Remember the Days of Old (Deut 32,7) - Oral and Written Transmission in the Hebrew Bible[1]

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Introduction

According to standard German history, Rudolf I (1273-91) was the first Habsburg to take the throne. From 1438 the crown – although the empire nominally was an electoral monarchy – practically became the property of the Habsburg dynasty, which had become the strongest territorial power. In the 15th century, demands for imperial reform increased, and Maximilian I (1493-1519) was the first to accept the imperial title without a papal coronation, and it is due to his reforms that institutions like Reichstag (Imperial Diet), Reichskreise (Imperial Counties), Reichskammergericht (Imperial Court) came into being. We know that from contemporary sources.

Now, assume for a moment that Gutenberg never existed and imagine a handwritten document dated to the end of the 20th century giving evidence to the claim that it was *not* Maximilian I who created or radically reshaped these institutions in the 15th century, but Rudolf I in the 13th century. The document *appears* to be a copy of a lost original from the early 14th century and describes how already Rudolf I laid the foundation to these institutions and that the Reichstag, e.g., has a much longer pedigree than we thougth. The 'only' problem is, that this very late copy of an alleged 14th century original is the only evidence we have for such a claim.

I know relatively little of German history and others would no doubt be able to produce better examples than mine, but no matter the quality of the example, I think it illustrates very well, what this paper is all about. Should we rewrite German history, had such a document existed? Is it really possible that its information could have been transmitted reliably from the 14th to the 20th century - a period of 500 years or so? Or is it a late attempt to furnish a historical German institution with additional patina? On what grounds do we decide to trust og distrust its information.

These are theoretical questions, of course, since no such document exist. But as you probably know these questions are far from theoretical or academic if we move to the area of ancient Israelite history, where scholars - especially Danish ones! - have pointed to the lateness of the Old Testament texts as an insurmountable problem. We cannot rely, they claim, on manuscripts which are removed from the events they purport to describe by more than 500 years. Instead we must reconstruct the history of ancient Israel on the basis of contemporary sources, however scarce and fragmentary they may be. That is, instead of trusting the biblical accounts on a king Solomon and a united monarchy based in Jerusalem,

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[1] Revised version of a paper originally presented to the AfET (FAGAT-Tagungen) 10 March 2003 at Haus Friede in Hattingen, Germany. For a fuller and more elaborated version cf. my *Text and History* (Eisenbrauns, forthcoming 2004).

we must acknowledge that we cannot talk about a Judaean monarchy until the 8th century, where it is alluded to for the first time, in contemporary, extra-biblical sources. The reason given for such a distrust is that historical information cannot possibly have been transmitted over such a long period. Neither orally nor in writing. This is in short the problem I have addressed in my dissertation, and though there are a number of issues involved in discussing the problem, I shall concentrate in the following on the question of transmission. Because, if we cannot even argue for the *possibility* of a reliable transmission, there is no need to keep alive a discussion on the trustworthiness of historical information given in the so-called historical writings in the Old Testament. My own stance in this matter is that there are compelling reasons to believe that such a reliable transmission took place and that the historical information in the Old Testament texts therefore recommend itself as both trustworthy and reliable. But before we look at these arguments, let's have a look at the textual situation.

The Textual Situation

The oldest extant unvocalized[2] Hebrew manuscripts are a number of fragments from Qumran, dated by the editors from the last part of the second century to the middle of the first century B.C.[3] In Cave 4 seven fragments containing the text of 1 Kings 7:20-21;25-27;29-42;50; 8:1-9 and 16-18 have been found. In Cave 5 three fragments containing 1 Kings 1:1;16-17 and 27-37 have been found. In Cave 6 fragments containing 1 Kings 3:12-14; 12:28-31; 22:28-31; 2 Kings 5:26; 6:32; 7:8-10; 7:20-8:5, 9:1-2 and 10:19-21 were found. Cave 4, in addition, also revealed the parabiblical 4Q382 (also: 4Qpap paraKings et al.) consisting of no less than 154 tiny fragments. Relevant to our research are fragments 1-5, which contain a biblical paraphrase based on 1 Kings 18-19 and a direct quote from 1 Kings 18:4. These are the 'hard data' regarding the extant Hebrew texts.

Since 4QSam^{b} is dated to the late third century B.C.,[4] it may be *assumed*, however, that the Qumran findings also testify to an earlier date for the Hebrew text of the *Books of Kings*. Later manuscripts show that the Books of Samuel and Kings were considered a coherent text, and that division - or rather *divisions* - only were made for practical reasons (e.g. the size of scrolls).[5] If so, the age of the book should be set to some time before the latter part of the third

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[2] The oldest *complete* and *vocalized* manuscript of the entire Hebrew Bible, however, is the much later Codex Leningradiensis from the 11. century A.D. (The older Codex Aleppo from ca. A.D. 925 was damaged in a fire in the mid-twentieth century and now only contains about 80% of the complete text of the Hebrew Bible.) Though the point of departure for the present study is the *oldest* and thus unvocalized manuscripts of the Books of Kings, the critical edition of the Masoretic text in K. Elliger and W. Rudolph, eds., *Biblia Hebraica Stuttgartensia* (Stuttgart: Deutsche Bibelgesellschaft, 1967) will be used for the sake of convenience. Ambiguity in the vocalization of the unpointed text will be discussed wherever relevant, e.g., in the discussion on the text as witness to pre-Masoretic grammar. For a radical position on the use of the vocalized text as a translation, cf. Tilde Binger, "Tidsbegrebet i Det Gamle Testamente," *Arken* 2 (1998): 17–28.

