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Abstract: The authors of the ancient Israelite texts portray complex ideas about how their communication involved the divine. Tied up in these ideas are assumptions about communication between and by community members. This dissertation identifies and discusses key “speech” concepts in ancient Israel, which are most explicit in the wisdom literature, and which reflect the interests and ideas of a literate class within Israel. The perceptions of this class, as evidenced by their portrayal of speech and speech rules in the texts, are as important as any questions about the historicity of that portrayal. To better frame the identified speech concepts, this dissertation uses modern theories about speech and explores the development of writing and its relationship with oral communication. It concludes that ancient Israelite texts portray speech as the means by which individuals were evaluated by the community and God. The texts depict the spoken word as expressing strong commitment; even in an age of treaties and contracts, the vow is described as essentially a spoken phenomenon. Speech was also exposure: aspects of its commitment explain wisdom texts’ emphasis on discretion: the texts portray speech (or restraint) as a marker of relative class, through which individuals assert or subordinate themselves. Ultimately, the wisdom texts describe a community hyper-focused on communication, with communicative rules to honour the divine and foster community order.

**COMMUNITY AND COMMUNICATION
IN ANCIENT ISRAELITE WISDOM TEXTS**

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Dedicated to Barrett Wagner Kennedy, who's been there for it all – from our very first visit to Durham (with you in your buggy) to the walks in Langley Park, the blackberry picking, the playgrounds, the libraries, the Netflix nights (and days), and now, finally, the end of my long academic road – just as you're beginning your own in kindergarten. Thanks for putting up with a sometimes too-tired and absent mom. I love you, buddy.

Chapter 1: Introduction

The biblical sources reflect the interests and ideas of a literate class within Israel, which tends to project its own literacy onto its depictions of religion and society—despite the fact that, historically, much of the population may not have belonged to that class. These sources do show, however, a continuing interest in speech as a vehicle for communication, and this interest is often most explicit in the wisdom literature. It seems that, even within the literate class, there is a specific “sphere for speech”, and the purpose of this dissertation is to identify that space and to assess the attitudes to speech displayed within it. It is concerned with the portrayal of speech and speech rules by the literate class more than reconstructing actual historical practice.

Chapter 1 begins, therefore, with a brief overview of modern theories about speech and an introduction to concepts and vocabulary. Chapters 2-4 then look at the place of literacy and the importance of distinguishing between literate and non-literate attitudes. Chapter 2 looks at literacy and writing in a socio-historical context and chapter 3 at the relationship between speech and writing in biblical sources, while chapter 4 examines, via the differences between the written and the oral, the nature of truth and utterances about truth. Chapters 5-7 then look at depictions of and applications of speech. Chapter 5 shows the continuing ability of the spoken word to express strong commitment: even in an age of treaties and contracts, the vow remains essentially a spoken phenomenon. Chapter 6 finds these ideas in biblical depictions of speaking to God. Finally, Chapter 7 finds aspects of such commitment in social situations, with respect both to speech and to deliberate silence, and emphasises that silence, too, is a matter of social construction. Chapter 7 also identifies speech and restraint as markers of relative class, through which individuals assert or subordinate themselves.

The theories examined in this first chapter will form a background for the more specific studies in the following chapters—a sociological and linguistic lens through which to view the texts. In a short dissertation, it is not my purpose, of course, to reconstruct the whole picture in full, or even in part, and I am attempting rather to provide a starting-point and prolegomenon for broader studies of these matters. My conclusions, therefore, summarise key points and draw out indicative issues, but my intention here is to emphasise the value and importance of this area, rather than to provide a definitive guide to it.

Language and Society

Speech is represented with poetic and symbolic care in the Bible, whether recorded as “direct speech” or when evaluated in reflective, prophetic, legal or didactic texts. The system of language in ancient Israel, however, is only available to us in one dimension, that of the written text. If we are to understand the portrayal of communication in ancient Israel, then it is useful to explore the relationships between language and text, orality and literacy.

Accordingly, this chapter focuses on major linguistic and sociological theories related to language and society, as well as to the “rules” of communication, before concluding with an examination of why wisdom and legal texts offer the best evidence for a study interested in language and community in ancient Israel.

Language is both generated through, and generative of social life, a dynamic that forms the focus of linguistic anthropology: linguistic anthropologists aim to understand the relationships between language and other socio-cultural phenomena. This is not a monolithic discipline, and they variously treat language as an autonomous entity, foreground language as a kind of practice in itself, understand language using universalist and relativist perspectives, or view language contextually by analysing speech in terms of non-linguistic phenomena. A number of these approaches are limited by the textual confines of *historical* study, but it remains a given in all of them that language, culture, and society interact in multiple ways. A

range of philosophical, psychological, sociological, linguistic, and anthropological studies contribute to the understanding of communication (verbal, non-verbal, and written) as a social activity fixed in cultural contexts. Language creates and maintains social realities and reproduces cultural traditions and forms, such as status, identity, roles, power relations, race, and knowledge. It also informs and enforces what kinds of behaviour are considered appropriate in each culture. It aids in the construction of culture and in producing shared cultural ideologies and practices.

A convenient point at which to begin any survey of this field is provided by J. L. Austin's 1962 *How to Do Things with Words*, a watershed work that was among the first to emphasise that the use of language was a social action, revealed in the "total speech act."¹ Austin's concept of the "speech act" resonated with the much earlier, foundational works of Sapir, who highlighted language's dynamism, and of Malinowski, who viewed language as "a mode of action" rather than primarily as a "means of thinking."² Austin describes "performative" language, which brings about change, as opposed to "constative" language, which merely describes, consisting of, for the most part, statements which can be proved true or false.³ Austin and J.R. Searle, whose own work on the subject was to follow in 1969, also present two important categories of speech-acts: the illocutionary act (the act "in saying" something, that is, performing something by saying it, like promising or offering) and the perlocutionary act (the act "by saying" something, that is, to achieve something *by* saying something, like impressing or persuading).⁴ The writings of the prophets are a ready example

¹ J. L. Austin, *How to Do Things with Words* (Oxford: Oxford University Press, 1962); See also Richard Bauman and Charles L. Briggs, "Poetics and Performance as Critical Perspectives on Language and Social Life," *Annual Review of Anthropology* 19 (1990): 62. Bauman and Briggs provide an excellent review of the history of speech, poetics, and performance interpretation.

² E. Sapir, *Language: An Introduction to the Study of Speech* (New York: Harcourt, Brace & World, 1921); B. Malinowski, "The problem of meaning in primitive languages," pages 296-336 in *The Meaning of Meaning*, edited by C. K. Ogden and I. A. Richards (London: Routledge & Kegan, 1923). See also Bauman and Briggs, "Poetics and Performance," 62.

³ Austin, *How to Do Things*, 5.

⁴ Austin, *How to Do Things*, 65-66, 91-95, 122; J. R. Searle, *Speech Acts*, (Cambridge: Cambridge University Press, 1969), 22-23.

of both illocution and perlocution: they warn, promise, and indict, which illocutionary acts all have perlocutionary aspects of, variously, encouragement and persuasion.⁵

Searle expanded on Austin's category of illocutionary acts, further subdividing it into assertives (which are either true or false, like descriptions), directives (which cause the hearer to do something, like commands), commissives (which commit the speaker to do something, like promises), expressives (which communicate attitudes and emotions, like congratulations or apologies), and declarations (which change the state of affairs upon being pronounced, like marriage vows).⁶ L. Dairo has argued that proverbs are both per- and illocutionary. As speech acts, their functions include "adjudication, expression of facts, warning/admonition, offer of advice, issuance of threat, and issuance of directives."⁷

Austin's work gave rise to a number of studies examining various performances of language—conversation, ritual speech, poetry, and so on—as "social acts."⁸ Some of this work has extended the scope of the claims: Bauman and Briggs, for example, have sought to shift the focus of research from single sentences and isolated features to Austin's "total speech act,"⁹ and Alessandro Duranti's recent work on linguistic anthropology describes

⁵ See Robert P. Carroll, *When Prophecy Failed: Cognitive Dissonance in the Prophetic Traditions of the Old Testament* (New York: Seabury Press, 1979), 72.

⁶ Searle, *Expression and Meaning: Studies in the Theory of Speech Acts* (Cambridge: Cambridge University Press, 1985), 12-20.

⁷ Though this is in an analysis of the proverbs of the Yoruba, a west African ethnic group. L. Dairo, "A Speech-Act Analysis of Selected Yoruba Proverbs," *Journal of Cultural Studies* Vol. 8 No. 3 (2010).

⁸ There is a great deal of literature, but we may note, for example, McDowell, who studied the use of language in ritualistic acts, arguing that the "formalisation of ritual speech decreases its accessibility to both potential performers and audiences; this suppression of the referential function enhances its efficacy." J. H. McDowell, "The semiotic constitution of Kamsa ritual language," *Language in Society* 12 (1983): 23-46. Conversation analysts, like Schegloff, Goodwin, Moerman, and Sacks, examined the organisation of conversation and concluded that the an utterance's communicative function is "relative to its location in the linear stream of discourse." Bauman and Briggs, "Poetics and Performance," 63; H. Sacks, E. A. Schegloff, G. Jefferson, "A simplest systematics for the organisation of turn-taking for conversation," *Language* 50 (1974): 696-735; M. Moerman, *Talking Culture: Ethnography and Conversation Analysis* (Philadelphia: University of Pennsylvania Press, 1988); C. Goodwin, *Conversational Organization: Interaction Between Speakers and Hearers* (New York: Academic, 1981); "Notes on story structure and the organization of participation," pages 225-46 in *Structures of Social Action: Studies in Conversation Analysis*, edited by J. M. Atkinson and J. Heritage (Cambridge: Cambridge University Press, 1984); M. H. Goodwin "'Instigating': storytelling as social process," *American Ethnologist* 9 (1982): 799-819.

⁹ Bauman and Briggs, "Poetics and Performance," 64. Here, illocutionary force is meant to indicate the intent of the speaker or author. Similarly, Bauman and Briggs determined that "illocutionary force is not simply a product of the referential content and/or syntactic structure of particular sentences." Instead, they argued, it is

language as not merely a social act but a cultural resource and practice.¹⁰ Such research has bearing on how we can understand language in the Bible—most saliently sections of dialogue, praise or blame, proverbs, and poetry.¹¹ Linguists assume that “both the speaker and hearer share the same knowledge of everyday events, as well as cognitive patterns, linguistic schemas, and cultural conventions.”¹²

However, it remains exceedingly important to retain a balance between supposedly “universal” theories and the dynamic and heterogeneous character of language and its use.¹³ It would be a mistake to use a modern study’s conclusions about ritual language, for example, as a blanket theory for the ritual language of the Bible. In understanding biblical texts (and by extension, their authors and audience) through the lens of language theories, it is all too easy, as Bauman warns, to take “culturally and historically specific ideas about the nature of language and its role in social life and elevate them to the level of purportedly objective and universally applicable theories.” Such assumptions would be limited and likely erroneous. The findings of linguists, anthropologists, and philosophers must be challenged in their dialogue with biblical interpretation. While the application of language theorists’ work has become more common in biblical interpretation of late—and with good reason, as will be presented below—Bauman’s caution about propinquity in analyses of this sort must be kept in the foreground.

Much the same that can be said about speech can also be said, of course, about written descriptions of speech.¹⁴ Speech-act theory, while initially concerned with the “spoken

conveyed by a host of elements: “the formal properties of discourse, larger units of speech events, frames, keys, participation structures, and the like... and, most importantly, by the interaction of such features” (64).

¹⁰ Alessandro Duranti, *Linguistic Anthropology* (Cambridge: Cambridge University Press, 1997).

¹¹ Schegloff, indeed, quoting Gen. 22:1, suggests that the findings of conversational analysis extend to the Bible. Emanuel A. Schegloff, “Sequencing in Conversational Openings,” *American Anthropologist* Vol. 70, No. 6 (1968): 1075.

¹² Asnat Bartor, “The ‘Juridical Dialogue’: A Literary-Judicial Pattern,” *Vetus Testamentum* Vol. 53, No. 4 (2003): 453-454.

¹³ Bauman and Briggs, “Poetics and Performance,” 60.

¹⁴ See, for example, Bartor, “Juridical Dialogue,” which discusses dialogue recorded in the Bible.

word,” has also been applied to written utterances that appear within literary works,¹⁵ and Searle himself suggested that “utterances within stories can be understood because they still carry the same function that they do in real life, albeit for the world of the narrative and not the real world.”¹⁶ Such written utterances (and, as the case may be, written discussions of utterances) retain the illocutionary and perlocutionary properties of their “real life” counterparts. They are simply transmitted and received through different media. As Pratt has argued, “literature is a context too, not the absence of one.”¹⁷

Since written sources can become the only sources for understanding ideas about historical speech and its reception, speech-act theory can, as Jerry Hwang recently argued in his 2010 dissertation on Deuteronomy, “link textual propositions to extra-textual institutions and readers of the text.”¹⁸ Andreas Wagner has also conducted an important study “Sprechakte und Sprechaktanalyse im Alten Testament,” which is a largely theoretical work,¹⁹ and these studies exemplify the extent to which broader discussions about speech have begun to find their way into biblical scholarship. Such works tend to differ from the present study, however, in their concern with *direct speech* in biblical narrative, as opposed to ideologies of speech or “language ideologies.”

Language ideologies can be understood as those attitudes, values, beliefs, and practices that relate to language in a culture, and the study of language ideologies emphasises any given language activity as an action rooted in its socio-cultural context. That there is scope for such study of activities through the biblical texts becomes clearest, perhaps, when we

¹⁵ See Mary Louise Pratt, *Toward a Speech Act Theory of Literary Discourse* (Bloomington: Indiana University Press, 1977), 69; See also Steven Thatcher Mann, “Run, David, Run! An Application of Speech Act Theory in a Literary Analysis of David’s Departure (2 Sam. 15:1-17:24)” (Ph.D. diss., Fuller Theological Seminary, 2011), 70.

¹⁶ Mann, “Run, David, Run,” 70; Searle, *Expression and Meaning*, 64.

¹⁷ Pratt, *Toward a Speech Act Theory*, 94-5.

¹⁸ Jerry Hwang, “The Rhetoric of Remembrance: An Exegetical and Theological Investigation into the ‘Fathers’ in Deuteronomy” (Ph.D. diss., Wheaton College, 2009), 256.

¹⁹ Andreas Wagner, *Sprechakte und Sprechaktanalyse im Alten Testament: Untersuchungen im biblischen Hebraisch an der Nahtstelle zwischen Handlungsgebene und Grammatik*, BZAW 253 (Berlin: de Gruyter, 1997).

consider the wisdom literature, which contains explicit descriptions of ancient Israel's own language ideologies (as when Job 12:14, for instance, states that "fools multiply words"—with the implication that one who is chatty or repetitive may be seen socially as a fool).

Wittgenstein's conception of language as both word and world is also of interest in this context. Wittgenstein, like Austin, argued that we must understand reality through language, as composed of complex social practices, or "language games" (although he perhaps overemphasises language as the "key" to reality). Rejecting previous, Platonic approaches that concentrated on the logical independence of things, he argued instead that the systemic relationships between things are what invest them with social meaning.²⁰ He also proposed that there is no purely private language and focused not on psychological process and individual cognition, but on the ways in which people describe and enact their reality in social circumstances.²¹ He emphasised, accordingly, the "multiplicity of meanings" found in everyday social activity—that language is a "form of life," and that it does not describe "some essential hidden reality; it is inseparable from the necessarily social construction of that reality."²² In Wittgenstein's thought, since most systems are "language games," then theology, philosophy, and so on, are systems with particularised forms of and rules about

²⁰ Jim George and David Campbell, "Patterns of Dissent and the Celebration of Difference," *International Studies Quarterly* Vol. 34, No. 3 (1990): 273. See Ludwig Wittgenstein, *Philosophical Investigations* (New York: MacMillan, 1968), § 65.

²¹ George and Campbell, "Patterns of Dissent," 274.

²² Anthony Giddens, *Central Problems in Social Theory: Action, Structure, and Contradiction in Social Analysis* (Berkeley: University of California Press, 1979), 240-48; J. Mendelson, "The Habermas-Gadamer Debate," *New German Critique* 18 (1979): 44-55. George and Campbell, "Patterns of Dissent," 273: "Accordingly, the meaning of a term/word/symbol could not be assumed to correspond to some essential and externally derived foundation or object, but was dependent upon the particular constitutive role it played in socio-linguistic systems or 'language games.' Language conceived—not as an exclusively descriptive medium but as a 'form of life,' a process intrinsic to human social activity—represents a significant alternative to mainstream social scientific thinking. To understand language in this sense is, in effect, to convert nouns into verbs. To 'speak' in this sense is to 'do': to engage in a speech act is to give meaning to the activities which make up social reality. Language thus no longer describes some essential hidden reality; it is inseparable from the necessarily social construction of that reality. In this context, the starting point for an investigation of reality is the relationship between the rules and conventions of specific 'language games' or 'forms of life' and their socio-historical and cultural meaning. ... the study of language (broadly defined) and its rules of grammar become, simultaneously, an investigation of reality in the world."

language, and it has been argued, indeed, that there is no “theology” as such in the Hebrew Bible because there is no “language game” to be found in it.²³

If we take Wittgenstein seriously, any investigation of Israelite language and speech is an investigation of how the Israelites authors perceived their reality (or realities), and it is striking that the Hebrew used in our texts seems itself to reflect a sophisticated approach to language, with many ways to describe speech and verbal expression and with speech-terms given meaning outside of the speech-specific context. For example, the word דבר, which itself is a noun derived from the verb “to speak,” is applied so broadly as to denote the general “thing” or “matter.” We might almost say that ancient Israelite “society,” at least as perceived by the scribal class, was a kind of complex language game in and of itself—with particularised forms of, and rules about language. At the very least, the scribal class highly valued and narrowly specified “proper” speech.

Amongst many important contributions to Wittgenstein’s legacy, furthermore, Peter Winch’s understanding of “language games” deserves mention here, because he takes the concept to refer to “a complex web of activity connected by an adherence to particular rules of interpretation which, in different cultures, identified and directed ‘normal’ and/or ‘rational’ behavior.”²⁴ Winch, in other words, moved conceptual investigations from the abstractness of “logical relations” to an examination of particulars: things that are actually said and done in the context of everyday situations. While it is quite impossible to know what was actually said and done in ancient Israel, of course, it is just such particulars that are present within the texts, betraying some of the details that make an investigation of the authors’ attitudes and structures more possible.

²³ David H. Aaron, *Biblical Ambiguities: Metaphor, Semantics, and Divine Imagery* (Leiden: Brill, 2001), 17.

²⁴ George and Campbell, “Patterns of Dissent,” 274; P. Winch, *The Idea of a Social Science and Its Relation to Philosophy* (New York: Routledge and Kegan Paul, 1972).

Our access to those details is in part through direct advice and regulations about speech, such as those found most commonly in legal and didactic texts, but there is also information about speech to be found in aspects of literary convention, and scholars have often observed, most notably, the “primacy of dialogue” within biblical narrative: third-person narration commonly bridges dialogue in a sort of secondary function, with direct speech given a central role. It has been argued that this is because direct speech lends drama and authenticity to a text and enables the narrator to expose the speaker without, as Asnat Bartor has called it, “the imposition of authorial interpretation.”²⁵ Additionally, according to Robert Alter, it allows the audience to evaluate the character of the speaker, as the direct speech presents “a summary of interior experience rather than a narrative realisation of it.”²⁶ Similarly, beyond being an effective literary tool, the “primacy of dialogue” in biblical texts may also reflect the significance speech had in the author’s own experience for exposing and evaluating character. This theory is of especial importance to chapter 7’s discussion of dialogue in Job.

