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Darren Sarisky

Theology, History, and Biblical Interpretation

MODERN READINGS

of the water.
Let there be light

B L O O M S B U R Y

Jon Levenson

“The Hebrew Bible, the Old Testament, and Historical Criticism”*

Jon Levenson (b. 1949) is a scholar of the Hebrew Bible and the Jewish tradition. In addition, he has a long-standing interest in the relationship between Jews and Christians and has played a significant role in inter-religious dialogue between the two religious communities.

The present form of this essay went into print in 1993. The work explores the tension created by attempts to read texts from the Hebrew Bible in two different contexts: the historical contexts from which they emerge, and the larger literary context that is created when the text becomes part of a canon of Scripture, whether in a Jewish or Christian form. Practicing Jews interpret passages of their Scripture in relation to other biblical passages and in relation to later texts from the Jewish tradition, such as rabbinic teaching. For Christians, such passages become part of the Old Testament, which, together with the New Testament, serves as a witness to Jesus Christ. These are both fundamentally different operations than reading a passage against its historical context, for in the latter case it is illegitimate to read a passage in connection with any literature or religious figure that did not exist at the time.

Levenson's primary claim is, thus, that the practice of historical criticism and the reading habits of any text-based religion do not sit easily with one another. He is, however, at his most acute when he highlights how articles of Christian faith serve as guiding principles for scholars attempting to synthesize texts from the Hebrew Bible into a unified whole. Levenson surveys five historically prominent scholars of the Hebrew Bible and describes in each one how their own inherited faith covertly

*All original notes have been removed

functions as a principle of coherence. They are not open about how their theological allegiance influences their readings, and want their work to be seen as historically responsible. Perhaps Levenson is especially alert to the presence of Christian faith presuppositions because he himself, as a practicing Jew, does not share them. He also deals with the implicit and sometimes explicit anti-Jewish polemic that accompanies such scholarship.

Levenson is both articulate and thoughtful in considering the challenge that historical criticism creates for text-based religious communities. (He gives a modest amount of space in this essay to analyzing the reverse challenge, which emerges from religious communities and is directed to the practice of historical criticism, though there is more of that in the rest of the book from which this essay is drawn.) What Levenson nowhere does, though, is to resolve the tension he reflects upon in such an illuminating way. He refuses to cut this Gordian knot. Is this satisfactory? What alternatives present themselves to people who are members of religious communities but who are also inclined to read their Scripture in a historical-critical manner?

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*What could be more glorious than to brace one's self up to discover New
South Wales and then realize, with a gush of happy tears, that it was
really Old South Wales.*

G. K. CHESTERTON, *ORTHODOXY*

1

If there has ever been a book that has thrived in a plurality of contexts, it is surely the Hebrew Bible. In the Jewish tradition this book, known as the Tanakh or the *Miqra* is properly placed alongside the Talmud, Midrash, and medieval rabbinic commentaries. These books, highly diverse and delightfully argumentative, establish a pluriform yet bounded context of interpretation for the Tanakh. In the church, the Hebrew Bible, known as the "Old Testament," appears as the first of the two volumes of sacred scripture, the "Bible," and interpretation is not complete until volume 1 is related to volume 2, the Old Testament to the New, so as to proclaim together Jesus Christ. In both the Jewish and the Christian traditions even as they were constituted before the Enlightenment, there is substantial precedent for searching out the meaning of a passage in the Hebrew Bible apart from the meanings directly suggested for it by the books that mark out its traditional contexts of interpretation. At least from the eleventh century c.e., the "plainsense" (Hebrew, *peshat*) was much prized. It is important to remember that this "plain sense" was itself culturally conditioned and a matter of communal consensus and that among rabbinic Jews and Christians, it was not pursued with the intention of undermining the normativity of the larger context. A plain-sense exegete (*pashtan*) like Rabbi Samuel ben Meir ("Rashbam," Northern France, twelfth century) could be uncompromising both in his pursuit of the plain sense and in his allegiance to halakhah (rabbinic law), which often bases itself on the biblical text in a way that contradicts the *peshat*. He is paralleled by those Christian exegetes who recognized a "historical sense" to the Old Testament without relinquishing a Christocentric interpretation of it. In both the Jewish and the Christian cases, the unity of the overall religion was maintained, even though it was not seen as operative in all forms of exegesis. There could be concentric circles of context, but the smallest circle, the plain sense, finally yielded to the largest one, the whole tradition, however constituted.

In the last three centuries, there has arisen another context of interpretation of the Hebrew Bible, the *historical* context: no part of the book is to be read against literature, either internal or external, that cannot be reasonably presumed to have existed at the time. To be sure, historical criticism has affinities with the pursuit of the plain sense and builds upon the half millennium of *pashtanut* that preceded its emergence. They differ, however, in that historical critics place all the emphasis on development and historical change and fearlessly challenge both the historicity of the foundational events (e.g. Sinaitic revelation, the resurrection of Jesus) and traditional ideas of

authorship, for example, that Moses wrote the Pentateuch or that the Gospels were written by the evangelists to whom they are ascribed. Historical critics take the text apart more ruthlessly than traditional *pashtanim*, and, qua historical critics, they lack a method of putting it back together again. They reconstruct history by concentrating on contradictions, which they then allow to stand. The traditions, of course, often recognized the same contradictions. The difference is that traditionalists had a method that could harmonize the contradictions and, in the process, preserve the unity of the text and its religious utility. Consider, for example, the contradiction between Exodus 12.15, which mandates the eating of unleavened bread during Passover for a full seven days, and Deuteronomy 16.8, which specifies six days of observance for the same commandment. Below, we see one way that the rabbis of the talmudic period handled the contradiction:

How can both these passages be maintained? The seventh day had been included in the more inclusive statement and then was taken out of it. Now, that which is singled out from a more inclusive statement means to teach us something about the whole statement. Hence, just as on the seventh day it is optional, so on all the other days it is optional. May it not be that just as on the seventh day it is optional, so on all the rest, including the first night, it is optional? The scriptural passage: "In the first month, at evening ye shall eat unleavened bread" [Exod. 12.18] fixes it as an obligation to eat unleavened bread on the first night. (*Mek.*, *Pischa* 8)

The assumption of the rabbis here is that the Deuteronomic law is not independent of that given in Exodus. On the contrary, the operative law is to be discovered by taking both passages into account. The unity of the Mosaic Torah requires that *all* its data be considered. The two laws do not compete; together, they enable the ingenious exegete to discover the truth. The law that emerges, and is halakhah to this day, reflects neither the seven days of Exodus 12.15 nor the six of Deuteronomy 16.8, but only one day. In short, rabbinic exegesis of the Torah here yields a norm for which, *prima facie*, the Torah provides no evidence at all. If this seems absurd, consider that the alternative is simply to choose arbitrarily and subjectively one Torah verse over the other, as if they were not of equal sanctity. If one assumes, with the rabbis, that they are of equal sanctity and that they exist in the same mind (the mind of God) at the same moment (eternally), then one is required to undertake just the sort of exegetical operation in which the rabbis are here engaged, an operation that is, in continuity with the redactional process that helped produce the Hebrew Bible itself. In the minds of historical critics, this operation is a historically indefensible homogenization of the past. By harmonizing inconcinnities, the tradition presents itself with a timeless document, one that appears to speak to the present only because the historical setting of the speaking voice or the writing hand has been suppressed, and all voices and all hands are absorbed into an eternal simultaneity.

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Exodus 12.15 and Deuteronomy 16.8. They feel no compulsion to see the two verses as derived from one synchronic reality, but readily consign them to different historical periods or to different locales or to different social sectors. Whereas the traditionalist begins with the assumption that the tradition (and certainly its most sacred texts) has a stable core and that there is a unified, if variegated, religion that can be derived from it—"Judaism" or "Christianity"—the historical critic begins with no such assumption of stability and continuity, but with a commitment to restore the texts to their historical contexts. Passages are to be read against their age, not against the book into which they eventually came (not, that is, unless it is the period in which the finished book was produced that we are seeking to interpret). Knowledge of that age is to be gained by excavating within the text, but also by means of archaeology and the extra biblical texts and forgotten biblical manuscripts it unearths, without the traditionalist's concern that the resultant picture will depend upon an illicit mixture of sacred and profane sources.

In an important sense, historical criticism of the Bible thus resembles psychoanalysis. It brings to light what has been repressed and even forgotten, the childhood, as it were, of the tradition. But if Wordsworth was right that "the Child is the Father of the Man," it is wrong to think that the man will be happy to meet the child within him whom he thinks he has outgrown. Like psychoanalysis, historical criticism uncovers old conflicts and dissolves the impression that they have been resolved rather than repressed. It is only reasonable to expect both to encounter "resistance" in those to whom they are applied. Although most historical critics of the Bible consider themselves still somehow adherents of the Jewish or the Christian traditions, it must be conceded that the position of the majority of traditionalists who fear historical criticism and doubt its appropriateness is not groundless. Later, we shall examine ways in which some eminent Christian critics have dealt with the dissonance between two contexts, that of the Hebrew Bible of historical criticism and that of the Old Testament of Christian faith.