[3] S.W. Holloway, in his entry on the Book of Kings in the *Anchor Bible Dictionary*, states that 'the earliest known Heb manuscripts of Kings, some leather fragments preserved among the Dead Sea scrolls, were copied no earlier than the 1st century B.C.E.', S. W. Holloway, "Book of 1–2 Kings," in *Anchor Bible Dictionary, Vol. 4*, edited by D.N. Freedman (New York, London, Toronto, Sydney, Auckland: Doubleday, 1992), 70.

4. Cf. Emanuel Tov, *Textual Criticism of the Hebrew Bible* (Minneapolis Assen: Fortress Press Van Gorcum, 1992), 106, n 80; Eugene C. Ulrich, *The Qumran Text of Samuel and Josephus*, Harvard Semitic Monograph 19 (Missoula, Montana: Scholars Press, 1978), 10.

[5] James A. Montgomery, *A Critical and Exegetical Commentary on the Books of Kings*, The International Critical Commentary (Edinburgh: T. & T. Clark, 1967), 1–2. The same applies to the Septuagint translation, cf. Sidney Jellicoe, *The Septuagint and Modern Study* (Oxford: Clarendon Press, 1968), 285. On the question of

century B.C.[6] It needs to be pointed out, however, that, being extremely fragmentary, these extant manuscripts does not tell us anything about the shape and content of the Books of Kings *as a whole*, only that *some* versions of the Books were in circulation in the late second century B.C., or - if the above mentioned assumption is given credence - in the middle of the third century B.C.[7]

As far as the Septuagint is concerned, no Greek manuscripts of the Books of Kings have been found at Qumran, and apart from fragmentary quotations in Philo (early first century A.D.) and in Josephus (late first century A.D.),[8] the oldest Greek copies are the great codices of Vaticanus and Alexandrinus from the fourth and fifth centuries A.D.[9] Since Greek versions of the Pentateuch have been found at Qumran[10] it may be *assumed*, however, that the Books of Kings also existed at that time, since it is unlikely that these other books circulated without the Books of Kings. Furthermore, if the conventional dating of the Septuagint translation to the middle of the third century B.C. is accepted, the history of the text could be pushed even further back.[11] Since there is no particular reason to suppose, as Alan Millard has noted,[12] that

scroll-size, cf. M. Haran, "Book-Scrolls at the Beginning of the Second Temple Period: The Transition from Papyrus to Skins," *HUCA* 54 (1983): 111–22.

[6] If an early manuscript of the Books of Chronicles had been found in Qumran, it would have enabled us to push the age of the Books of Kings even further back, since the latter undoubtedly was available to the author(s) of the former, but this is not the case. 4QChron (4Q118), dated about 50-25 B.C., has five lines corresponding to 2 Chron 28:27-29:3. It was published by J. T. Barrera, "Edition Preliminaire de 4QChroniques," *Revue de Qumran* 15 (1992): 523–29. Barrera interestingly notes that a series of letter readings visible in the column preceding the column of the readable lines in the fragment of 4Q118 corresponds to nothing known in 2 Chronicles (its in Hebrew). It is possible, therefore, that it is an edition of Kings or a source for Chronicles, as distinguished from a relic of a full book of 1-2 Chronicles. Being a copy of 2 Chronicles or not, it does not, however, take us further back than the Hebrew manuscripts. Cf. M. Abegg Jr., P. Flint, and E. Ulrich, eds, *The Dead Sea Scrolls Bible* (New York: Harper-Collins, 1999), 632–33, who comment on the relative scarcity of Chronicles at Qumran that 'it could be a matter of either chance or design, since Chronicles has a strong focus on Jerusalem and the Temple, from which the Qumran community had removed itself.'

[7] Julio Trebolle, interestingly, comments on *Pseudo Samuel* (4QVision of Samuel, 4Q160; 6QApocryphon of Samuel-Kings, 6Q9) that 'many of these writings, generally marked by a strong eschatological accent, may have an origin previous to the existence of the Qumran community and independent from the Essene groups that could made use them', Julio Trebolle, "A 'Canon Within a Canon': Two Series of Old Testament Books Differently Transmitted, Interpreted and Authorized," *Revue de Qumran* 75, Tome 19, Fascicule 3 (Juin 2000): 391–92, with reference to D. Dimant, "Apocalyptic Texts at Qumran," in *The Community of the Renewed Covenant. The Notre Dame Symposium of the Dead Sea Scrolls*, edited by E. Ulrich and J. C. VanderKam (Notre Dame, IN: University of Notre Dame Press, 1994), 175–91.

[8] For a listing of these parallels see most conveniently P. Vanutelli, *Libri Synoptici Veteris Testamenti Seu Librorum Regum et Chronicorum Loci Paralleli*, 2 Vols. (Rome, 1931).

[9] A fragment rescued from the Cairo Geniza containing 3 Kingdoms 20,9-17 and 4 Kingdoms 23,12-27 in a sixth-century hand testifies, however, to the existence of an earlier Greek translation by Aquila (said to have been produced about A.D. 128), cf. F. G. Kenyon, *The Text of the Greek Bible*, Revised and Augmented by Adams, A.W. (London: Duckworth, 1975), 19–20.

[10] Lev 2-5; 26,2-16; Num 3,30-4,14, dated from the end of the second century B.C. towards the end of the first century B.C., cf. Kenyon, *The Text of the Greek Bible*, 39.

[11] That is, if credence can be given to the story of the translation of the Hebrew Bible into Greek in Alexandria at the behest of Ptolemy II (285-247 B.C.) as reported in the Letter of Aristeas. Though the letter in many respects have been shown to be incredible (that it was not written by a heathen courtier but by a jew, that the writer did not live in the days of Ptolemy II, but more than a century later, that the Jewish Law was not translated to satisfy the curiosity of a royal patron of the arts, but because the Egyptian Jews no longer understood Hebrew and were in need of just such a translation, and that the translators were not Palestinian Jews, but members of the Alexandrinian diaspora for whom Greek was the language of daily life) most scholars still believe that a translation into Greek took place roughly at that time, cf. Kenyon, *The Text of the Greek Bible*, 14; Tov, *Textual Criticism of the Hebrew Bible*, 135–37. It has to be noted, though, that the letter only mentions the *law*, and that

the Greek version was made soon after the Hebrew book appeared, this would push the date of the Hebrew version back, perhaps as early as the fourth century B.C. This is based on *assumptions*, however, and the history of the text cannot, strictly speaking, be followed beyond the date of the oldest *extant* texts, namely the Hebrew fragments from Qumran from the end of the second century B.C.