This usage allows us to consider in our texts what Bourdieu conceptualised as *hexis*, borrowing the Aristotelian term but explaining it as the “individual disposition that joins desire (intention) with judgment (evaluation).”²⁷ *Hexis* describes how one expresses one’s “relationship to the social world and to one’s proper place in it” by “the space and time one

²⁵ Bartor, “Juridical Dialogue,” 451: “Third-person narration is secondary to direct speech to the extent that the former is frequently only a bridge between much larger units of the latter. The preference for direct speech apparently derives from three main factors: 1) Direct speech provides dramatic vividness, which increases the authenticity of the scene, as though it happened exactly as such; or as R. Dorson phrases it: ‘The tale becomes fresher, livelier, and clearer when natural conversation is introduced.’ 2) Direct speech enables the reader to trace a speaker’s character and his expressive style. According to R. Alter, since the biblical corpus was based upon literary conventions which dictated a homogeneous language and did not “allow” the figures to use personal “spoken” language, the distinctive character of each speaker was, first and foremost, reflected by the dialogue itself and by the way the utterances were expressed. 3) Direct speech is the chief instrument for revealing the varied relations of the characters to the actions in which they are implicated.” See also R. Alter, *The Art of Biblical Narrative* (New York, 1981), 63-74, 86-87; R. M. Dorson, “Oral Styles of American Folk Narrators,” in T. A. Sebeok, ed., *Style in Language* (Cambridge, Mass., 1959), 27–51.

²⁶ Alter, *Biblical Narrative*, 85, 86-87.

²⁷ William F. Hanks, “Pierre Bourdieu and the Practices of Language,” *Annual Review of Anthropology* Vol. 34 (2005): 69; Pierre Bourdieu, *Distinctions. A Social Critique of the Judgment of Taste*, trans. by Richard Nice (Cambridge, MA: Harvard University Press, 1984).

feels entitled to take from others.”²⁸ Thus, how one speaks is an expression of “one’s own sense of social value”—for example, whether one speaks assertively, hastily, or timidly.²⁹ Hanks has described the function of Bourdieu’s *hexis* in speech, calling it “the guiding frame of reference that aligns intention with judgments of good and bad, appropriate and inappropriate. Speakers have *hexis* insofar as they enact through speech expressive intentions and the metalinguistic evaluations that guide both themselves and their understanding of others.”³⁰ For example, today, if an American is longwinded or constantly interrupts others, it would be assumed that this person has a high sense of his or her own social value and considers his or her own statements and opinions more valuable than those of others.

This work ultimately argues that the authors of the biblical texts ascribe *hexis* to their ancient Israelite audience. They depict speech as exceptionally demonstrative of one’s intentions and enacting one’s own judgments (of others) and expected judgements (from others, including YHWH). In other words, speech acts are made up of words (i.e. locutions), but are also acts in and of themselves (i.e. illocutions), which, in the case of Israelite texts, almost always are portrayed as perlocutions bringing about various effects. This is because of the speaker’s perceived *hexis*—that through speech they reveal (directly or indirectly) their evaluations, understandings, and intentions.

Social Agreement

This brings us to the important point that language and communication involve agreement or conformity between those who are communicating. We can view this in terms of “justification conditions”:³¹ speakers use speech that embodies variable measures of justification (sometimes none at all) and assertion.³² In a given community, an individual will

²⁸ Bourdieu, *Distinctions*, 471.

²⁹ *Id.*

³⁰ Hanks, “Practices of Language,” 69.

³¹ Saul A. Kripke, *Wittgenstein on Rules and Private Language* (Cambridge, MA: Harvard University Press, 1982), 74.

³² *Id.* at 87-88.

undergo scrutiny by others, who will associate that individual with certain justification conditions based on the individual's rule-following.³³ Kripke provides the example of:

a small child learning addition. It is obvious that his teacher will not accept just any response from the child. On the contrary, the child must fulfil various conditions if the teacher is to ascribe to him mastery of the concept of addition. ... the child must produce, almost all the time, the “right” answer... The teacher judges that the child has given the same answer that he himself would give.³⁴

Kripke continues: "Those who deviate are incorrect and told (usually as children) that they have not grasped the concept of addition. One who is an incorrigible deviant in enough respects simply cannot participate in the life of the community and in communication."³⁵ To take a biblical example, the “fool” in Proverbs is one who is an incorrigible deviant in proper communication—communication that conforms with the specific rules the proverbs advise, that is, the specific speeches (or silences) that the various writers of the proverbs would seek to employ themselves.

I have already mentioned Wittgenstein’s conception of language as a “game”, with certain roles to play and rules to follow, and that conception is also apt here, because for such a game, agreement is essential.³⁶ Wittgenstein does not extend this agreement to include shared concepts or understanding (contra Frege³⁷), but confines it simply to agreement about the rules. It is when a group of people follow the same rules, that they are able to perform meaningful social interactions, and Kripke again provides a useful example—this time of a grocer and a customer:

The customer, when he deals with the grocer and asks for five apples, expects the grocer to count as he does, not according to some bizarre non-standard rule; and so, if his dealings with the grocer involve a computation, he expects the grocer’s responses to agree with his own. Indeed, he may entrust the computation to the grocer. Of course the

³³ *Id.* at 89. “Wittgenstein proposes a picture of language based, not on *truth conditions*, but on *assertability conditions* or *justification conditions* (a use of language properly has no independent justification other than the speaker’s inclination to speak thus on that occasion (e.g. saying that one is in pain))” (74).

³⁴ *Id.* at 89-90.

³⁵ *Id.* at 92.

³⁶ Wittgenstein, *Philosophical Investigations*, § 240.

³⁷ G. Frege, *The Basic Laws of Arithmetic: Exposition of the System*, ed. and trans. by M. Furth. (Berkeley: University of California Press, 1964).

grocer may make mistakes in addition; he may even make dishonest computations. But as long as the customer attributes to him a grasp of the concept of addition, he expects that at least the grocer will not behave bizarrely... and one can even expect that, in many cases, he will come up with the same answer the customer would have given himself.³⁸

These rules of language, and indeed, therefore, of life, form the inherent measuring-sticks by which we interact and react in society. “Our entire lives depend on countless such interactions, and on the ‘game’ of attributing to others the mastery of certain concepts or rules, thereby showing that we expect them to behave as we do.”³⁹ When an individual is often deviant, they are not entrusted and eventually excluded from interactions.⁴⁰ Conformity, on a very basic level, is required for community membership. Every community has a particular “form of life,” that is, the types of responses upon which they agree, and how these responses are integrated with other actions.⁴¹

Wisdom Texts

In ancient Israel, it is principally in didactic texts that we find the most explicit account of these types of agreed-upon responses, to the extent that Proverbs is almost a book of rules for the language game. Israel’s wisdom texts are particularly useful for understanding the “rules and conventions that are understood to be in play when an utterance is made and received”.⁴² Wisdom literature directly discusses the ideals of speech, as perceived by its authors and redactors, and it advocates certain behaviors in imparting wisdom to others—indeed, in talking to, or about others altogether. Qoheleth, for example, famously describes “a time to be silent and a time to speak,” part of a broader theme in wisdom literature: the power—and specifically the hazards—of speech.⁴³ Job warns, “Words from the mouth of the wise are gracious, but fools are consumed by their own lips. At the beginning their words are

³⁸ Kripke, *Private Language*, 92.

³⁹ *Id.* at 93.

⁴⁰ *Id.*

⁴¹ *Id.* at 96 (§§240-2).

⁴² Pratt, *Toward a Speech Act Theory*, 86.

⁴³ Eccl. 3:7

folly; at the end they are wicked madness—and fools multiply words.”⁴⁴ Ben Sira also warns his audience to be circumspect around those who are wealthier than they are: “Do not quarrel with a rich man, lest his resources outweigh yours; for gold has ruined many, and has perverted the minds of kings.”⁴⁵ Qoheleth, again, sees much talk as unprofitable: “the more the words, the less the meaning, and how does that benefit anyone?”⁴⁶ These examples each emphasise (1) the literate class’s perception of speech as of paramount significance in the ancient Israelite community and (2) the value of wisdom literature in drawing out these attitudes to speech.

The traditional “wisdom” texts of the Hebrew Bible, Proverbs, Job, and Qoheleth, have varied origins and forms. For these texts, rich and complex in tradition and compilation, it would be difficult to pinpoint exact (or even approximate) dates of composition section by section, or proverb by proverb.⁴⁷ This much can be said with some confidence: the book of Proverbs contains material that seems to have been initially oral, along with material that seems to have been initially written.⁴⁸ As will be seen in chapter 2, writing and speaking were

⁴⁴ Job 12:12-14

⁴⁵ Ben Sira 8:2; cf. 13:2. See Matthew J. Goff, *The Worldly and Heavenly Wisdom of 4QInstruction* (STDJ 50, Leiden: Brill, 2003), 138.

⁴⁶ Eccl. 6:11; cf. 5:2-7 [5:1-6]

⁴⁷ This is something, however, that Katharine Dell, in her analysis of Proverbs, attempts to do, by distinguishing between what she terms the oral and written stages. This might be problematic, as it tends to equate oral stages with early dates and written stages with later. It also groups sections thematically, which is potentially concerning. She concludes that what she terms the “family/folk/tribal context” has a “more general ethical character and oral nature,” while the “more overtly educational context, with possible courtly/kingly links” has “more emphasis on the written stage of the material.” This may be a noteworthy trend, but it is also important to remember that “folk” does not equal “oral,” just as “educational” or “court” does not equal “written.” There seems to be evidence for both practices in both settings, and it might be simplistic to identify these forms of communication with one particular context. It is similarly so to date based on content or thematic emphasis, as (a) in a genre which is clearly grouped thematically in other attestations in the Near East, proverbs with similar themes but a wide variety of compositional dates and contexts may very well have been compiled together, and (b) the proverbs’ content is so universal in character that specific details about everyday life—while important and illuminating as such—are not readily specific to a particular point in time in Israelite history. Katharine Dell, *The Book of Proverbs in Social and Theological Context* (Cambridge: Cambridge University Press, 2006), 192.

⁴⁸ See Katharine Dell’s discussion on this subject. *Id.* See also James Crenshaw, who has also examined the relationship between orality and literacy with regard to wisdom literature, first addressing why “wisdom” was preserved, asserting that it was thought to be a powerful and positive shaping force in instruction: “The sages thought that their teachings were intrinsically good, and for that reason alone they were worth preserving and passing on to the next generation.” James L. Crenshaw, “Transmitting Prophecy Across Generations” in *Writings and Speech in Israelite and Ancient Near Eastern Prophecy* (Ehud Ben Zvi and

often companion, even coordinated, activities. Although the book of Proverbs is a complex compilation, variously transcribed and composed, it nevertheless seems to reflect social expectations to a greater extent than other biblical texts.

This becomes clear when reading proverbs outside of the *book* of Proverbs. Certain narrative texts include proverbs in a way that suggests their common usage, and Carole R. Fontaine's work has addressed "proverb performance," analysing the placement of proverbs in biblical narrative.⁴⁹ She concludes that the proverb is:

a vital traditional wisdom which is operant in society at a variety of levels and not simply in the elitist bureaucracies of the court sages and scribes. The functional goal of such traditional wisdom is the restoration of order in society (according to that society's construal of "order") through the use of verbal behaviours rather than physically destructive ones.⁵⁰

Michael H. Floyd, eds.; Atlanta: Society of Biblical Literature, 2000). He compares this practice to the preservation of prophetic oracles, suggesting that disciples may have kept records of prophetic texts because they wished to preserve their masters' words, that temples and royal courts may have wished to preserve oracles because of their future relevancy, or that "perhaps these official organizations were simply in the business of preserving everything that came their way." Wilson, "Current Issues," 42-3. Crenshaw asserts that wisdom instruction was oral (based on the common injunction in the texts to "listen and learn"). Wilson, "Current Issues," 44. "...even as late as the Persian period people are enjoined to listen to instruction and to take teachings to heart; they are not exhorted to consult a written text." Conversely, Davies "sees very little role for oral transmission" (Wilson, "Current Issues," 44; citing Philip R. Davies, *Scribes and Schools: The Canonization of the Hebrew Scriptures* (Louisville, KY: Westminster/John Knox Press, 1998)), in the wisdom texts, while Wilson, like Dell, sees the truth as lying "in some combination of oral and written transmission." Wilson, "Current Issues," 44; Dell, *The Book of Proverbs*.

⁴⁹ Carole R. Fontaine, *Traditional Sayings in the Old Testament* (Sheffield: Almond Press, 1982).

⁵⁰ *Id.* at vii-viii; Jackson, *Wisdom-laws*, 35. Compare this theory to Bernard Jackson's: In his readings of the *mishpatim* of Exodus as "wisdom-laws", Bernard Jackson sees courts as places originally conceived to apply divine wisdom rather than legal rules. Jackson, *Wisdom-Laws*, vii. Both Fontaine and Jackson, among others, see proverbs as a formulaic means of settling disputes. Fontaine, *Traditional Sayings*; Jackson, *Wisdom-laws*, 35-36; Claudia V. Camp, "The Wise Women Of 2 Samuel: A Role Model For Women in Early Israel?" *Catholic Biblical Quarterly* Vol. 43 no. 1 (1981): 18. The oft-cited example is David's response to Saul in 1 Sam. 24, after he spares Saul:

12 May the Lord judge between you and me. And may the Lord avenge the wrongs you have done to me, but my hand will not touch you. **13** As the old saying goes, "From evildoers come evil deeds," so my hand will not touch you. **14** "Against whom has the king of Israel come out? Who are you pursuing? A dead dog? A flea? **15** May the Lord be our judge and decide between us. May he consider my cause and uphold it; may he vindicate me by delivering me from your hand.

This old saying is cited as a non-inflammatory, impersonal judgment, a traditional rule or custom which serves to sum up the outcome of their conflict and, theoretically, bring it to its close, with David asserting his innocence of evildoing.

Jackson also comments on the use of another formula which he proposes has a similar function, "Proverbs 24:29 provides further evidence of the use of the *ka'asher* formula in oral interaction, here accompanied by criticism of it: 'Do not say, "I will do to him as he has done to me (*ka'asher asah li ken a'aseh lo*); I will pay the man back for what he has done.'" This may well be understood as a comment on the use of the formula in everyday social interaction, and again emphasises its informal and discretionary character." Jackson, "Models," 19-20. Whether this and examples like the one in 1 Sam. 24 are purely literary devices or not, however, is more difficult to say. Sandoval has argued, for example, that the proverbial speech of folk proverbs—which he asserts constitute the bulk of Proverbs—are to be understood as metaphorical: "They are

It seems to be that the wisdom texts of Proverbs and Qoheleth not only intimate ideas about speech, but also about societal goals.

Ultimately, the “genre” of wisdom literature is particularly focused on speech practices in ancient Israel, as can be seen especially in the book of Proverbs. It is therefore a natural focal point of a study interested in those practices. At the same time, it is important to understand the reliability of those texts we understand as representative of this genre, and to understand in what ways we must be cautious in making historical claims based on texts in this genre. Accordingly, the conclusions that I draw are concerned primarily with the way language was perceived by the literate writers of these works and less so with actual historical practice.

Conclusion

In sum, social language is highly complex and multivalent, and, although it would be impossible to reify a comprehensive speech “system,” the written texts of ancient Israel can intimate the literate class’s expectations of its members and broader community. Linguistic anthropology sees language as a cultural product. Speech-act theory assists in connecting the written word with its authors and audience, and in understanding speech as an “act” with tangible effects. Wittgenstein, Winch, and Kripke suggest that speech is a complex societal system, and that society makes judgments based on how its members operate in—or out of—compliance with that system. Agreement is an integral part of this societal system. Bourdieu offers the concept of *hexis*, and how individuals themselves enact their perceived social role

regularly deployed in specific oral contexts to say something metaphorically about human life.” Timothy J. Sandoval, “Revisiting the Prologue of Proverbs,” *JBL* Vol. 126, No. 3 (2007): 469. He continues to argue that understanding a proverb in its performative context is a “complicated interpretive act of construing symbolic relations between the statement uttered and the context in which it is spoken and which it is meant to illumine. . . . one must inquire after the figurative and literary-symbolic relations between any particular statement in Proverbs and the myriad other statements to be found in the literary context of the book” (470). This certainly seems to be at least one of their functions in the narrative examples—though it is perhaps too delimiting to identify this as the one and only function of such proverbial formulas.

in the way that they speak. Each of these concepts will be relied upon in some degree in the study that follows.

Legal and wisdom texts are most helpful in determining a broad-spectrum idea of what “ideal speech” entailed and what certain speech-acts, under various circumstances and to various parties, indicated “legally,” socially, and aesthetically. Wisdom and legal texts are both the primary guiding sources for ethical behaviour in the Hebrew Bible and perhaps the most revealing sources for understanding the scribes’ perceptions of day-to-day community life. Wisdom describes a world of choices and ambiguities.⁵¹ It depicts the ideal character and behaviour of both the community *and* the individual. In much the same way, legal texts meet at this intersection as well, concerned with individuals’ actions and their potential effects (usually detrimental) on the wellbeing of the community. While wisdom and legal texts are the focus of this study, relevant texts throughout the corpus of the Bible are also referenced.

Language is at its foundation a social activity, shaped by and shaping its users’ culture. Acts of communication are rooted in socio-cultural context, and the way language is described—or prescribed—is an indication of the biblical authors’ attitudes towards, values of, and beliefs in language practices. Language ideologies can be found in the biblical sources, which act as a sort of dialect of a language. The fact that language receives such direct attention throughout the wisdom texts seems to correspond to a class in which language and comportment held pride of place. Ultimately, the biblical sources demonstrate a continued interest in speech within the community and reflect the interests and ideas of Israel’s literate class, and it is the purpose of this dissertation to identify the rules and attitudes toward speech in ancient Israel as related to community perceptions.

⁵¹ William P. Brown, *Character in Crisis: A Fresh Approach to the Wisdom literature of the Old Testament* (Grand Rapids, Mich.: Eerdmans, 1996), 4.

Chapter 2: The Development of Writing in Ancient Israel

In studying the roles of speech and writing in ancient Israel, we can attempt to fix two endpoints on a spectrum: those things identified as primarily spoken and those things identified as primarily written. Anciently, there was likely some overlapping, with many communicative actions both written and spoken. Those actions that don't seem to overlap are of interest to this study, as they intimate role-specific features. The areas of overlap are also of interest to this study, and in particular this chapter, as they highlight the development of writing and its changing use in ancient Israelite society.

Where most of the dissertation is concerned with the portrayal of communication in the biblical sources, this chapter looks to the historical development of writing in order to understand its developing roles in ancient Israelite society, particularly those roles distinct from oral communication. This will lead into an examination of literacy in ancient Israel, because understanding the act and prevalence of "reading" in ancient Israelite society also speaks to the role of writing in that community. Finally, this chapter will discuss the ancient scribal class and their approach to writing. Later, chapter 3 will build on these socio-historical discussions in an examination of communication in terms of the community and the divine.

The Innovation of Writing

Writing has been called "man's most brilliant invention,"⁵² and in many respects, this opinion is not an overstatement. Writing is indeed an invention, and as such, it was innovated to address various needs. Carleton T. Hodge has noted that "preliterate peoples had all the associational abilities necessary for inventing and using writing, but lacked the incentive. As scholars, it is our job to identify stimuli that could have resulted in early writing systems."⁵³

In Mesopotamia, these stimuli appear to have been, among other things, identification (i.e. for ownership) and record keeping (for complex economic and administrative dealings).

⁵² Leonard Cottrell, *Reading the Past* (London: J. M. Dent and Sons, Ltd., 1971).