I have argued that the price of recovering the *historical* context of sacred books has been the erosion of the largest *literary* contexts that undergird the traditions that claim to be based upon them. In modern times, the multicontextuality of the Hebrew Bible has been the source of acute dissension. Much of the polemics between religious traditionalists and historians over the past three centuries can be reduced to the issue of which context shall be normative. When historical critics assert, as they are wont to do, that the Hebrew Bible must not be taken "out of context," what they really mean is that the *only* context worthy of respect is the ancient Near Eastern world as it was at the time of composition of whatever text is under discussion. Religious traditionalists, however, are committed to another set of contexts, minimally the rest of scripture, however delimited, and maximally, the entire tradition, including their own religious experience. Their goal is not to push the Book back into a vanished past, but to insure its vitality in the present and the future: "The word of our God endures forever" (Isa. 40.8). Their interest in the past is usually confined to an optimistic examination of how the vitality of yesteryear can energize

the present. The discontinuities with which historical critics are preoccupied are of little or no use to traditionalists.

In recent years, increasing numbers of scholars have been asserting the validity of both the historical and the literary (or canonical) contexts. Some have sought to develop a hermeneutic that respects the integrity of the received text for purposes of literary analysis or theological affirmation, without in the process slipping into a fundamentalistic denial of historical change. In this, the "second naïveté" of those touched by historical criticism is to be distinguished from the innocence of the orthodox believer who has never become aware of the historical context and who does not feel the claim of historical investigation. In truth, the literary interests of these scholars of the "second naïveté" have little in common with the search for proof texts so important to the growth of both Judaism and Christianity and to the establishment of their normative statements.

Underlying the literary context affirmed by religious traditionalists is the conviction that the text is somehow the expression of a reliable God. Harmonization is the exegetical counterpart to belief in the coherence of the divine will. The uniformity of scripture reflects the uniformity of truth. The alternative to this traditional religious position has never been stated more boldly than it was by a great pioneer of the historical criticism of the Christian Bible, Baruch (Benedict) de Spinoza (1632-77), when he wrote that "great caution is necessary not to confuse the mind of a prophet or historian with the mind of the Holy Spirit and the truth of the matter." For Spinoza, the excommunicated Jew who never became a Christian, the idea of inspiration was simply another shackle constricting the exegete. No longer need exegesis take place within the believing community. Scripture must be followed wherever it leads, come what may. The author of a biblical text will be the person who wrote it; its meaning will be what *that person meant*, not what *God means*, and no intellectually responsible exposition of it can take place without locating the text unshakably within the historical circumstances of its composition. Jews and Christians can participate equally in the Spinozan agenda only because its naturalistic presuppositions negate the theological foundations of *both* Judaism and Christianity. Ever since Spinoza, those Jews and Christians who wish both to retain historical consciousness *and* to make a contemporary use of scripture have been, at least intellectually, on the defensive.

2

The concept that the Bible has many authors rather than one Author has been as brutal to the New Testament as it has been to the Hebrew Bible. It was not long before scholars noticed that the four canonical Gospels contradict each other not only in details (e.g. Did Jesus say "Blessed are the poor" or "Blessed are the poor in spirit"?), but even in theology. In fact, the New Testament, too, soon ceased to be a single book in the minds of critical scholars. For example, they noted that for Paul, Christ is "the end of the law" (Rom. 10.4), whereas the Sermon on the Mount in Matthew denounces

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those who set aside "even the least of the law's commandments," for "not a jot or a
 tittle will disappear from the law until all has been fulfilled" (Mt. 5:17-20). No wonder
 Matthew's Jesus commends obedience to the Pharisees, who "sit in the chair of
 Moses" (Mt. 23:2-3). Now, if "the law" in the Sermon on the Mount means the Mosaic
 Torah, then St. Matthew's Gospel, or at least this document in it, is guilty of the heresy
 of "Judaizing," for the Pauline position that redemption in Christ means exemption from
 the Torah (see Galatians) became normative. And so the possibility emerges that the
 church has canonized a heretic—and his Gospel! If, on the other hand, the position of
 Matthew 5:17-20 is valid, then what is to be said to all those Gentiles who believe,
 with Paul, that Christ allows them to come into the very bosom of Abraham while
 bypassing the Mosaic Torah? And even if Matthew 5:17-20 refers not to the Mosaic
 Torah but to Jesus' own Torah or to his particular exposition of Moses, then the Pauline
 doctrine of justification through faith by grace alone, so central to Protestantism, still
 stands indicted *sola scriptura*, "through scripture alone." In short, the reason these
 various theological positions, including the heresy of "Judaizing," have kept turning
 up throughout the history of the church is that they can all make a plausible claim
 to be biblical. Martin Luther at the Diet of Worms could still express a commitment
 to "scripture and plain reason" rather than "the authority of popes and councils, for
 they have contradicted each other." Historical criticism has now abundantly shown
 that scripture, too, is contradictory, a potpourri drawn from what are, in fact, different
 religions. In the process, historical criticism of the Christian Bible has shattered the
 Protestant dream of an orthodox church founded on biblical authority alone.

The relationship between theological heterodoxy and the critical study of history is
 thus reciprocal. The historian soon discovers that orthodoxy hangs from a thread that
 is very thin, if it exists at all. Some of the traditionalists' heroes were heterodox; alive
 today, they might be accused of heresy. On the other hand, persons of heterodox
 leanings are driven to the study of history, in part because they can use history and
 historical documents, even the Bible, in support of their "heresy." The suppressed
 or forgotten past provides precedents helpful in dissolving the current consensus:
 historical criticism is invaluable to the venerable liberal (and, in my view, illogical)
 argument that the inevitability of unwilled change legitimates willed change, that the
 historical reality that the tradition was, *de facto*, always changing validates, *de jure*,
 contemporary efforts to alter it. In this way, just as fundamentalists suspect, historical
 criticism of the Bible aids in the rehabilitation of heresies, for the dismantling of the
 (orthodox) canon (a *sine qua non* of historical biblical criticism) and the normalization
 of heterodoxy imply each other. The frankest admission of this of which I know is the
 last paragraph of James M. Robinson's presidential address to the Society of Biblical
 Literature in 1981:

For Jesus to rise in disembodied radiance, for the initiate to re-enact this kind
 of resurrection in ecstasy, and for this religiosity to mystify the sayings of Jesus
 by means of hermeneutically loaded dialogues of the resurrected Christ with his
 gnostic disciples is as consistent a position as is the orthodox insistence upon the

physical bodiliness of the resurrected Christ, the futurity of the believer's resurrection back into the same physical body, and the incarnation of Jesus' sayings within the pre-Easter biography of Jesus in the canonical Gospels. Neither is the original Christian position; both are serious efforts to interpret it. Neither can be literally espoused by serious critical thinkers of today; both should be hearkened to as worthy segments of the heritage of transmission and interpretation through which Jesus is mediated to the world today.

In reconstructing these various Christologies, Robinson uses not only the canonical literature, but also documents such as the *Gospel of Thomas* and Q. The last-named source is especially germane to a discussion of his method. Q (for German *Quelle*, "source") is the material that is common to Matthew and Luke but not to Mark. The theory of most critical scholars is that Mark and Q served as two sources for Matthew and Luke. Of course, Q, a collection of Jesus' sayings (or sayings attributed to him) without narrative, is hypothetical. It is found only in Matthew and Luke. But the probability that it existed independently has increased in light of the discovery of the *Gospel of Thomas*, which is a very similar collection. Robinson does not ignore the fact that the surviving tradition does not recognize *Thomas* and subordinates Q to a different genre. On the contrary, these moves he views as simply stations on the way to orthodoxy. His claim, however, is that historical excavation of a literary kind (to recover Q) and of an archaeological kind (to recover *Thomas*, which was found in a jar in the ground in Egypt) enables us to recover the alternative as it stood before it was branded with the stigma of heterodoxy. Historical study cuts the Gordian knot that holds together the canon and even individual books within it. As a result, the long-suppressed and forgotten Gnostic position becomes a "worthy segment of the heritage of transmission"! The assumption is that one of the traditional obstacles that Christians must overcome in their effort to hear the gospel is the protorthodoxy of the Gospel redactors themselves. If the redactors are orthodox, Jesus is a heretic.

