Israelite and Jewish identity; on the role of narrated history in identity formation, see Paul Ricoeur, *Time and Narrative* vol. 3; trans. Kathleen Blamey and David Pellauer (Chicago: University of Chicago Press, 1988), 187-88.

⁷ *Wirkungsgeschichte* is precisely the critical tool needed for the present inquiry, for we are particularly interested in the *effect* (*Wirkung*) that the Sinai covenantal narrative had on the emerging Jewish identities of antiquity. On the immense significance of the Sinai event for the formation of Jewish identity, see George J. Brooke, Hindy Najman, and Loren T. Stuckenbruck, eds., *The Significance of Sinai: Traditions about Divine Revelation in Judaism and Christianity* (TBN 12; Leiden: Brill, 2008). The essays by Marcus Tso and Steven D. Fraade are particularly relevant to our discussion; Both Tso and Fraade connect the Sinai event to the formation of Jewish identity, but they do not elaborate on the integral role that public Torah-reading, as a reenactment of Sinai, played in this formation. For a critical evaluation of *Wirkungsgeschichte* as a tool for interpreting the Hebrew Bible, see John Barton, "The Legacy of the Literary-critical School and the Growing Opposition to Historico-critical Bible Studies. The Concept of 'History' Revisited – *Wirkungsgeschichte* and Reception History," in *Hebrew Bible, Old Testament: The History of Its Interpretation III/2: The Twentieth Century*, ed. Magne Saebo (Göttingen: Vandenhoeck & Ruprecht, 2015), 115-20.

⁸ However, a sharp distinction between literary recreations and accounts of actual reading events is impossible to draw; cf. Paul Ricoeur's helpful discussion about the "reciprocal borrowing" and "interweaving reference" between history and narrative fiction (*Time and Narrative* vol. 1; trans. Kathleen McLaughlin and David Pallauer [Chicago: University of Chicago Press, 1984], 77-82; cf. *Time and Narrative* vol. 3, 180-89).

text-centered religion.⁹ Hezser's criticism comes mainly from her comprehensive analysis of the literacy rate of ancient Palestinian Jewry. In place of the former, text-centered, paradigm, Hezser favors a more oral paradigm of ancient Jewish identity, in which Jewish sacred texts did not primarily serve a literary function but rather ideological, symbolic, and magical functions.¹⁰ The current study will seek to further this conversation by arguing that *covenant* is the key concept for understanding the role of the text in the formation and development of ancient Jewish social identity, especially in the practice of the public reading of Torah.

Covenant and Textuality in Early Judaism

As a starting point, it is imperative to recognize that the covenant that God made with Israel was arguably the identity-defining narrative of ancient Judaism. John Walton argues that the major distinctive of Israel in the ancient Near East was its covenantal identity.¹¹ This covenantal consciousness undoubtedly persists into the first centuries of Judaism in the Common Era.¹² The covenantal narrative of

⁹ Catherine Hezser, *Jewish Literacy in Roman Palestine* (TSAJ 81; Tübingen: Mohr Siebeck, 2001); for the text-centered paradigm of Judaism, see, among others, Siegfried Morenz, "Entstehung und Wesen der Buchreligion," *TLZ* 75 (1950): 710-16; Martin Hengel, *Judaism and Hellenism: Studies in Their Encounter in Palestine during the Early Hellenistic Period* 2nd ed. (Minneapolis: Fortress, 1991), esp. 1:309; and Moshe Halbertal, *People of the Book: Canon, Meaning and Authority* (Cambridge, MA: Harvard University Press, 1997).

¹⁰ Hezser, *Jewish Literacy*, 190-226; Hezser builds on the work of Meir Bar-Ilan ("Illiteracy in the Land of Israel in the First Centuries C.E." in *Essays in the Social Scientific Study of Judaism and Jewish Society* vol. 2; ed. Simcha Fishbane, Stuart Schoenfeld and Alain Goldschläger [Hoboken: KTAV, 1992], 46-61), Albert Baumgarten (*The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation* [SJSJ 55; Leiden: Brill, 1997], esp. 134), and Mary Beard ("Writing and Religion: Ancient Literacy and the Function of the Written Word in Roman Religion" in *Literacy in the Roman World* [JRASS 3; ed. Mary Beard; Ann Arbor: Journal of Roman Archeology, 1991], esp. 35-58).

¹¹ John H. Walton, *Ancient Near Eastern Thought and the Old Testament: Introducing the Conceptual World of the Hebrew Bible* (Grand Rapids: Baker Academic, 2006), esp. 140-42, 232, 284-86, 299-301, 308-10, 333-34; see also Peter Machinist, "The Question of Distinctiveness in Ancient Israel," in *Essential Papers on Israel and the Ancient Near East*, ed. F. E. Greenspahn (New York: New York University Press, 1991), 420-42.

¹² Cf. A. Jaubert, *La notion d'alliance dans le Judaïsme aux abords de l'ère Chrétienne* (Patristica Sorbonensia, 6; Paris: Seuil, 1963); Geza Vermes, *The Dead Sea Scrolls: Qumran in Perspective* (Philadelphia: Fortress, 1977), 163-64; Alan F. Segal, *Rebecca's*

identity is widespread across the extant Jewish writings from 200 BCE to about 200 CE.¹³ Later Rabbinic Judaism — presumably following in the tradition of Pharisaic Judaism and other sects of Torah scholars — also shares the same commitment to covenant, as is evident in the centrality of the *Shema*' in Rabbinic practice.¹⁴

Across the diverse spectrum of Judaism's¹⁵ during this period, there is a common identity narrative that is grounded in God's covenant with Israel.¹⁶

Children: Judaism and Christianity in the Roman World (Cambridge: Harvard University, 1986), 4; E. L. Fackenheim, *What is Judaism?* (New York: Summit, 1987), 47; Jacob Neusner, *Judaism: The Evidence of the Mishnah* (Chicago: University of Chicago Press, 1987), 72-75; James D. G. Dunn, *The Partings of the Ways between Christianity and Judaism and Their Significance for the Character of Christianity* (London: SCM Press, 1991), 21-31; E. P. Sanders, *Judaism: Practice & Belief 63 BCE – 66 BCE* (London: SCM Press, 1992), 262-75; N. T. Wright, *The New Testament and the People of God* (London: SPCK, 1992), 215-79, more nuanced in *Paul and the Faithfulness of God*, 2 vols. (London: SPCK, 2013); M. Vogel, *Das Heil des Bundes: Bundestheologie im Frühjudentum und im frühen Christentum* (TANZ 18; Tübingen: 1996).

¹³ E.g. Dan 9:1-19; Neh 9:1-38; Bar 1:15-2:35; 1 Macc 1:15, 63; 2:20-27, 49-69; 2 Macc 1:2; 7:36; 8:15; Jdt 9:12-14; Sir 44-50; Pss. Sol. 9:10; 10:4; 17:15; cf. Qumran (e.g. CD 1.1-17; 4.2-10; 5.1; 6.6; 7.13; 8.3; 1QS 5.1-10; 4QMMT 104-113; 11QT 59); cf. apocalyptic literature (e.g. *Test. Mos.* 1-4; 4 *Ezra* 7:129; 8:56; 13:45; 14:6; 2 *Bar.* 19:1; 46:3; 76:5; 78:6; 84:2; *Jub.* 1.5, 17, 25, 28; 16.18, 26; 19.18; 21.24; 22.11, 27; 24.29; 25.3; 33.20; 36.6; 50.5); indeed, even the Apostle Paul as an anomalous Jew structured Judaism around the covenant(s) (e.g. Rom 9:4-5; 11:1-2; Gal 3:17; 4:24).

¹⁴ Cf. *m. Ber.* 1-2 in which reciting the *Shema*' is described as "taking on the yoke of the kingdom" – most likely covenantal imagery. Covenantal imagery is even more explicit in the 3rd century midrash, *Sipre Deuteronomy* (*Pisqaot* 312; 315; 343-45). For a comprehensive summary of Tannaitic theology of covenant, see E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Philadelphia: Fortress, 1977), 84-183; although his conclusions on covenantal nomism have been hotly contested, it is still without dispute that covenant is a central theme for the identity of the Jews in the Rabbinic era (cf. Jacob Neusner, *Judaism: The Evidence of the Mishnah*, pp. 72-75). On the continuity between Rabbinic Judaism and earlier sects, see Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (TSAJ 66; Tübingen: Mohr-Siebeck, 1997), 55-77.