⁵³ Carleton T. Hodge, "Review of Wayne M. Senner, *The Origins of Writing*," *Anthropological Linguistics* Vol. 31, No. 3 (1989): 303.

Others have argued that writing was innovated out of what might be called governmental needs—for administrative record-keeping, economic book-keeping, and international and domestic communication.⁵⁴ Seth L. Sanders argues, on the other hand, that writing was co-opted for political expansion and that it was political ambition or the creation of the state that catalysed the development of “history” writing.⁵⁵ A more Marxist nuance of this view might suggest that writing emerged from economic needs, which then enabled political expansion. There is much more to the debate about the origins of writing, well beyond the scope of this work, that will not be addressed here.

Whether writing *emerged* from, or *enabled* political expansion, however, the complexities of trade and administration came to benefit from and require fixing for various reasons: for accuracy, permanence, consensus, portability, and the recording of complex details. These properties of writing are discussed below.

Permanence

Writing is a lasting, graphic representation of language. Its durability allowed it to transcend, to various extents, the spatial and temporal limitations of speech in the pre-modern world. There are several situations in the ancient world that might have required the relatively permanent medium of writing—indeed, this is writing’s defining characteristic. Such situations include various economic and legal commitments, most probably at first between members of different communities, as those in the same communities would have shared practices and expectations in place and not be able to avoid fulfilling said commitments or deny having made them. Additionally, permanence is a quality valued for ritual, religious, and political reasons. For example, monumental inscriptions proclaim their provenance – whether for boundaries, political expansion, communication with the gods, or otherwise to

⁵⁴ On the relationship between state centralisation and writing, see Jack Goody, *The Logic of Writing and the Organization of Society* (Cambridge: Cambridge University Press, 1986), 87-126.

⁵⁵ Seth L. Sanders, “Writing and Early Iron Age Israel: Before National Scripts, Beyond Nations and States,” in *Literate Culture and Tenth-Century Canaan: The Tel Zayit Abecedary in Context* (ed. Ron E. Tappy and P. Kyle McCarter, Jr.; Winona Lake, Ind.: Eisenbrauns, 2008), 98-100.

assert ownership – in a fashion necessarily durable, as permanent as possible. It is of course difficult to say which arose first: the method or the need. On the one hand, the advent of writing for other reasons might have, in *creating* the ability to record language relatively permanently, *created*, perhaps, new perceptions about needs and a new criterion of permanence: a restructuring not only of value constructs but also possibly of cognition.⁵⁶

While much ink has been spilt debating the latter, the difficulty of the question, and arguments about it, demonstrate its ultimately impossible nature: the pre-literate ancient world left no intellectual records, making arguments about how the advent of writing affected cognition somewhat futile. Granted, one can make interesting and compelling arguments based on pre-literate material evidence, *contra* post-literate, but then again these categories of “pre-” and “post-” literate are fluid and unfixed. However, the existence of durable and large-scale monuments well before the advent of writing suggests that permanence was already valued for such types of public markers.

Consensus and Accountability

Because of this relative “permanence,” writing is largely immutable, and lends accountability to transactions of a legal or economic nature. Writing enabled the ratification of agreements and solidified or reified commitment. Issues of erasure, editing, or forging appear to have been concerning to various degrees across the geographic and temporal space of the ancient Near East. However, such acts reinforce the perception that “that which is written” is agreed upon and accepted. Because of its permanent nature, writing entailed consensus before chiseling (or painting, or wedge-imprinting, as it were), and commitment afterwards.

⁵⁶ See, for example, David Diringer, *Writing* (London: Thames and Hudson, 1962), 16; Cottrell, *Reading the Past*, 6.

Accuracy

It has been noted in several studies of pre-literate communities that oral memory and transmission is quite fluid—or at least, that “accuracy” as such is often based on generational agreement rather than lasting and consistent records.⁵⁷ This is all well and good when transactions are simple and local. However, as communities expand and trade increases, the need for accuracy is born. In counting, for example, tallies are an example of proto-writing that arose out of this need. Indeed, the risk of inaccuracy increases as the relevant quantity does: the higher the number, the more opportunities for mis-counting or losing one’s place. Again, there can be some haziness about whether this “need” was created by or itself prompted the advent of writing. Indeed, a Marxist view would hold that the economic expansion and its accompanying needs came first, but writing may well have arisen out of non-economic needs and then enabled and facilitated economic expansion.

Complexity of Record

Writing enables the recording of complex legal, administrative, or economic details. In legal texts, for example, it is often assumed that it is writing that allows for the recording of consultable precedent. Bernard Jackson explains that “orality favours events rather than concepts or system... we can tolerate a complex story told orally, but not a complex legal document.”⁵⁸ Writing also facilitated or enabled the support of the state, especially through the collection of taxes—it allowed the centralisation of administrative centres with the ability to communicate and collect taxes across a large geographical area.⁵⁹ The centralisation of administrative centres required, in turn, innovations in a system of writing.

⁵⁷ See for example Goody and Watt, “Consequences”; Laura Bohannon, “A Genealogical Charter”, *Africa* Vol. 22 No. 4, (1952): 301-315.

⁵⁸ Bernard S. Jackson, “Models in Legal History: The Case of Biblical Law,” *Journal of Law and Religion* 18 (2002): 8.

⁵⁹ Later attestations include jar stamp impressions, see Oded Lipschits and David S. Vanderhooft, *The Yehud Stamp Impressions: A Corpus of Inscribed Impressions from the Persian and Hellenistic Periods in Judah* (Winona Lake, Ind.: Eisenbrauns, 2011).

Portability

While writing is permanent, or able to travel through time, it is also portable—or fixed to portable mediums, rather—that allow it to travel through space. In primarily oral communities, communication through space could only be achieved via messengers (see, for example, Prov. 22:21). Writing also enabled multiple copies of things to be made, to allow for simultaneous, long-distance communications.

Public/Monumental/Religious

Similarly, writing as evidence of “ownership” was also important for entities beyond the individual: writing was used for sacred or monumental display, to mark boundaries or commemorate. Its use was a physical reminder of power, whether political or divine (or, quite often, both at once).

Conclusions

Many of the writing situations suggested above are not exclusive examples of the category to which they have been assigned, and instead combine at least one or more of the listed motivations. For example, in the situation of letter-writing, the innovation of writing allowed for a product that was consistently portable, permanent, and conveyed the sender’s precise message—where oral messengers were not reliably all three. Thus, writing arose out of important community needs, and it satisfied these needs by performing community functions, like identification, transactional accounting, and commemoration.

Writing and Community Development

There is evidence of writing in what might be termed “Israel” as early as the late second millennium BCE and early first millennium BCE. But the simple *attestation* of writing in its various forms says only so much about the role of writing in a society at large. To understand writing’s sociological function, as it were, one must recast their questions in terms of literacy and orality—to what extent was ancient Israelite society literate? That is, to

what extent was writing used in everyday life, by whom, and in what conditions? Did it encounter resistance or was it more or less quietly adopted? More broadly, what kind of impact does writing have on community participation? Many of these questions have been addressed in the study of other societies, both ancient and modern, with results that may have some bearing on our approach to ancient Israel. Discussions of literacy and orality in biblical studies are typically adduced to issues of composition and literature, but less so to understanding the significance of speech acts within a society.

“Literacy”

Importantly, it has long been argued that, from a cognitive perspective, reading and writing are separable skills.⁶⁰ Learning to write is much more difficult than learning to read.⁶¹ “The main function of a writing system is not to make writing as easy as possible but to make reading as easy as possible.”⁶² Thus we might use the term reading-literacy to refer to the ability to read, rather than read and write,⁶³ and, indeed, in more recent history, we have records of high “reading-literacy” in societies that are primarily oral.⁶⁴ But depending on one’s definition of the term “literacy,” they might classify such societies as not literate at all.

Indeed, one cannot discuss literacy in ancient Israel without examining the definition of the term. After a cursory glance through the relevant literature, it might appear that there is

⁶⁰ See T. C. Smout, “New Evidence on Popular Religion and Literacy in Eighteenth-Century Scotland,” *Past and Present* 97 (1982): 121; Macdonald, “Literacy,” 52.

⁶¹ Martin Neef, Anneke Neijt, and Richard Sproat, “The Relation of Writing to Spoken Language,” (*Linguistische Arbeiten* no. 460; Tuebingen: Max Niemeyer, 2002).

⁶² Neef, Neijt, and Sproat, “Writing.”

⁶³ We can have reading-writing-literacy, reading-literacy, and in some cases, even writing-literacy (typically attested in young children). Macdonald describes children learning to write before learning to read (know the alphabet etc.; see C. Chomsky, “Invented Spelling in the Open Classroom,” *Word* 27 (1971): 499-518. This work discusses how they work out their own phonetic spellings, which are surprisingly consistent, see especially p. 505), but this demonstrates that writing and reading are not “two sides of the same coin” (Smout, “New Evidence,” 121). This has been shown since the 1960s (52).

⁶⁴ For example, in Sweden, at least from the seventeenth century onwards, reading-literacy was by all accounts nearly universal. This was prompted by a government campaign with the intent that everyone should be able to read the Bible for themselves. Reading for much of the population was performed once a week, on Sunday. The motive here was neither practical nor economic, but spiritual. However, the introduction of writing to a primarily oral society is often more complex and belaboured than this Swedish campaign might suggest. Egil Johansson, *Alphabeta Varia: Orality, Reading and Writing in the History of Literacy* (ed. D. Lindmark; Umea: Umea University Press, 1998), 121.

little consensus among ancient Near Eastern scholars on the levels of literacy in the ancient Near East. However, their disagreements seem to be mostly based on semantics, with the assertion that a society is “literate” championed or disparaged depending on how one defines that term, and less with an actual disagreement about the proposed “actual” state of affairs.

M. C. A. Macdonald, in his recent discussion of ancient Near Eastern literacy, defined a literate society as one that requires reading and writing to function “in certain vital aspects, such as the bureaucracy, economic and commercial activities, or religious life. Thus, in a sense, a society can be literate, because it uses the written word in some of its vital functions, even when the vast majority of its members cannot read or write.”⁶⁵ He contrasts this with an oral society, where “literacy is not essential to any of its activities, and memory and oral communication perform the functions which reading and writing have within a literate society.”⁶⁶ Under this line of reasoning, we can refer to societies as primarily literate or primarily oral, and this may not necessarily correspond to high or low rates of literacy in the population at large.

Up to this point, however, most scholars have used these descriptions synonymously with literacy rates. Carleton T. Hodge has argued, for example, that ancient Mesopotamia was not a literate society because most of its citizens could not read and write, regardless of whether any class of Mesopotamians read or wrote to perform essential societal functions.⁶⁷

⁶⁵ Macdonald, “Literacy in an Oral Environment,” 49.

⁶⁶ Macdonald, “Literacy in an Oral Environment,” 49. “There are, of course, gradations between these two extremes and, just as it is possible to have large numbers of illiterates in a literate society, so, perhaps surprisingly, it is possible to have many people who can read and/or write in an oral society, without this changing its fundamentally oral nature.”

⁶⁷ He refuted certain claims (especially those of Frank Moore Cross, “The Invention and Development of the Alphabet,” pages 77-90 in *The Origins of Writing* (ed. Wayne M. Senner; Lincoln: University of Nebraska Press, 1989) that the advent of the seemingly simpler alphabetic script brought with it a surge of higher literacy. It is problematic to correlate literacy rates with script type. Hodge, “Review,” 302-306. He argues, “Although it is true that the alphabet permitted an increase in literacy, the study of history shows that widespread literacy was slow to come and is a recent phenomenon. Furthermore, the far more cumbersome Sumerian-Akkadian and Chinese systems were used by dynamic societies over wide areas. The Chinese system, moreover, is still used by an enormous percentage of the world’s population, with a commendable literacy rate. One should also note the importance of professional scribes in alphabet-using areas, even today in some cultures.”

Christopher Rollston has also argued that literacy levels were low in ancient Israel, though his definition of literacy is quite demanding.⁶⁸ He defines literacy for the southern Levant during antiquity as “the ability to write and read, using and understanding a standard script, a standard orthography, a standard numeric system, conventional formatting and terminology, and with minimal errors of composition or comprehension.”⁶⁹ He is disinclined to argue for non-elite literacy in ancient Israel, and makes the important note that it is difficult to extrapolate data about literacy for Israelite society at large based on little evidence (i.e. the Lachish ostraca).⁷⁰

Walter Ong has proposed an alternative definition of literacy, describing the phenomenon of “residual orality.”⁷¹ This, he argues, is an “equilibrium state,” in which writing and mass illiteracy coexist.⁷² It is the persistence of oral speech acts after the introduction of writing: exposure to writing without the full adoption of it.⁷³ For example, in Egypt and Mesopotamia, writing and literacy appear to have been limited to a specific scribal or priestly class, the *literati*, who had regimented structures in place for training and dissemination/transmission.⁷⁴ Most ancient Near Eastern scholars consider the rest of the

⁶⁸ Christopher Rollston, *Writing and Literacy in the World of Ancient Israel: Epigraphic Evidence from the Iron Age* (Atlanta: Society of Biblical Literature, 2010), 90.

⁶⁹ *Id.* at 127. He would further “affirm that the capacity to scrawl one’s name on a contract, but without the ability to write or read or anything else is not literacy, not even some sort of ‘functional literacy.’ Rather, those with this level of epitude should be classed as illiterate. However, I would also argue that there some in ancient Israel who should be classed as semi-literates. That is, there were ostensibly those who were capable of reading the most remedial of texts with at least some modest level of comprehension and often the ability to pen some of the most common and simplest of words. Naturally, I would also posit that there was much variation within each of these categories, but precise penetration into the nature of such variation is not something that the date (ancient or modern) can accomplish” (128-29). Rollston doesn’t discount a relationship between writing systems and literacy rates, but he views it as only one of many variables—and “not even the most determinative variable. Ultimately, writing systems and literacy rates are related but independent variables” (128). Rollston argues for what he terms “the literacy of a broader officialdom (i.e. not just scribes)” to account for the Lachish letters sent between military and political officers (129).

⁷⁰ *Id.* at 130.

⁷¹ Walter Ong, *Orality and Literacy: The Technologizing of the Word* (Methuen & Co. Ltd. 1982), 113.

⁷² *Id.* at 92-93.

⁷³ *Id.*, McLuhan, *Gutenberg Galaxy*, 21.

⁷⁴ In these systems, training was often in a classical corpus written in archaic languages. In ancient Israel and Judah, Weeks argues that the objective was education, rather than practical concerns like trade or diplomacy—though their training undoubtedly enabled them to complete certain practical tasks (Weeks, “Literacy, Orality, and Literature”). As Stuart Weeks has argued, “Israel and Judah certainly had literate scribes and priests, moreover, and a good proportion of the literary and epigraphic material which has survived seems to

populace to be illiterate.⁷⁵ But even with an illiterate general populace, many ancient Near Eastern societies, including ancient Israel, appear to have been residually oral, with the population at large at least exposed to writing if not adopting it.⁷⁶

Demsky also defines literacy quite broadly, understanding it as a spectrum of ability beginning with recognising individual letters of the alphabet. He suggests that even this minimal skill enables one to participate in alphabetic communication—albeit very rudimentarily.⁷⁷ He shifts the emphasis from attempting to quantify literacy to understanding how the attestation of literacy, in whatever approximate level, reveals certain features about ancient Israelite society. He focuses on the social, political, geographic, and other features that allowed the potential for literacy to exist beyond and outside a limited scribal class.

Demsky challenges the value of comparative studies on ancient literacy, as each ancient society exhibited and operated under different features. At the same time, however, Demsky does contrast the elite, insular literati of ancient Egypt and Mesopotamia with ancient Israel. The former involved long-term training and produced texts that were by and large not only inaccessible to the illiterate on a technical level—that is, not readable to them—but they would also have been exclusive in terms of content (e.g., lexical lists, omens, foundation

correspond to their interests. With little direct information on many aspects of the issue, however, we have to be aware of the substantial differences which limit the usefulness of analogy as a tool here” (466).

⁷⁵ In Neo-Assyrian royal inscriptions, it has been argued, the potential audience was not “sufficiently literate to respond to the language” (Megan Cifarelli, “Enmity, Alienation, and Assyrianization: The Role of Cultural Difference in the Visual and Verbal Expression of Assyrian Ideology in the Reign of Ashurnasirpal II (883-859 B.C.)” (Ph.D. diss., Columbia University, 1995), 38.)

⁷⁶ As Weeks has pointed out, literacy in ancient Israel “may have been determined more by economic convenience and social expectation than by membership of any single profession.” Weeks, “Literacy, Orality, and Literature,” 469, citing Daniel Boyarin on “reading” as “reading out” or aloud (“Placing Reading: Ancient Israel and Medieval Europe,” pages 10-37 in *The Ethnography of Reading* (ed. Jonathan Boyarin, Berkeley: University of California Press, 1993). He does not endorse high popular literacy rates. Weeks, “Literacy, Orality, and Literature,” 465. However, it is, as Weeks has argued, “rarely assumed or asserted any more that monarchic Israel enjoyed high levels of popular literacy.” He continues, “It has become more tenable these days to start with the assumption that in Israel, as elsewhere, literacy (even in the broadest sense) was probably limited to quite a small proportion of the population, and that there must have been a substantial number of Israelites, perhaps even a vast majority, whose culture remained essentially oral” (465).

⁷⁷ Aaron Demsky, *Literacy in Ancient Israel* (*The Biblical Encyclopaedia Library* Vol. 28, Jerusalem: Bialik Institute, 2012), 1-60.

inscriptions, and texts written for the gods). He sees ancient Israel's literati as more inclusive.⁷⁸

In a more distant comparison, MacDonald has used the model of high "reading-literacy" rates in seventeenth-century Sweden to suggest the possibility of high reading-literacy rates in ancient Israel.⁷⁹ This theory emphasises variability in literacy skills in the context of reading. There might also be some support within the biblical texts themselves for extending this concept to writing. Writing is described with gradations of skill—with some things, on the one hand, seen as so facile that a child could write them (also implying the education of children; see Isa. 10:19) and, on the other hand, complex *belles lettres* (see the Psalms, i.e. 45:1; see also Isa. 38:9 and the elaborate composition of Hezekiah: "a 'writing' of Hezekiah"). These depictions of variations in skill might be an indication of various levels of literacy in ancient Israel. Indeed, it appears to have been a variously literate and oral society in MacDonald's sense, with many vital societal functions performed through writing and widespread reading-literacy at least a plausible phenomenon.

Finally, as Schaper has pointed out, the attribution of "record-keeper" to the divine suggests that writing was a well-known activity: "a high degree of literacy in (some strata of) society made such a literary ascription of writing to God possible."⁸⁰ He continues,

One needs a fairly advanced degree of bureaucratisation in a society in order for the concept of a book-keeper's ledger to be ascribed to the divine realm. ... The cultures that used the imagery of God or gods acting as scribe(s) or book-keeper(s) have one thing in common: highly literate elites and efficient administrative systems. Regardless of the degree of literacy in the general population, writing—and, more specifically, book keeping—was at the core of their political and administrative systems.⁸¹

⁷⁸ In his examination of the social dynamics of ancient Israel, Demsky marks a number of features that contribute to his theory of its unique literacy culture. He considers the Canaanite alphabet a significant, unique factor, as well as what he considers the total overhaul of political and social order in Israel and its immediate neighbours, with the rise of localised ethnic polities without restricted scribal classes.

⁷⁹ This is possible, as absence of evidence (none really to speak of as far as *reading* goes) is not evidence of absence—though it seems more unlikely. MacDonald has used this "reading-literacy" as a model for ancient Israel.