One of the Gordian knots that some Gnostics tried to untie was the one that binds the Hebrew Bible and the Christian documents together as one (Christian) Bible. The idea that the two are linked is, of course, internal to the books that came to be called the "New Testament." Chief among the devices that connect the two is the idea that what the Hebrew Bible, soon to become only an "Old Testament," predicts is fulfilled in the putative events reported in the New Testament. Thus, for example, Matthew interprets the "voice crying in the wilderness" of Isaiah 40.3 as John the Baptist (Mt. 3.1-3), and taking the poetry of Zechariah 9.9 ("humble and mounted on an ass / on a foal, the young of a she-ass") literally, he has Jesus ride into Jerusalem on *two* animals (Mt. 21.1-7). A related technique can be found in Galatians 4.21-7, in which Paul understands Ishmael, the son of the slave girl Hagar, to be Israel according to the flesh, that is, the Jews, and Sarah's son Isaac, who is born of the promise (Gen. 21.1-8), as the church. Here, Hagar stands for Mount Sinai and the slavery that Paul thought to be its legacy. Sarah suggests the heavenly Jerusalem and the freedom from the Torah that Paul considered characteristic of it. One son, the Jews, is a slave;

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the other, the church, is free. Hence, a Christian who observes toraitic law trades
freedom for slavery. Although Paul's technique is based not on the idea of prediction,
but on allegory; he, like Matthew (and the apocalyptic Jewish sects of the time),
sees the real meaning of scripture as something in his own time. In and of itself, the
Hebrew Bible is incomplete. As the Pauline theology of the Law became increasingly
normative in the postcanonical era, such allegorical or typological interpretation of the
Old Testament became all the more necessary. The church father Origen (d. 254 c.e.)
put it nicely: on a plain-sense reading, without allegory, the Old Testament commands
the sacrifice of calves and lambs!

Christian exegesis requires that the Hebrew Bible be read ultimately in a literary
context that includes the New Testament. To read it only on its own would be like
reading the first three acts of *Hamlet* as if the last two had never been written. Christian
theology cannot tolerate exegesis that leaves the two Testaments independent of
each other, lest either the Marcionite Gnostics or the Jews win the ancient debate.
But the two anthologies cannot be collapsed into one, either, lest the newness of the
New Testament be lost. For the New Testament is not simply the continuation of the
Old, but its fulfillment, not simply another volume in the same series, but the climax
and consummation of all the preceding volumes, the one that tells what the others
mean. For by the time the books of the New Testament were being composed, almost
all the books of the Hebrew Bible were already considered authoritative. The thrust
of Christian exegesis, thus, is to present the "Old Testament" as somehow anticip-
ating the New, but only anticipating it. The "Old Testament" must be made to appear
essential but inadequate.

In modern times, the question of how to bring about such a treatment, how to
relate the Old and the New, has once again become a crisis, for the old techniques
seem discredited. Critical scholars rule out clairvoyance as an explanation axiomati-
cally. Instead of holding that the Old Testament predicts events in the life of Jesus,
critical scholars of the New Testament say that each Gospel writer sought to
exploit Old Testament passages in order to bolster his case for the messianic and
dominical claims of Jesus or of the church on his behalf. Today, only fundamentalists
interpret Old Testament passages as historical predictions of New Testament narra-
tives. Allegory has fared no better. To most biblicists, it seems woefully arbitrary. It
is difficult to imagine Paul's interpretation of Genesis 21 persuading anyone who
needed persuading. Although most Christians continue to accept the theology
of Galatians 4.21-7, its exegetical basis in the Torah has lost all credibility among
historical critics.

The question arises whether a practitioner of historical criticism can speak of an
"Old Testament" at all, whether the concept, like the term (the issue is not merely
taxonomic), is not anachronistic. Whereas in the Middle Ages Homer and Virgil
were regularly given an *interpretatio Christiana*, today the Hebrew Bible is the only
non-Christian book still commonly given a Christian reading. What is at stake is the
very existence of the Christian Bible in nonfundamentalistic minds. The challenge
to historical critics of the Old Testament who wish to be Christian and their work

to be Christian has been to find a way to read the Old Testament that is historically sound but also lends credibility to its literary context, its juxtaposition to the New Testament to form a coherent book. The following pages are devoted to an examination and critique of the ways some influential Christian critics have sought to meet the challenge.

3

Perhaps the most important synthesis of the experience of ancient Israel is that devised by Julius Wellhausen (1844–1918). The son of a German Lutheran pastor, Wellhausen became the great pioneer of the historical-critical study of both Testaments of his Bible. In his classic work, *Prolegomena to the History of Ancient Israel* (1878), Wellhausen divided the history of Israel's religion into three stages, each marked by a document or set of documents, which, woven together, eventually came to constitute the Pentateuch now in our hands. In the first stage, to be inferred from the Yahwistic history (J) and the closely related Elohist source (E), religion is natural, free from law and the compulsiveness that Wellhausen associated with it. The sacred feasts are natural in character, tied unobtrusively to the cycle of the agricultural year, without any precise mathematical dates. The priesthood is universal, and one may sacrifice anywhere. In the next phase, known from the Deuteronomic strand (D), the festivals have begun to be detached from nature. Mathematical calculations begin to determine the dates of their celebration (e.g. Deut. 16.9; cf. Exod. 23.16). The priesthood becomes exclusively Levitical (Deuteronomy 18), and tithing begins (Deut. 14.23). Most importantly, whereas in the earlier centuries any place could serve as the locus of a legitimate sanctuary (Exod. 20.24), now only one shrine is permitted (Deut. 12.1–7); the connection with the soil and the rhythm of natural life has been dealt a severe blow.

In the third and final stage of the religion of Israel, represented in the Pentateuch by the Priestly source (P), the festivals are fixed on precise days of a calendar (Leviticus 23), and a new festival, unattested in the earlier calendars of JE (Exod. 23.14–17 and 34.18, 22–4) and D (Deut. 16), the Day of Atonement, intrudes (Leviticus 16 and 23.26–32). "Just as the special purposes and occasions of sacrifice fall out of sight," Wellhausen wrote, "there comes into increasing prominence the one uniform and universal occasion—that of sin; and one uniform and universal purpose—that of propitiation." The priesthood becomes limited to the clan of Aaron, all non-Aaronite priests having been demoted to the status of minor clergy (Ezek. 44.9–16), and tithing becomes a matter of great concern (Num. 18). Finally, in Wellhausen's view, in the fiction of the Tabernacle (*ōhel mō'ēd*) of Moses' age, the cultic centralization and unity for which D had fought are simply assumed. With the triumph of P, Wellhausen insisted, the last trace of connection to the soil, the last trace of naturalness, has disappeared. The period of the wilderness becomes normative, as one should expect for a people uprooted in the exile of the sixth century B.C.E. "With the Babylonian

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captivity, the Jews lost their fixed seats, and so became a trading people." The term "trading people," of some utility for aspects of medieval and modern Jewish history but of none for the biblical and the rabbinic periods, shows Wellhausen's estimation of the outcome of this long process of development." Judaism" is Israelite religion after it has died: "When it is recognized that *the canon* is what distinguishes Judaism from ancient Israel, it is recognized at the same time that what distinguishes Judaism from ancient Israel is *the written Torah*. The water which in old times rose from a spring, the Epigoni stored up in cisterns." In short, the Torah defines Judaism, and Judaism is the ghost of ancient Israel. "Yet it is a thing which is likely to occur, that a body of traditional practice should only be written down when it is threatening to die out," wrote Wellhausen in one of his most striking observations, "and that a book should be, as it were, the ghost of a life which is closed." The ultimate apparition of this ghost, according to Wellhausen, was the Pharisees of Jesus' day, who were "nothing more than the Jews in the superlative"—narrow, legalistic, exclusivistic, obsessive, compulsive, and hypocritical.

It has often been suggested that the major influence upon Wellhausen's three-stage evolutionary reconstruction was G. W. F. Hegel, who is thought to have interpreted world history in terms of a dialectic of thesis, antithesis, and synthesis. To be sure, there is an analogy to be drawn between the two. It was, after all, Hegel who wrote of Jesus' reception by the Jews that "[h]is effort to give them the consciousness of something divine was bound to founder on the Jewish masses. For faith in something divine, in something great, cannot make its home in excrement. The lion has no room in a nest; the infinite spirit, none in the prison of a Jewish soul; the whole of life, none in a withering leaf." Wellhausen simply sought to document the stages of the historical process by which so spiritual a thing as the religion of Israel came to be the ghost he called "Judaism." On the other hand, there are remarkable differences between Hegel and Wellhausen. The latter's evolutionary model, for example, was degenerative, whereas the former's was one of increasing manifestation of the Spirit. Thus, Wellhausen's P (Judaism, Pharisaism) is in no sense a Hegelian synthesis of JE and D. Furthermore, the state plays no great role in Wellhausen's schema, whereas it is the manifestation of the Absolute for Hegel. But most significantly of all, Wellhausen, in point of fact, reconstructed more than the three stages that dominate the *Prolegomena*. In his *Israelitische und jüdische Geschichte*, Wellhausen treats a fourth stage, the gospel. His conclusion is, "[The gospel] preaches the most noble individualism, the freedom of the children of God." For Wellhausen, of course, that freedom was the Pauline freedom from the Law, every jot and tittle of it. No wonder he described Paul as "the great pathologist of Judaism" and made Romans 2.14 ("Not having the Law, they do the works of the Law by nature") the motto of part 1 to his *Prolegomena*, and Romans 5.20 ("The Law came in between") the motto of part 3, "Israel and Judaism."