¹⁵ Since the pioneering work of Jacob Neusner (et al, eds., *Judaisms and Their Messiahs at the Turn of the Christian Era* [Cambridge: CUP, 1987]) and Alan F. Segal (*The Other Judaisms of Late Antiquity* [BJS 127; Atlanta: Scholars Press, 1987]), it is better not to talk of Judaism in monolithic terms, but rather to speak of diverse "Judaisms."

Although the nature of Israel's covenant(s) is hotly disputed in recent scholarship (e.g. the debate around "covenantal nomism" as an accurate description of early Jewish belief), across the debate there is a widespread agreement that *covenant* was still a defining category for early Jewish identity.¹⁷ Throughout these tumultuous 400 years, Jews across the Mediterranean basin frequently recounted the covenant with its blessings and curses in order to make sense of their ethnic, religious, and social identity in the midst of a rapidly changing world. Jacob Neusner summarizes it well: "Every Judaism invoked the covenant between God and the founders of the extended family of Israel, Abraham, and Sarah's descendants. Each one affirmed the revelation at Sinai that turned the family into a holy people. It staked its claim to truth upon that continuity..."¹⁸

¹⁶ Lester Grabbe argues that Philo and Josephus are at least two significant exceptions to this picture of covenantal Jewish identity ("Did all Jews Think Alike? 'Covenant' in Philo and Josephus in the Context of Second Temple Judaic Religion," in *The Concept of the Covenant in the Second Temple Period*, ed. Stanley E. Porter and J. C. R. de Roo [JSJSup 71; Leiden: Brill, 2003], 251-66). However, Philo and Josephus do not discard the covenant motif, but rather they translate it into their Hellenistic contexts; see discussion below and the arguments of M. Vogel (*Das Heil des Bundes*, 210-19), Paul Spilsbury (e.g. "God and Israel in Josephus: A Patron-Client Relationship," in *Understanding Josephus: Seven Perspectives*, ed. Steve Mason [Sheffield: Sheffield Academic Press, 1998], 172-193), and David M. Hay ("Philo of Alexandria," in *The Complexities of Second Temple Judaism*, ed. D. A. Carson, Peter T. O'Brien, and Mark A. Seifrid; vol. 1 of *Justification and Variegated Nomism* [Grand Rapids: Baker, 2001], 357-79). Furthermore, Philo and Josephus still locate the origins of Jewish identity within the interactions between God and the Patriarchs or between God and the Israelites on Sinai (e.g. *Mut.* 8; *Ant.* 1.183; 1.191-92; 1.232-36; 3.83-94; 3.313; 4.2).

¹⁷ Mark A. Elliot, while taking serious issue with the covenantal nomism model proposed by E. P. Sanders and James D. G. Dunn, still sees adherence to the covenant as the sign of the true identity of remnant Israel (*The Survivors of Israel: A Reconsideration of Pre-Christian Judaism* [Grand Rapids: Eerdmans, 2000]). Similarly, the contributors to D. A. Carson et al, eds., *The Complexities of Second Temple Judaism*, while varied in their appraisal of Sanders' vision of covenantal nomism, also see God's covenant as formative for Jewish identity.

¹⁸ Jacob Neusner, *Questions and Answers: Intellectual Foundations of Judaism* (Peabody: Hendrickson, 2005), 5. Alan F. Segal concurs: "There is a consensus of covenantal theology underlying all of first century Judaism" (*Other Judaisms*, 153), as does E. L. Fackenheim: "A Jew is one obligated to the covenant that God made with Israel, a process

The primary focus of inquiry for the present study is the nexus between the aforementioned covenant identity and the written texts of ancient Judaism. Judith Lieu has pointed out that in antiquity texts had the power to shape social identities by creating a sense of cohesion for a people across time and space: "texts [in the world of Mediterranean antiquity], as in any age, construct a sense of 'who we are', even when they seem to be engaged in something quite different."¹⁹ Texts can be disseminated across geographic space and passed down through the generations. In this way they have the power to create what Brian Stock has called "textual communities," that is, communities that are united across space and time through the medium of textuality.²⁰ But textuality also brings along with it the politics of literacy; which texts are used and how they are used are the tools for social identity construction through "othering."²¹ The differing canons as well as the varied authoritative interpretations espoused by each sect in early Judaism are witnesses to the fact that texts create and differentiate social identities.²² In light of these political realities of ancient

that... reached its climax... with the revelation of the Torah at Mount Sinai" (*What is Judaism?*, 47).

¹⁹ Judith M. Lieu, *Christian Identity in the Jewish and Graeco-Roman World* (Oxford: Oxford University Press, 2006), 30. Lieu applies the historical and methodological insights of Averil Cameron (*Christianity and the Rhetoric of Empire: The Development of Christian Discourse* [Berkeley: University of California Press, 1991]), Benedict Anderson (*Imagined Communities: Reflections on the Origin and Spread of Nationalism* [London: Verso, 1991]), and W. A. Graham (*Beyond the Written Word: Oral Aspects of Scripture in the History of Religion* [Cambridge: Cambridge University Press, 1987]) to her analysis of the first two centuries of the Christian movement.

²⁰ Brian Stock, *Listening for the Text: On the Uses of the Past* (Baltimore: Johns Hopkins University Press, 1990), 140-58. The text itself influences the creation of social identity, but only in constant dialog with the community that uses the text, in other words, as a dynamic "fusion" between the horizon of the text and the horizon of the community (cf. Hans-Georg Gadamer, *Truth and Method*, 2nd ed.; trans. Joel Weinsheimer and Donald G. Marshall [London: Continuum, 2004], 299-306).

²¹ Cf. Robin Lane Fox, "Literacy and Power in the Early Christianity," in *Literacy and Power in the Ancient World*, ed. Alan K. Bowman and Greg Woolf (Cambridge: Cambridge University Press, 1994), 126-48; Catherine Hezser, *Jewish Literacy*, 449-95. These scholars, among others, argue that literacy itself is a function of power; those with access to the texts control their dissemination to the illiterate public and hence control the formation of social identity.

²² Cf. Lieu, *Christian Identity*, 28-37, 51-56; Timothy Lim, *The Formation of the Jewish Canon* (New Haven: Yale University Press, 2013), 178-88; on authoritative scriptural

textuality, recent studies have focused on the social diversity and antagonism created by the competing uses of texts in ancient Judaism. However, few studies have pursued the common thread running through almost every one of these ancient Jewish textual communities – the identity-shaping covenant narrative. What the following analysis will demonstrate is that there is a distinct connection between textuality, social identity formation, and the covenant worldview of ancient Judaism. The nexus of these realities is in the public reading of Torah, practiced throughout the Judaisms of ancient Palestine and the Diaspora.

Covenantal Public Reading in the Tanakh

Arguably every instance of the public reading of Torah in the *Tanakh* is saturated with covenantal symbolism. Beginning with the archetypal Siniatic covenant ceremony in Exodus 24:1-11, public reading evinces a covenant-centered identity as the “negotiated construction of meaning,” to borrow Johnson’s phrase.²³ Here the public reading of Torah is the discursive practice that birthed the covenantal, socio-religious identity of ancient Israel.²⁴ This dynamic is furthered and perpetuated in the *Wirkungsgeschichte* of Exodus 24:7 in Deuteronomy 31:9-13. In the Deuteronomic account, the covenantal identity formation of Exodus 24:7 becomes ritualized through the septennial public reading of Torah.²⁵ Significantly, the ensuing Deuteronomistic History is bracketed by public reading, occurring in the covenant ceremonies of Joshua (Josh 8:34-45; 24:25-28) and Josiah (2 Kgs 23:1-3). Finally, near the end of

interpretation and ancient Jewish identity formation see Susan Wendel, *Scriptural Interpretation and Community Self-Definition in Luke-Acts and the Writings of Justin Martyr* (NovTSup 139; Leiden: Brill, 2011), 27-80.

²³ Johnson, *Readers*, 12.

²⁴ This is evidenced by the mention of the “Book of the Covenant” (Exod 24:7; ספר הברית) reading “in the ears of the people” (24:7; באזני העם) the covenantal response (24:7), the twelve pillars (24:4), Moses pouring out the blood of the covenant (24:8), and Moses inscripturating the covenant agreement by writing down the Torah (24:4).