⁸⁰ Joachim Schaper, "Exilic and Post-Exilic Prophecy and the Orality/Literacy Problem," *Vetus Testamentum*, Vol. 55 No. 3 (2005): 327; Dan. 12:1 and Ps. 139:16; Isa. 64:6 and Mal. 3:16

⁸¹ *Id.* at 328-29.

While it might be hasty to assume that the attribution of writing to a society's god(s) implies that it was literate, even in the most limited sense, (i.e. ignoring the possibility of cultural diffusion without technological diffusion—that is, a society which has yet to adopt widespread record-keeping practices borrowing the idea of a record-keeping God from a literate society), Schaper's comments are well taken, given the material evidence discussed previously and additional references to writing in ancient Israelite texts. Here, Schaper comes to similar conclusions that MacDonald, Demsky, and Rollston did: a society can be considered "literate" if many of its vital functions are accomplished through writing—regardless of the literacy of the population at large, or the oral nature of non-"vital" tasks.

Writing and Authority

As Ong's concept of residual orality explained, even in a "literate" society, many communications may remain oral. In the ancient Israelite context, where writing required specific materials and a significant training- and time-commitment, this makes sense pragmatically. However, there may have also been ideological reasons for maintaining the orality of certain functions and, likewise, ideological reasons for making certain communications written. Additionally, writing may have, in turn, led to the *creation* of certain ideologies—political, as Sanders suggested,⁸² and theological. One fundamental question related to these ideologies is worth exploration: what was the relationship between writing and perceived authority?

In ancient Israelite sources, writing seems to have lent a sense of divine authority, as well as a role in creating and forwarding certain theological ideas: writing likely engendered or at least influenced the concept of "record keepers" in the divine sphere.⁸³ Divine record-

⁸² See note 55, *supra*, and notes 89-92, *infra*, and accompanying text.

⁸³ Mal. 3:16 relates, "Then those who feared the Lord talked with each other, and the Lord listened and heard. A scroll of remembrance was written in his presence concerning those who feared the Lord and honoured his name." Jeremiah 17:13: "Lord, you are the hope of Israel; all who forsake you will be put to shame. Those who turn away from you will be written in the dust because they have forsaken the Lord, the spring of living water."

keeping could certainly have been an oral activity, but the biblical texts specifically describe it as a written one (see Ex. 32:32-33; Mal. 3:16, Dan. 12:1). This relationship between writing and divine authority will be further explored in chapter 3. The present chapter will discuss how writing became a public tool for “official” communications.

While the importance and political authority of writing is especially clear in later periods in the Levant, such as during the early development of Judaism, this was not a sudden innovation. Instead, it was grounded in earlier, pre-exilic traditions. For example, Josiah’s finding of the Book of the Law described in 2 Kgs. 22-23 has been convincingly demonstrated to be a pre-exilic tradition,⁸⁴ and it echoes the practice of other ancient Near Eastern rulers to use divine oracles as justification for reform. Only a written communication could be lost and then found—not so with an oral communication. Despite the lapse of time, the written book was still authoritative, though this authority also involved the oral ratification of the king in a public proclamation. But its foundation in something written lent authority.

Still, though it had perhaps become so by the time of Josiah, writing was not always a public form of communication in the Levant. Although writing in the region certainly pre-dates the Israelites,⁸⁵ it is not until the ninth and eighth centuries BCE, after Neo-Assyrian conquests in the region, that we have evidence of writing used as a source of authority.⁸⁶

⁸⁴ See, for example, Jonathon Ben Dov, “Writing as Oracle and as Law: New Contexts for the Book-Find of King Josiah,” *Journal of Biblical Literature*, Vol. 127, No. 2 (2008): 236. He concludes: “In summary, the presence of pre-Dtr prose in 2 Kgs. 22-23 permits us to conclude that the primary function of Josiah’s book was the transmission of a divine oracle. This is supported by reports on prophecies both within and without the Hebrew Bible. In fact, the Deuteronomists emphasised the new identity they attributed to Josiah’s book as a manifestation of their conception of Deuteronomy itself.”

⁸⁵ In the early Iron-Age Levant, the Gezer calendar and the recently discovered Tel Zayit Abecedary are the earliest attestations of proto-Hebrew, dating from the 10th century. The Gezer calendar records an almanac of sorts, and may very well have been some sort of votive piece. The Tel Zayit abecedary was found *in situ* as part of a wall. Its importance is primarily palaeographical, as it showcases a sort of transition from the Phoenician to Paleo-Hebrew script. It suggests less in terms of the role of writing in this period, but affirms that writing was at least semi-present in this Canaanite city-state by the end of the 10th century. See James Crenshaw, *Education in Ancient Israel: Across the Deadening Silence* (New York: Doubleday Dell, 1998), 106; Stuart Weeks, *Early Israelite Wisdom* (Oxford: Oxford University Press, 2000), 140-141.

⁸⁶ Nadav Na’aman, *Ancient Israel’s History and Historiography: The First Temple Period* (Winona Lake, Ind.: Eisenbrauns, 2006).

Nadav Na'aman has noted that within a generation of Shalmaneser III's inscribed border monuments in Phoenicia and Israel in the early ninth century, similar inscriptions appeared in local Levantine cities and kingdoms.⁸⁷ This seems to have been at least one pathway by which writing came to be used as a public form of communication, though it must be described as, at best, a staggered one, complicatedly tied up in the gradual unification of those Canaanite city-states of the Levant that came to form some sort of united kingdom by the eighth century.⁸⁸

Sanders, on the other hand, interprets the evidence with a far more political bent: he argues that “writing was recruited by an Israelite state to establish itself, in order to argue publicly that it existed.”⁸⁹ His hypothesis is that written texts circulated throughout Iron Age Levant “through the process of QRa ‘summoning/reading/proclaiming’, represented repeatedly in the Bible and West-Semitic inscriptions as an inherently public and political act.”⁹⁰ As will be seen, both political and religious writings were publicly proclaimed—sometimes with little distinction between the two, as in Josiah's case.

All of this would have facilitated the formation of a “writing culture,” a specialised occupational class that composed and compiled the texts of the Hebrew Bible. However, there is not substantial evidence to suggest that it changed the mostly oral nature of ancient Israelite society, regardless of whatever the literacy rate in that society might have been. Additionally, it is important to note that at the same time that writing began to be used as an “official” form of communication, it continued to be used in non-authoritative settings.⁹¹

⁸⁷ *Id.*

⁸⁸ Even this “unification” was not well defined, and many cities, especially those on the general periphery in Judea, attest a strong cultural back and forth in the archaeological remains throughout the Iron Age (suggesting variously Canaanite and Judean majorities).

⁸⁹ Sanders, “Writing and Early Iron Age Israel,” 106.

⁹⁰ *Id.*

⁹¹ In some situations, writing did not *exclusively* replace speech, but it seems to have been strongly preferred. For example, in administrative and legal tasks, writing was an important tool. This function is mentioned throughout the biblical texts, in a variety of situations that show how writing was used administratively. 1 Kgs. 21:11 describes the fealty of elders and nobles to Jezebel's letters of instruction. (1 Kgs. 21:11: “So the elders and nobles who lived in Naboth's city did as Jezebel directed in the letters she had written

Private entrepreneurs and artisans, for example, practiced bookkeeping.⁹² With the development of writing and its adoption—however gradual—as a tool for public proclamation, it appears that the people of the Levant began to define or refine their concepts of participation and community.

Written Literature Independent from Oral Literature

Finally, while the relationship between writing and speech is fundamentally intertwined, both forms of communication can also be used independently from one another. In literate societies, writing can supersede certain functions of communication. The historical trend has been to view the relationship between oral traditions (i.e. the Pentateuchal narratives) and writing as exclusively diachronic, with oral transmission culminating in a written form. Stuart Weeks recently challenged the assumption that the biblical texts were oral traditions that were written down. While not insisting that this is *not* the case, he makes

to them.”) When Cyrus helped the Exiles to return to Jerusalem, writing is described as an important—and additional—step in his proclamation. (2 Chr. 36:22: “In the first year of Cyrus king of Persia, in order to fulfill the word of the Lord spoken by Jeremiah, the Lord moved the heart of Cyrus king of Persia to make a proclamation throughout his realm and also to put it in writing”; Ezra 1:1: “In the first year of Cyrus king of Persia, in order to fulfill the word of the Lord spoken by Jeremiah, the Lord moved the heart of Cyrus king of Persia to make a proclamation throughout his realm and also to put it in writing.”) This suggests that the proclamation was made in more than one medium, or that to “put something in writing” connoted more than simply the physical process of recording communication. The book of Ezra describes the practice of diplomatic letter-writing (Ezra 4:7, 5:10), and a matter of dispute is decided by consulting the royal archives of Babylon, to determine whether or not Cyrus had made the initial decree to the exiles (Ezra 4-6). Similar practices are described in the Persian period (Esther 1:19, 3:12, 8:8; 9:25, 32). (Dan. 6:8: “Now, Your Majesty, issue the decree and put it in writing so that it cannot be altered—in accordance with the law of the Medes and Persians, which cannot be repealed.” Dan. 6:9: “So King Darius put the decree in writing.” Dan. 6:13: “Then they said to the king, ‘Daniel, who is one of the exiles from Judah, pays no attention to you, Your Majesty, or to the decree you put in writing. He still prays three times a day.’”) Nehemiah also describes writing down genealogical records (Neh. 7). In each of these (most of them admittedly later) administrative settings, writing seems to be preferred to speech. This is likely due to practical purposes: the need to communicate either across time or space. In the case of the consultation of Babylon’s records, writing is consulted as evidence in a case—the written records are trusted as official verification in a legal dispute of one party’s (Ezra’s) claim.

Writing also appears to have had a function as “official” communication in legal settings. Deut. 24:1 and 24:3 discuss writing a certificate of divorce. Nehemiah is accused of rebellion against Artaxerxes by an “unsealed letter,” and describes messengers being sent back and forth between correspondents and even resent to redeliver a message (Neh. 6). Nehemiah also describes a “binding agreement” that the people make by putting it in writing with the priestly leaders’ seals (9:38). In Job’s responses to his friends’ relentless accusations, he expresses a wish to inscribe his response. He is so certain of his innocence that he wants to write it down—making it more public and permanent—and, perhaps, more legally tenderable (19:23). He refers to this writing in such a way that it would then be irrefutable, or that his innocence would then be official. In this respect, it will be seen that although speech may have been remarkably sufficient legally – especially compared to today’s standards – writing was similarly trusted, perhaps even more so because of its temporal permanence.

⁹² Sanders, “Writing and Early Iron Age Israel,” 106.

the important point that just because a story is circulated orally does not mean its written version was simply copied or was not an original composition of its own. Additionally, just because a text has certain literary features does not mean that it was originally, or ever, oral. Demsky, like Weeks, is more partial to understanding the relationship between oral traditions and writing as more independent than interdependent.

The written form of a story may in many cases be the only form of a story, and many stories may have existed in both written and oral forms. It does not immediately follow, however, that the oral versions were written down, or that the written versions were transcriptions of the oral versions. Instead, many of these stories may have been original, written compositions, irrespective of concurrent or even previous oral traditions/versions. It is difficult to make any sort of distinction between composers and transmitters of the Hebrew Bible, as even written versions of oral stories were to varying extents “original” compositions.⁹³

Another consideration, however, is the term “story.” Many texts in the Bible are not narratives but instead genres that do not really have oral counterparts, that lend themselves less easily to the oral arena. For example, technical legal lists, like those found in parts of Exodus and Numbers, are not conducive to an oral setting. The musings of Ecclesiastes also seem to be the product of personal reflection—recorded through writing—rather than public oral composition and transmission. These texts especially seem to have been originally conceived and propagated as written works.

The texts of the Bible, instead of being understood as oral stories fixed with the “advent” of writing, are perhaps better understood as works of literature: compositions. Oral transmission and written transmission serve different, though sometimes overlapping, functions, and one should not assume *a priori* that the biblical texts were the product of oral

⁹³ Michael Fishbane, *Biblical Hermeneutics*, 48; see also Person, *Scribal Works in an Oral World*.

traditions, long transmitted, finally fixed in writing. It is impossible to recreate any oral stories based on the written record; similarly, the form of the written records inspired by oral traditions may have been a matter of some debate among the ancient Israelites.⁹⁴

It is in this way that previous “certainties” about the form of the biblical text – that they were oral traditions passed down and finally recorded – must be re-evaluated. Oral and written communication serve fundamentally different functions, and while these functions overlap more frequently in very literate societies, it is likely that they remain quite distinct in less literate ones.

The strongest argument against this might be the existence of multiple versions of a text. Some have argued that the existence of multiple versions of a text supports a theory of more overlap in ancient Israelite written and oral communication. Niditch points out that even works that seem to be originally written compositions are influenced by what she terms an “oral” mindset. For example, the fact that Chronicles is clearly based on Samuel-Kings but does not replace it is, she argues, grounded in the tendency one sees in primarily oral societies to support multiple versions of narratives.

But an alternate explanation for this duplicity in texts may be the ancient Israelite’s concept of truth, as will be discussed further in chapter 4.⁹⁵ For the ancient Israelites, truth may not have been strict, word-for-word exactness, which seems to arise from a literate mind-set, but rather, it entailed fidelity to *meaning*.⁹⁶ David M. Carr has argued that in ancient Near Eastern education, texts were “faithful copies” if the meaning was unchanged, even if the transmitter used some license in creating a unique transmission—or, by our terms, a new composition. Ancient perspective, according to Carr, would not view such an

⁹⁴ See note 172, *infra*, and accompanying text.

⁹⁵ The extent to which these truth conceptions were influenced by the society’s use of oral communication is difficult to know, but it seems clear, as will be demonstrated in chapter 4, that the two are related.

⁹⁶ Person, *Scribal Works in an Oral World*, 49.

individualisation as a change *per se*, so long as the “ongoing traditional culture” was maintained.⁹⁷

This alternative approach suggests that the authors of these texts, some kind of class of *illuminati*, had a more sophisticated relationship with writing than we may credit to them. While some texts in the bible were very probably oral traditions before they were written ones, others may not have been the setting down of oral story to scroll. Instead, they very well may have been original compositions. In this way, “written literature” itself could be a type of genre. Understanding this casts the depiction of writing in the biblical text in a more nuanced light, as will be discussed in chapter 3.

Conclusion

Thus, throughout the periods relevant to the texts at issue in this study, writing developed at least in part out of community needs and likely had at least a minimal impact on community structure or practice. While it is difficult to state with certainty the level of literacy in ancient Israel, it is clear that there was at least some reading-writing literate class, and there are some textual suggestions for wider reading-literacy—though not strong material evidence at this point.

An understanding of orality and literacy in ancient Israel is important for determining to what extent verbal and written communications were “official” and authoritative. While writing may have had a limited presence in the Levant prior to the ninth century, it was at that point that it began to be used in a more widespread, unified, and, ostensibly, unifying fashion. Writing was used to define the authority of the Israelite state, and seems to have continued to carry a sense of authority, though it was used in both “official” and “non-official” contexts in the community. It was also used in many theological and ritual contexts. While writing carried this sense of authority, however, it does not appear to have been a zero sum game:

⁹⁷ *Id.* at 49-50.

certain oral communications, as will be seen, were similarly authoritative—if not more so. Writing could be its own composition, and oral and written stories or traditions likely coexisted. This understanding foregrounds a more detailed inquiry into writing as depicted in the biblical texts.

Chapter 3: God, Community, and Writing

As a unique tool of communication, writing is portrayed as having important functions in the ancient Israelite community, particularly in what might be termed the divine or religious sphere. Writing is not described as simply an intermediary tool, with beginning and ending points of vocalisation. Its use is also portrayed in functions independent of speech: in ritual settings and in divine communication, where the communication was not “spoken” from the divine to YHWH's prophets, but instead written. Importantly, however, writing is not depicted as used for communication *to* the divine.

These practices support an ancient perception of writing as more limited than the all-purpose practice that it became in later societies, and although this may be a function of technology as much as anything else, those things which the scribal class portrayed as reserved for writing suggest much about how they perceived the divine sphere and their community's relationship with that sphere.

Writing in the Biblical Texts

Writing in the biblical texts is described in conjunction with a number of practices, including prophecy, legal accusations, and administration. There are some references in the texts of the Bible to other writings—whether to other texts that also became part of the Bible, other parts of the same book, or other texts that were not incorporated into the Bible (inter-, intra-, and extra- textual references).⁹⁸ In the books of Kings and Chronicles, much reference is made to (what became) extra-biblical written sources. Here, the intent seems to be brevity: while the Deuteronomist and the Chronicler are brief in their descriptions of various kings' reigns, more details can be found in other sources, to which they direct their readers with the

⁹⁸ Cross-referencing: Josh. 10:13, 2 Sam. 1:18, 1 Kgs. 11:41, 14:19, 14:29; 15:7, 23, 31; 16:5, 14, 20, 27; 22:39, 45; 2 Kgs. 1:18; 8:23; 10:34; 13:8, 12; 14:15, 18, 28; 15:6, 11, 15, 21, 26, 31, 36; 16:19; 20:20; 21:17, 25; 23:28; 24:5; 1 Chr. 29:29; 2 Chr. 9:29, 12:15, 13:22, 16:11, 20:34, 24:27, 25:26, 27:27, 28:26, 32:32, 33:18, 33:19, 35:25, 27; 36:8, (the “records of the seers”), Esther 10:2.

appeal, “are they not written in,” for example, “the book of the annals of Solomon?”⁹⁹ This is less a citation of authority than a rhetorical reference to more information.¹⁰⁰

While one might suspect that references to the Law of Moses throughout the biblical texts are similarly made, they appear to be for mostly different reasons. The Chronicler cites other books as sources, much as an author today might refer their reader to a bibliography for further relevant reading. The Law of Moses, on the other hand, is cited as a source in a different sense, to lend authority, credibility, and exactness. Thus, writing is often recounted in conjunction with traditional instruction: evaluating behaviours or histories “according to what was written” (e.g., 2 Chr. 30:5, 18; 34:21), that is, whether they are in accord with what was written.

Importantly, such behaviour is only rarely evaluated according to “custom” (with phrases like “which thing ought not to be done” in Gen. 34:7); rather, scribes almost uniformly compare and assess actions or characters based on *written* standards.¹⁰¹ In their evaluations, they condemn those who disobey what is “written,” not what is “commanded”—suggesting that commandments’ very writtenness is an inherent or essential component, or that the categories of writing and commandments overlap: i.e. if it is a commandment, it is likely that it must be written.

⁹⁹ 1 Kgs. 11:41

¹⁰⁰ Person, *Scribal Works in an Oral World*, 56: “While the numerous citations in Kings might suggest that this author was more interested in documentary sources than the vast majority of classical historians, he was not necessarily exceptional in his treatment of this material. He may have used this material for information about the past, but his lack of critical engagement with these texts (though typical of biblical methods in general) is reminiscent of classical approaches. In fact, the way in which he cites these documents, often in the form of a rhetorical question, and without explicit link between the account and the source cited for it, bears resemblance to the use of inscriptions in classical historiography as a confirmatory device.” Person argues that “the authors/redactors know of a connection between their own text and a source text based on their memory of the meanings represented by the source text; therefore, a reference to the source text can simply be a reference to the memory of the meaning taken from that source text rather than an indication that the author double-checked the written source text for the sake of accuracy according to our own highly literate standards.”

¹⁰¹ 2 Chr. 34:21

It appears that writing was seen as providing knowledge and disclosure. Full knowledge and disclosure of the law increases expectations and reduces “wobble room.”¹⁰² Indeed, Ezekiel provides such a rationale when directing his audience to write: “write these down before them so that they [the people of Israel] may be faithful to its design and follow all its regulations” (43:11). He uses writing as an analogy for exactness¹⁰³ and to demand accountability from not only the present but also future generations.¹⁰⁴ Indeed, the traditional provenance of the Law of Moses is a pair of written tablets, communicated to the people through an enduring, exacting medium.