The obvious obstacle to the historian is, of course, how the long time-span between these oldest extant manuscripts and the events they purport to describe affects the epistemic value of the apparently historical information given. In order to answer the question we need to discuss whether it is plausible or likely that a prolonged oral and written transmission took place from the time of events to the time of the oldest extant manuscripts, which are - as we have seen - from the third or second century B.C.

The arguments put forward by sceptical scholars against the historical reliability of the Old Testament Texts center on two main obstacles in the process of oral and written transmission, namely *disruption* and *uncontrollability*. Disruption, defined as political, ethnical and geographical discontinuity, makes it highly unlikely, scepticals claim, that information on, say, Saul, David and Solomon, could have been transmitted reliably from the tenth century to the third century B.C., where the oldest extant manuscripts were produced. Furthermore, the uncontrollability or flexibility of written tradition in general and oral tradition in particular makes it virtually impossible that information could have remained stable and thus reliable for such a long period, it is claimed. It is true that both oral and written tradition under certain circumstances are infested with such problems, but what the sceptics fail to acknowledge is that this is true only under *certain* circumstances and that we have extensive material - not least from the ancient Near East - that demonstrates the opposite, namely that oral and written tradition under *different* circumstances can remain surprisingly stable over time. As it is not possible to go through a large number of examples, I will restrict myself to give but a few here and then refer you to additional examples and a more comprehensive discussion in chapter two of my dissertation. Let's first look at the possibility of a reliable written transmission.

The Written Transmission

Let us first note that we have extensive evidence that such a transmission was possible and indeed took place in the ancient Near East. The best examples are from Mesopotamia, where not only texts regarded 'canonical' or 'normative', but also other texts, continued to be copied for more than thousand years.[13] The Nineveh version of the 'Gilgamesh Epic' from the library of Assurbanipal harks back to the Old Babylonian version of the 'Gilgamesh Epic' and to the Old Babylonian 'Atrahasis Epic', the latter being copied for over thousand years, and though

the other books of the Hebrew Bible apparently were translated at a somewhat later date. Another piece of evidence is the reference to 'the law itself and the prophecies and the rest of the books' (αὐτος ὁ νὸμος καὶ αἱ προφητεῖαι καί τὰ λοιπὰ τῶν βιβλίων), thus also the Books of Kings, in the prologue to Ecclesiastes, the Greek version of Ben Sira, which was published by the author's grandson in 132 B.C., some sixty years after it allegedly had been written. On the historical value of the letter of Aristeas see Jellicoe, *The Septuagint and Modern Study*, 52–58. Cf. also Mogens Müller, *The First Bible of the Church* (Sheffield: Sheffield Academic Press, 1996).

[12] A. R. Millard, "The Knowledge of Writing in Late Bronze Age Palestine," in Languages and Cultures in Contact. At the Crossroads of Civilizations in the Syro-Mesopotamian Realm. Proceedings of the 42th RAI, eds K. van Lerberghe and G. Voet, Orientalia Lovaniensia Analecta 96 (Leuven: Peeters, 2001), 317–26; A. R. Millard, "King Solomon in His Ancient Context," in The Age of Solomon. Scholarship at the Turn of the Millennium, edited by Lowell K. Handy (Leiden, New York, Köln: E.J. Brill, 1997), 52.

[13] On the concept of 'canon' in relation to transmission see N. Veldhuis, "TIN.TIR = Babylon, the Question of Canonization, and the Production of Meaning," *JCS* 50 (1998): 67–76.

the original version seems to have existed in two or more variants, the texts are so similar that we are clearly dealing with a transmission of the Old Babylonian version.[14] Other examples are 'The Sumerian King List', 'The Royal Correspondence of Ur', and - not least - the famous 'Laws of Hammurapi'.[15] Similar examples can be seen in textual corpus that has survived from Egypt, Ugarit and Greece.

Now, it is true that political, ethnical and geographical disruption *sometimes* was a major reason for traditions being lost. In the sixth century B.C. people still knew the location where Sargon built his new capital Agade about two thousand years earlier, but eventually the information was lost.[16] The original work of the Phoenician priest Sanchuniathon,[17] allegedly written in Phoenician in the sixth century B.C. and containing a Phoenician creation account, has also been lost. We only know about it because Philo of Byblos (ca. A.D. 100) and later the church historian Eusebius (A.D. 265-339) decided to include a few passages from it in their writings.[18] Examples are *legion*. Examples are *legion*. Books of Ancient Near Eastern history, meditating on the mantra of *ignoramus*, are full of remarks like 'we simply don't know...', 'so far we have not recovered...', 'as far as we know', 'we know very little indeed...', not only because of the chance in findings but also because information became irrelevant, unintelligible, or even unwanted as settlements were abandoned, ethnic entities ceased to exist, people were relocated, and the political and religious landscape changed. Many disruptive factors may have silenced a tradition, which for centuries had been transmitted orally or in writing. An important *caveat* has to be kept in mind, though. Even if disruptions, as described above, may very well have been a decisive factor in the silencing of e.g. the tradition about the location of *Agade*, not all disruptions had the same impact. Though, in the sixteenth century B.C. the Kassites taking control in Babylon had the potential of serious cultural disruption, the Kassites were quickly Babylonised. Scribes continued to write in cuneiform and the inscriptions followed the patterns of earlier Babylonian kings. J. N. Postgate, in a discussion on how the cities in the Ur III to Isin-Larsa 'Zwischenzeit' managed to transmit their scribal culture to later generations when they were themselves moribund, says that part of the answer is that not all disruptions were the same or universal:

> The real hiatus is the consequence of total abandonment, and abandonment did not come as a result of instability alone; as we have seen, it might be as much the consequence of environmental factors. Eridu,

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[14] The standard book on the text history of the Gilgamesh Epic is Jeffrey H. Tigay, *The Evolution of the Gilgamesh Epic* (Philadelphia: University of Pennsylvania Press, 1982). For translation see now Andrew R. George, *The Epic of Gilgamesh* (London: Penguin Books, 1999).