²⁵ The mention of the “the Book of the Torah” (Deut 31:26; ספר התורה), the Ark of the Covenant, and the context of the covenantal blessings and curses further emphasize *covenant* as the social construction of meaning that is present in the Exodus account. In addition, the public reading of Torah is placed within the liturgical context of the year of canceling debts and the feast of booths, and the extent of those who must hear is explicitly delineated as the entire covenant community – men, women, children, and even the sojourner within their towns who presumably enjoys some of the covenant blessings.

certain versions of the Jewish canon,²⁶ Nehemiah 8:1-9:5 depicts a covenantal reading of the Torah that recalls much of the Deuteronomic language used in Deuteronomy 31:9-13 and differentiates Israel's social identity from that of the Gentile "others" threatening their social identity.²⁷ In short, the public readings of Torah found in the *Tanakh* create and reinforce the Israelite covenantal identity narrative that undergirds the coherence of the Jewish Scriptures that would later become canon.

Covenantal Public Reading in Second-Temple and Rabbinic Literature

Some time after the account in Ezra-Nehemiah, in the context of the Ptolemaic royal court, the *Letter of Aristeas* also borrows from the Sinai pattern.²⁸ According to this apocryphal tale, when the Septuagint translation of the Torah is finished in Alexandria, Demetrius, the librarian in Alexandria, gathers together the whole Jewish community in Alexandria and reads to them the new translation.²⁹ The translation of the Torah is described as "holy and originating in God."³⁰ The people, the elders, and the translators all stand after hearing the

²⁶ E.g. the Leningrad Codex (B19a) and Masoretic MSS; even the major Jewish canonical lists that position Chronicles at the end also place Ezra-Nehemiah right before Chronicles (e.g. *m. Yoma* 1.6; *Baba Bathra* 14b), giving Ezra-Nehemiah a hermeneutically significant location in the canon along with Chronicles. That Ezra-Nehemiah draws heavily on the covenant narrative through the public reading of Torah suggests that this theme is important earlier in the canon; on the hermeneutical significance of Ezra-Nehemiah at the end of the canon, see Gregory Goswell, "Having the Last Say: The End of the OT," *JETS* 58.1 (2015): 15-30.

²⁷ The mention of reading the "Book of the Law of Moses" (ספר תורה משה; Neh 8:1; cf. Deut 31:26; Exod 24:7), the corporate response of "Amen" (Neh 8:6; cf. Deut 27:26), and the liturgical context of the Feast of Booths (Neh 8:13-18; cf. Deut 31:10) all strengthen the covenantal and intertextual links between the Nehemiah account and that of Deuteronomy 31.

²⁸ Cf. Timothy Lim, *Formation*, 75-77. Lim builds on the previous work of Harry M. Orlinsky, "Septuagint as Holy Writ and the Philosophy of the Translators," *HUCA* 46 (1975): 94-100. See also A. Paul ("Traductions grecques de la Bible avant la Septante?," in *Mélanges Pierre Lévêque. Religion* 4, ed. M. M. Mactoux and E. Geny Pelletier [Paris: Besançon, 1990], 321-325) who discusses the Sinaitic gift of the Greek Bible. On the dating of the *Letter of Aristeas*, see Benjamin J. Wright III, *The Letter of Aristeas: 'Aristeas to Philocrates' or 'On the Translation of the Law of the Jews'* (CEJL; Berlin: de Gruyter, 2015) 21-29; Uriel Rappaport, "The *Letter of Aristeas* Again," *JSP* 21.3 (2012): 285-303.

²⁹ *Ep. Arist.* 310: καθὼς δὲ ἀνεγνώσθη τὰ τεύχη.

³⁰ *Ep. Arist.* 313: τὸ σεμνὴν εἶναι τὴν νομοθεσίαν καὶ διὰ θεοῦ γεγονένας; cf. *Ep. Arist.* 3, 45, 310.

translated law, and they pronounce an “inscriptional curse” against any who would add to or subtract from the divinely initiated translation:

And when all had voiced their approval of what was said, they commanded them, as it is their custom, to pronounce a curse if anyone should alter it, either by adding to it or changing anything at all, or by taking away from the things that had been written; and well they did so, in order that for all time it may be kept imperishable and remain the same.³¹

This is most likely an allusion to the inscriptional curse in Deuteronomy 4:2. Together with the mention of seventy translators (parallel to the seventy elders in Exodus 24:1), the priests, the assembled community of the Jews, and the ceremonial praxis of accepting the public reading and responding corporately, the inscriptional curse strongly suggests covenantal symbolism alongside the Sinai imagery.³² Even though the term “covenant” (διαθήκη) never appears in the *Letter of Aristeas*, the translation origins of the Septuagintal Torah are depicted as divine and they resemble covenantal imagery.³³ Granted, this is not an explicit reference to covenant praxis in synagogue readings, but we may cautiously infer that the concept of covenant is within the Alexandrian Jewish cognitive environment exhibited in the origins of the Septuagint and its first public reading as depicted in the *Letter of Aristeas*.³⁴

Moving on to Josephus in the first century CE, we find an implicit connection between the public reading of Torah and the covenantal identity of the Jewish people. Scholars rightfully note that the explicit language of covenant is conspicuously absent in the writings of Josephus, even when Josephus deals with the traditionally covenantal narratives of the Patriarchs and the Sinaitic

³¹ *Ep. Arist.* 311; author’s translation.

³² Cf. *Ep. Arist.* 308-11; Josephus recognizes this Sinai imagery in the *Letter of Aristeas* (*Ant.* 12.108-09).

³³ Cf. Van der Horst, “Synagogue,” 16-37, who notes that the Jewish Scriptures are described as holy or divine for the first time in the *Letter of Aristeas* (3; 5; 31; 45).

³⁴ This is particularly relevant in light of the Septuagint’s central role in the social identity formation of Alexandrian Jewry; cf. Ekaterina Matusova, *The Meaning of the Letter of Aristeas: In Light of Biblical Interpretation and Grammatical Tradition, and with Reference to Its Historical Context* (Göttingen: Vandenhoeck & Ruprecht, 2015); E. S. Green, “The Letter of Aristeas and the Cultural Context of the Septuagint,” in *Die Septuaginta – Texte, Kontexte, Lebenswelten: Internationale Fachtagung veranstaltet von Septuaginta Deutsch (LXX.D), Wuppertal 20.-23. Juli 2006*, ed. M. Karrer and W. Kraus (WUNT 219; Tübingen: Mohr Siebeck, 2008), 134-56.

theophany.³⁵ However, even though Josephus may shy away from the lexeme *διαθήκη*, he is not afraid to talk about the unique relationship between God and Israel established through the history of God's saving action for Israel, and a mutual, Torah-centered agreement between these two parties.³⁶ Paul Spilsbury, among others, believes that Josephus forsakes the explicit language of *διαθήκη* in order to distance himself from the defeated, anti-Roman messianic movements of his day. Instead, Spilsbury argues that Josephus translates the concept of Israel's covenant with God into the Roman framework of the patron-client relationship. As such, Israel enjoys this unique relationship with God, and it is ratified and preserved by the observance of Torah.³⁷ With this qualification, we can proceed in our discussion of Josephus' covenantal understanding of public Torah reading.

In his *Jewish Antiquities*, Book 4, Josephus recounts the way in which Moses established the form of government that was to guide ancient Israel. Josephus appeals to the longevity of the *written* text of the Torah that continued to his day, and it is clear that this text stood at the center of Jewish identity. Towards the end of this recounting, Josephus gives his interpretation of the account in Deuteronomy 31:9-13 and its surrounding context. Josephus' paraphrase of Moses' words are worth quoting in full:

And when the multitude has come together in the sacred city for the sacrifices, every seven years, when the season of tabernacles has begun, let the High Priest, as he stands upon a raised platform from which he may be heard, read out loud the laws to all, and let neither woman nor children be prohibited from the hearing, not even the slaves. For it is good for the

³⁵ Cf. Paul Spilsbury, *The Image of the Jew in Flavius Josephus' Paraphrase of the Bible* (TSAJ 69; Tübingen: Mohr-Siebeck, 1998), 70-71; H. W. Attridge, *The Interpretation of Biblical History in the Antiquities Judaicae of Flavius Josephus* (HDR 7; Missoula: Scholars Press, 1976), 78-92.

³⁶ This is seen particularly in Josephus' Deuteronomistic theology (e.g. *Ant.* 1.14; 1.233-35; 3.75-90; 4.177-95; 8.190-208); cf. Paul Spilsbury, *Image*, 74; H. W. Attridge, *Interpretation*, 86-87; B. H. Amaru, "Land Theology in Josephus' *Jewish Antiquities*," *JQR* 71 (1980-81): 201-229; the main differences that Amaru finds between the concepts of covenant in Josephus' *Antiquities* and the Hebrew Bible is that Josephus extricates from the covenant any concept of land inheritance in Canaan, and Josephus likewise distances himself from zealotry or messianism attached to a Jewish concept of covenant.