The Law of Moses was presented to the people as authoritative precisely because of its written nature. While the accounts of Moses receiving and relaying the Decalogue are clearly composite, both of these disparate sources maintain that the commandments were transmitted from the divine sphere to the human via writing, whether written by God or by Moses.¹⁰⁵ The writtenness of the law in Deuteronomy, as well as in these prophetic texts, bears out as important and authoritative in its function as a witness against the people:

After Moses finished writing in a book the words of this law from beginning to end, he gave this command to the Levites who carried the ark of the covenant of the Lord: “Take this Book of the Law and place it beside the ark of the covenant of the Lord your God. There it will remain as a witness against you. . . . Assemble before me all the elders of your tribes and all your officials, so that I can speak these words in their hearing and call the heavens and the earth to testify against them. (Deut. 31:24).

¹⁰² Numerous admonitions cite “as written in the Law of Moses” (1 Kgs. 2:3; 2 Kgs. 14:6; 2 Kgs. 22:13, 16; 23:3, 21, 24; 1 Chr. 16:40; 2 Chr. 23:18, 25:4, 31:2, 34:31, 35:4, 35:12, 35:26; Ezra 3:2,4; Ezra 6:18; Neh. 8:15, 10:34, 36) for authority but also for exactness.

¹⁰³ See for example Josh. 10:13; 8:34; 23:6; and 2 Sam. 1:18.

¹⁰⁴ See 2 Kgs. 22:13, 2 Chr. 34:21, Isa. 30:8; In Deut. 17:18, the king is told to write for himself a copy of the law and read it, so that he remains humble and exactly obedient. Nehemiah and his followers reestablished the Law in a sort of re-orthodoxy by closely reading what was “written in the Law” and adhering to it quite literally/adhering to their interpretation of it (Neh. 8:14, 13:1). The sentiment of preserving things in writing for posterity is also expressed by the Psalmist and in Proverbs. Ps. 102:18 “Let this be written for a future generation, that a people not yet created may praise the Lord”; Prov. 22:20 “Have I not written thirty sayings for you, sayings of counsel and knowledge.”

¹⁰⁵ Ex. 24:12, 31:18, 32:15-16, 32:19, and 34:1-4 explicitly maintain that God writes on the tablets; Ex. 34:28 states however that it is Moses who writes on the new tablets, though it has been argued to be a complication brought on by redactors trying “to harmonise the new tablets of 34:1-4 with the presentation of the covenant in 34:10-27” Craig Evan Anderson, “The Tablets of Testimony and a Reversal of Outcome in the Golden Calf Episode,” *Hebrew Studies* Vol. 50 (2009): 41.

The Book, the heavens, and the earth are called on as witnesses to the communication of the Law to the people of Israel. Similarly, writing is used to witness vows in several ancient Near Eastern contexts.¹⁰⁶

The writing of the Decalogue may also have a ritual function. Writing seems to be described as both means and end in various ritual settings. In Num. 5, for example, writing has a ritual function to determine the guilt or innocence of an accused woman (5:23). In other examples, writing is used to formalise religious condemnation or salvation.¹⁰⁷ This is typically associated with record-keeping: writing or erasing individuals' names in divine records as a formalisation of divine judgment.¹⁰⁸ In so doing, the individual's status is ritualised.¹⁰⁹ This seems to be the case in Deut. 6:9 and 11:20 (writing of the Law on doorframes and gates) and 27:3, 8 (writing of the Law on the stones of the Mount Ebal altar).¹¹⁰ The writing of the law acts as an important witness to the communication of the Law and might also serve as a sort of ritual receipt or ritualise the people's status as a covenant people.

This is not to say, however, that oral actions were not authoritative or did not also contribute to the Law's authority. Person argues that both the Deuteronomistic History and

¹⁰⁶While it cannot be said conclusively that the invocations of any particular group were exclusively "written," the vow-texts of these peoples indicate a sort of making of the vow in its composition: a votive receipt of sorts. These vow-texts do not indicate any verbal counterpart, nor do they intimate any sense of vocalic dialogue. In William Hallo's study of the neo-Sumerian "letter prayer," which was inscribed onto a votive object and placed into a deposit near the statue of the deity in a temple, he describes them as "taking the place of the suppliant, and relieving him of the need to proffer his prayer in his own person, orally and perpetually." William W. Hallo, "Individual Prayer in Sumerian: The Continuity of a Tradition," *Journal of the American Oriental Society* Vol. 88, No. 1 (1968): 75.

¹⁰⁷Mal. 3:16 relates, "Then those who feared the Lord talked with each other, and the Lord listened and heard. A scroll of remembrance was written in his presence concerning those who feared the Lord and honoured his name." Jeremiah 17:13 states, "Lord, you are the hope of Israel; all who forsake you will be put to shame. Those who turn away from you will be written in the dust because they have forsaken the Lord, the spring of living water."

¹⁰⁸Schaper, "Orality/Literacy," 329: "So far we have been looking at examples of writing restricted to the divine sphere. They all had to do with record-keeping. The purpose of writing in the divine sphere is to keep control of human actions, to make the information thus gathered last, and to prepare divine judgement of human beings."

¹⁰⁹Ex. 32:32-33; Isa. 4:3, 65:6; Mal. 3:16, Dan. 12:1; Pss. 69:28 and 139:16

¹¹⁰This might be similar to the Gezer tablet or incantation tablets: because of the difficulty of composition on tablets as opposed to wood or clay, Gezer might have votive or magical function. See Weeks, *Early Israelite Wisdom*, 140-41; Crenshaw, *Education*, 105-106. This might also be highlighted in 2 Chr. 34:24, which discusses curses.

the books of Chronicles “necessarily share an understanding of the law that requires the interplay between the oral and the written.”¹¹¹ Although the texts consistently depict the Ten Commandments as given to Moses via writing, oral actions nevertheless play a counterpart role in the narrative.

For example, Raymond F. Person’s interpretation of 2 Chr. 5:10 and 33:8 suggests that there was also verbal communication during this event in the formation of a covenant.¹¹² When the Ten Commandments are communicated to the Israelites, they receive them first as written tablets, but are “asked to put them upon their hearts ([Deut.] 6:6), to repeat them to their children (6:7) and to meditate upon them day in, day out.”¹¹³ To that end, the people are told to “write” these words on entrances to public and private spaces (“and you shall write them on the doorposts of your houses and on your gates” (Deut. 6:9)).¹¹⁴

The book of Deuteronomy also emphasises that it is relaying the words that Moses *spoke*.¹¹⁵ If we look at other prophecies in ancient Israelite texts, many seem to mirror this pattern of written communication that is then transformed into oral. Schaper notes that both Ezekiel and Zechariah are first given the *written* word from God (in the form of an eaten scroll, in Ezekiel’s case [2:8-3:3] and a flying scroll, in Zechariah’s [5:1-4]), which is then oralised.¹¹⁶ Schaper has emphasised the use of writing as “the basis for a re-transformation of the written word into the oral,”¹¹⁷ and has argued that it “provided the foundation for a new

¹¹¹ Person, *Scribal Works in an Oral World*, 56.

¹¹² Person refers to the making of the covenant at Horeb as recorded in 2 Chr. 5:10. Citing this verse as describing an “oral” communication is indirect at best.

¹¹³ Schaper, “Literacy/Orality,” 332; see also Georg Fischer and Norbert Lohfink, “‘Diese Worte sollst du summen’: Dtn *wedibbarta bam*—ein verlorener Schlüssel zur meditativen Kultur in Israel,” in *Studien zum Deuteronomium und zur deuteronomistischen Literatur* (ed. N. Lohfink; 5 vols.; SBAB 20; Stuttgart: Katholisches Bibelwerk, 1995), 3:181-203. Lohfink and Fischer have noted the practice of meditation on religious works in ancient Israelite culture—internalising and contemplating texts, through what they interpret as a sort of recitation (marked by the use of b+rbd).

¹¹⁴ Though it is preceded by some symbolic injunctions (i.e. to “write them in hearts”) there is no reason to assume that the injunction to write them on doorframes and gates was not a literal one. Perhaps even an echo of the Passover and the protection of sacrificial blood on doorposts (Ex. 12).

¹¹⁵ See Jean-Pierre Sonnet, *The Book Within the Book: Writing in Deuteronomy* (Leiden: Brill, 1997).

¹¹⁶ Schaper, “Literacy/Orality,” 331.

¹¹⁷ *Id.* at 332.

relation between the written and the oral.”¹¹⁸ Many books of prophecy are portrayed as the writing of divine oracles, received first through divine visions and then written down, to be reoralised by the prophet or his messengers (see especially Jer. 34).

For all of his discussion of the “oral-literate continuum,” when Schaper describes ancient Israel as a literate society, he seems to do so at the expense of certain features of oral societies. He pits writing against “memorising, reciting, meditating, and teaching”¹¹⁹—when in reality writing was likely involved in all of these activities from the earliest Israelite periods, not just as an innovated use first traceable in the prophetic texts.¹²⁰

Throughout the biblical texts, writing is depicted as an integral *part* of recitation and teaching. In Deut. 17:18, for example, the king is instructed to write a copy of the law *in order* to meditate upon it and learn it. This relationship between spoken and written word is not only seen in the Deuteronomic texts, but also in later prophets: Schaper notes certain cases in Jeremiah where the divinely instigated text “is to be read aloud in public places” (Jeremiah 36 10, 15; 51:61-62).¹²¹ This is also suggested in passages like Habbakuk 2:2: “Write down the revelation and make it plain on tablets so that a herald may run with it.” Ezekiel and Zechariah similarly transform writing to speech.

As Raymond F. Person has demonstrated, writing in the Deuteronomistic texts is closely related to the spoken word:

In the book of Deuteronomy the oral and written characteristics of the Torah are not in opposition to each other but clearly work together to ensure the proper internalisation of God’s law. The close connection between the spoken law and the written law continues in the book of Joshua. . . . (1:7-8). Although it is written, the law is also something that came from Moses’ mouth and should not depart out of the mouths of the Israelites. The Israelites must meditate on the law continuously. In order to facilitate this meditation,

¹¹⁸ *Id.*

¹¹⁹ *Id.* at 332-333.

¹²⁰ *Id.* at 333-34: “The rise of writing transformed the prevalent concept of revelation and of the nature of prophecy. Prophets in this period, some of whom came from priestly families (cf. Jer. 1:1; Ezek. 1:3; Zech. 1:1 [cf. Neh. 12: 4, 16]) . . . had a ‘scribal’ worldview.”

¹²¹ Schaper, “Literacy/Orality,” 330.

Joshua writes the law on stone... (8:32, 34-35). The writing of the law is accompanied by its public recitation.¹²²

This chapter will next examine public recitation, or public reading, first in pre-exilic and then post-exilic settings.

Pre-Exilic Writing and Public Reading

As discussed, in each passage describing the communication of the Law, the “writing” of the text is depicted as an important step. An additional component is its public recitation. When considering reading in the ancient world, it is important that one bear in mind that “reading” was often not a silent activity, but words were read aloud.¹²³ Speech and reading do not seem to have been markedly different. *Public* reading of such writings, as opposed to simply public extemporaneous speaking or private reading, seems to have been a significant community act, and the underlying writings seem to have lent more authority to their proclaimers. This is especially clear in the description of Josiah’s public reading in 2 Kgs. 23. Whatever the historical realities, Josiah is portrayed as reading the law.

Ben Dov suggests that Josiah “re-enacted the type of public reading stipulated in Deut. 31:11-13,”¹²⁴ and this idea can be fruitfully explored. Deut. 31:11-13 and Ex. 24:7 both detail the public reading of the Mosaic Law, which is the first sort of public reading described in ancient Israelite texts, and a prototype for the practice in early Judaism. The tradition steadfastly maintains that this first public proclamation¹²⁵ was inspired by a divinely written manifesto—its oral proclamation was a secondary development. The way that this public reading is remembered, commemorated, even venerated and re-enacted, in ancient Israelite

¹²² Person, *Scribal Works in an Oral World*, 53-54.

¹²³ MacDonald, “Literacy in an Oral Environment,” 68-69. As MacDonald points out: “the recognition of a word is aural not visual. In this method of reading there is a direct link between sound and sign and it is unlikely that non-phonetic, historical or conventional spellings would develop. This has important consequences for our interpretation of scripts used in similar circumstances in antiquity” (68-69).

¹²⁴ Ben Dov, “Writing as Oracle and Law,” 236. He argues that the Deuteronomists “orchestrated the implementation of a public assembly along the lines of Deut. 29-30 and Josh. 23:2; 24:1b, insinuating that Josiah reenacted the type of public reading stipulated in Deut. 31:11-13.”

¹²⁵ Might public reading have predated Moses’ giving of the Law to the Children of Israel? If so, no records suggest otherwise.

and early Jewish texts marks its status as the first public reading important—it defines public reading as foundationally connected to not only divine communication but divinely-inspired *writing*.

Indeed, when Josiah is described as discovering a “Book of Law” or book of covenant and reading it to the gathered people, it is an echo of Moses’ initial public reading and readily identifiable as a divine document. Josiah’s reading of the divine word contributes credibility and authority to his reign—or, at the very least, is used by the Deuteronomistic Historians to do so. As Ben-Dov has demonstrated, Josiah “did not conceive of the book as a substitute for the temple.”¹²⁶ “The book” did not suddenly emerge as an important religious vehicle with the destruction of the temple and subsequent exile—as a sort of replacement for ritual activity.¹²⁷ Instead, it can be seen to have had important ritual functions in and of itself, as an accompaniment to or a component of ritual acts. This practice is depicted in events crucial to Israelite identity: in its beginnings as a chosen people, and in its beginnings as a state. The concept of public reading or recitation seems to be tied up with the concept of divine writing,

¹²⁶ Ben Dov, “Writing as Oracle and Law,” 238. See also Karel van der Toorn, “The Iconic Book: Analogies between the Babylonian Cult of Images and the Veneration of the Torah,” pages 229-48 in *The Image and the Book: Iconic Cults, Aniconism, and the Rise of Book Religion in Israel and the Ancient Near East* (ed. Karel van der Toorn; Leuven: Peeters, 1997); Michael Fishbane, *The Garments of Torah: Essays in Biblical Hermeneutics* (Bloomington: Indiana University Press, 1989).

¹²⁷ Importantly, the passages describing Josiah’s discovery of the book note “two different manifestations of piety: ritual and textual” (Ben Dov, “Writing as Oracle and Law,” 236). Referring to 2 Kgs. 23:21-23, he remarks: “Along with the cultic feast of the Passover, Josiah also commissioned a public assembly in which he read the text of the JTT in a verbal-textual act. This was naturally performed as part of a larger covenant ceremony in the temple court, and as such it was an act rooted in a cultic background.” Ben-Dov’s conclusions about the book of Josiah are here quite relevant: “Josiah did not conceive of the book as a substitute for the temple. This idea appears neither in the original pre-Dtr narrative nor in the Dtr framework. He did, however, elevate the book to the level of a significant religious object and thus laid the foundations for the religion of the Book. Although this kind of religion emerged from the background of ancient Near Eastern cults, it gradually developed into the unique kind of literate spirituality that is typical of later Judaism. Books, scrolls, and tablets—any kind of writing material, in effect—are a *tabula rasa*, subject to various manipulations in the realm of religion. Josiah’s book find occurred in a significant period, one that is justifiably considered a turning point in Israelite religion. The traditional Jerusalemite religion was based on a divinely ordained monarch who enjoyed the support of a band of prophets and diviners—very similar to other royal ideologies in the ancient world. In Josiah’s time, and under the influence of Deuteronomy, this gradually gave place to a more restrained, somewhat elitist religion, in which the book played an important part. A new conception of the book was fashioned by Deuteronomic circles to fit this kind of religion, in which old conceptions from various religious streams were combined and adapted. This conception, in turn, had considerable influence on the production of prophetic books during the Second Temple period” (238-39).

suggesting that certain types of communication were considered not only exclusive to writing, but would have been impossible or were not performed before the advent of writing.

The Josiah passage suggests that writing lent authority to Josiah's reign. Those performing the public reading or recitation are described as endowed with divine authority. In the context of the biblical texts, the Decalogue could not be portrayed as an authoritative divine composition if it was not written. By all (written) accounts, writing was an important witnessing function, especially when the divine-human communication was instigated by the divine (i.e. the communication of the Law or prophetic warnings). Thus, regardless of whether *initially* written, such communications always seem to be *eventually* written (though, of course, this is necessarily a tautological assertion).

These divine-to-human interactions can be contrasted with human-to-divine communications. The latter are depicted in ancient Israelite texts as vocal, not written. Writing seems to have been extremely significant in a “top-down” sense—in the theological hierarchy of sorts that can be said to have existed, which consisted of, at most, God → prophet → spokesman → audience (as in the case of, e.g., God → Moses → Aaron → Pharaoh/Israelites). If writing occurred, it was unidirectional, from higher in the hierarchy to lower in the hierarchy. That is, referring to the same example, God gave judgment to Moses in writing. Yet Moses is not described as speaking directly to the people. He had a spokesman. He received the writing and transmitted it to the spokesman, who communicated it to the people. Moses specifically describes himself as a poor speaker (Ex. 6:12), but is nevertheless a mighty prophet in the traditional texts because of his *reception* of the written word. Indeed, as Person has noted “All of the major characters in the book of Deuteronomy are portrayed as scribes of the law. ... [T]he people are commanded to write the law on their

doorposts and gates (6:9;11:20). All of these forms of writing are closely related to the spoken word.”¹²⁸

This unidirectionality of written communication is perhaps most directly attributed to theological conceptions. Theological writing addressed to or describing YHWH might have been construed as “misusing” God’s name, as prohibited by the second and third commandments (Ex. 20:4-7). While both writing and speech occurred in a variety of alternating or concurrent patterns *down* the line (→), writing has yet to be seen as a means of communication *up* the line in ancient Israel (←), addressed to God. The former relationship is seen in the Deuteronomic texts as well as in later prophets (e.g., Jeremiah and Baruch).

Ultimately, public recitation in pre-exilic Israel seems to have served at least two functions: (1) to re-enact the giving of the law to promote the community identity as a unified, covenant people and (2) to put all members of the community on notice of the written witness. That many things were written only to be reoralised emphasises not the illiteracy of the general population but the importance of utterance and oral performance for community identity and accountability.

Post-Exilic Writing and Public Reading

Along with *written* divine communication that is copied and transmitted both in writing and speech, there are records of *oral* divine communications that are, in turn, written by humans. This seems to be most prevalent in exilic and post-exilic prophetic literature. For example, the book of Jeremiah describes Jeremiah and Baruch writing down divine communications (see, for example, Jeremiah 36:2,4,18, 32; 51:60). The exact manner in which these divine communications come about is not described, simply passively stated as “this word came to Jeremiah from the Lord” (36:2) and he is *instructed* to write it down. Part of this seems to be for communicative practicality (transmission to others over time and

¹²⁸ Person, *Scribal Works in an Oral World*, 53.

space), but it is, also, again, to ensure that its audience is duly warned and the measure against which they will be judged is documented. This is made especially clear in Jeremiah and Baruch's delivery of the scroll to Jehoikaim (Jer. 36, 51).