[15] On the Sumerian King List see Amélie Kuhrt, *The Ancient Near East c. 3000–330 BC Volume I* (London and New York: Routledge, 1995), 29f. The Royal Correspondence of Ur is discussed by William W. Hallo, "Sumerian Historiography," in *History, Historiography and Interpretation*, eds H. Tadmor and Weinfeld M. (Jerusalem: Magnes Press, 1984), 12. For the text of the laws of Hammurapi with variant readings, see Riekele Borger, *Babylonish-Assyrische Lesestücke.* (Roma: Pontificium Institutum Biblicum, 1963). For translation see Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor*, 2nd edition (1995), SBL Writings from the Ancient World 6 (Atlanta, Georgia: Scholars Press, 1997).

[16] A comprehensive list of Neo- and Late-Babylonian references can be found in Ran Zadok, *Geographical Names According to New- and Late-Babylonian Texts*, Répetoire Géographique Des Texts Cunéiforms. Band 8. Beifhefte Zum Tubinger Atlas Des Vorderen Orients. Nr. 7/8 (Wiesbaden: Dr. Ludwig Reichert, 1985), 4–5.

[17] Or Sakkunyaton as a more modern spelling or the original might have it. The name means '(the god) Sakkun has given'.

[18] Cf. James Barr, "Philo of Byblos and His 'Phoenician History'," *Bulletin of the John Rylands University Library of Manchester (BJRL)* 57 (1974): 17–68; Sergio Ribichini, "Taautos et l'Invention de l'Écriture Chez Philon de Byblos," in *Phoinikeia Grammata. Lire et Écrire en Méditerranée : Actes Du Colloque de Liège, 15–18 Novembre 1989*, eds V. Krings, Corinne Bonnet, and Baurain Claude (Namur: Société des Études Classiques, 1991), 201–13. See also Doron Mendels, *Identity, Religion and Historiography*, JSPS (Sheffield: Sheffield Academic Press, 1998), 139–57 on Manetho.

> today stranded deep in a sandy and rocky desert, is a case in point, the city of one of the principal gods, site of a shrine which has been traced right back into the early Ubaid period, to at least 4500 B.C. Yet, as far as we know, no one lived there after the Early Dynastic period. The religious cults of Eridu and their maintenance could be seen as crucial to all Mesopotamians, since Enki/Ea had a central role in the pantheon, transcending his role as local god of that city. A recent study has shown in detail how the entire liturgy of Enki was transferred bodily to the nearest major city, Ur: his temple was not re-founded, but his priests moved, and the daily rituals were enacted in a shrine built for him within the complex of his host Nanna, the god of Ur. This was not unique...While the temples had a central role in the preservation of the culture's ideological identity both they and the palaces gave society an economic buffer against the worst effects of disruption'.[19]

This example, significantly, not only gives evidence that the possible *written* traditions of the Eridu society continued to be transmitted when the city was abandoned, but also demonstrates that *oral* traditions were kept alive, since a considerable amount of information (e.g. on the performance of rituals) must have been preserved in memory and thus by oral tradition. Furthermore, Postgate points to an important tradition-preserving factor that would have operated in the preservation of such a transmission: the self-preserving character of identity-related information such as religious, ideological, and ancestral traditions.[20]

This has some direct bearings on our discussion, since it is hard to image anything more 'related' to the transmitter than his own ancestral heritage, beliefs, and religious practices. Even if, for political or environmental reasons, an entire ethnic entity was relocated, it is highly unlikely, as Postgate has demonstrated, that its religious heritage and ancestral traditions also were left behind. Due to their identity-related character the traditions would have continued to be told and transmitted carefully wherever the ethnic entity or family were forced to move - so the Saxons coming to Britain brought their gods with them! - and it is obvious that the Hebrew Bible came to occupy its unique position not primarily because of its literary value but because of its religious and social message.

Bearing this in mind, it is hard to see it as an *impossibility* that the Israelites should have kept their religious and ancestral traditions alive for hundreds of years, even if the differences between Mesopotamia, Egypt, and Palestine is given due credit. Disruption may have had less impact on the centuries long established culture in Babylon, as the example of the Kassites shows, than on the less powerful culture of Syria-Palestine. There is ample evidence that agricultural techniques, architechtural styles and literary conventions from the surrounding superpowers were often borrowed by the peoples of ancient Palestine. Due to its buffer-zone position between Egypt in the south, Syria and Anatolia in the north, Mesopotamia in the east, and openness to sea trade from the west, Palestine was more susceptible to foreign influence than the opposite was the case. There is, nevertheless, no reason to believe that the *beliefs, world view(s) and religious practices* of the people of Iron Age Palestine were *more* vulnerable to disruptive factors than those of e.g. Mesopotamia. It was just as important for an Iron Age farmer in the vicinity of Lachish to preserve his ancestral heritage and religious practices as it was for his contemporary Mesopotamian colleague in the outskirts of Niniveh. Perhaps even *more* important, since they belonged to a small and more vulnerable community than the people of the Assyrian, Babylonian and later Persian heartland. It is a well attested fact that immigrant minorities tend to be much more conscious in preserving their language and identity-related traditions than the majority population of which they have become a part. So, when Judaeans were captured and deported to Babylon, they could continue to tell their

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[19] J. N. Postgate, Early Mesopotamia. Society and Economy at the Dawn of History (London: Routledge, 1992), 299.