³⁷ Cf. Paul Spilsbury, "Josephus," in Carson et al, *The Complexities of Second Temple Judaism*, 241-60.

laws, being written on the souls, also to be kept in the memory so that they may never be able to be wiped out. For in this way they will neither sin nor be able to claim ignorance of the things ordained in the laws; and the laws will exercise great authority over sinners, as they foretell to them the things which they will suffer, and will have so written on their souls through the hearing which they command that forever the purpose of the laws will be at heart for them, which, if they neglect, they are guilty and will have been responsible for their own punishment. And also let the children learn the laws early on, most beautiful of teachings and the cause of prosperity.³⁸

Josephus here summarizes many of the themes we have encountered in our prior notation of the covenantal public reading of Torah in Exodus 24, Deuteronomy 31, the Deuteronomistic History, and Ezra-Nehemiah. Josephus includes the details of Deuteronomy 31:9-13, namely, that reading is supposed to take place every seven years, during the Feast of Tabernacles, and the whole covenant community — including men, women and children — is supposed to hear. Furthermore, this practice is to be for the ongoing generations of Jews and their children. Interestingly, Josephus adds the detail that the High Priest is to read from a raised platform (ἐπὶ βήματος ὑψηλοῦ σταθεῖς), probably connecting the command from Moses to the practice that goes back to Ezra's public reading (LXX Neh 8:4, ἐπὶ βήματος ξυλίνου). Most important to our present analysis, Josephus explicitly states the illocution and the perlocution of the public reading: 1) to engrave the laws on the hearts of Israel and to preserve it in their memories, 2) to keep Israel from sin, and 3) to remind Israel of the covenantal blessings and curses. Josephus is not merely recounting Israelite history as a pleasant tale, but with the apologetic thrust present in most of his works, Josephus retells the past for the sake of defining and defending Jewish identity in his present day.³⁹ For Josephus, then, the archetypal public reading of the law has an implicit covenantal illocution and it is deeply important for the preservation of Jewish identity. This will become even more clear in our

³⁸ *Ant.* 4.209-211; author's translation.

³⁹ Cf. Tessa Rajak, *Josephus: The Historian and his Society* (Philadelphia: Fortress, 1984), 174-84; John M. G. Barclay, *Jews in the Mediterranean Diaspora from Alexander to Trajan (323 BCE—117 CE)* (Edinburgh: T & T Clark, 1996), 351-6; Paul Spilsbury, "Josephus," 245-47; *idem*, *Image*, 14-22; Gregory Sterling, *Historiography and Self-Definition: Josephus, Luke-Acts and Apologetic Historiography* (NovTSup 64; Leiden: Brill, 1992).

subsequent analysis of Josephus' description of the synagogue practice of his own day.

Our study so far has demonstrated the clear covenantal dimensions of public Torah reading in the Hebrew Scriptures and in the reception of these accounts in early Judaism. But can a direct link be drawn between the covenantal accounts given in the Hebrew Scriptures and the actual historical practice of public Torah reading in the Jewish Synagogues of the first two centuries CE?⁴⁰ In the writings of Josephus, it appears that such a connection is indeed present. In his apologetic work *Against Apion*, Josephus defends the Torah of Moses as a superior legal system to those of the Greco-Roman world (e.g. those of Pythagoras, Anaxagoras, Plato, and Stoic philosophers). It is clear that in defending the Mosaic Torah, Josephus is defending arguably the most important symbol for the Jewish social identity of his day. Josephus is constructing a classic case of "othering" and differentiation when he regularly refers to "our laws" and "our customs" as distinguishing identity markers. Furthermore Josephus construes the past in relation to the present, arguing that Moses, through giving the law, "brought forth in [Jewish] posterity, for all time, this faith in God, such that it would be immovable."⁴¹ Shortly thereafter, Josephus locates the continuation of this Torah-centered identity in the weekly practice of reading the Torah on the Sabbath, claiming that Moses himself instituted this practice:

For [Moses] did not leave any excuse for ignorance, but he designated the law to be the most beautiful and indispensable education, not that it should be listened to once for all, or even twice, or multiple times, but he commanded that each week men come together, leaving their other works to listen to the

⁴⁰ Lee Levine ("The Nature and Origin of the Palestinian Synagogue Reconsidered," *JBL* 115 [1996]: 425-48), Binder (*Into the Temple Courts*, 399-404), and most thoroughly Runneson (*Origins of the Synagogue*, 237-395), argue that early Jewish public reading practices in the synagogue have Ezra's reading as their forerunner; cf. O. Wahl, "Grundelemente eines festlichen Wortgottesdienstes nach Neh 8:1-12," in *Die Freude an Gott – unsere Kraft*, ed. J. J. Degenhardt (Stuttgart: Katholisches Bibelwerk, 1991), 47-59; G. J. Venema (*Reading Scripture in the Old Testament: Deuteronomy 9-10; 31 – 2 Kings 22-23 – Jeremiah 36 – Nehemiah 8* [Leiden: Brill, 2004], 169-70) on the other hand, argues that we cannot draw a direct line between the events described in Ezra-Nehemiah and early Jewish synagogue practice. Similarly, Schiffman ("Early History," 38-49) maintains that the readings of the Jewish *Hakhel* ceremony and the readings of Ezra are of different types.

⁴¹ *Apion* 2.169; author's translation.

law, and this in order to learn it thoroughly by heart, something which all other lawgivers seem to have abandoned.⁴²

Public reading of Torah, in distinction from the Gentile world, is arguably the practice of social identity formation for the Jews as Josephus describes them.

Likewise, in *Antiquities* 16.43-44 Josephus portrays Nicolaus, a Jew from Damascus making an *apologia* before Agrippa and Herod. In his defense for the national identity of the Jewish people, Nicolaus appeals to the public reading of Torah as a central identity marker:

And on the seventh of days we cease [from work] for the purpose of learning our own customs and law, considering them to be worthy of attention, just as any other [important] thing, in order that we might not sin. If anyone therefore should examine carefully the customs of ours, [he will find them to be] both good in themselves and ancient, even if it does not appear so to some. And so, for those who have received them, it is difficult to unlearn them, because of the value of the time they have kept them religiously.⁴³

The practice of studying Torah on the Sabbath described by Josephus in the mouth of Nicolaus in *Antiquities* 16.43-44, and the practice of the public reading of Torah on the Sabbath given by Moses in *Against Apion* 2.175 serve the same exact purpose as the septennial public readings of Torah that Josephus describes in covenantal terms in *Antiquities* 4.209-11. They preserve the Jews' allegiance to Torah, they keep the Jewish people from falling into sin, and they perpetuate the ancient identity of the Jewish people shaped by the Torah given by God through Moses.

Even though Josephus does not use the lexeme *διαθήκη* to describe the significance of Jewish Torah reading, the concept of this unique, Torah-centered relationship between God and Israel and the identity that is derived from this relationship are sufficiently clear. These are both expressed in the praxis of public Torah reading, as Joseph describes it. It is quite likely, then, that in Josephus' day, the weekly public reading of Torah in the synagogue served the same covenantal function as the public readings described in the Hebrew Scriptures.

⁴² *Apion* 2.175; author's translation.

⁴³ *Ant.* 16.43-44; author's translation.

In first-century Alexandria, we encounter a similar dynamic in the public reading of Scripture as Philo describes it. Granted, the lexeme *διαθήκη* is not regularly used by Philo, and when Philo does use this lexeme, he applies a distinctly platonic, allegorical meaning to it.⁴⁴ However, Philo's description of the synagogue practice suggests in several ways that it served a similar identity-forming function as what we have already encountered.⁴⁵ For Philo, the public reading of Torah was not only an intellectual or philosophical exercise — though it certainly served both of these purposes.⁴⁶ Rather, it was a deeply religious and liturgical practice, as is evidenced by Philo's description of the Sabbath practices as "sacred" (*ταῖς ἱεραῖς ἑβδομαῖς*),⁴⁷ the synagogues as "houses of prayer" (*προσευκτήρια*),⁴⁸ and the public reading as "reading the sacred books" (*τὰς ἱερας βιβλίους ἀναγινωσκοντες*).⁴⁹

As noted above, Philo is more preoccupied with Hellenizing Torah than with the covenant. But even so, Philo leaves a few clues that indicate that the covenant was not too far from his understanding of the public reading of Torah in the synagogue. Like Josephus, Philo describes this particular practice in a defense that he gives for the Jews in *Hypothetica* 7.9-14. Typical to the Jewish apologetic tradition, Philo points to the Torah as the key identity marker, and he argues that the most commendable aspects of Jewish identity lie in its adherence to Torah. Philo describes Torah as the Jews' "ancestral laws and customs" (*τῶν πατρῶν νόμων καὶ ἐθῶν*),⁵⁰ indicating that the Torah is largely what defined the

⁴⁴ Cf. Lester Grabbe, "Did All Jews Think Alike?," 251-66; M. Vogel, *Das Heil des Bundes*, 210-19; David M. Hay, "Philo of Alexandria," 369-73.