Other passages discuss public inscriptions (i.e. Jer. 51:61-62).¹²⁹ Each of the prophetic texts (most conservatively dated to the late pre-exilic period, but likely post-exilic) depicts the prophets as compelled to display their divine revelations publicly (see, for example, Ezek. 3:1-3, Jer. 36:1-8, 27-32; 51:60-64; and Hab. 2:2).¹³⁰ The reoralisation of these inscriptions might have been additionally important to the prophetic presentation,¹³¹ but foremost, the

¹²⁹ Schaper has noted parallels of this practice in neo-Assyrian materials in "Literacy/Orality," 330: "Such passages are reminiscent of neo-Assyrian prophecies and how they were put in writing and displayed in Esarra, the Temple of Assur in the city of Assur. Among the Assyrian sources that come to mind is the oracle ascribed to Assur and documented in SAA 9 3.3. Thus SAA 9 3.3: ii 26-32: 'This is the [oracle of] well-being (placed) before the Image. This covenant tablet of Assur enters the king's presence on a cushion. Fragrant oil is sprinkled, sacrifices are made, incense is burnt, and they read it out in the king's presence.' A similar passage is found in SAA 9 3.2: ii 8-9. Both passages refer to the practice of producing a written record of the prophetic oracle and placing it in front of the statue of the 'Lord of the Pen', as in the latter text, or Asvur, as in the former. With reference to SAA 9 3.3: ii26-32, Parpola points out the interesting parallels found in Ex. 24:7 and 2 Kgs. 22:10-33 and concludes, on the basis of SAA 9 3.3: ii 26-32 and of oracles 3.1, 3.3 and 3.4, that 'the oracles were embedded in the coronation ceremonies of Esarhaddon and probably were all publicly delivered by the prophet La-dagil-ili.'"

¹³⁰ This is likely only partly, if at all, similar to public inscriptions elsewhere in the ancient Near East, where, it has been argued, the highly complex inscriptions were used to intimidate the lay, illiterate audience. These were coupled with graphic reliefs reinforcing this message. Demsky, "Extent," 350-51. In a culture characterised by the complexities of cuneiform writing, the case was different. Cf. Peter Machinist, "Assyrians on Assyria in the First Millennium B.C.," pages 77-104 in *Anfänge politischen Denkens in der Antike (Schriften des Historischen Kollegs, Kolloquien 24)* (K. Raaflaub, ed., Munich: Oldenbourg, 1993), 101. Because of the relative simplicity of alphabetic scripts, the gap between the fully literate and the majority of the population in Judah cannot have been as wide as that in societies using cuneiform. This is why the uses of writing in prophetic sign actions and similar activities are examples of a "bridging process" in the sense envisaged by Demsky, a process which built on at least a vestigial knowledge of writing even amongst the mass of the population. In ancient Israel, on the other hand, it has been suggested that these prophetic presentations were "making use of the not inconsiderable literacy achieved even by non-professional members of the populace." Schaper, "Literacy/Orality," 335. This may be an overstatement of the general literacy of the Israelite population, but, as MacDonald demonstrated, the acquisition of reading literacy is a different skill than that of reading-writing literacy, and one that is impossible for us to measure now.

¹³¹ It cannot be said conclusively that prophetic communications were meant to be oral or written. For example, while conceding that our study of ancient Near Eastern prophecy is based exclusively on written texts, Karel van der Toorn asserts that "prophets were originally orators rather than writers. Prophecy as a literary genre—the only form under which ancient prophecy is accessible to us—represents a secondary development." Van der Toorn, "From the Mouth of the Prophet: The Literary Fixation of Jeremiah's Prophecies in the Context of the Ancient Near East," in *Inspired Speech*, 191. See also Wilson, "Current Issues," 44, which also argues that, "while oral transmission of oracles is likely in the pre-exilic period and perhaps even into the Persian period, there is no evidence to suggest that some writing of prophetic oracles could not have taken place in the pre-exilic period apart from the royal court or temple, particularly in the neighborhood of Jerusalem." Van der Toorn sees the function of preservation as either "transmission in place or transmission in time"—sending a prophecy to an audience located elsewhere physically or temporally. Van der Toorn, "From the Mouth," 191-92. In a case study of Jeremiah, he continues, "the only times Jeremiah actually wrote his message—or had Baruch write it down from dictation—he did so in lieu of an oral delivery. When circumstances prevented him from

inscriptions again seem to be for documentative purposes: to “render [the divine word] immutable.”¹³² In Isa. 30:8, for example, the authors refer to publicly inscribing a revelation without an accompanying injunction to “read” it, emphasising again writing as a means of witnessing rather than simply a vehicle for reoralisation.

The concept of immutability is an important one. With oral presentations, there is possibility for embellishment, elaboration, or omission of parts of the written text. Throughout the Hebrew Bible, authors instruct their audience not to “add or take away” from the text; that, while orally this may have been an important tool, to, for example, personalise standard liturgies – and even where other genres of writing tolerated expansion or editing – prophecies had warning and legitimising purposes meant to stay fully intact.

Such injunctions to keep the message intact refer not to the later concept of written “canon,” but to ensure the immutability of what God has inspired or written.¹³³ As Schaper has argued:

The association with any notion of canon ... marks a post biblical development. The formula actually has a long pre-history in the ancient Near East, where it originally sought to prevent royal inscriptions, including law collections and treaties (cf. 1Macc. 8:30), from being altered. In other contexts, it affirmed the adequacy of wisdom instruction. Only subsequently was it taken over by Deuteronomy’s Israelite authors and applied to the Mosaic Torah. The formula makes it clear that its intent is to preclude both literary and doctrinal innovation by safeguarding the textual status quo.¹³⁴

addressing his audience in person, he resorted to the means of written communication. Jeremiah was a spiritual leader, an advisor to the king, a priest whose intercessory prayer was credited with special efficacy—but he was no literary author. On the few occasions when he wrote he had no intuition of laying down his message for future generations, but of getting the attention of a contemporary audience which he could not reach otherwise.” *Id.* at 201. Wilson also sees prophecy as foremost an oral exercise—an act significant in its pronouncement and hearing. However, both van der Toorn and Wilson’s assertions rest heavily on assertions in the texts themselves. With nothing else to go on, however, and the absence of any contradictory material evidence, this may be a somewhat legitimate *theory*, but it cannot pass muster as a blanket assertion. As the well-known saying goes, the absence of evidence is not evidence of absence. So here, while prophecy may very well have been primarily oral, it may also have been primarily written, and just a much smaller enterprise than postulated. Additionally, one might easily cite Amos as an example of prophetic “literature”—adopting the prophetic form as an original composition rather than a revelatory piece. In any case, it is difficult to draw any conclusions about the primacy of either oral or written prophecy in terms of its dissemination to third parties—that is, beyond its initial transmission from deity to the prophetic recipient.

¹³² *Id.*

¹³³ *Id.* at 336.

¹³⁴ *Id.*

Niditch places these passages in later periods, emphasising that the literate mentality is more present in Ezra-Nehemiah, 1-2 Chronicles, and Esther, which “validate scenes and statements by an appeal to written sources.”¹³⁵ But the “literate mentality,” as she calls it, is not limited to later traditions, as demonstrated by the Deuteronomic History, which uses writing for self-validation.

Writing was also able to “freeze” liturgical form for use on an *ad hoc* basis. For example, John Hilber argues that Ps. 2 “must have been construed as a fresh oracle able to renew divine legitimation of kingship.”¹³⁶ Hilber additionally refers to Pss. 50, 81, and 95 as potentially used in renewal festivals and Ps. 132 in some sort of ark festival. He continues: “[p]rophetic lament liturgies could be archived for appropriate use during difficult times in the life of the community or an individual (cf. Pss. 12; 60; 91).”¹³⁷ Similarly, repeat oral performance of prophecies are described in the book of Jeremiah (see, for example, ch. 36).

Finally, it is important to be circumspect in our conclusions about writing and authority. Schaper argues: “If an author paints God as a book-keeper, he or she obviously thinks that written records are more authoritative than oral memorisation. Oral record-keeping is thus considered less durable and less reliable than book-keeping.”¹³⁸ However, to conclude that writing is “more authoritative” than speaking is perhaps a misevaluation. Instead of evaluating in terms of “less durable and therefore less reliable,” it seems more appropriate to interpret in terms of different abilities and roles or functions. As will be seen, oral record-keeping is not fully superseded by written record-keeping. Indeed, in many cases it is depicted as being as authoritative as writing.

¹³⁵ S. Niditch, *Oral World and Written Word: Ancient Israelite Literature* (Library of Ancient Israel; Louisville: Westminster John Knox Press, 1996), 97-98.

¹³⁶ John W. Hilber, “Cultic Prophecy in Assyria and in the Psalms,” *Journal of the American Oriental Society*, Vol. 127, No. 1 (2007): 37. He compares this to the Assyrian SAA 9 3, “which Parpola... proposed was performed live by the prophet at the enthronement ceremony.”

¹³⁷ Hilber, “Cultic Prophecy,” 37. He continues: “Assyrian cult prophets appear to have been on call for such occasions, and perhaps archived oracles served as exemplars for such service.”

¹³⁸ Schaper, “Literacy/Orality,” 328.

Instead, we might look to theological reasons for the divine communicating and recording through writing. While in many cases the divine has “thoughts” and “words,” “speaking” may have been too corporeal an attribute for later redactors. Writing allowed some distance between the divine and human, a more attractive form of communication for the theological concept of incorporealism. While authoritative for divine communication, that might be due to the divine source as much as the written medium, and have more to do with later theological concepts. Ultimately, writing seems to have served a witnessing and identity-building function as much as an authoritative record-keeping function.

Conclusion

Therefore, writing is portrayed as having unique roles both together with and distinct from those of spoken language; specifically, the biblical sources depict writing’s primary use in ancient Israelite theological and administrative communication. It is consistently portrayed as the vehicle for the *receipt* of divine communication by YHWH’s prophets. Additionally, although writing and speaking are closely related, writing was not simply the transfer of spoken word or tradition into script. The texts depict specifically written functions in ritual, prophecy, and theology.

Writing and public reading are emphasized as important acts of religious “notice,” in order to witness the receipt of the Law by the community. Indeed, public *reading* of divine writings as a community act is depicted with more frequency and deference than simply public extemporaneous speaking or public “prophesying.” But even in the absence of recitation, the transcribing of the divine word is depicted as the crucial step. This seems to be due to the perception that it rendered the word immutable.

Notably, writing does not appear to have been adopted for communication *to* the divine, which will be discussed in chapter 6’s review of the ancient Israelite scribes’ perceptions of God, community, and *speech*. In ancient Israel, writing’s role in the

community was not as comprehensive as that of speech, and even if this was a function of technological limitations, those things that Israelites reserved exclusively for writing suggest much about the things that the ancient Israelite literary class society valued: fidelity to “the Law,” finality in judgment, and a God whose communication was piecemeal but permanent. The written law was limited, static, and predictable, which was desirable for community control and unification.

Chapter 4: The Relationship between Speech, Writing, the Community, and “Truth”

The specifics of everyday speech in ancient Israel are of course lost to us, but many biblical sources maintain the significance of certain speech-acts. Speech is depicted as a double-edged sword, a powerful tool for both advancement and ruin. For example, a lawsuit was usually supported solely by sworn testimony, and the accused’s life could be destroyed or saved based on the speech of a witness. A person who spoke well could advance and be trusted by powerful people, while “fools,” or those who spoke hastily or falsely, were not (Prov. 16:13; 22:11; Ecc. 10:20). In the biblical texts, speech is practiced by the divine and the mortal, the male and the female, the poor and the wealthy, the foolish and the wise—though it is depicted in different lights and with different frequencies when performed by (and perhaps depending on) different parties.¹³⁹

The very orality of certain communications seems to be significant to the authors of the biblical sources, even in periods of more widespread literacy. The scribal class depicts juridical accusations, testimonies, and confessions as acts of speech, not writing. They also describe public recitations of prophecy. These depictions suggest that the ancient Israelite scribes understood speech as the means by which individuals were evaluated by the community and by God.

One of the most fundamental values of speech, at least by today’s standards, is “truth,” or how our perceptions or statements compare to “reality.” In this chapter, I discuss the relationship between speech, writing, and the community, and how these related to what might be termed “truth” or “reality” in ancient Israel. This is done first via a historical consideration of the actual transmissions of the texts – how speech or writing was transmitted

¹³⁹ For example, while some women’s speech is recounted in the biblical texts, it occurs with much less frequency than men’s speech does. While some might be tempted to extrapolate this as a reflection of similarly gendered speech in ancient Near Eastern people’s everyday lives, this might very well be a mistake. The biblical texts were highly specific in authorship and audience, and were not intended to represent to any future generation the “reality” of everyday living in the authors’ communities.

to the other – and then via a more philosophical or literary inquiry: how those transmissions affected the “truth” of the communication.

Where much of the dissertation is concerned with the portrayal of speech in the text rather than actual historical practice, this chapter considers both questions. As writing is the only medium through which ancient speech is preserved, understanding the relationship between orality and writing is essential to this discussion. This section will attempt to address the relationship between the text and orality—and the extent to which the text can be relied upon to understand speech concepts. To this end, I will review relevant literature and theoretical approaches, outlining my own approach as (mostly) synchronic.

The Reliability of Written Texts as Resources for Understanding “Speech”

To begin, we will examine the reliability of texts as sources for understanding speech, by exploring studies on literacy, orality, and the relationships between the two and consciousness. Several studies affirm that strategies associated with orality can be found in writing¹⁴⁰—though it might be overoptimistic to attempt to reconstruct such strategies relying solely on such writing. Indeed, the written form of that language can be considered a separate system of that language, as it has its own conventions, rules, and signals: a dialect of sorts.¹⁴¹ Of course, “different conditions of production as well as different intended uses foster the creation of different kinds of language.”¹⁴² Some, notably Halliday and Beaman, have found that spoken language can be more complex than written language.¹⁴³

¹⁴⁰ Wallace Chafe and Deborah Tannen, “The Relation Between Written and Spoken Language,” *Annual Review of Anthropology* 16 (1987): 391, 394 for discussion of those studies that: “investigate the influence of speaking on writing or reading,” “[show] that strategies associated with writing could be found in spoken language” and “[suggest] that certain ways of speaking could be a preparation for expository writing, and that strategies associated with orality could be found in writing.”

¹⁴¹ *Id.* at 387.

¹⁴² *Id.* at 390. See also 395: “Describing these and other genres suggests parameters by which discourse takes its form: formal vs informal, monologic vs interactive, public vs private, and the range of patterns associated with discourse of a recognizable type. . . Tannen sees different patterns of similar linguistic resources (for example, repetition, narrative, constructed dialog, details, and imagery) as means of drawing on and creating differing degrees of interpersonal involvement.”

¹⁴³ M. A. K. Halliday, “Differences between Spoken and Written Language: Some Implications for Literacy Teaching,” Pages 37-52 in Glenda Page, John Elkins and Barrie O’Conner (Eds.) *Communication*

In biblical scholarship, much attention has already been given to the relationship between “orality,” “literacy,” and society in the ancient Israelite world, with several monographs also devoted to the study of one or the other communicative aspects. Interest in orality and literacy in biblical studies is usually traced to H. Gunkel and his *Formgeschichte* approach.¹⁴⁴ More recent studies are concerned with, as Schaper put it, “the significance of orality and literacy for our understanding of the development of the YHWH religion and the Israelite and Judaeon societies in which it was rooted.”¹⁴⁵ Importantly, Niditch has questioned the “romantic notion” of an evolutionary model of literacy—“an oral period in the history of Israel followed by the time of literacy in which Israelite literature becomes written,”¹⁴⁶ and in which orality appears early, prebiblical, and unsophisticated.¹⁴⁷ She argues instead that an “oral literate continuum”¹⁴⁸ existed rather than “a dichotomy between orality and literacy”¹⁴⁹ throughout the biblical period. It must be stressed that if we *do* understand orality and literacy as ends of a continuum, however, we maintain a sort of dichotomy between them. Niditch’s conceptualisation nevertheless well illustrates the fluidity of communication in this regard,

Through Reading: Proceedings of the Fourth Australian Reading Conference (Adelaide, S.A.: Australian Reading Association, 1979). In this work, Halliday found that spoken language had complex sentence structure, i.e. more clauses, but “low lexical density,” that is, few high content words per clause. Written language, on the other hand, had simpler sentence structures with high lexical density. Beaman extended and refined these conclusions in her 1984 work, stating that “differences in syntactic complexity between the spoken and written modalities which previous studies have found often turn out to result from differences in the formality and purpose or register of the discourse rather than true differences between spoken and written language.” K. Beaman, “Coordination and Subordination Revisited: Syntactic Complexity in Spoken and Written Narrative Discourse,” Pages 45-80 in Tannen D. and Freedle R. (Eds), *Coherence in Spoken and Written Discourse* (1980). See Chafe and Tannen, “Written and Spoken Language,” 388-89. A number of scholars have argued that writing is not a “neutral” technology. See Chafe and Tannen, “Written and Spoken Language,” 392. For example, Florian Coulmas has made the compelling argument that different writing systems have different effects on language, and affect the “relative distance” between a language’s spoken and written counterparts. Coulmas’ attempt to evaluate how writing a language affects its development finds ultimately no conclusions. Florian Coulmas, *Writing Systems: An Introduction to Their Linguistic Analysis* (Cambridge: Cambridge University Press, 2003), 35.

¹⁴⁴ See, for example, Hermann Gunkel, *Genesis übersetzt and erklärt* (Göttingen: Vandenhoeck & Ruprecht, 1901).

¹⁴⁵ Schaper, “Orality/Literacy,” 324.

¹⁴⁶ Niditch, *Oral World*, 134.

¹⁴⁷ *Id.* at 2.

¹⁴⁸ *Id.* at 134.

¹⁴⁹ Schaper, “Orality/Literacy,” 325.

disallowing a rigid “development” and instead emphasising a coexistence variably more or less oral or written.

George E. Mendenhall asserted that an illiterate society is by no means unsophisticated or primitive, arguing that exclusively oral record-keeping in and of itself does not preclude rich, literary works. In a consideration of the theoretical Amorite epic, he argues that many cultures may not produce written documentation, but nevertheless have rich traditions of folklore and poetry: “From the Greek Islands to Yemen there have been recent reports of local peoples’ capability to produce, without prior preparation, highly complex poetic compositions appropriate to festive occasions. The western obsession that only literacy permits higher aspects of culture is simply the result of ignorance, and sometimes invincible ignorance.”¹⁵⁰ Oral communication, then, should not by virtue of its medium be disassociated with any aspects of a culture—be they administrative, intellectual, or literary.

At the same time, Patricia G. Kirkpatrick’s work on the Old Testament and folklore emphasises that, regardless of the sophistication of such oral traditions, oral compositions are most often changed over time:

memorisation is no longer seen as the key to a culture’s oral narrative transmission. . . . oral tradition, far from preserving the sources of its past (whether they be entertainment or historical recollection, or both) constantly reinterprets that past in the light of the present. Indeed, one of the hallmarks of tradition is not that it conserves the past but rather that it is constantly evolving in such a way as to incorporate the changes of different historical periods and circumstances. The written transcription of presumed oral tales will inform us more, therefore, about the period in which those tales were transcribed than about the period in which they were presumed to have been composed.¹⁵¹

¹⁵⁰ George E. Mendenhall, “The Amorite Heritage in the West,” in *Inspired Speech: Prophecy in the Ancient Near East*. JSOTSup 378 (J. Kaltner and L. Stulman, eds. London: T & T Clark, 2004), 16.

¹⁵¹ Patricia G. Kirkpatrick, *The Old Testament and Folklore Study* (JSOTSup 62, Sheffield: Sheffield Academic Press, 1988.), 117: “We now know that it is not necessarily the case that story-tellers in oral societies memorise their tales. Instead it is now appreciated that they are capable of retaining fairly lengthy oral compositions aided by epithets, formulaic phrases and patterns. Each performance of the same composition contains both stable and creative elements, however. The most recent folklore research has shown, furthermore, that even the presence of epithets or formulaic phrases in a written text is no sure touchstone of its orality. Like repetition these features can also be part of written techniques.”