[20] A fact which is also acknowledged and discussed in relation to the concept of 'canon' by Veldhuis, "TIN.TIR."

ancestral stories to their children and to practice their religious customs. Besides, if - as has been emphasised recently - the land was *not* empty during the exile,[21] there is also reason to believe that the 'left-behinds', not least the Samaritans, continued to preserve whatever important tradition they had. They may have re-interpreted it in order to address the new situation, but that doesn't necessarily mean - as we shall see shortly - that it became unreliable. Consequently, though we have not shown the sceptical scholars' claim to be false, it has become even more clear that it is far from 'safe', since it is indeed possible that a prolonged oral and/or written tradition had preserved the identity related traditions of the Israelites, thus providing the author(s) of, e.g., the Books of Samuels and Kings with reliable information on Israel's history. We cannot say for sure, admittedly, to what extent it was possible before the time of the extra-biblical attested kingdoms of Israel and Judah of the ninth and eighth centuries B.C.[22], since to argue from the same texts, whose historical reliability we are seeking to determine, would be circular argumentation, but the argument from analogy is certainly strong.

Another possible obstacle is the impact a re-use of a certain tradition may have on its content.[23] How, for example, does the re-use of various sources by the author(s) of the Books of Kings affect the historical reliability of their content? It is true that *sometimes* traditions were distorted, changed, and embellished when re-used for new purposes. But again the sceptics fail to acknowledge that this is true only under *certain* circumstances, since there are examples that testifies to the opposite. These examples thus warns us that we cannot discard a late tradition *per se* as unreliable, and that it is indeed possible that an old tradition or canonical history can be re-used with a digressive, regressive, proleptic, or other function in a new literary creation for political, religious, didactic, or other purposes without being distorted, thus making it possible for the historian to 'decode' the embedded historical information and use it for present historiographical purposes. It takes a careful literary critical analysis of how the various traditions have been deployed, and a meticulous comparison of the text in question with any comparable material, to attempt to determine the extent of reliability or distortion, and the problem must therefore be resolved on a case by case basis.[24] But just as identity-related, 'canonical' information has been demonstrated to be transmitted very carefully, it is likely that the 'editors', 'authors' etc., in a more selective, re-arranging re-use of such material, consciously intended to preserve what was *meaningful* to them. This is precisely what Gerhardsson has in mind when he writes that

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[21] H. M. Barstad, The Myth of the Empty Land, A Study in the History and Archaeology of Judah During the "Exilic" Period (Oslo: Oslo University Press, 1996); Ingrid Hjelm, The Samaritans in Early Judaism: A Literary Analysis, Copenhagen International Seminar 7 (Sheffield: Sheffield Academic Press, 2000).

[22] For a list of attestations of the kings of Israel and Judah in Assyrian Royal Inscriptions, cf. A. R. Millard, "Israelite and Aramean History in the Light of Inscriptions," *TB* 41, no. 2 (1990): 261–75, reprinted in V. Phillips Long, ed., *Israel's Past in Present Research* (Winona Lake, Indiana: Eisenbrauns, 1999), 129–40.

[23] For a similar distinction between 'news' and 'interpretation' in oral testimony, cf. Jan Vansina, *Oral Tradition as History* (London and Nairobi: James Currey and Heinemann Kenya, 1985), 3–12.

[24] A good, cautious and convincing example of how this can be done is James Barr's study on Philo of Byblos' use of the allegedly much older Phoenician History of Sanchuniathon. Barr warns that 'we have every reason to take seriously the possibility that different local traditions have been cemented together into a unity which did not originally belong to them', and concludes his analysis stating that 'this quick survey has not been able to give a clear and universally applicable answer to the basic question posed by Philo: is the material early, and therefore a good example of the myths of early Phoenicia, or late, and therefore a good example of Hellenistic syncretism? It looks as if some elements are one, and some the other; or as if an element, taken quite formally, belongs to the one, but in content and in present function belongs to the other', Barr, "Philo of Byblos and His 'Phoenician History'," 45, 61.

> it would scarcely be an over-simplification to say that the typical Rabbi had in general no wish to be creative in his teaching. He wanted to seek out (דרש) what God had already given in the sacred Torah tradition handed down from the fathers; he worked in the desire that God might reveal (גלה) to him what was already there - though more or less hidden - in the words he had taken over. The most common idea was that of reconstructing what the ancient themselves meant. But we also encounter the idea that God allows the favored Rabbi to rediscover more than the ancients themselves found in their own sayings.[25]

Furthermore, as also noted above, it is very unlikely that such a 'twisting' of a canonical tradition would have been accepted universally. It would have required almost superhuman - or at least 'stalinistic' - powers of the priesthood or 'intelligentsia' in Jerusalem to successfully impose and keep alive such a tradition on their fellow jews.

The Oral Transmission

It has long been recognized and is a commonplace of contemporary Old Testament research that a prolonged oral transmission existed in pre-exilic Israel and that the written traditions of the Hebrew Bible *to some extent* are based on oral traditions.[26] Recent research has not changed the overall picture and there is still consensus that a prolonged oral transmission existed in pre-exilic Israel and that the written traditions of the Hebrew Bible *to some extent* are based on oral traditions. The problem persists, of course, to *qualify* and *quantify* this 'extent'. Insights from recent research into mnemonic techniques, oral genres, and performative settings of *modern* oral societies has, however, given us a much more differentiated and refined understanding on *how*, *where* and *by whom* oral traditions are transmitted, and thus provided us with a much firmer ground to stand on in a discussion of oral tradition in *ancient* societies.