⁴⁵ On Philo's view of textuality shaping Jewish identity, see Maren Niehoff, *Philo on Jewish Identity and Culture* (TSAJ 86; Tübingen: Mohr Siebeck, 2001), 187-209.

⁴⁶ By stressing that the public reading of Torah was for cultivating the "ancestral philosophy" (*τὴν πάτριον φιλοσοφίαν*), and by arguing that it was for the advancement of virtue (*καὶ ἀνδρείας καὶ σωφροσύνης καὶ δικαιοσύνης εὐσεβείας τε καὶ δσιότητος καὶ συμπάσης ἀρετῆς*), Philo translates a distinctly Jewish practice into a solidly Hellenistic framework (*Vit. Mos.* 2.216); cf. Schiffman, "Early History," 54; J. Leonhardt, *Jewish Worship in Philo of Alexandria* (TSAJ 84; Tübingen: Mohr Siebeck, 2001). But, as we shall see below, there is more at hand here in terms of socio-religious identity formation.

⁴⁷ *Leg. Gai.* 156; cf. *ἀμείνους* in *Spec. Leg.* 2.62.

⁴⁸ *Vit. Mos.* 2.216; cf. *προσευχάς* in *Leg. Gai.* 156.

⁴⁹ *Somn.* 2.127; cf. *Spec. Leg.* 2.62; *Somn.* 2.127; *Leg. Gai.* 156; *Omn. Prob. Lib.* 81-82; *Vit. Mos.* 2.211, 2.216; cf. Catto, *First-Century Synagogue*, 118-23.

⁵⁰ *Hypoth.* 7.11.

Jews as a people.⁵¹ Interestingly, Philo also describes Torah in the context of the covenantal blessings and curses of Deuteronomy 28-30:

These [commands] are greater and more worthy of special respect... Perhaps you might say that these [details] are of no value; but yet the law [which deals] with these things is great and is deserving of all careful attention, and the previous declarations are of great importance, and so are the curses which lead to utter ruin [for all those who do not keep the law]; and God himself is the one who sees with careful scrutiny over such matters, and he is a punisher in every place and in every way.⁵²

Here Philo refers to *αἱ προρρήσεις καὶ ἀραὶ κατὰ τε ἐξωλείας* — the curses that will come upon the violators of the Torah. While these are not terms used in the Septuagint, Philo uses these Hellenistic terms to depict the covenantal framework that encompasses the entire Torah, even the laws that his interlocutors might see as mundane.

In his defense of the Jewish people, Philo claims that all Jews possess a keen knowledge of the Torah, from the men all the way down to children and servants:

But any of the ones you may [disparagingly] question about the ancestral customs are ready and willing to answer; and the husband seems to be a father to his children and a master to his wife and servants, trustworthy to pass down the laws [to them].⁵³

What was the social praxis by which the Jewry of Philo's context solidified this Torah-centered identity? Philo describes:

[The lawgiver] deemed it good for them to gather together in the same place on these seventh days and, sitting with one another in a respectful and honorable manner, to listen to the laws so that no one should be ignorant of them. And indeed they gather together always and sit with one another, many of them in silence, except when it is an acceptable practice to voice agreement about something when [the laws] are read; and one of the priests who is present, or one of the elders,

⁵¹ See also Philo's mention of *τὴν πατριον φιλοσοφίαν* (*Leg. Gai.* 156; cf. *Vit. Mos.* 2.216).

⁵² *Hypoth.* 7.9; author's translation.

⁵³ *Hypoth.* 7.14; author's translation.

reads the sacred laws to them and interprets each [point] until it is nearly late afternoon; and then they depart, having expertise in the sacred laws and having grown much in piety.⁵⁴

Here Philo explains the historical origins and socio-religious function of the Sabbath-day public reading of Torah with which every Jew of his day was familiar. In Philo's understanding, the main purpose of this practice was "to have expertise in the ancestral laws and customs" (καὶ τῶν πατρίων νόμων καὶ ἐθῶν ἐμπείρως ἔχειν),⁵⁵ to gain "expertise in the sacred laws" and to grow "much in piety" (τῶν νόμων τῶν ἱερῶν ἐμπείρως ἔχοντες καὶ πολὺ δὴ πρὸς εὐσέβειαν ἐπιδεδωκότες).⁵⁶ Simply put, for Philo, the public reading of the Torah was the practice that confirmed and strengthened the Torah-centered identity of the Jews of his day,⁵⁷ and based on Philo's description of the Torah in terms of the warnings and curses that accompanied it, the public reading of Torah was not too far removed from the covenantal framework of its inception.

From the same period there is inscriptional evidence from the remains of a synagogue in Jerusalem, known as the "Theodotus Inscription."⁵⁸ This inscription tells of Theodotus, who comes from a long line of synagogue leaders, building a synagogue for "the reading of the Torah and the studying of the commandments" (ΕΙΣ ΑΝ[ΑΓ]ΝΩΣ[Ι]Ν ΝΟΜΟΥ ΚΑΙ ΕΙΣ [Δ]ΙΔΑΧΗΝ ΕΝΤΟΛΩΝ). The inscription does not explicitly say that the public reading of Torah rehearses a covenantal identity, but in sacred Jewish literature, the collocation of several of the lexemes used in the inscription can evoke a covenantal dimension.

⁵⁴ *Hypoth.* 7.12-13; author's translation.

⁵⁵ *Hypoth.* 7.11; author's translation.

⁵⁶ *Hypoth.* 7.13; author's translation.

⁵⁷ This is also evident in Philo's preservation of an outsider's criticism of the Jewish practice of public Torah reading in *Somn.* 2.127.

⁵⁸ For a description and dating of this inscription, see John Kloppenborg, "Dating Theodotus (CIJ II 1404)" *JSJ* 51.2 (2000): 243-80; Steven Fine, *This Holy Place: On the Sanctity of the Synagogue during the Roman Period* (Chicago: University of Notre Dame Press, 1997), 30; Anders Runneson, Donald D. Binder, and Birger Olsson eds., *The Ancient Synagogue from Its Origins to 200 C.E.: A Source Book* (Leiden: Brill, 2008), 52-54.

In the LXX the lexeme διδασχὴ only appears once, but its verbal cognate διδάσκω appears six times in syntagmatic relation with the noun ἐντολή.⁵⁹ Four of these instances are explicitly covenantal.⁶⁰ Deuteronomy 5:31 and 6:1 stand at convergence between the Deuteronomic Decalogue and the covenantal creed of Israel — the *Shema*’ (6:4-9). In this context “teaching Torah” is a covenantal imperative. Sirach 45:5 directly connects Moses’ giving of the law to the “teaching of the covenants” to Jacob’s descendents, and Sirach 45:17 reiterates this theme. In fact, these verses fall within the larger context of Sirach 44-50, which is largely a recollection of the covenantal history of Israel. 1 Esdras 8:7 is part of the Septuagintal account of the ministry of Ezra, which as we saw above, was a ministry of bringing Israel back into her covenantal relationship with Yahweh. Similarly, all but one of the Septuagintal collocations of the noun νόμος with the verb ἀναγινώσκω or its cognate noun ἀνάγνωσις are located in the covenantal reading passages noted above.⁶¹ In short, the Greek inscription made for the historical figure Theodotus, read in the context of the Greek Jewish Scriptures, is potentially covenantal. Of course, this cannot prove anything about the inscription in question, but it does leave open the possibility that the synagogue it mentions inhabited a covenantal framework in its reading practices.