The personal motivation for Wellhausen's reconstruction of Israelite history can be discerned in an uncharacteristically revealing passage in the introduction to his *Prolegomena*:

In my student days I was attracted by the stories of Saul and David, Ahab and Elijah; the discourse of Amos and Isaiah laid strong hold on me, and I read myself well into the prophetic and historical books of the Old Testament. Thanks to such aids as were accessible to me, I even considered that I understood them tolerably, but at the same time was troubled by a bad conscience, as if I were beginning with the roof instead of the foundation; for I had no thorough acquaintance with the Law, of which I was accustomed to be told that it was the basis and postulate of the whole literature. At last I took courage and made my way through Exodus, Leviticus, Numbers ... But it was in vain that I looked for the light which was to be shed from this source on the historical and prophetic books. On the contrary, my enjoyment of the latter was marred by the Law; it did not bring them any nearer to me, but intruded itself uneasily, like a ghost that makes a noise indeed, but is not visible and really effects nothing ... At last, in the course of a casual visit in Göttingen in the summer of 1867, I learned through Ritschl that Karl Heinrich Graf placed the Law later than the Prophets, and almost without knowing his reasons for the hypothesis, I was prepared to accept it; I readily acknowledged to myself the possibility of understanding Hebrew antiquity without the book of the Torah.

In essence, Wellhausen tells us, the Law provoked a bad conscience in him, which ever-more attentive involvement in the Law could not assuage. The Law "makes a noise" but "effects nothing." Only the possibility that the Law is later than the rest of the Old Testament saved the book for him. Discovery of this point of chronology thus proved to be the great liberating experience of Wellhausen's intellectual life. It is fair to say that all his conceptual works on Israelite religion and Judaism are merely a footnote to that experience in the summer of 1867.

To any student of the Christian Bible, Wellhausen's autobiographical story has a familiar ring:

What follows? Is the Law identical with sin? Of course not. But except through the Law I should never have become acquainted with sin. For example, I should never have known what it was to covet, if the Law had not said, "Thou shall not covet." Through that commandment sin found its opportunity, and produced in me all kinds of wrong desires. In the absence of the Law, sin is a dead thing. There was a time, when in the absence of the Law, I was fully alive; but when the commandments came, sin sprang to life and I died. The commandment which should have led to life proved in my experience to lead to death, because sin found its opportunity in the commandment, seduced me, and through the commandment killed me. (Rom. 7.7-11)

In this text Paul, Wellhausen's great "pathologist of Judaism," offered a pathologist's analysis of himself as a Jew, or at least as Paul the Christian would like to reconstruct Paul the Jew, his dead self. It is not that the Torah is bad; on the contrary, Paul asserted that it is "holy" (Rom. 7.12). The injunctive elements of the Torah, the

commandments, however, lead only to death. They define its negative side. If the holiness and value of the Torah are to be associated with life, then means must be found to suspend the obligations that its commandments announce. In many places, Paul developed an exegesis of the Torah that he hoped would persuade his correspondents that its commandments have become dispensable. One such passage, the allegory of Galatians 4.21-7, we have already examined. In Romans 4, Paul gave a kind of chronology of Torah "history" in support of the same point: since Abraham could be reckoned righteous through faith without the Mosaic Torah (Gen. 15.6), which had not yet been given, then the possibility exists for others likewise to be so reckoned without the Sinaitic commandments. Paul saw the Christ event as the mechanism by which this theoretical possibility becomes real.

There are, then, essentially three stages to the sacred history of Pauline Christianity: righteousness without the Torah (Abraham), sin and death through the Torah (Moses, Sinai), and the restoration of righteousness without the Torah (participation in Christ). These correspond to the three stages of Julius Wellhausen's personal experience of the Old Testament: enjoyment of the nonlegal sections, the intrusion of the Torah or at least its most legal books (Exodus, Leviticus, Numbers), and enjoyment of the Old Testament again, with a clean conscience now that the Torah has been shown to be later in origin. In his intellectual life, Wellhausen reenacted Paul's experience, which Lutheran tradition had long taken to be autobiographical and normative. Göttingen was his Damascus. For all his problems with the church over his use of the historical-critical method, Wellhausen's deepest instincts remained profoundly Lutheran.

In light of the influence of this Pauline archetype on him, Wellhausen's reconstruction of Israelite and Jewish religion becomes more readily understandable. JE was his Abraham, righteous and secure without the Torah. P was his era of the Mosaic Torah, dead and death-dealing, "Pharisaical" (D is only intermediate between JE and P). Finally, the gospel was for him, as for Paul, that which liberates from toraitic tyranny, restoring the innocence of the distant past, Adam (before the Fall) or Abraham for Paul, and JE for Wellhausen. But note what Wellhausen did: he historicized Paul's exegesis. Instead of *individuals* within one book of unitary authorship, Wellhausen wrote of *historical periods*. JE and P both write on Abraham. It is not Abraham who was the ideal for Wellhausen, but the historical period of JE. Not being a fundamentalist, Wellhausen did not accept the Pauline exegesis as it stood. Instead, he converted it into historical categories, producing critical history that witnesses to the truth of salvation-history. The Torah in its entirety is no longer the norm; *it has been replaced by the historical process that produced it*. Scrutiny of that historical process discloses what is essential to the Torah and what is dispensable. What is dispensable is law, "Judaism." In short, Wellhausen decomposed the Torah into its constituent documents, reconstructed history from those components, and then endowed history with the normativity and canonicity that more traditional Protestants reserve for scripture. Biblical history replaces the Bible, but biblical history still demonstrates the validity of the biblical (i.e. Pauline) economy of salvation and thus serves to preserve

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the literary context of the Hebrew Bible. Its conjunction to the New Testament as volume 1 of the Christian Bible is logical after all. The historical context replaces the literary context, but without casting into doubt the anti-Judaic and antitoraitic thrust of Pauline-Lutheran theology. The Hebrew Bible remains only an "Old Testament."

4

Wellhausen's *Prolegomena* appeared at the last moment at which its method and its conclusions could have seemed sound. To be sure, the Documentary Hypothesis, upon which so much of it is based, retains the support of the overwhelming majority of critical scholars, whatever the religious communities from which they hail. And many of the details of his reconstruction, such as those involving the centralization of the cult and the evolution of the calendar, remain, for the most part, a matter of consensus. But already in the decades following the publication of the *Prolegomena* in 1878, archaeological excavations produced an exponential growth in our knowledge of the biblical world, much of it as lethal to Wellhausen's reconstructed evolution as it is to the traditionalist's cherished belief in the uniqueness of Israel. In our century, any critical scholar who wishes to address the religion of biblical Israel must treat the cultures of its neighbors as well. There are now far more materials available for a description of the ancient Near Eastern world than was the case when the *Prolegomena* appeared in 1878. For Wellhausen, no choice between historical description and normative theology was necessary, since he thought history showed a development toward the theological affirmation that claimed his allegiance, the anomian individualism that he considered to be the essence of Christianity. In this century, however, the relationship between historical description ("was") and normative theology ("ought to be") has become a pressing problem. Among students of the Bible, only fundamentalists, who do not think historically, and those critical scholars who lack religious commitment will fail to feel its claim.

In 1933, Walther Eichrodt, Professor of Old Testament and History of Religion at the University of Basel, Switzerland, published his *Theologie des Alten Testaments* with the announced determination to break "the tyranny of historicism in OT studies." Eichrodt wrote that there was only one way to "succeed in winning back for OT studies in general and for OT theology in particular that place in Christian theology which at present has been surrendered to the comparative study of religions." This could be accomplished "by examining on the one hand [the OT's] religious environment and on the other its essential coherence with the NT.... The only way to do this is to have the historical principle operating side by side with the systematic in a complementary role." Herein lay an admirable intention to navigate between the Scylla of fundamentalism and the Charybdis of positivism, in the hope of producing a religious affirmation that is historically accurate and intellectually honest. Eichrodt's goal was to combine the historical context of the Hebrew Bible ("its religious environment") and its literary context in Christianity ("its essential coherence with the NT").