Current research on mnemonic techniques of modern oral societies has revealed an extraordinary ability to memorize, preserve, and transmit even vast amounts of information over several generations.[27] Jan Vansina,[28] still considered one of the leading scholars on orality, elaborates on this observation by providing a more sophisticated categorization of oral genres and their inextricable linkage to the dynamics of setting and performance. Vansina is fully aware of the 'the variability of the messages, the casualness of transmission, the possibility of feedback, the inherent biases of interpretation, and above all about the selectivity of his sources, ethnocentric and elite oriented as they were.'[29] Vansina maintains, however, that reliability cannot be rejected *a priori*, since certain kinds of oral transmission - due to their *genre* and performative *setting* - tend to be more stable and to preserve historical reliable information better than others: 'Factual traditions or accounts are transmitted differently - with more regard to faithful reproduction of content - than are fictional narratives

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[25] Birger Gerhardsson, *Memory and Manuscript* (Lund: Gleerup, 1961), 174.

[26] As evidenced by Robert C. Culley, ed., *Oral Tradition and Old Testament Research* (Missoula: Scholars Press, 1976); D. A. Knight, ed., *Tradition and Theology in the Old Testament* (Sheffield: JSOT Press, 1990), and most recently Susan Niditch, *Oral World and Written Word* (Louisville, KY: Westminster John Knox, 1996). Cf. also Henry Wansbrough, ed., *Jesus and the Oral Gospel Tradition*, JSNTSup 64 (Sheffield: Sheffield Academic Press, 1991).

[27] The classic study is A. B. Lord, *The Singer of Tales*, Harvard Studies in Comparative Literature 24 (Cambridge, MA: Harvard University Press, 1960), but other important contributions include Vansina, *Oral Tradition as History*, Paul Connerton, *How Societies Remember* (Cambridge: Cambridge University Press, 1989), and Walter J. Ong, *Orality and Literacy: The Technologizing of the Word* (London: Methuen, 1982). A somewhat dated list of *fieldwork* can be found in Robert C. Culley, "Oral Tradition and the OT: Some Recent Discussion," in *Oral Tradition and Old Testament Research*, edited by Robert C. Culley (Missoula: Scholars Press, 1976), 1–33.

[28] Vansina, Oral Tradition as History.

[29] Ibid., 186.

such as tales, proverbs, or sayings. The criterion hinges on the notion of truth, which varies from one culture to another and which must be studied.'[30] Vansina, importantly, also argues that oral traditions, which would otherwise die, is kept alive by various mnemonic devices,[31] since performances are not produced at random times and places: 'a formal recitation of a royal list of successors to the throne or a royal genealogy is appropriate at a coronation, and perhaps the genealogy may be recited once a year when the chiefs are assembled at the capital.'[32] Though in most cases the rules relating to frequency, time and place of performance have little to do with a desire to maintain the faithfulness of the message but are inspired by the practical use of traditions, circumstances like frequency, time, place, intent of performance and mnemotechnic devices as objects (figurative objects, iconography), topographical features (changes in landscape, abandoned towns, battlefields, royal gravesites etc.), music (melody and rhytm) often serve to preserve a tradition, which otherwise would fall into oblivion.[33]

This is extremely important - or should I say *relevant* - since scholars, who are sceptical of the possibility of a prolonged oral transmission in ancient Israel, seem to rest their case on an outdated notion of orality and, consequently, on *irrelevant* arguments. When sceptical scholars argue, e.g., that oral tradition is in a constant flux or that individual memory normally stops at the third generation, the so-called 'grandfather law,'[34] they arguments must be rejected for methodological reason.

Firstly, while much research has been done on oral *poetry*, oral *prose* has received less attention.[35] This is true not only for studies in modern orality (e.g. Yugoslavian rhapsody, African poetry) but also for discussions on medieval (e.g. the Icelandic Sagas, the songs of Roland and Beowulf) and ancient (e.g. Homer's epics) oral traditions. Caution is neccessary, therefore, in applying the results of research on these predominantly *poetic* traditions to an assumed oral *narrative* tradition proceeding the texts of, e.g., the Books of Kings. Secondly, we must remember that we have, for obvious reasons, no direct access to oral traditions of the distant past, and can only argue for a certain understanding of ancient orality by analogy. That

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[30] Ibid., 13–14. For a discussion of *genre* and the impact of variability on reliability, cf. Vansina, *Oral Tradition as History*, 14–27, 48–54. On 'reproduction of performance' and 'mnemotechnic devices', cf. Vansina, *Oral Tradition as History*, 39–58. For a discussion of the latter in relation to classical and ancient Near Eastern history cf. Jan Assmann, *Das Kulturelle Gedächtnis. Schrift, Erinnerung und Politische Identität in Frühen Hochkulturen* (München: C. H. Beck, 1997); T. J. Cornell, *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000–264 BC)* (London: Routledge, 1995).

[31] Vansina, Oral Tradition as History, 24.

[32] Ibid., 39–40.

[33] Ibid., 39–47. Cf. Paula M. McNutt, "Interpreting Israel's 'Folk Traditions'," *JSOT* 39 (1987): 47f. Also pertinent is Heleen Sancisi-Weerdenburg, "The Persian Kings and History," in *The Limits of Historiography. Genre and Narrative in Ancient Historical Texts*, edited by Christina Shuttleworth Kraus (Leiden, Boston, Köln: Brill, 1999), 101–02, who, discussing the Behistun Inscription, notes that "before Behistun, Iranina traditions about the past were cast in oral shape. The only evidence we have for the existence and the contents of this oral (non-religious) traditions comes from the Greek sources. Strabo (15.3.18) mentioned the education of young Persians through tales of 'the famous deeds of men and gods' and emphasized that the young people had to learn these tales by heart. The description given by Strabo makes it obvious that these stories were taught with educational aims. The past was an instructive devide for present purposes."