We may gather further information about synagogue Torah reading in our period of inquiry (200 BCE to 200 CE) based on the witness of the *Mishnah*.⁶² The practices described in the *Mishnah* represent a legitimate *Wirkungsgeschichte* of the Hebrew Scriptures we have noted above. If, as we have argued above, there is a covenantal dimension to the public reading of Torah in the Hebrew Scriptures and in their early reception in ancient Judaism, then we

⁵⁹ Deut 5:31; 6:1; Psa 118:66; 1 Esdras 8:7; Sir 45:5, 17. Granted, the noun διδασχὴ does not necessarily carry the same semantic range as its verbal cognate purely on the basis of etymology. However, the lexical data for the noun διδασχὴ clearly shows that it covers much of the same semantic range, such that it is indeed conceptually parallel to its cognate verb.

⁶⁰ The possible exceptions are LXX Psalm 118:66 and 1 Esdras 8:7. The close relationship between the verb ἀναγινώσκω and its cognate noun ἀνάγνωσις is similar to our above discussion on the relationship between διδάσκω and διδασχὴ.

⁶¹ LXX Deut 31:11; Josh 8:34; 4 Kgdms 22:8; 1 Esd 9:41, 48; Neh 8:3, 8, 18; 9:3; Amos 4:5; cf. Sir 1:1. However, it can be argued that Amos 4:5 also has a covenantal framework as a prophetic covenantal indictment against Israel.

⁶² The oral traditions preserved in the *Mishnah* fall well within the second half of our period of inquiry, if not earlier; cf. Jacob Neusner, *Judaism: The Evidence of the Mishnah*, esp. 14-23.

should expect to see this theme developed in early Rabbinic Judaism. In fact, we do find such a development. Now, it is important to note that the references to public Torah reading in the *Mishnah* do not all refer to the same ceremony. There are septennial readings (*m. Sotah* 7.8), festal readings (*m. Yoma* 7.1-2; *m. Meg.* 3.4-5), *Maamad* readings (*m. Taan.* 4.2),⁶³ Sabbath morning readings and afternoon readings (*m. Meg.* 4.1), and weekday readings (*m. Meg.* 4.1). Also, there are public readings of the prophets (*m. Meg.* 4.3-5), and public readings of the Esther scroll (*m. Meg.* 4.1). The area of concern for our present study is how the Torah readings — in their various ceremonial contexts — indeed exhibit covenantal symbolism.

First of all, in the *Mishnah*, the liturgical reading of Torah is often accompanied by benedictions.⁶⁴ *m. Yoma* 7.1 tells of the High Priest, after reading the Torah in the synagogue liturgy, pronouncing eight benedictions: for the Torah, the Temple service, the thanksgiving, the forgiveness of sin, the Temple, the Israelites, the priests, and a general prayer. These benedictions reached their codified liturgical form in the early medieval *Amidah*, also known as the "eighteen benedictions." Ruth Langer and Michael Graves have both argued that these benedictions shaped the synagogue liturgy into a "reenactment of Sinai."⁶⁵ As we observed in our above exegesis of Exodus 24:1-11, the first giving of the Torah on Sinai was explicitly covenantal. Attempts to reenact Sinai through the reading of Torah — as we have seen in Deuteronomy 31 and Nehemiah 8 — are also covenantal in nature. Furthermore, the tradition of liturgical benedictions, probably originating in the second Temple period, is in

⁶³ According to the *Mishnah*, *Maamad* readings were weekday readings that took place in twenty-four geographical regions (cf. *Bikkurim* 3.2) during the time when the Temple was still standing (*Taanath* 4.1-5). These readings did not occur more than a few times year (*Meg.* 3.4, 6). They were similar in form to Sabbath synagogue readings and Temple readings but were nonetheless a different liturgical practice; cf. Roger T. Beckwith, *Calendar and Chronology, Jewish and Christian: Biblical, Intertestamental and Patristic Studies* (Leiden: Brill, 2001), 44-45; Reif, *Judaism and Hebrew Prayer*, 58-75.

⁶⁴ *m. Meg.* 4.1-5; *m. Yoma* 7.1, 7.8; cf. *m. Ber.* 9.5.

⁶⁵ Langer, "Reenactment of Sinai," 43-67, and Graves, "Public Reading," 467-87. To their arguments I would also add that the theophanic language in *m. Abot* 3.6, which connects the Shekinah presence with the reading of the Torah, also strikes of Sinaitic imagery: "If ten men sit together and occupy themselves in the Torah, the Divine Presence rests among them."

many respects covenantal.⁶⁶ As such, the reenactment of Sinai through the reciting of benedictions forms an implicit covenantal texture to the Rabbinic account of public Torah reading in the synagogue.

Second, the *Mishnah* also frequently positions the reciting of the *Shema*' in close conjunction with the public reading of Torah: "He that gives the concluding reading from the Prophets recites also the *Shema*' with its Benedictions; and he goes before the Ark, and he lifts up his hands."⁶⁷ The reading of the prophets here follows the reading of Torah, and the whole ceremony is concluded by the reader reciting the *Shema*'. The *Shema*' is well known for its centrality in early Judaism as a kind of covenantal creed.⁶⁸ The fact that it appears at the end of the public Torah-reading ceremony reflects a covenantal illocution in the ceremony. Third, in one particular instance, the *Mishnah* cautions that when the reader reads the (covenantal) blessings and curses, he must do so clearly and without any breaks: "they make no break in the reading of the curses, but the one reader reads them all" (*m. Meg.* 3.6). The mention of proper, unbroken reading is probably to emphasize the severity of

⁶⁶ On the origins of the Jewish liturgical benedictions, see David Instone-Brewer, "The Eighteen Benedictions and the *Minim* before 70 CE," *JTS* 54 (2003): 25-44. Proto-fragments from the eighteen benedictions can be found in Sir 36:1-17, 2 Macc 1:24-29, 11QPsa 19:1-18, and the apocryphal Psalm 155. We might also mention that the benedictions for the forgiveness of sins (mentioned in *m. Yoma* 7.1), when compared to Jewish corporate petitions for forgiveness (e.g. Dan 9:1-19; Ezra 9:6-15; Neh 9:1-38; Sir 36:1-17; Pr Azar 1:4-19; *Jub* 1:4-25; 4Q393; 1QS 1:8-2:4; *Bar* 1:15-3:8; *Prayer of Manasseh*), is covenantal.

⁶⁷ *m. Meg.* 4.5.

⁶⁸ The *Mishnah* refers to reciting the *Shema*' as "taking on the yoke of the kingdom" (*m. Ber.* 2.2). Moshe Weinfield has found parallels to the concept of the yoke of the kingdom in ancient Mesopotamian Suzerain ceremonies (Weinfield, *Deuteronomy*, 352-54). Against the Deuteronomic background, the Rabbinic understanding of the *Shema*' as the yoke of the kingdom is surely a liturgical pledge of exclusive covenantal allegiance to the Suzerain Lord (Yahweh); cf. Daniel Block, "How Many Is God? An Investigation into the Meaning of Deuteronomy 6:4-5," *JETS* 47.2 (2004): 193-212; R. W. L. Moberly, "Yahweh Is One: The Translation of the Shema," in *Studies in the Pentateuch*, ed. J. A. Emerton (VTSup 41; Leiden: Brill, 1990), 209-15; Susan Ackerman, "The Personal and the Political: Covenantal and Affectionate Love (*'āhēb*, *'āhābā*) in the Hebrew Bible," *VT* 52 (2002): 437-58.

the covenantal curses that are read.⁶⁹ These blessings and curses are read on the liturgical days of fasting, perhaps signifying corporate repentance with respect to the covenant.⁷⁰

Fourth, the *Mishnah* closely relates the synagogue liturgy to the liturgical fasts and feasts of Israelite antiquity.⁷¹ In Deuteronomy 31 and Nehemiah 8, the function of feasts and fasts, in conjunction with the public reading of Torah, is to remind Israel of Yahweh's covenant with her and to call Israel back to repentance and proper covenant keeping. Also, scholars have noticed that the ancient Jewish feasts served identity-preserving and nationalistic purposes that were sourced in the covenant.⁷² The juxtaposition of Torah reading with each one of these major Jewish feasts and with the year of canceling debts suggests that, even if not explicitly stated, the public reading of Torah in Rabbinic Judaism is rich with covenantal symbolism.