Based on similar reasoning, Martti Nissinen has argued that the actual words the prophets spoke and to which prophetic literature refers are “impossible to find.”¹⁵² He proposes that the “development from oral performance to written record happened under material restrictions and linguistic constraints, and the path from the prophet to the recipient may have been a complicated one.”¹⁵³ This is typically the attitude of synchronic approaches to the biblical texts, and one that this study, by and large, adopts.¹⁵⁴ This understanding is based on the increasing complexity and occurrence of extant texts over time.

Still, while most scholars accept that the administrative and legal spheres were more oral in their nascent stages, and then became more written, both spheres retained important oral functions, traces of which can be found in biblical texts. This persistent “oral nuance” corresponds with Goody’s literacy hypothesis, as “orality remains a dominant form of human interaction, although itself modified in various ways by the addition of new means and modes of communication.”¹⁵⁵ This suggests that the significance associated with orality did not disappear with the advent of literacy, though it may have changed. By the Achaemenid period, literacy appears to have been more widespread,¹⁵⁶ perhaps lessening to some extent the formal impact of speech in administrative and legal situations and contributing to state centralisation.¹⁵⁷ However, while writing may have been “at the core” of Israelite administrative and political systems,¹⁵⁸ this nonetheless concludes nothing for the population at large. Indeed, the personal, committing nature of speech appears to have been retained throughout periods of both low and high literacy.

¹⁵² Martti Nissinen, “What is Prophecy? An Ancient Near Eastern Perspective,” in *Inspired Speech*, 29.

¹⁵³ *Id.*

¹⁵⁴ Additionally, the act of writing oral records, or recording direct speech can be seen as showcasing the time period and social context of the *recorder*.

¹⁵⁵ Schaper, “Orality/Literacy,” 337.

¹⁵⁶ *Id.* at 328, calling the Israelites a “society whose leading military and administrative personnel had, even in the seventh century, reached at least amongst its elites a high degree of literacy” and citing relevant evidence.

¹⁵⁷ See Goody, *Logic*, 87-126.

¹⁵⁸ Schaper, “Orality/Literacy,” 329.

Orality and literacy seem to have coexisted, and both played important roles throughout the ancient Israelite history. To some extent, and as Bernard Jackson, Walter Ong, and Jack Goody have stressed, “writing restructures consciousness.”¹⁵⁹ Jackson explains that “orality favours events rather than concepts or system... we can tolerate a complex story told orally, but not a complex legal document.”¹⁶⁰ Jackson sees orality, which he equates with narrative, as relying on shared social knowledge, while writing is less so.¹⁶¹ But these features of oral and written communications are complementary, and not necessarily competitive. As Robert R. Wilson has noted, “traditional cultures do not in fact leave orality behind when they begin to use writing more heavily. Rather both oral and written literatures continue to exist together for a long period of time and interact with each other in various complex ways.”¹⁶²

In this way, Robert D. Miller has argued that Israel was “always a society of oral literature full of literate individuals,” though that most received these works aurally.¹⁶³ Schaper has argued that “the most important use of writing” in ancient Israel was to transform the written word into the spoken word.¹⁶⁴ Thus, among other reasons, writing was important for enabling further verbal communications, including recitation and teaching.¹⁶⁵

¹⁵⁹ The title of chapter 4 of Ong, *Orality*; See also Jack Goody, *The Domestication of the Savage Mind* (Cambridge: Cambridge University Press, 1977); Bernard S. Jackson, *Making Sense in Law: Linguistic, Psychological, and Semiotic Perspectives* (Liverpool, UK: Deborah Charles Publications, 1995), 79-83; “Models,” *Journal of Law and Religion* 18(2002): 8.

¹⁶⁰ Jackson, “Models,” 8. He cites to Basil Bernstein, *infra* note 161, who has distinguished between “restricted code,” in which “we need not say everything that we mean, because we can rely upon the shared social knowledge” to fill in any gaps, and “elaborated code,” in which any assumptions “need to be spelled out.”

¹⁶¹ Basil Bernstein, *Class, Codes and Control: Theoretical Studies Towards a Sociology of Language* (London: Routledge & Kegan Paul, 1971), chs. 5-7, especially 108-109, 123-137.

¹⁶² Robert R. Wilson, “Current Issues in the Study of Old Testament Prophecy,” in *Inspired Speech*, 42. See also Bernard S. Jackson, *Wisdom-laws: A Study of the Mishpatim of Exodus 21:1-22:16* (Oxford: Oxford University Press, 2006), 39. Jackson proposes an alternative viewpoint of the relationship between orality and literacy: that a transition from orality to writing occurs at the commencement of “paragraphing, which may well be a function of relatively short collections of norms.” However, this view—while important in stressing the development of the form of writing—seems too linear to reflect adequately the complex, relationship between orality and literacy.

¹⁶³ Robert D. Miller, II, *Oral Tradition in Ancient Israel* (Biblical Performance Criticism, 4; Eugene, Ore.: Cascade Books, 2011), 54.

¹⁶⁴ Schaper, “Orality/Literacy,” 332-3.

¹⁶⁵ *Id.* He maintains that this use “provided the foundation for a new relation between the written and the oral, between writing on the one hand and memorising, reciting, meditating and teaching on the other.” *Id.*

Oral transmission was likely not restrictive in the sense of audience: oral delivery would have been accessible to most of society.

Indeed, Niditch characterises Israel as an “essentially oral world.”¹⁶⁶ She argues that even in later passages, which exhibit “literate mentality,” written materials are depicted as being reoralised and are more symbolic than practical:¹⁶⁷ “even at the literate end of the continuum, the oral mentality is present and active, informing the way writing is used.”¹⁶⁸ Schaper, meanwhile, insists much the same about *literacy*: “never in its entire history was Israel entirely without writing, as becomes clear from the existence of scribes in its midst from the earliest times onwards,” also asserting that its society was fully transformed by writing “from the pre-exilic period at the latest.”¹⁶⁹ Schaper does stress however that “literacy here does not lead to the development of (objective) history as opposed to (communal) myth, nor necessarily to detachment, distance, or analytic thinking.”¹⁷⁰ These views are not irreconcilable, as both orality and literacy, in varying proportions, co-existed throughout ancient Israelite history.

Underscoring this discussion, however, are the truth conditions that informed transmissions of this kind: from oral to written and from written to written. As suggested above in the section on written literature as a genre, ancient Israelite conceptions of truth influenced how content was transferred either between or within these mediums. These socially-defined truth conditions color our understanding of the relationship between speech, text, and the community.

¹⁶⁶ Niditch, *Oral World*, 134.

¹⁶⁷ *Id.* at 97-98; Schaper, “Orality/Literacy,” 336-7.

¹⁶⁸ Niditch, *Oral World*, 98.

¹⁶⁹ Schaper, “Orality/Literacy,” 337; fn. 59. See also 326: “Writing is depicted as a divine activity (or as one occurring in the divine sphere) in Isa. lxv 6; Ezek. ii 1-iii 10; xiii 9; Zech. v 1-4 and Mal. iii 16. It is practised by humans in Jer. xxxvi 2, 4, 18, 28, 32; li 60-64 and Hab. ii 2.” Schaper examines the “theology of writing” and writing in exilic and post-exilic prophecy, determining that writing is depicted as both a divine and a human activity. He concludes that ascribing writing to the divine realm indicates that “writing was a well-known activity when the texts in question were authored... writing, and specifically book-keeping, was indeed a practice sufficiently well established and publicly known to serve, by analogy, as an illustration of the divine world” (327-28).

¹⁷⁰ Schaper, “Orality/Literacy,” 338.

Truth Conditions

The ancient conception of truth as “loyalty” rather than some objective meaning, or word-for-word copying, had bearing on how oral messages were written down and copied. Additionally, although writing and speaking seem to have been closely related, writing was not simply the transfer of spoken word or tradition into script. As mentioned, Raymond Person described faithfulness to a text in the ancient Israelite world not as exactness in script, that is, not “word for word” copying, but as the transmission of meaning.¹⁷¹

The advent of writing and literacy in general certainly has an impact on a community’s conceptions of “truth.” For example, Clanchy has argued that in medieval England, “without documents, the establishment of what passed for truth was simple and personal, since it depended on the good word of one’s fellows. Remembered truth was also flexible and up to date, because no ancient custom could be proved to be older than the memory of the oldest living wise man.”¹⁷² Similarly, Goody and Watt’s study noted that the Nigerian Tiv’s quite fluid, oral genealogies were often used in court cases under British administration. Once the British began to record these genealogies, however, the next generation of both administrators and Tivs found that their respective records were contradictory; to the next generation of Tivs, these older, written records seemed incorrect, not “true,” and proved to be a source of conflict.¹⁷³

As Stuart Weeks has noted, “the recreated past in an oral society is not seen as recreated, and does not lack authority.”¹⁷⁴ The Tivs’ reaction also demonstrates that for this

¹⁷¹ Raymond F. Person, Jr., *The Deuteronomic History and the Books of Chronicles: Scribal Works in an Oral World* (Atlanta: SBL, 2010), 48.

¹⁷² “There was no conflict between past and present, between ancient precedents and present practice... ‘The law itself remains young, always in the belief that it is old.’” (Michael Clanchy, *From Memory to Written Record: England 1066-1307* (Oxford: Blackwell, 1993), 296, quoting F. Kern, *Kingship and Law in the Middle Ages* (Oxford: Blackwell, 1939), 179).

¹⁷³ Jack Goody and Ian Watt, “The Consequences of Literacy,” *Comparative Studies in Society and History* Vol. 5 No. 3 (1963): 311.

¹⁷⁴ Stuart Weeks, “Literacy, Orality, and Literature in Israel,” in James K. Aitken, Katharine J. Dell, and Brian A. Mastin, eds., *On Stone and Scroll, Essays in Honour of Graham Ivor Davies* (Berlin: Walter de Gruyter GmbH & Co., 2011), 477.

oral society, “truth” was not fundamentally conceived as some fixed, objective lasting thing—instead, it was a matter of agreement. Literate societies on the other hand, in many respects because they are so dependent on documents, see writing as “fixing” truths and removing any room for negotiation, with disagreements only about the authenticity and authority of documents.

But what was “truth” for the ancient Israelites? This discussion requires an investigation into the ancient Israelite conceptions of the conditions upon which speech was founded, particularly the multivalent concept of “truth.” To briefly survey “truth” as a philosophical concept, the correspondence theory of truth maintains that truth corresponds to “the” actual state of things and/or to external transcendent realities. Its roots are in Greek philosophy, and its primary champions in the Western philosophical tradition also assert that dishonesty is inherently harmful. Specific conceptions vary, including Kant’s classic, absolutist case-in-point of revealing the hiding-place of an innocent person to their would-be murderer, rather than speak dishonestly out of altruistic motives.¹⁷⁵ Others see dishonesty as sometimes acceptable, with much ink spilled in the debate.¹⁷⁶

In the biblical text, however, there is a dearth of specific moral injunctions against dishonesty in contemporary terms. The absence of specific advice about “lying” is marked. Some take issue with the deceptive depictions of biblical heroes in the Hexateuch¹⁷⁷—uneasy that the Bible is “condoning” dishonesty in its depictions of, for example, Abraham and Isaac (Gen. 12, 20, and 26), the midwives in Egypt (Ex. 1:15-20), and Rahab (Josh. 2:1).¹⁷⁸ This

¹⁷⁵ Immanuel Kant, *Critique of Practical Reason and Other Writings in Moral Philosophy*, ed. and trans. Lewis White Beck (Chicago: University of Chicago Press, 1949), 346-50. He continues: “a lie always harms another; if not some other particular man, still it harms mankind generally, for it vitiates the source of law itself” (347).

¹⁷⁶ See for example, Benjamin Constant, “On Political Reactions,” *France* Vol. 3 No. 1 (1797): 123.

¹⁷⁷ For example, Yael Shemesh gives an elaborate justification for their actions based on modern conceptions of truth. Yael Shemesh, “Lies by Prophets and Other Lies in the Hebrew Bible,” *Journal of Ancient Near Eastern Studies* 29 (2002): 95. He continues, “The common point in all instances is that the prophet, formally speaking, has not actually lied, i.e., uttered an outright falsehood, although he has misled someone in a sophisticated manner, consciously and deliberately.”

¹⁷⁸ See also Gen. 27:7, 20, 28; 29:15-30, 29:31-30:24; 30:37-31:16.

may be due to the fact that their conceptions of “truth,” as will be discussed, don’t correspond to our own, and this especially seems to be the case in their older traditions—likely earlier compositions in less literate contexts. “Troubling” behaviour is sometimes only troubling to our contemporary sensibilities.

Indeed, unlike our contemporary sensibilities about truth, in the biblical texts, one must be honest as a witness or in conducting trade and business, but this does not equate to a conception of honesty as the objective or exact relation of things as they “are,” or a duty to be honest in everyday conversation. Instead, the word *אמת*, generally translated as “truth,” seems to describe a “loyalty” or “faithfulness” more than a commitment to our conception of truth as objective fact. For example, *אמת* is often coupled with the term *חסד*, love or kindness.¹⁷⁹ It is often used to describe God and his covenant—that God can be trusted to follow through.¹⁸⁰ Isa. 38:18 describes those whose wickedness is beyond reproach and who “cannot hope for [YHWH’s] faithfulness.” Similarly, God asks for faithfulness of those in his covenant (Ps. 51:6). Jeremiah uses *אמת* to describe something sound and reliable (2:21). This conception of truth entails a sense of surety, describing a “sure” sign or oath (Josh. 2:12, Ps. 132:11).

Furthermore, in terms of economics, truth is generosity, especially in treating the poor generously and not taking advantage of anyone. Weights and measures are often the subject of this sort of honesty.¹⁸¹ Trustworthy men are those who “hate dishonest gain” (Ex. 18:21).

¹⁷⁹ In Proverbs, as well as in Ps. 51:6-7, truth is also listed with wisdom (*חכמה*), instruction (*מוסר*), and understanding (*בין*). It is also described with humility (*ענוה*) and righteousness (*צדקה*) (Ps. 45:4 (5)). It is coupled with love (*חסד*) and righteousness (*צדקה*) (Ps. 85:10-11 (11-12)). It is on some level seen as a divine blessing: something that can be given or taken away. The Psalmist asks “Never take your word of truth from my mouth, for I have put my hope in your laws” (119:43). Isaiah lists truth in parallel form with honesty (*אמת*), justice (*צדקה*), and righteousness (*צדקה*) (Isa. 59:12-15). Truth is described in opposition to evil (59:15). In Daniel’s prophecy, both truth and the “sanctuary” or the temple were “thrown to the ground” in Israel’s destruction (8:11-12).

¹⁸⁰ See 2 Sam. 7:28; Ps. 30:10 (9), 31:6 (5), 45:4 (5), 57:11 (10), 71:22, 86:16, 91:4, 108:5, 111:7, 115:1, 138:2, 146:6; Micah 7:20; Isa. 38:19. *אמת* is also used to describe the identity of YHWH as an authoritative and trustworthy god, the “true” god (2 Chr. 15:3, Jeremiah 10:10). His commands are also called “true” (Ps. 19:10, 111:7, 119:151, 160—which use “true” and “eternal” as near synonyms, as in Jeremiah 14:3). It has been used in parallel opposition to wickedness (Jeremiah 9:33, Prov. 8:7) and to describe general righteousness (Gen. 24:48, Ps. 15:2). It arises from fearing God (Neh. 7:2) and acknowledging Him (Hosea 4:1).

¹⁸¹ “Honest balances and scales are the Lord’s; all the weights in the bag are his work” (Prov. 16:11). Conversely, “a false balance is an abomination to the Lord, but an accurate weight is his delight” (Prov. 11:1).

A person who earns deceptively is wicked, in contrast with the righteous who earn “true” wages (Prov. 11:18). Additional proverbs are focused on dishonest gain: “The getting of treasures by a lying tongue is a fleeting vapor and a snare of death” (Prov. 21:6). In Ezekiel 18, the righteous man is described as a “true judge” who does not lend at interest or take a profit, and who is “true” in keeping divine laws (8-9).

Truth is also used frequently in evaluating witnesses.¹⁸² In Prov. 6:16-19, God hates “a lying tongue” and “a false witness who utters lies” (see also Prov. 12:22). The term אֱמֻנָה is also used to imply verification in some instances: if a matter is proved “true” in a juridical sense, then certain consequences apply.¹⁸³ An honest witness is not described as telling “the whole truth and nothing but the truth,” to use modern Western terminology, but they “save lives”—while the deceitful witness will provide misinformation to do the opposite, to destroy lives (Proverbs 14:25). “Truth in justice” in Zechariah 7:9 is to have mercy and compassion. At the same time, Jeremiah pleads with the Lord to be a “true and faithful witness” against Israel if they do not obey him (42:5)—further suggesting that an “honest” witness is again one with both mercy and justice.

Continuing this theme, Zechariah 8:16 begins with a general injunction to “speak the truth to each other,” but then proceeds to enumerate specific injunctions for a juridical setting: to the mediators or judges (“render true and sound judgment”), the accusers (“do not plot evil against each other”) and the witnesses or accused (“do not love to swear falsely”). An honest witness is defined as telling the truth, and a false witness tells lies (Prov. 12:1). In the juridical setting, then, lies are not told with altruistic motives: altruism “is” truth, and manipulating the legal system *for injury* is deceit.

“Differing weights are an abomination to the Lord, and false scales are not good” (Prov. 20:23). False weights and measures refer to defrauding a customer about the product being sold. “Diverse weights and diverse measures are both alike an abomination to the Lord” (Prov.20:10).

¹⁸² Much attention is given to the deceptive witness (Prov. 14:25; 19:5; 24:28; 12:17; 25:18; 10:18).

¹⁸³ See Deut. 13:15, 17:4; 22:20; 1 Kgs. 10:6; 2 Chr. 9:5.

In the context of prophecy, אֱמֻנָה is used to describe the faithful recounting of a message, and dishonesty is attributing messages to God which he did not give, or saying more or less than was instructed (Jeremiah 23:28-32). After Elijah's ministrations to the widow and her son at Zarephath, she affirms his prophetic station by stating: "the word of the Lord from your mouth is the truth" (1 Kgs. 17:24). In Daniel, prophecy is described with אֱמֻנָה if its provenance is authoritative: from God (8:26, 10:21).

These "truth" conditions of speech are perhaps nowhere more in focus than in the story of Micaiah and the king of Israel (traditionally understood as Ahab). There, YHWH's conspiring to kill the Israelite king has been seen as morally problematic by today's standards. However, as noted above, the biblical texts understand that God is "true" to man so far as man is "true" to him (Isa. 38:18). God's "deception" is that he is no longer loyal to the Israelite king—who is, the text makes clear, no longer loyal to YHWH. Therefore, YHWH allows a deceptive spirit to send the Israelite king to his death. All of the prophets involved are ostensibly speaking in the name of YHWH, and thus speaking "truth" in the sense of that which is in line with his message.