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The unmistakable implication of Eichrodt's methodological program is that the historical and the systematic principles only work in tandem and never at cross purposes. A historical inquiry into the "religious environment" of the Old Testament that casts doubt upon "its essential coherence" with the New must be disallowed. The consequence of this for Judaism is no less clear: the postbiblical Jewish tradition is a denial of the religious message of the Hebrew Bible not only according to the claims of Christian faith, as one would expect, but even according to the results of historical investigation.

If, in fact, the Hebrew Bible speaks univocally in favor of its Christian recontextualization, it is a great historical conundrum why the Jewish tradition endured at all. How could a people have so thoroughly missed the point of its own scriptures? Conversely, if the Hebrew Bible points univocally to rabbinic Judaism, it is puzzling that there ever should have been—and still remain—nonrabbinic traditions (including Christianity) that, in various ways and degrees, also lay claim to the Hebrew Bible. In sum, the historical evidence suggests that the Hebrew Bible speaks less univocally than Eichrodt thinks: it is to some degree coherent and to some degree incoherent with *all* its recontextualizations—Jewish, Christian, and other. The privileging of one of these over the others depends on something very different from dispassionate historical inquiry. It depends upon something more akin to an act of faith. This is not to impugn the act of faith, but only to say that it is highly problematic when it becomes regulative for historical study.

The lack of univocality in the Hebrew Bible is nicely illustrated by an analysis of the familiar words of John 3.16: "God so loved the world that he gave his only son so that everyone who has faith in him may not die, but have eternal life." This passage and others like it in the New Testament build rather obviously on texts in the Hebrew Bible, the only Bible the authors of what became the New Testament knew and recognized. The idea that God has a son can be found, for example, in Psalm 2.7, in which YHWH tells his viceroy enthroned on Zion that "[y]ou are my son; this day I have begotten you." The idea that a father must give over his firstborn son appears in Exodus 22.28, and the verse that follows is powerful evidence that the "giving" in question refers to sacrifice (v. 29). That the father should give his son over for sacrifice out of motives of *love* is familiar from the story of the binding of Isaac in Genesis 22.1–19, in which Abraham is commended and the promise to him renewed precisely because of his exemplary willingness to sacrifice Isaac, his beloved son (vv. 2, 15–18).

This brief analysis of the ancient Israelite background of John 3.16 supports Eichrodt's conviction that the Hebrew Bible stands in "essential coherence" with the New Testament. That with which Eichrodt's claim does not reckon is the element of incompatibility between the messages of the two books. Texts that imply the sonship, biological or adoptive, of the human king are exceedingly rare in the Hebrew Bible and in tension with a thoroughly nonmythological, instrumental concept of monarchy, evident, for example, in Deuteronomic tradition (e.g. Deut. 17.14–20; 28.36; 1 Sam. 8.10–22). The concept is also in tension with the pointed assertion of the fundamental difference between human beings and God that one finds in several passages (e.g.

1 Sam. 15.29; Hos. 11.9). Indeed, the concept of a human being who stands in descent from a god is conspicuous for its absence in the Hebrew Bible. It is, in fact, an idea that seems to have had a much clearer way among Canaanites and Egyptians, for example, than among Israelites. It is striking that in the Hebrew Bible, YHWH has no children at all (except metaphorically, as in Deut. 14.1), no parents, and no wife (except, again, metaphorically, as in Hos. 1-3). The assumption that giving him a divine son would in no way compromise the essential message of the Hebrew Bible is very much open to doubt. The doubt grows exponentially when, as in orthodox Christianity, the divinity of the son is so emphatically affirmed that prayer can be addressed to and through him.

The idea that God would sacrifice his son, even out of love for the world, is equally problematic. Despite the few texts in the Hebrew Bible that speak positively of child-sacrifice, biblical law explicitly prohibits the practice in its various forms (e.g. Exod. 13.13; 34.20; Lev. 20.2-5), and prophets vehemently condemn it as incompatible with the worship of YHWH and emblematic of idolatry (e.g. Jer. 7.31; Ezek. 16.20-1). In this, biblical law and prophecy stand in marked contradiction to the cult of the Canaanite god El, in which the sacrifice of children seems to have had an important place. Indeed, a Phoenician source tells us of El's own sacrifice of two of his sons, Yadid and Mot, and in Ugaritic myth, the divine father El hands over the younger god Baal for bondage but also, in another text, rejoices when Baal is raised from the dead.

All this demonstrates that the Christian affirmation in John 3.16 not only stands in continuity with the Hebrew Bible, as Eichrodt's method presumes and requires; it also stands in *discontinuity* with the same book and with the ongoing Jewish tradition that also regards that book as sacred scripture. The greatest of Eichrodt's failures is not that he cannot do justice to Judaism, but that he cannot do justice to the theological diversity of that most unsystematic book, the Hebrew Bible. By treating that volume as an "Old Testament," Eichrodt's method forces him to focus only on its continuities with Christianity and prevents him from fulfilling the historian's task of listening to the multiple voices of the text itself.

The thematic continuity that Eichrodt developed was based on the notion of "covenant." Whatever other weaknesses this idea has, it again raises the possibility that the Jews are at least as much the heirs of the Old Testament as the church and perhaps even more so. For whereas Christian theology has generally held that the stipulations of covenant were, to one degree or another, made void through Christ, Judaism retains those stipulations (*mitsvot*) and rests more structural weight upon covenant than does Christianity. Or, to put it differently, to the extent that "covenant" survives as a meaningful term in Christianity, it does so without the specificity and concreteness of *mitsvot*, upon whose observance almost every book of the Hebrew Bible insists. To avoid conceding defeat by the Jews, Christian covenant theologians must do one of three things: (1) they must reassert the classic New Testament claim that covenant does not require observance (i.e. that, in good Pauline fashion, the Mosaic/Sinaitic dimension is actually dispensable); (2) they must show that the Jews have perverted the covenant faith of their ancestors, so that Judaism is *more*

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discontinuous with the religion of Israel than Christianity (another New Testament
 theme, found especially in Hebrews); or (3) they must develop a dual covenant
 theology, that is, a position that somehow upholds the covenantal status of the
 people, Israel and of the church equally. This last option, though approximated by a
 few of Eichrodt's contemporaries, is of the three the least consonant with traditional
 Christian theology. It is thus hardly surprising that Eichrodt chose only the first two
 possibilities. His effort to substantiate the second of our three theoretical options
 is particularly problematic but also particularly revealing of his method. Judaism, he
 said, has only "a torso-like appearance ... in separation from Christianity." "It was
 not," he wrote, "until in later Judaism a religion of harsh observances had replaced
 the religion of the Old Testament that the Sabbath changed from a blessing to a
 burdensome duty." It is in the Mishnah (promulgated c. 200 c.e.) that "real worship of
 God [was] stifled under the heaping up of detailed commands from which the spirit
 has fled." In Judaism, he informed his readers, "the living fellowship between God
 and man ... shrivelled up into a mere correct observance of the legal regulations." In
 short, in Judaism "the affirmation of the law as the revelation of God's personal will
 was lost."

In making these statements, Eichrodt capitulated in toto to the pole of his method
 defined by the New Testament; critical historiography did not inform him here at
 all. He accepted New Testament caricatures, stereotypes, and outright perversions
 of Judaism in the same manner as would the most unlettered fundamentalist. For
 example, what literary source in "later Judaism" (by which he means early Judaism)
 ever saw the Sabbath as "a burdensome duty" rather than a blessing? Volumes are
 spoken by Eichrodt's silence about the numerous passages in the Talmud and Midrash
 that describe the Sabbath as a pearl, as Israel's bride, or the like (e.g. *Ber Rab.* 11:8;
Shocher Tov 92:1). The likelihood is that he did not know they existed and had no
 interest in learning what spiritual treasure, what wealth of love, joy, camaraderie,
 and spiritual reflection, the observant Jew found (and finds) in the Sabbath. Christian
 anti-Jewish polemics were so much more readily at hand and, especially in the
 Germanophone world of 1933, so much more readily accepted. Eichrodt's idea that
 the personal will of a gracious God fell out beneath rabbinic legalism fares no better.
 It cannot survive a confrontation with the numerous rabbinic sayings that present
 observance of *mitsvot* as a response to God's grace (e.g. *Mek. Bakhodesh* 5).

In one instance, however, Eichrodt did cite a rabbinic text in support of his antirab-
 binic theology:

This means that for the heathen, being sinners without the Law, the only real
 possibility is God's punitive righteousness; and this state of affairs is not altered by
 Aqiba's fine saying: "The world is judged by the measure of God's mercy."