Finally, another possibly covenantal detail given in *Megillah* 4 is that the readers who read the Torah must not take from it or add to it. If this is an allusion to the inscriptional curse in Deuteronomy 4:2, then this is further evidence of the covenantal function of public Torah reading.⁷³ Based on the

⁶⁹ Certain Qumran documents (4Q266, 5.2; cf. 1QS 7.1) also mention the importance of reading without stuttering or breaking in speech. Elsewhere in the *Mishnah* blessings and curses are directly related to the covenant renewal ceremonies of Deuteronomy 27:1-26 and Joshua 8:30-35 (e.g. *m. Sotah* 7.5); cf. Mayer I. Gruber, "Rewritten Deuteronomy in 1QS and *m. Sotah* 7:5," in *Mishnah Todah: Studies in Deuteronomy and Its Cultural Environment in Honor of Jeffrey H. Tigay*, ed. N. S. Fox, David A. Glatt-Gilad, and Michael J. Williams (Winona Lake: Eisenbrauns, 2009), 139-56.

⁷⁰ Cf. Dan 9:3-5; Neh 9:1-3.

⁷¹ Cf. *m. Meg.* 3.5 which coordinates the reading of Torah to the Passover, Pentecost, Rosh Hashanah, Yom Kippur, and Tabernacles.

⁷² Cf. Gerry Wheaton, *The Role of Jewish Feasts in John's Gospel* (SNTSMS 162; Cambridge: Cambridge University Press, 2015), 83-126; John C. Endres, "Theology of Worship in Chronicles," in *The Chronicler as Theologian: Essays in Honor of Ralph W. Klein*, ed. M. Patrick Graham, Steven L. McKenzie, and Garry N. Knoppers (JSOTSup 371; London: T & T Clark, 2003), 181-86; R. B. Dillard, *2 Chronicles* (WBC 15; Nashville: Word, 1987), 274, 282; Simon J. De Vries, *1&2 Chronicles* (Grand Rapids: Eerdmans, 1989), 411; cf. Num 9:13; 2 Kgs 23:21-25; 2 Chron 30:1-9; 34-35; Ezra 6:19-22; Neh 8:13-17; *Jubilees* 49; Josephus, *Ant.* 9.264-74; 10.47-73.

⁷³ On the covenantal dynamics of the inscriptional curse, see Jan Assman, "Inscriptional Violence and the Art of Cursing: A Study of Performative Writing," *Stanford Literature Review* 8 (1992): 43-65 (47-51).

evidence garnered thus far from the *Mishnah*, we may at least cautiously infer that early Rabbinic Judaism envisaged public Torah reading as a covenantal act.

Covenantal Public Reading in Qumran and Paul

Thus far we have dealt particularly with the practices of “non-sectarian” Judaism in Palestine and Alexandria from roughly 200 BCE to about 200 CE. If we extend our analysis to the writings of Qumran and of the Apostle Paul — both of which, at least in some respects, may be regarded as sectarian in tendency — we find the same covenantal theme present in the public reading of Torah.⁷⁴ The multifaceted community at Qumran was deeply covenantal in its social identity.⁷⁵ This theme runs throughout the various strata of tradition and group identities present in the Qumran documents.⁷⁶ This surely factored into its

⁷⁴ In stating that the Qumran texts exhibit sectarian tendencies, I do not intend to imply that the Qumran movement comprised one, unified community that remained consistently detached from the rest of Jewish society, nor do I imply that the Qumran documents reside on the periphery of “mainstream” Judaism as a kind of outlier; cf. the cautions by John J. Collins (*Beyond the Qumran Community: The Sectarian Movement of the Dead Sea Scrolls* [Grand Rapids: Eerdmans, 2010], esp. 10), and Charlotte Hempel (*The Qumran Rule Texts in Context* [TSAJ 154; Tübingen: Mohr-Siebeck, 2013], esp. 1-3, 25-46, 79-108). Similar qualifications apply to my characterization of Paul and the Jesus movement he promoted (on which, see below).

⁷⁵ In counterpoint with the cautions by Collins and Hempel, Alison Schofield (“The Embodied Desert and Other Sectarian Spaces in the Dead Sea Scrolls,” in *Constructions of Space IV: Further Developments in Examining Ancient Israel’s Social Space*, ed. M. K. George [London: Bloomsbury, 2013], 155-74) can still speak of the Qumranic *Yahad* as a “collective body” that created and inhabited its own physical and ideological space. Similarly, Florentino García Martínez (¿Sectario, no-sectario, o qué? Problemas de una taxonomía correctos de los textos qumránicos,” *RQ* 23 (2008): 383-94) finds it helpful to speak of “el grupo qumránico” because of the common threads running through the Qumranic documents despite their variegation. Lawrence Schiffman (*Qumran and Jerusalem: Studies in the Dead Sea Scrolls and the History of Judaism* [Grand Rapids: Eerdmans, 2010], 235-55) identifies one of these common threads as the sharp consciousness of covenantal allegiance to Yahweh present throughout the Qumranic documents. Because the urgency of covenantal responsibility runs throughout the various threads of tradition in the Qumranic corpus, the covenantal perlocutions of the public reading of Torah in 1QSa are quite likely to reflect the ethos of the communities represented across the Qumranic corpus (see below).

⁷⁶ The covenant determines the particular group identity (1QS 1.8; 3.1-12; 4.22; 5.5-6; 6.19; 8.16-17; 11Q13 2.24), entrance into the group (1QS 2.26-27; 5.8-10, 20; 6.15; 1QSa 1.2-3; cf. CD 2.2), as well as defining who is outside of the group (4Q280; 1QS 5.10-13,

practice of public Torah reading. This is especially pronounced in the *Rule of the Congregation* (1QSa):

And this (is) the rule for all (in) the Congregation of Israel in the end of days: When they gather [as a Community to wa]lk continuously according to the judgment of the Sons of Zadok, the priests, and the men of their covenant who have tu[r]ned away from walking in the] way of the people. These are the men of his (God's) counsel who have kept his covenant amidst evil to ato[ne for the lan]d. When they come, they shall assemble all those who enter, (including) children along with women; and they shall read in [their] h[earing] [al]l the statutes of the covenant, and instruct them in all [th]eir judg[ments] lest they err g[reatly].⁷⁷

This description of the congregation clearly differentiates between the true covenant community at Qumran (המה אנושי עצתו אשר שמרו ברתו) and the "other" (העם). The line between the members of the community and the "other" is the faithful keeping of the covenant. The public reading of Scripture here is labeled as reading "all the statutes of the covenant"⁷⁸ and its *raison d'être* is to keep the community faithful to the covenant. The phraseology of reading "in their hearing"⁷⁹ is reminiscent of the Deuteronomic account, as is the inclusion of women and children in the public reading (cf. Deut 31:11-12). Given the ubiquity of Deuteronomic influence in the Qumran corpus, it is quite probable that the *Rule of the Congregation* employs the Deuteronomic covenantal model of Torah reading in this description. This is probably the most explicit description of public Torah reading as a covenantal act within first-century

18-19; 1QM 1.2; 4Q171 1-10); the particular group's experience of the covenant is seen in direct continuity with the covenantal history of Israel (1Q22; 1QM 10.10; 13.7; 14.4, 8-10; cf. CD 5.12); cf. Schiffman, *Qumran and Jerusalem*, 235-55. The various sections mentioned here from the *Rule of the Congregation* (1QSa), the *Rule of the Community* (1QS), the *Damascus Document* (CD), the *War Scroll* (1QM), and the *Melchizedek Scroll* (11Q13) most likely represent several strata of tradition and distinct yet overlapping group identities (cf. Hempel, *Qumran Rule*, 1-3, 25-46).

⁷⁷ 1QSa 1.1-5; trans. James H. Charlesworth (*The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Vol. 1: Rule of the Community and Related Documents* [Tübingen: J. C. B. Mohr, 1994], 111).

⁷⁸ Heb: כול חוקי הברית

⁷⁹ Heb: בקראו באוזניהם; the Hebrew here is fragmentary, but Charlesworth's reconstruction is very likely (*Dead Sea Scrolls*, 111).

Judaisms.⁸⁰ Although it comes from an outlying sect, it is still telling that the public reading of Torah as a covenantal act remains common even across the various sects of ancient Judaism.