[34] Bernhard Stade as early as in 1887 wrote that '...it is a fact established by experience that information about ancestors based on oral tradition goes back at the most through three, usually only two generations', Bernhard Stade, *Geschichte Des Volkes Israels*, vol. 1 (1887), 28. English translation quoted from Eduard Nielsen, *Oral Tradition*, Studies in Biblical Theology 11 (London: SCM Press, 1955), 18. Cf. also Patricia G. Kirkpatrick, *The Old Testament and Folklore Study*, JSOTSup 62 (Sheffield: JSOT Press, 1988), 113–14 and Connerton, *How Societies Remember*, 38–39.

[35] A fact also mentioned by Robert C. Culley, "Oral Tradition and the OT," 9–11.

is, *if* such and such a genre in such and such a performative setting has ben preserved reliably for so and so many generations in a modern oral society, it is also *likely* that the same process took place under similar circumstances in ancient Israel.

Being aware of the necessety for *comparable* genres and settings, it is much more relevant to look at studies on kin-based oral societies in Africa and the Middle East, and it is significant how such a change of focus also changes the conclusions!

In a study of the modern Balga bedouins in the Jordan Valley, just to mention one study, Andrew Shryock describes the extraordinary ability of the 'Adwani tribe to remember and recite tribal history: "Among the 'Adwani, I recorded four hours of testimony during my first week of fieldwork. Proper sources were everywhere, and they needed little inducement to speak. Their stories, though told as separate episodes, came together in a lenghty narrative called *sirat al-'adwan* (the 'saga' or 'epic' of the 'Adwan); their genealogical knowledge, which went back thirteen generations or more, was prodigious; their poetry was abundant, better remembered, and superior in quality to 'Abadi verse".[36] Similar conclusions have been made in studies on modern Arab and West African tribal societies.[37]

Another interesting analogy has been suggested by the New Testament scholar Kenneth E. Bailey,[38] who points to a phenomenon he describes as *informal*, *controlled oral tradition* in the so called *ḥaflat samar*,[39] i.e. the well known gathering in the Middle East of an extended family, perhaps together with some close friends or the informal gathering of villagers in the evening for the telling of stories and the recitation of poetry. The setting is *informal*, because there is no set teacher and no specifically identified student. The performer is usually the older men, the more gifted men, and the socially more prominent men, but it depends on who is seated in the circle. There is no professional story-teller, and anyone in the community could in principle be the performer. Bailey distinguishes between six types of material or *genres* recited in a *ḥaflat samar*,[40] namely proverbs, riddles, poetry, parables and stories, well-told accounts of the important figures in the history of the village or community, and jokes, and point to three discernible levels of flexibility. The first level is of *no* flexibility, and proverbs and poetry alone fall into this category. The second level allows for *some* flexibility. This is true for parables, entertaining stories and historical narratives. Their reciting is to some extent coloured by the reciter's individual interest and vocabulary. A third level is characterized by *total* flexibility and comprises, according to Bailey, jokes, retelling of the casual events of the day, and, in times of war or intercommunal violence, atrocity stories. Applying this to the study on orality in the transmission process of the Gospel narrative, Bailey suggests that 'up until the upheaval of the Jewish-Roman war *informal controlled* oral tradition was able to function in the villages of Palestine' and concludes his study by saying that

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[36] Andrew Shryock, *Nationalism and the Genealogical Imagination* (Berkeley, Los Angeles, London: University of California Press, 1997), 161

[37] Judith T. Irvine, "When is Genealogy History? Wolof Genealogies in Comparative Perspective," *American Ethnologist* 5, no. 4 (November 1978): 651–74.

[38] K. E. Bailey, "Informal Controlled Oral Tradition and the Synoptic Gospels," *Themelios* 20, no. 2 (1991): 4–11. Reprint of K. E. Bailey, "Informal Controlled Oral Tradition and the Synoptic Gospels," *Asia Journal of Theology* 5 (1991): 34–54. Cf. also K. E. Bailey, "Middle Eastern Oral Tradition and the Synoptic Gospels," *The Expository Times* 106 (1995): 363–67.

[39] Lit. 'a party for preservation'. 'Samar' in Arabic is a cognate of the Hebrew *šāmar*, meaning 'to preserve'.

[40] Bailey, "Informal Controlled Oral Tradition," 6–7; Bailey, "Middle Eastern Oral Tradition," 364–65. Cf. David E. Aune, "Oral Tradition in the Hellenistic World," in *Jesus and the Oral Gospel Tradition*, edited by Henry Wansbrough, JSNTSup 64 (Sheffield: Sheffield Academic Press, 1991), 65, for a similar list.

> here we have observed a classical methodology for the preservation, control and transmission of tradition that provides, on the one hand, assurance of authenticity and, on the other hand, freedom within limits for various forms of that tradition. Furthermore, the types of material that appear in the Synoptic Gospels include primarily the same forms that we have found preserved by *informal controlled* oral tradition such as proverbs, parables, poems, dialogues, conflict stories and historical narratives...We are convinced that the same can be affirmed regarding the Synoptic tradition. In the light of the reality described above the assumption that the early Christians were not interested in history becomes untenable. To remember the words and deeds of Jesus of Nazareth was to affirm their own unique identity. The stories had to be *told* and *controlled* or everything that made them who they were was lost.[41]

But even if Bailey's argument must await more conventional field-studies before it can be sustained, it is far from ill-founded. Bailey uses the insights of recent research in modern orality, not least Vansina's abovementioned focus on the importance of performer, setting and audience for the question of stability and reliability, and by suggesting the *informal controlled* oral tradition of modern Middle East village culture as an alternative *Sitz im Leben* for the assumed oral transmission of the Gospel narratives he has, in the present writers opinion, pointed to an interesting analogy than e.g. the so often mentioned 'Singer of Tales'. There may have been other *Sitze im Leben* for an oral transmission of identity-related traditions in the first centuries CE - the rabbinate is certainly one of them - but this only serves to strenghten the argument: Even though a certain Gospel tradition may have been told for generations and to a certain extent coloured by the different reciters' *personae*, the central thrust of the story (basic flow, punch-line, conclusion, names, etc.) was not changed. It remained the same. This is important to keep in mind, when we move further back to discuss the possibility of a prolonged oral tradition in ancient Israel, since much of what has been written on the subject seems to be based on inadequate or irrelevant categorizations.