Eichrodt's footnote to this quotation from the Mishnah reads:

Pirque Aboth 3.16. The continuation, "and everything is done according to the

multitude of works" proves conclusively that here, as in Wisdom 12.15, the only idea is one of resignation in the face of resistless and overwhelming Omnipotence.

An examination of the complete tannaitic dictum shows that Eichrodt simply did not understand Rabbi Aqiba's point:

All is foreseen, but freedom of choice is given. In goodness the world is judged, but all is according to the amount of work.

So far as I can determine, the Jewish tradition has always understood the last word of Rabbi Aqiba's dictum as a reference to human efforts, not God's action. In other words, Rabbi Aqiba (d. 135 C.E.) here states two paradoxes—the coexistence of divine providence and human free will, and the importance of both divine grace and human effort in God's judgment of the world. Works are neither sufficient nor dispensable; they are essential but ultimately inadequate. The point is one that a Calvinist theologian should be expected to understand immediately. But for Eichrodt to have understood it and to have rendered it accurately would have been to forfeit his argument that the Jews lost sight of the nature of the divine-human relationship, substituting a legalistic works-righteousness for the more paradoxical and nuanced biblical stance. And to forfeit that argument would have been to forfeit the claim that historical-critical scholarship is compatible with the Christian tenet that the Hebrew Bible is *best* approached when it is within the same covers as the New Testament, that the Hebrew Bible, examined historically, speaks univocally in favor of its Christian recontextualization.

Our examination of the theology of Walther Eichrodt shows that his anti-Judaic remarks were not incidental to his theological method. They were owing not simply to social prejudice, but to his intention to show that the covenantal religion of ancient Israel is of a piece with Christianity. His willingness to accept traditional Christian slurs at face value both contributed to and was influenced by his apparent inability to read the rabbinic sources. In this, he resembled Wellhausen, who confessed his lack of knowledge of Jewish literature, especially the Talmud, and his consequent dependence on Greek sources, but did not allow this handicap to prevent him from presenting a very negative picture of Judaism throughout his career. The disastrous effects on both Wellhausen and Eichrodt of ignorance of literature in postbiblical Hebrew underscore a truism that much of the scholarly world still evades: one cannot be a competent scholar of the Christian Bible without a solid command of rabbinic literature and rabbinic Hebrew (and Aramaic). Hebrew did not die on the cross.

5

If Eichrodt's assertion that the same theme dominates each half of the Christian Bible is unlikely, even the lesser claim of thematic unity throughout the Old Testament has proven problematic. This search for the unity (or the center) of biblical theology

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is, in a sense, reactionary: it aims to diminish the impression historical criticism leaves that, at least with respect to the Bible, Heraclitus's dictum is correct—"everything flows." For, approached historically-critically, biblical theology seems to be like Heraclitus's river: one cannot step into the same one twice. A less reactionary response is to be found in the work of Gerhard von Rad, especially in his *Theologie des Alten Testaments*, first published in 1957. Making a virtue of necessity, von Rad saw the reappropriation and reinterpretation of the legacy of tradition as a precious theological asset. Behind that reinterpretation lay a continuing history of salvation (*Heilsgeschichte*), at the onset of which was a promise for which "there was, oddly enough, never any satisfactory historical fulfillment and consummation." Therefore, "the Old Testament can only be read as a book of ever increasing anticipation." The fluctuation of tradition is to be seen theologically as Israel's effort to keep that promise and the hope for its fulfillment alive. For example, the Yahwist (J) has reinterpreted the promise of land to the Patriarchs as a reference to the conquest under Joshua generations later (Gen. 15.13-15). And the great anonymous prophet of the exile, writing when the promise of grace to the House of David seemed to have been voided, reinterpreted "the sure grace to David" as applying to the entire people Israel (Isa. 55.1-7). Thus could the Davidic covenant be saved at a time when the messiah was seen not in a scion of David, but in the Iranian liberator, Cyrus (Isa. 44.24-45.3). If Old Testament theology recognized this process of recontextualization and reinterpretation of the promise (which, despite the changes, remains valid), then in von Rad's words, "[T]he material itself would bear it from one actualization to another, and in the end would pose the question of the final fulfillment." For him, of course, this final fulfillment was Jesus as the Christ. The difference, for example, between Israelite messianism and New Testament Christology therefore need not be denied or minimized. The New Testament simply continues the traditionary process of the Old, which was itself always in flux. Thus could von Rad, on grounds very different from Eichrodt's, oppose, like him, those who take "the Old Testament in abstraction as an object which can be adequately interpreted without reference to the New Testament."

Von Rad's method allowed the texts of the Hebrew Bible to speak more in their own voices than did the historicism of Wellhausen or the dogmatism of Eichrodt. His ear was more finely attuned to the plurality of notes sounded in the Hebrew Bible, and his mind was, relative to theirs, less inclined to force external schemes onto the texts themselves. The fact remains, however, that von Rad's effort to preserve the bifurcated Bible of Christianity without deviation from historical criticism was deeply flawed. Brevard Childs is surely right that

a major problem with von Rad's *Old Testament Theology* is that he has failed to deal with the canonical forces at work in the formation of the traditions into a collection of Scripture during the post-exilic period, but rather set up the New Testament's relation to the Old in an analogy to his description of the pre-exilic growth of Hebrew tradition.

In other words, already by the time of the New Testament documents, Israelite tradition had developed a strong notion of sacred scripture. The claim of the primitive church was not that its gospel was yet another link in an ongoing chain of tradition, but that it was *the* fulfillment of canonical writ. Von Rad thus preserved the bifurcated Bible by destroying the bifurcation. The New Testament is only the continuation of the Old. But if tradition in the sense of recontextualization is what legitimates the more recent past and binds it to distant antiquity, then von Rad's exclusive focus on the Christian continuations is unwarranted. Why did he not consider rabbinic tradition, which, especially in the form of midrash, also recontextualized the Hebrew Bible, often strikingly? Why, in short, is the Israelite past to be seen only in light of the early church, the Hebrew Bible only as an "Old Testament"? At times von Rad seemed to answer this in the same way Wellhausen and Eichrodt did, through the disparagement of Judaism, as when he wrote that:

The end was reached at the point where the law became an absolute quantity, that is, when it ceased to be understood as the saving ordinance of a special racial group (the cultic community of Israel) linked to it by the facts of history, and when it stepped out of this function of service and became a dictate which imperiously called into being its own community.

But, in general, he seems to have been oblivious to the question, perhaps because as a Christian theologian in the *judenrein* Germany of the post-Holocaust era, he had no one to raise it with him. Like Hegel, Wellhausen, and Eichrodt, he simply assumed the spiritual necrosis of Judaism after Jesus. After "the end was reached," why consider the Jews?

The finality that von Rad attributed to the New Testament is in contradiction to his resolute emphasis on the ongoing nature of tradition. Apparently, he expected us to respect the continuousness of history up to and perhaps including the experience of the apostolic church, but then to make a leap of faith that would deny the continuousness and ongoing nature of all subsequent history. All fulfillments before Jesus are to be seen as provisional. Jesus is to be seen as final and unsurpassable. But must not historical criticism point out that history also passed up Jesus, if, that is, we are to believe he really said what the New Testament evangelists attribute to him? His prediction that the kingdom would come within the generation (Mk 9.1), for example, proved false, forcing his later followers to devise extenuations and explanations, which are themselves recontextualizations. In fact, the entire history of Christian theology can be seen as testimony to the provisional character of the New Testament and its putative "fulfillments." History continues, and for Christians who read their tradition in light of Nicea, Aquinas, Luther, Trent, or Vatican I and II, the New Testament has itself long been an "Old Testament," in need of reinterpretation and supplementation. No statement is final because, whatever apocalypticists may say, history continues. Indeed, if we are to assume the validity of recontextualization, why stop with Judaism and Christianity? Islam, after all, claims to have superseded the church in a way not

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altogether different from the way the church claims to have superseded the Jews: Jesus becomes a link in the chain of prophets that culminated in Muhammad (the supersessionists superseded!). Von Rad would probably claim, in rebuttal, that the ultimate fulfillment in Christ is known only through faith; the critical historian can never see it. But in that case, he would have conceded that a historical-critical examination of the religion of the Hebrew Bible does *not* point to Jesus Christ and that the unity of the Christian Bible cannot be demonstrated by tradition-history after all.

Von Rad, in sum, seems to have wanted to move from the Hebrew Bible to the New Testament by means of certain methods that, whether accurately applied or not, are fully in accord with historical criticism. Having done so, he then wishes to suspend those methods and to introduce an act of faith in the consummative finality of Jesus. It is this anticritical act of faith that distinguishes the "biblical theologian," in von Rad's terminology, from the "historian of the religion of Israel." When the radical implications of historical criticism got close to home and began threatening the unity and sufficiency of the Christian Bible, von Rad reverted to a position formally indistinct from fundamentalism. He expected faith to stop Heraclitus's river.