Another first-century Jewish source resembling sectarian tendencies is the Apostle Paul.⁸¹ It is hotly debated how Paul self-identified, and whether he placed himself within Judaism, separated himself completely from Judaism, or saw his ministry as the Messianic *telos* of the Judaic covenants.⁸² Whatever the case may be, Paul's account of the Jewish practice of Torah reading sheds important light into the practice and further corroborates our covenantal hypothesis. Defending himself as a minister of the new covenant, Paul describes Jewish reading practices in terms of the old covenant:

But their minds were petrified, for to this day the same veil remains unlifted at the reading of the old covenant (ἐπὶ τῆ ἀναγνώσει τῆς παλαιᾶς διαθήκης), because only in Christ is the veil

⁸⁰ See also 1QS 5.20-23 and 1QS 6.7-8; Marcus Tso (“The Giving of the Torah at Sinai and the Ethics of the Qumran Community,” in George J. Brooke et al, *The Significance of Sinai*, 117-128) draws a clear connection between the Sinai event and the formation of the Qumran communal identity. Though he does not develop the connection further, our analysis suggests that the public reading of Torah, as a reenactment of Sinai, was directly related to the Sinaitic-covenantal identity in Qumran.

⁸¹ This is not to say that Paul necessarily intended the Jesus movement to function in complete separation from the Jewish community — a discussion outside the scope of the present article. However, it is worth noting that both an etic sectarian designation and a Jewish self-identification are in the background of Luke's depiction of Paul in Acts 24:11-21; for a well-argued case for the general reliability of Luke's depiction of Paul, see Stanley Porter, *Paul in Acts* (Grand Rapids: Baker, 2010); on the sectarian Jewish character of the early Jesus movement, see the recently updated work by Shaye D. Cohen, *From the Maccabees to the Mishnah*, 3rd ed. (Louisville: Westminster John Knox, 2014), 123-41, 165-66.

⁸² Paul's relationships to Judaism is seen quite differently by the current schools of thought in Pauline studies — the “apocalyptic” Paul (e.g. Douglas Campbell, *The Deliverance of God: An Apocalyptic Rereading of Justification in Paul* [Grand Rapids: Eerdmans, 2009]), the New Perspective on Paul (e.g. N. T. Wright, *Paul and the Faithfulness of God*), the Radical New Perspective (e.g. Mark Nanos and Magnus Zetterholm, eds., *Paul within Judaism: Restoring the First-Century Context to the Apostle* [Minneapolis: Fortress, 2015]), and the traditional Reformed perspective (e.g. Stephen Westerholm, *Perspectives Old and New on Paul: The “Lutheran” Paul and His Critics* [Grand Rapids: Eerdmans, 2004]). The nuances in each view are not germane to our current discussion.

nullified. But to this day, whenever Moses is read (*ὅτινα ἄν ἀναγινώσκηται Μωϋσῆς*) a veil lies over their heart.⁸³

The scholarly consensus has been that in 2 Corinthians 3:6-18 the Apostle Paul is establishing a dichotomy between the textual old covenant and the oral, Spirit-driven new covenant.⁸⁴ Michael Kruger has recently challenged this view, arguing that Paul and many other early Christians saw the new covenant as necessitating new covenant scriptures.⁸⁵ Germane to our discussion is the fact that Paul saw the old covenant as irreducibly *textual*, so much so, that he referred to the practice of the public reading of Torah as the reading of the *old covenant* (*τῆ ἀναγνώσει τῆς παλαιᾶς διαθήκης*). Even as an arguably "anomalous" first-century Jew,⁸⁶ Paul still understands the basic tenets of Judaism, and his description of public Torah reading further confirms our hypothesis that ancient Jews saw the public reading of Torah as a covenantal act.⁸⁷

Conclusion

Our survey of the history of public Torah reading in the Hebrew Scriptures and in subsequent Jewish tradition has yielded a sharply covenantal framework

⁸³ 2 Cor 3:14-15; author's translation; cf. Acts 15:21.

⁸⁴ Cf. Werner Kelber, *The Oral and the Written Gospel: The Hermeneutics of Speaking and Writing in the Synoptic Tradition, Mark, Paul, and Q* (Philadelphia: Fortress, 1983), 155-59; James Barr, *Holy Scripture: Canon, Authority and Criticism* (Philadelphia: Westminster, 1983), 21; Robert P. Carroll, "Inscribing the Covenant: Writing and the Written in Jeremiah," in *Understanding Poets and Prophets: Essays in Honour of George Wishart Anderson*, ed. Graeme Auld (Sheffield: Sheffield Academic Press, 1993), 61-76.

⁸⁵ Michael Kruger, *The Question of Canon: Challenging the Status Quo in the New Testament Debate* (Downers Grove: Intervarsity, 2013), 57-67.

⁸⁶ I borrow this phrase from Michael F. Bird, *An Anomalous Jew: Paul among Jews, Greeks, and Romans* (Grand Rapids: Eerdmans, 2016).

⁸⁷ The Lukan accounts of Jewish public reading in Acts 13:15 and Luke 4:16-18 do not contribute any *prima facie* support to our hypothesis. Interestingly, however, Paul's midrashic exposition that follows the public reading in the synagogue at Pisidian Antioch is a rehearsal of Israelite covenantal history, and Paul seems to indicate that Jewish public reading failed in its purpose to point to the Christological fulfillment of this history (13:27). Likewise, Luke's depiction of Jesus' public reading in the Galilean synagogue in Luke 4:16-18 follows in the narrative sweep of Jesus' birth, baptism, and temptation as recapitulating the covenantal trajectory and fulfilling the covenantal hopes of Israelite history (e.g. 1:72-73; 2:25-32; 3:23-38; 4:1-13). Luke is portraying this narrative as literally fulfilling the synagogue reading (4:21). These are at best suggestive resonances with our hypothesis, but indeed they contribute no explicit support to our argument.

beginning with Exodus 24 and extending as *Wirkungsgeschichte* well into the Mishnaic period. This covenantal framework is exhibited across the spectrum of Judaisms. Although the evidence examined in this article ranges from undoubtedly explicit to marginally implicit, an overall picture of covenantal praxis nonetheless emerges in the public reading of Torah. If, as William Johnson has argued, reading is the “negotiated construction of meaning in a particular sociocultural context,” and if, as many have argued, the covenant forms the narrative substructure of ancient Jewish sociocultural identity, then our analysis suggests that the public reading of Torah is the nexus in which Jewish covenantal social identity is negotiated. Succinctly put, the *textual* covenant created Israelite identity in the first place, and the public reading of this textual covenant preserves Jewish identity as it confronts the changing empires and cultures of antiquity.⁸⁸ Perhaps the recent scholarly opinion that early Judaism was predominantly an *oral* religion rather than a textual one needs to be challenged in light of the textual matrix of covenantal identity.⁸⁹ For instance, Catherine Hezser, after concluding that the early Jewish literacy rate was less than 10 percent, downplays the role of Torah-reading in the formation of early Jewish identity in favor of alternate uses of texts (e.g. artifactual, talismanic, and magical), oral narrative recollections, and the numinous physical space of the synagogue.⁹⁰ However, her study has not fully appreciated the role of *covenant* in the formation of Jewish identity, and the integral role that public Torah-reading played in this formation.⁹¹ In Israel’s identity-defining *muthos*, the covenant was spoken by God and heard by Israel on Sinai. But it was also preserved in textual form so that every subsequent generation could read it aloud, listen, understand, and through obedience practice their identity as God’s chosen people. Our present study has argued that in many respects the history of

⁸⁸ This is not at all to construe ancient Jewish identity in a monolithic, essentialist way. But however varied the differences may be in ancient Judaisms, each sect still sought to preserve its Jewish identity by the covenantal public reading of Torah.

⁸⁹ E.g. Hezser, *Jewish Literacy*, 190-226, 496-504.

⁹⁰ Hezser, *Jewish Literacy*, 503-04.

⁹¹ Steven D. Fraade (“Hearing and Seeing at Sinai: Interpretive Trajectories,” in George Brooke et al, *The Significance of Sinai*, 247-68) appreciates more fully the aural-textual aspects of Jewish identity formation in his analysis of the early Jewish reception of the “hearing and seeing” Sinaitic motif. Fraade argues that reading and hearing Torah was nothing less than “an act of community-forming and identity-forming worship” (“Hearing and Seeing,” 268).

the public reading of Torah across ancient Judaism is an outworking of this “covenant textuality,” albeit with a literary corpus more extensive than the Book of the Covenant mentioned in Exodus 24:7. Transcending a divide between “oral” and “text-centered” social identities, a covenant textuality — practiced in the regular public reading and hearing of the sacred text — engages the oral, literary, symbolic, ideological, and sociological functions of the written text as it shapes the social identity of the community that regards it as sacred. This dynamic of “covenant textuality” has significant implications for the study of Jewish and Christian origins that remain to be explored in future studies.