Traces of Oral and Written Transmission in The Old Testament

Applying these insights to the study of oral and written transmission in the Old Testament, it is obvious that a sceptical stance towards the *possibility* of a prolonged tranmission - oral or written - cannot be maintained. It is hard to imagine more identity related traditions than the traditions preserved in the Old Testament, and provided some kind of historical conciousness had developed in Israel (as it had in the neighbouring regions) it is obvious that the people of Iron Age Israel and Judah had a considerable interest in preserving these traditions about the past. And once one begins to look for clues of such an interest in the Old Testament, the eyes are opened to a plethora of rituals of re-enactment, commemorative ceremonies, bodily gestures, and the like that helped the israelites to keep alive and preserve relevant historical traditions. On top op that even the language used testifies to an oral stage prior to the written fixation of the texts.[42]

As to the more indirect evidence, features as repetition, paratactic style, the constant use of formulas or 'stock phrases' has been mentioned as signs of oral language.[43] As far as direct evidence, Ps 78 is a good example. In vv. 2-8 it is explicitly pointed out how important it is to *tell* (הוֹדִיעַ, סִפֵּר) the next generation about the works of God. The fathers' re-telling is based on what they have learned themselves by *listening* (שָׁמַע), and the oral transmission is rooted in God's commandment to transmit the testimony 'he established in Jacob' and the law he

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[41] Bailey, "Informal Controlled Oral Tradition," 10.

[42] Cf. Roger Lapointe, "Tradition and Language: The Import of Oral Expression," in *Tradition and Theology in the Old Testament*, edited by Douglas A. Knight (Sheffield: JSOT Press, 1990), 125–42; Niditch, *Oral World*; Hans-Peter Ruuauger, "Oral Tradition in the Old Testament," in *Jesus and the Oral Gospel Tradition*, edited by Henry Wansbrough, JSNTS 64 (Sheffield: Sheffield Academic Press, 1991), 107–20.

[43] Cf. Lapointe, "Tradition and Language," 129.

'appointed in Israel' (v.5).[44] The aim is that the next generation 'might know them [the testimony and the law]' (v.6) so that they 'set their hope in God, and not forget the works of God, but keep his commandments' (v.7), *and*, importantly, so they are able themselves to pass on the testimony and law to *their* children. And no written tradition is mentioned in this connection.[45]

As far as rituals of re-enactment, commemorative ceremonies, bodily gestures, and the like, examples include the following.

הַקֶּשֶׁת בֶּעָנָן 'the bow in the cloud'

"When the bow is in the clouds, I will look upon it and remember the everlasting covenant between God and every living creature of all flesh that is upon the earth" (Gen 9:16).

Passover as a 'day of remembrance'

"This day shall be for you a memorial day, and you shall keep it as a feast to the LORD; throughout your generations you shall observe it as an ordinance for ever" (Ex 12:14).

לְאוֹת עַל־יָדֶךָ 'as a sign on your hand'

"And it shall be to you as a sign on your hand and as a memorial between your eyes, that the law of the LORD may be in your mouth; for with a strong hand the LORD has brought you out of Egypt" (Ex 13:9).

אֶת־שְׁתֵּי אַבְנֵי־שֹׁהַם 'two onyx stones'

"And you shall take two onyx stones … as stones of remembrance for the sons of Israel" (Ex 28:9-12).

אֶת־כֶּסֶף הַכִּפֻּרִים 'the atonement money'

"And you shall take the atonement money from the people of Israel, and shall appoint it for the service of the tent of meeting; that it may bring the people of Israel to remembrance before the LORD, so as to make atonement for yourselves" (Ex 30:16).

חֲצֹצְרוֹת 'the trumpets'

"And when you go to war in your land against the adversary who oppresses you, then you shall sound an alarm with the trumpets, that you may be remembered before the LORD your God, and you shall be saved from your enemies" (Num 10:9).

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[44] Cf. Dt 6:20-24.

[45] There are other examples, of course, where the oral transmission is performed on the basis of or supplemented by a *written* tradition. Cf. e.g. Dt 31:9-11; 2 Ki 23:2; 2 Chr 17:9.

צִיצִת the ‘fringes’

“Speak to the Israelites, and tell them to make fringes on the corners of their garments … so that, when you see it, you will remember all the commandments of the LORD” (Num 15:38-39).

אֶת־מַצֵּבֶת ‘the pillar’

“Now Absalom in his lifetime had taken and set up for himself the pillar which is in the King's Valley, for he said, "I have no son to keep my name in remembrance"; he called the pillar after his own name, and it is called Absalom's monument to this day” (2 Sam 18:18).

Conclusion

What I hope to have demonstrated is that, when compared with *relevant* data from recent studies on modern orality and the insights on written traditions in the ancient Near East, the Old Testament texts bear all the signs of being a carefully tranmitted textual tradition. The existence of rituals of re-enactment, commemorative ceremonies, bodily gestures, and ‘oral language’ suggest that it was crucial for the ancient Israelites to preserve and keep alive their ancestral and otherwise identity related traditions, and, consequently, that the relatively late *extant* text must be regarded a reliable witness to the history of ancient Israel and the beliefs of the pre-exilic Israelite community.

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