At first glance, von Rad's emphasis upon tradition at the expense of canonical scripture seems strange in a Lutheran theologian. Was it not the Protestant Reformers who asserted that all church tradition must be scrutinized according to the norm *sola scriptura*, "by scripture alone"? At the point when scripture is shown to be the product of tradition, it surely becomes more difficult to assert the sovereignty of the scripture over the tradition, as the Reformation generally sought to do. On the other hand, von Rad's assumption that traditions, as recovered by form criticism, are the fundamental units to be interpreted does serve one traditional Lutheran goal, the polarization of grace and law. In an early programmatic essay, von Rad argued that beneath the earliest documents of the Hexateuch (Genesis to Joshua) lay two sets of traditions. One, connected with the Festival of Booths, centered on the experience at Sinai and the proclamation of cultic law. The other, connected with Pentecost, was the tradition of the settlement in the land, a tradition in which the exodus was of prime import. Thus, originally, one could narrate the story of descent into Egypt, enslavement, liberation, and the assumption of the land without any mention of the revelation at Sinai. Von Rad thought that texts such as Deuteronomy 26.5b-9, Joshua 24.2-13, and 1 Samuel 12.8, which omit all reference to the Sinaitic experience, bore out his claim. Of course, many texts witness to the merger of the two sets of traditions (e.g. Nehemiah 9 and Psalm 106). In von Rad's mind, that merger, that "incorporation of the Sinai tradition into the Settlement tradition should be attributed to the Yahwist" (J). "The blending of the two traditions," he concluded, "gives definition of the two fundamental propositions of the whole message of the Bible: Law and Gospel." Thus, through a very different method from Wellhausen's, von Rad, like him, was able to reverse the canonical merger of "Law and Gospel" (assuming he was right that they were once separate) and thus to cast doubt upon the theology of those traditions in which they were not dichotomized or even differentiated. On the basis of this, von Rad could then replicate the classic Pauline subordination of norm to soteriology.

Once again, a historical method—this time, form criticism—has been employed to decompose the received text and to reorder it according to the needs of Christian theology. This use of historical criticism has proven to be the most important in Old Testament theology, for it enables the theologian to find meanings in the book that the *textus receptus* does not suggest. The retrieved past (the Hebrew Bible) can thus be rapidly assimilated to the familiar present (the Old Testament). The man can repress the child within and go about his business as if nothing has changed.

The same *Tendenz* can be seen in von Rad's teacher, Albrecht Alt, a form critic for whom the problematics of contemporary theological affirmation were not a central concern. This makes it all the more revealing that Alt's historical reconstructions move in the direction of the same Christian theology that we have detected in the works of Wellhausen, Eichrodt, and von Rad. Alt found that biblical law separates into two broad categories, "casuistic" and "apodeictic." Casuistic law is case-law, characteristically phrased in the form: "if a man ... then ... "; it specifies crimes and punishments. Apodeictic law tends to be phrased in the imperative; it takes the form of a personal command and omits any mention of sanctions. Alt's discovery was that the distinction is not simply formal, but substantive as well. Casuistic law tends to be secular, whereas apodeictic law (e.g. the Decalogue) is sacral. Casuistic law is general in the ancient Near East (Alt thought it a borrowing from the Canaanites), whereas apodeictic law is native to Israel and reflects the unique character of YHWH. Ultimately, according to Alt, the apodeictic law expanded at the expense of the casuistic. It "pursues the Israelite out of the sanctuary of [YHWH] into his daily life, and inevitably clashed with the carefully itemized instances and exceptions of the casuistic law." Essentially the same dichotomy appeared in America in the work of George E. Mendenhall, only under the rubrics of "law" and "covenant." Two decades ago, Mendenhall published an essay in which he argued that these two stand in a contrastive relationship. Law, for example, "presupposes a social order," whereas covenant is based on "gratitude." Law is "binding upon each individual by virtue of his status ... usually by birth," but covenant comes "by voluntary act in which each individual willingly accepts the obligations presented," and so on.

A full critique of these theories of von Rad, Alt, and Mendenhall lies outside the purview of our discussion. Each has been challenged or severely qualified. What is of interest here is that each comes to a position that is in profound harmony with a crucial point in the Pauline-Lutheran understanding of the Torah: one can inherit the promise to Abraham and the status of his lineage without "the Law." Von Rad is the most explicit and probably the most self-conscious: he openly uses the terms "Law and Gospel" and defines them as "the two most fundamental propositions of the whole ... Bible." Obviously, the last word refers to the twofold Bible of Christianity. What von Rad attempted to show was that this Christian dichotomy, ostensibly so alien to the thought-world of the Hebrew Bible, is, in point of fact, basic to the evolution of that set of documents. Alt, despite his less explicit involvement in theological tradition, makes essentially the same point. Is it coincidence that Jesus (so far as we know) spoke only apodeictically and bequeathed no case-law? To one who stands in the Christian tradition,

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it is surely of use to argue that case-law was always foreign and secular—that is, religiously inessential: what Paul abolished was always dispensable, so much cultural baggage from the environment (actually, a point that Paul himself would not have accepted). Mendenhall's dichotomy of law and covenant makes the same point. "Law" here sounds very much like the same term in Paul, for whom it is an agent of death, now happily superseded. Law, unlike covenant, for example, is usually a matter of birth for Mendenhall (cf. Rom. 9.6–8). Christians, however, sought to retain the term "covenant," applying to themselves the prophecy of a "new covenant" (Jer. 31.31), which they interpreted as anomian, a covenant without law (Heb. 8.6–13). Thus, it is no surprise to find most Old Testament theologians as much in favor of covenant as they are against Torah or "law." This is credible only when law and covenant can be made into contrasts.

The claim that there was a time, before the composition of the canonical Pentateuch (or Hexateuch), when Israel could tell its story without the intrusion of law is simply a form-critical analogue to Paul's argument in Galatians 3 that Abraham was justified through faith without the Law, which came fully 430 years later, in the generation of Moses (v. 17). Aspects of the theory are older than Paul. Martin Hengel points out the Hellenistic writer Posidonius (c. 135–50 B.C.E.) claimed "that the good and simple legislation of Moses had been falsified at a later period by superstitious and forceful priests who by separatist regulations had changed the simple and truthful worship of God intended by the founder into something quite different." It has been suggested that this theory influenced the Jewish Hellenizers of Seleucid times and even that Paul may have been their heir. If so, then this Hellenizing trend, with its eagerness to suspend the *mitsvot*, has been preserved for two millennia through the triumph of Pauline Christianity, and the process of its intellectual self-justification continues in the stepchild of the church, biblical criticism. The great vulnerability, however, of those who wish to pursue this line of self-justification through the study of the Hebrew Bible is that the hypothetical two themes—law and gospel, casuistic and apodeictic law, law and covenant—have been woven together so thoroughly that their separation can be effected only through the wholesale dismantling of the canonical literature. For nothing is more characteristic of the biblical law codes than the meshing of casuistic and apodeictic law. In fact, the Pentateuch endows *all* its laws with the status of personal commandments from God by reading them into the revelation through Moses on Mount Sinai: law and covenant are one. It is here that the techniques of von Rad, Alt, and Mendenhall become useful for Christian apologetics, for these techniques allow the scholar to penetrate back to a putative era that supports the Christian dichotomy, whereas the canonical shape of the literature only casts doubt upon it. Like Wellhausen, those scholars are really engaging in reconstructive surgery, whose purpose is to produce an "Old Testament" in place of the Hebrew Bible, to use *historical-critical methods* to validate the *literary context* that is the Christian Bible. Such surgery becomes all the more essential to the Christian historical critics when they discover that this characteristic interlacing of norm and narrative continues in the Talmud and Midrash, where halakhah and aggadah alternate

uneventfully, a fact that raises the alarming possibility that the Jews are indeed rightful heirs to the Hebrew Bible and that the Christian tradition of supersessionism, as old as the New Testament itself, is inconsonant with the Hebrew Bible. It is no coincidence that the dispossession of the Jews has been an important motive force behind much of the study of "biblical theology."

6

I have argued that the essential challenge of historical criticism to book religions lies in its development of a context of interpretation, the *historical* context, which is different from the *literary* (or *canonical*) contexts that underlie Judaism and Christianity, in their different ways. In one fashion or another, these religions presuppose the coherence and self-referentiality of their foundational book. These things are what make it possible to derive a coherent religion, *one* religion (one's own), from the Book. Historical critics who are uncompromisingly honest, by contrast, exploit the inconcinnities and the discontinuities as part of their effort to decompose the Book into its multiple strata in order to reconstruct the history that redaction has repressed. It is not surprising, to resume our psychoanalytic metaphor, that the recovery of repressed material should meet with "resistance," in this case, the angry salvos of fundamentalists. What is surprising, however, is that so many religious traditionalists who plight their troth to historical criticism insist that their work only *enriches* and never *undermines* their religious identity, as if the fundamentalists (who are, incidentally, far more numerous) are simply silly. What makes this optimism possible is the use of historical-critical methods in defense of only the traditional canon and its underlying theology. In the case of the five scholars discussed—Wellhausen, Eichrodt, von Rad, Alt, and Mendenhall—the Hebrew Bible is analyzed in ways that reinforce its status as the "Old Testament" (itself an ahistorical or anachronistic term) and that defuse the threat that historical criticism poses to Christian supersessionism.

If this is the case, then these historical studies play for their Christian authors much the same role that midrash played for the classical rabbis: like the midrashim that we examined in section 1, this kind of historical inquiry serves to harmonize discordant texts. This time the texts are not, as there, the differing Passover laws of Exodus 12 and Deuteronomy 16, but Leviticus and Galatians, for example, or Deuteronomy and Romans. For Christian Old Testament scholars who wish their work to be *Christian* and not simply historically accurate, the urge to harmonize arises, as it did for the rabbis, from the conviction that the sacred text is ultimately a unity, that all those seemingly diverse passages belong in the same book after all. The differences must be shown to be complementary or in dialectical tension; no outright contradictions may be allowed to stand. For if they do stand, then it will be apparent that Christianity attempts to *keep* the scriptures of at least two different religions in its bifurcated Bible, and the Christian Bible will cease to give a univocal endorsement to Christianity. The endurance and vigor of Judaism should always have cast doubt upon the claim of univocality, but, as

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we have seen, the dominant Christian theological tradition, practiced by ostensible historical critics no less than by fundamentalists, has, in the past, blindfolded itself to that vigor and clung religiously to the old defamations. The aspersions so often cast upon Judaism in the "Old Testament theologies" and related works are thus not incidental. They are indispensable to the larger hermeneutical purpose of neutralizing historical criticism from within.

Most Christians involved in the historical criticism of the Hebrew Bible today, however, seem to have ceased to want their work to be considered distinctively Christian. They do the essential philological, historical, and archaeological work without concern for the larger constructive issues or for the theological implications of their labors. They are Christians everywhere except in the classroom and at the writing table, where they are simply honest historians striving for an unbiased view of the past. Even in the world of Old Testament theology, however, there has grown over the last twenty years or so considerable awareness that the historical-critical enterprise is in tension with the demands of Christian proclamation. One thinks of Friedrich Baumgärtel's argument that "we cannot eliminate the fact, derived from the history of religion, that the Old Testament is a witness out of a non-Christian religion." A. H. J. Gunneweg has drawn the hermeneutical implication: "But it is impossible to give a Christian interpretation of something that is not Christian; Christian interpretation of something that is not Christian is pseudo-interpretation." With these two sentences, Gunneweg has pronounced judgment on two millennia of biblical studies in a distinctively Christian mode. He has fired a torpedo into the prediction-fulfillment schema of the Gospels; into Paul's allegories and all their patristic, medieval, and Reformation kin; into Wellhausen's historicism, Eichrodt's and Mendenhall's anomian covenantalism, and von Rad's salvation history, and into much else. For all these efforts to make a Christian use of the Hebrew Bible commit the greatest sin known to the historical-critical method, the sin of anachronism. If they are to survive, they must find a defensible mode of reasoning other than historical-critical analysis.

The Jew who may be inclined to enjoy the thought that historical criticism may at long last be about to liberate the Hebrew Bible from the New Testament had best observe the admonition of Proverbs 24.17-18. Indeed, the wrath of historical criticism has already fallen upon Judaism and not only upon the church. No critical scholar of the Hebrew Bible believes in its *historical* unity or in the *historical* unity even of the Pentateuch. If Leviticus and Galatians cannot be accommodated in one religion, then neither, perhaps, can Exodus and Deuteronomy, and certainly Isaiah and Qohelet cannot. Jews need their harmonistic midrash no less than Christians need theirs, for it is midrash that knits the tangled skein of passages into a religiously usable "text" (from Latin, *texo*, "to weave") and continues the redactional process beyond the point of the finalization of the text. The pulverizing effects of the historical-critical method do not respect the boundaries of religions: the method dismembers *all* midrashic systems, reversing tradition. Rigorous historical critics are no more likely to accept a rabbinic interpretation of literature that is not rabbinic or a Deuteronomic interpretation of literature that is not Deuteronomic than they are to accept a Christian interpretation

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of literature that is not Christian. All religious use of past literature is, to some extent, at cross-purposes with historical criticism, if only because the world of the contemporary religious person is not the world of the author. It is a world into which the author's work arrives only after it has been recontextualized through redaction, canonization, and other forms of tradition. Without these recontextualizations it is unavailable. The matrix in which the ancient text speaks to the contemporary community is this larger, anachronizing context. To be sure, historical-critical and traditional religious study are not always mutually exclusive. They may, in fact, cross-fertilize or check each other. But it is naive to expect the historical-critical study of the Book only to serve and never to undermine traditional religious purposes, whether the Jewish *mitsvah* of *talmûd tôrâ* (the central obligation of Torah study) or Christian kerygmatic proclamation. Both sacred and profane modes of study have value and meaning, but they must not be collapsed one into the other.

Two factors account for the remarkable endurance of the tendency to collapse or muddle contexts of interpretation. First, the motivation of most historical critics of the Hebrew Bible continues to be religious in character. It is a rare scholar in the field whose past does not include an intense Christian or Jewish commitment. That commitment brings scholars to the subject, but the character of the method with which they pursue it has less in common with the religious traditions than with the Enlightenment critique of them. The incongruity of the motivation and the methods is seldom acknowledged. It is more convenient to maintain an expectation that somehow the historical-critical method will, in the last analysis, *only* vindicate, purify, and enrich the original religious motivation.

The second factor is simply the institutional correlative of the first. It is that most of the critical scholarship in Hebrew Bible is still placed in Christian theological schools. Indeed, were it not for the religious connection, the field would be no more prominent in Christendom than are most other studies of ancient Western Asiatic cultures. But the religiousness of this location sets up a continuing expectation that, in principle, this nontraditional, nontheistic method will serve traditional theistic goals, such as Christian ministry. The dissonance caused by the placement of Hebrew Bible in Christian contexts is a profound inducement for the creation of a mediating myth that will mask the contradiction. Each of the five scholars whose work we have examined aided profoundly in this myth-making enterprise. Indeed, as I shall argue in chapter 2, the field known as "Old Testament theology," in which Eichrodt's and von Rad's works are classic, is marked by a profound ambivalence as to whether the endeavor is a branch of Christian theology or not. The nearly universal tendency is to have it both ways: Old Testament theology is to be both historical and Christian. Acknowledgment of the survival and vibrancy of Judaism would be difficult to harmonize with this belief in a *historically* responsible *Christian* exegesis of a non-Christian set of books, for, if nothing else, the Jewish presence would serve to relativize the Christian reading and to suggest that it is particularistic and confessional and not simply some self-evident "plain sense" that accords with the ancient Israelite author's intentions. The anxiety that this possibility produces accounts, in part, for the traditional eagerness of Old

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Testament theologians to negate postbiblical Judaism: out of sight, out of mind. The relativistic implications of the multicontextuality of its sacred book are difficult, and perhaps impossible, for any religion to accept. In the case of Christianity, however, a long-standing tendency to conceive of itself as universal and of Judaism as particularistic makes the evidence for its own particularism more painful to embrace. The path of least resistance has been to suppose that the Christian context subsumes all others.

The emergence and increasing prominence in recent years of scholars and academic departments that are not committed to any religious perspective have inflicted grave damage upon the status of Christian theology as the ruling paradigm in biblical studies. The explosion in knowledge of the ancient Near East has shifted the focus of many advanced programs in Hebrew Bible from theology to philology and archaeology. As we saw in our discussion of Eichrodt, the hope that the new focus would only complement the old one bore little or no good fruit. In North America, the emergence of religion departments and Jewish studies programs and departments has further contributed to the dethronement of Christian theology, indeed *any* theology, as the organizing paradigm for the study of the Hebrew Bible. As a consequence, in the elite academic world, those for whom the term "Old Testament" is more than vestigial have been put into the unenviable position of an ex-emperor who now must learn how to be a good neighbor. As of yet, no new emperor has assumed the throne. Given the social mix and the I methodological diversity that are both increasingly characteristic of the field, the throne is likely to be vacant for a long time. Whether the result will be liberty or anarchy remains to be seen.