When Micaiah echoes this message, Ahab demands that Micaiah tells the "truth." Ahab recognises this "good" (*tov*) prophecy immediately as suspect, because it is out of character with Micaiah's previous behaviour.¹⁸⁴ Here, "truth" is harmony with character—indeed, after Micaiah revises his statement, the Israelite king smugly affirms to Jehoshaphat, "Didn't I tell you? His prophecies about me are never good but only bad" (1 Kgs. 22:18). Ultimately, however, and as Walter Moberly has noted, Micaiah is not even necessarily speaking "truth," that is, a future *certainty*, but rather a future *possibility*, spoken not to, in

¹⁸⁴ "An enemy dissembles in speaking while harboring deceit within; when an enemy speaks graciously, do not believe it, for there are seven abominations concealed within." (Prov. 26:24-25) This proverb has a narrative counterpart in the story of Micaiah.

fact, bring events about, but to motivate change.¹⁸⁵ Israel's loss is dependent upon Ahab's decision to go up in the first place. Thus, much of the biblical prophecy, "at least, as articulated in the books of Jeremiah and Ezekiel and as presupposed in much other prophetic literature—is relational, engaging language that seeks a response."¹⁸⁶

In some cases, however, "true" prophecy is used to describe events that are to inexorably come, events that are not conditional upon behaviour. There are very few such prophecies indeed, however, but they do seem to subscribe to a more correspondence theory of truth, concerned with relating the "actual state of (future) affairs" (see Daniel 11:2, dreams and visions of Joseph in the Genesis narrative). In prophecy, then, a consistent meaning of "truth" is fidelity to the original divine message, in meaning more than in word-for-word transmission.

Elsewhere, in Proverbs, truth is described as being taught for vocational purposes. Messengers are taught "to be honest and to speak the truth" in order to "bring back truthful reports to those [they] serve" (Proverbs 22:21). Here, again, truthfulness seems to describe "faithfulness"—fidelity to the original message and its provenance. Like temporal messengers, prophets and priests were simply bearers of (divine) messages. Malachi 2 discusses the duties of a Levite priest—emphasising that the lips of a priest ought to "preserve knowledge, because he is the messenger of the Lord Almighty and people seek instruction from his mouth" (Malachi 2:7).

These ideas about truth were probably agreed upon in broader ancient Israelite society. The norms underlying the concept of truth are, generally, socially contrived. For example, although the modern West describes truth as some "objective" accuracy, this accuracy is nevertheless something agreed upon by the majority, or by authoritative figures whom the

¹⁸⁵ See R. Walter L. Moberly, "Does God lie to His prophets? The story of Micaiah ben Imlah as a test case," *Harvard Theological Review* Vol. 96 No. 1 (2003): 8.

¹⁸⁶ See *Id.*

public accepts.¹⁸⁷ Similarly, in primarily oral communities, especially, truth is a sort of *consensus gentium*, an agreement of the people.¹⁸⁸ Statements are taken as true because people generally agree upon them.¹⁸⁹

This can be seen in the biblical texts. Isa. 43:9 describes a dramatic juridical setting which emphasises truth as agreement among the spectators. Isaiah invites the nations to gather together, asking, “Which of their gods foretold this and proclaimed to us the former things? Let them bring in their witnesses to prove they were right, so that others may hear and say, ‘It is true.’” Here, the testimony of witnesses is affirmed as truth by agreement.

Ultimately, the words “true” and “truth” in ancient Israel can be said to refer—not to states of affairs, as they arguably do today—but to properties of utterances. Like medieval England and the Nigerian Tivs, ancient Israel had different conceptions of “truth” than we do today. While certain scenarios required the accurate retelling, like in conveying a message or some prophecies, truth does not seem to have been some philosophical, overarching phenomenon, so the “truth conditions” upon which language was based in ancient Israel seem to have been more loyalty and fidelity than objective morality. This bears on the use and reception of writing in that society.

Conclusion

This chapter’s discussion was two-fold, first addressing the more mechanical relationship between text, speech, and the community, and then moving to the less defined effect of ancient Israelite “truth” conceptions on this relationship. While ancient Israel may have been an “essentially oral world” in the way that Niditch meant, that is, a “primarily” oral one, it seems to have been an essentially oral world in another way. As will be seen in the next chapters, several communicative acts were “essentially” oral, and remained so

¹⁸⁷ In the sense of *verum ipsum factum*, “the truth itself is made.”

¹⁸⁸ Of course, this should be understood in a historical rather than philosophical sense.

¹⁸⁹ See Imre Lakatos, *Falsification and the Methodology of Scientific Research Programmes* (Cambridge: Cambridge University Press, 1978).

throughout later periods when writing seems to have been more widespread. Verbal communication was significant in legal disputes and in public recitation. These functions highlight the commitment that speech implied—more so than by Western standards. By the same token, however, the ancient Israelite concept of truth seems to have been far looser than today’s Western standard. Even with the presence of writing, and the ability to “fix” something in time, ancient Israelites do not seem to have used an “objective” standard in evaluating the truthfulness of a communication. They did not require exactness, but rather fidelity in meaning and good intent. This chapter thus discussed the reliability of written texts for understanding their descriptions of speech, in order to foreground the next two chapters’ examinations of specific speech practices.

Chapter 5: The Vow and Consequences of Speech for the Community

While the previous chapter examined how speech was related to writing, and the Israelite community and its conception of truth and reality, this chapter brings a specific speech act into focus: the vow. The vow is a key action on which to focus this analysis, as it is attested throughout the Near East as, variously, a written and oral commitment. Ancient Israelite texts, however, describe this communicative act as exclusively spoken rather than written. The portrayal of the vow in the biblical sources exemplifies the relationship between speech and the community, with the concept of speech as risk and exposure. While I analyse “the vow” at great length in this chapter, and its *individual* repercussions, I also discuss how this individual act of communication seems to have been perceived as relating to and impacting the community.

The Vow

We will first explore the fully committing nature of the ancient Israel vow. It was typically oriented toward the divine—sworn “before” and often to God. Oath-taking is ubiquitous in Old Testament narrative, appearing in some of the Hebrew Bible’s most archaic material,¹⁹⁰ though it spans all genres. The vow was performed in the name of the Lord,¹⁹¹ with the familiar oath formula using the phrase, “as the Lord liveth.”¹⁹² Yael Ziegler describes the nature of the oath formula:

The oath formula, [which] always explicitly invokes God, is invariably followed by a solemn pledge promising that something will take place. In other words, this formula is used not to establish truth but rather to assume responsibility for a particular

¹⁹⁰ One of the earliest attestations of Israelite oath-taking occurs in Gen. 24:2, 9, which recounts the enigmatic patriarchal formula of placing the hand “under the thigh” of the person to whom the oath-taker makes their vow. Shemesh, “Punishment of the Offending Organ in Biblical Literature,” *Vetus Testamentum* Vol. 55, No. 3 (2005): 352; Gen. 24:9: “So the servant put his hand under the thigh of his master Abraham and swore an oath to him concerning this matter.” cf. Gen. 24:37,41.

¹⁹¹ Deut. 6:13: “Fear the LORD your God, serve him only and take your oaths in his name.”; Deut. 10:20: “Fear the LORD your God and serve him. Hold fast to him and take your oaths in his name.”; Isa. 65:16: “Whoever invokes a blessing in the land will do so by the one true God; whoever takes an oath in the land will swear by the one true God. For the past troubles will be forgotten and hidden from my eyes.”

¹⁹² Jer. 38:16

occurrence. At its core, this phrase appears to be a conditional self-imprecation. The gravity of such an imprecation lies in its invocation of God to enforce it.¹⁹³

The putative gravity of the spoken vow – and it is always spoken, as will be discussed below – is couched in the vow formula itself.¹⁹⁴ It invokes the *life* or existence of the supreme divine being, leaving its speaker with two clear paths: to fulfil their vows and affirm the existence of YHWH, or to leave their vows undone and invite the fatal consequences of blasphemy.

An ancient Israelite individual had both initiative and responsibility in the speaking of an oath; they were able to create, sometimes in rather inventive terms (cf. Judges 11), a sort of contract with a deity—simply by speaking.¹⁹⁵ In the biblical texts, the context of the vow varies—encompassing the personal, secret, compulsory, group, and political in a wide spectrum of situational motivations. Whatever the vow-making situation, it appears, *fulfilment* of the vow was paramount (Ps 76:11; Isa 19:21).¹⁹⁶ Regardless of specific context, the biblical narrative always reinforces the risk and the commitment of making a vow. This is clearly seen in its treatment of “hasty” and “considered” vows.

Hasty vows are vengefully made in anger—unplanned and powerful in potentially hazardous situations.¹⁹⁷ These emotional, passion-filled oaths can be effective in persuading their hearers that the speaker has a sincere desire to fulfil their vow.¹⁹⁸ In most of the biblical texts, however, these vows end with a fulfilled oath and regret, or an unfulfilled oath and ruin. Such vows arise in difficult situations. For example, Abner’s oath of 2 Sam. 3:8-10

¹⁹³ Yael Ziegler, “‘So Shall God Do...’: Variations of an Oath Formula and Its Literary Meaning,” *Journal of Biblical Literature* Vol. 126, No. 1 (2007): 64.

¹⁹⁴ The “introductory formula of each epic vow” uses the verb אמר, “to say.” Berlinerblau, *The Vow*, 86; citing Gen. 28:20; Num. 21.2; Jdgs. 11.30; 1 Sam. 1.11; 2 Sam. 15.7.

¹⁹⁵ This ability—especially on an individual level—is not seen in such quantities in the texts of neighbouring peoples. Berlinerblau, *The Vow*, 83-85, 90.

¹⁹⁶ For example, in several political and military instances, leaders take oaths to reassure their followers. For example, Gedaliah “took an oath to reassure them and their men. ‘Do not be afraid of the Babylonian officials,’ he said. ‘Settle down in the land and serve the king of Babylon, and it will go well with you.’” 2 Kgs. 25:24; Jer. 40:9. More secretively, when besieged by Babylon, Zedekiah protects and reassures Jeremiah with an oath in order to receive his counsel. (Jer. 38:16).

¹⁹⁷ See, for example, Ps. 95:11: “So I declared an oath in my anger, ‘They shall never enter my rest.’”

¹⁹⁸ Ziegler, “Variations of an Oath Formula,” 65.

represents, in Fokkelman's words, "months of pent-up frustration."¹⁹⁹ Likewise, Fokkelman sees Solomon's oath of 1 Kgs. 2:21-29, which he makes in reaction to Adonijah's request for Abishag, as the release of a "great quantity of feelings."²⁰⁰ And in Genesis, Esau, starving, hastily makes a vow, delayed only by Jacob's desire for procedural security and trust in the committing nature of the vow, demanding Esau make the vow *before* giving him pottage.²⁰¹

Those vows made in the passion of the moment are often violated. They "often prove to be not well thought out, impossible to guarantee—a hotheaded promise instead of a well-planned, implementable idea."²⁰² The speaker of the oath must fulfil the conditions they vocalised, though they may not have invoked personal ruin—only personal responsibility:

The oath formula... contains an explicit recipient of the curse in case of its violation; however, the curse does not necessarily fall upon the violator. Instead, the oath contains a conscious assumption of responsibility on the part of the speaker for the upkeep of the oath's pledge. The speaker's designation of himself as the recipient of the conditional curse represents his confidence, his sincerity, and his willingness to assume personal responsibility.²⁰³

Because the speaker of the vow is, by their very act of speech, accepting responsibility for its carrying out, most vows work in conditional clauses. The risk of vows made in the heat of the moment is that little thought is given to such cautionary framing.

On the other hand, other passages describe careful hedging in forming a vow to ensure that the vow-maker will be able to keep it, avoiding the risks others so hastily took. These are more "considered" vows. The account of Rahab and the spies in Josh. 2-6 devotes much attention to the stipulations of an oath made by Joshua's spies to Rahab. The spies work in several safety-net clauses—releasing them from their vow under certain circumstances—in order to ensure that they are able to fulfil it (Josh 2:17, 20). Abraham works in similar

¹⁹⁹ Jan P. Fokkelman, *Narrative Art and Poetry in the Books of Samuel: A Full Interpretation Based on Stylistic and Structural Analyses* (Assen: Van Gorcum, 1990) vol. 3, *Throne and City*, 72. Abner swears to help David become king, after Ish-bosheth accuses him of sleeping with King Saul's concubine.

²⁰⁰ Ziegler, "Variations of an Oath Formula," 65; citing Fokkelman, *Narrative Art and Poetry*.

²⁰¹ Gen. 25:33: "But Jacob said, 'Swear to me first.' So he swore an oath to him, selling his birthright to Jacob."

²⁰² Ziegler, "Variations of an Oath Formula," 65-66.

²⁰³ *Id.*

phrases when putting his servant under oath to find Isaac a wife, making sure to release his servant given potential outcomes beyond his control.(Gen 24:8).

The wholly-committing aspect of the vow takes on great significance when one notes especially difficult vows nevertheless being fulfilled. In the narrative of the Deuteronomistic History, Hannah makes her famous vow to dedicate the child she is given to the Lord and, after carrying and giving birth to Samuel, does deliver him to the temple in dedication (1 Sam 1:11, 21). In his military struggles, Jephthah also, and quite infamously, vows to the Lord, “If you give the Ammonites into my hands, whatever comes out of the door of my house to meet me when I return in triumph from the Ammonites will be the LORD’s, and I will sacrifice it as a burnt offering” (Jdgs. 11:30-31). After he is successful in battle and returns home, his only daughter is the first to meet him. Despite the tragedy of fulfilling his oath, his daughter urges: “you have given your word to the LORD. Do to me just as you promised, now that the LORD has avenged you of your enemies, the Ammonites” (Jdgs. 11:36). Jephthah mourns, “I have made a vow to the LORD that I cannot break” and indeed fulfills it (Jdgs. 11:35). Both his daughter, facing the prospect of death, and Jephthah, facing the prospect of sacrificing his very daughter, are depicted as bowing before the full commitment of the vow. They express sorrow, but the fulfilment of the vow is almost unquestioned because of the binding nature of the speech, and because God’s end of the bargain, as it were, has been completed.

Another occurrence is recorded in Judges. After the incident of the Levite and his concubine in Jdgs. 19, the men of Israel swear not to betroth their daughters to Benjamites. Jdgs. 21:10-23 relates the difficulty of securing wives for the tribe of Benjamin after making this oath, however, with the Israelites resorting to murder and kidnapping to avoid breaking their oaths. In another instance, after Joshua swears a peace agreement with the Gibeonites, who met with Joshua under false pretences, he discovers their deception. The oath that he has sworn stays his hand, however, and he lets them live, though as servants. (Josh 9:16-22).

These stories embody the Psalmist ideal of integrity, praising “the one... who keeps an oath even when it hurts, and does not change their mind” (Ps 15:1-4). The oath-makers cited here performed a variety of difficult tasks rather than renege on the vows they had spoken. But as much as oath-makers may have sought to achieve some ideal, they also probably wanted to avoid unpleasant consequences. Deuteronomy advises: “If you make a vow to the LORD your God, do not be slow to pay it, for the LORD your God will certainly demand it of you and you will be guilty of sin. But if you refrain from making a vow, you will not be guilty” (Deut. 23:21-22). Moses also warns that those who stray from the covenants they have made “will bring disaster on the watered land as well as the dry” (Deut. 29:19). Malachi curses the man who, after vowing to give an acceptable male from his flock, offers a blemished animal, and Isaiah warns those who similarly take false oaths (Mal 1:14; Isa 48:1).

The typical consequence for nonfulfillment of a vow was “God’s wrath” (i.e. Josh 9:20). When Shimei failed to keep his oath, he was killed. (2 Kgs 2:41-46). Ezekiel foretells the death of Zedekiah when he breaks his oath with King Nebuchadnezzar, and Zedekiah dies in captivity in Babylon (Ezek. 17:16-19). Saul binds his people under oath, swearing that those who eat on the day of battle with the Philistines will be cursed. When his son Jonathan eats honey, Saul takes personal responsibility for his oath, “May God deal with me, be it ever so severely, if you do not die, Jonathan.” Rather than fulfilling his vow, however, Saul, persuaded by his men and loth, no doubt, to kill his son, invites God to, as Saul purportedly put it, “deal with [him], be it ever so severely” (1 Sam 14:24-28, 43-45). As he leaves his vow unfulfilled, Saul soon loses divine mandate and his kingship (1 Sam 15:25-28).

Ziegler sees the violation of the oath as integral to—and perhaps the very point of—the stories in which it appears. Those who desecrate the oath are “presented as negative characters that could easily be dismissive of oaths that they take in God’s name. ... Their behavior may be interpreted as negative and consistent with the behavior of one who breaks

oaths.”²⁰⁴ These texts emphasise the personal and powerful commitment of the spoken vow, and the inexorable consequences of leaving the vow unfulfilled. As 1 Kgs. 8:31-32 puts it, disrespect for oaths “demands the intervention of God as judge.”²⁰⁵

There are some notable exceptions to the vow’s commitment, however, that seem to relate to the need to protect certain classes: women and the mentally incompetent. Num. 30 describes a woman’s vow: it will stand if her father or husband “remain silent,” or refrain from nullifying the oath with a verbal rebuke. The husband and father have an obligation to speak in order to nullify the vows of the females under their stewardship.²⁰⁶

In the other circumstance for which the oath can be revoked, Lev. 5 lists measures for rectification of a “thoughtless” oath:

if anyone thoughtlessly takes an oath to do anything, whether good or evil (in any matter one might carelessly swear about) even though they are unaware of it, but then they learn of it and realise their guilt... they must confess in what way they have sinned. As a penalty for the sin they have committed, they must bring to the LORD a female lamb or goat from the flock as a sin offering; and the priest shall make atonement for them for their sin.²⁰⁷

²⁰⁴ Ziegler, “Variations of an Oath Formula,” 64.

²⁰⁵ Blenkinsopp, *Wisdom and Law*, 42-3 (commenting on 1 Kgs. 8:31-2): “The implication is that good and bad actions are not always seen to have their appropriate consequences, and that therefore the moral order – in this case respect for oaths – demands the intervention of God as judge. It followed that any threat to the moral order risked calling into question either the power or the justice of God. These implications are apparent in the religiously inspired aphorisms of the two large collections in Proverbs. The idea of an *intrinsic* link between act and consequence is still detectable – for example, in proverbs which speak of sowing and reaping (26:27; 28:10) – but the monotonous contrast between the fate of the righteous and that of the wicked is based on specifically religious premisses. Expressions like the following could hardly arise out of observation alone: ‘No ill befalls the righteous, but the wicked are filled with trouble.’ 12:21 or ‘The righteous has enough to satisfy his appetite, but the belly of the wicked suffers want.’ 13:25.”

²⁰⁶ This practice is also described in Qumran texts—though with some significant alterations. As G. J. Brooke notes in a discussion of 4Q416 2 iv 6-9 and CD 16, 10-12, Qumran law simplifies and exaggerates the regulations of Num. 30, suggesting that every vow a wife makes must be “annulled and directly.” (4Q416 2 iv 6-9: “Over her spirit he has set you in authority so that she should walk in your good pleasure, and let her not make numerous vows and votive offerings; turn her spirit to your good pleasure. And every oath binding on her, to vow a vow, annul it according to a (mere) utterance of your mouth; and at your good pleasure restrain her from performing [...]”). This alteration might restrict the “rights” of a wife, but it might also be seen as a form of blanket protection, to reduce the likelihood of misunderstanding. The obligation of the father or husband in this respect again emphasises the perceived binding power of the spoken oath. This perception—or at least the use of this perception to justify such action—spans at minimum several centuries. See, e.g., G. J. Brooke, “Biblical Interpretation in the Wisdom Texts from Qumran,” in *The Wisdom Texts from Qumran and the Development of Sapiential Thought* (eds. C. Hempel, A. Lange and H. Lichtenberger; Leuven: Leuven University Press, 2002), 211.

²⁰⁷ Lev. 5:4-6

This measure is not for the hasty vow. This is *only* applicable to those vows made without real awareness; it suggests that the person speaking does not realise they are speaking a vow—emphasising the power of the speech itself, and not necessarily the intent behind it. The Hebrew verb here²⁰⁸ implies “babbling” or immature chatter, perhaps even of those not fully cognisant (i.e. infantile or senile). This seems a simple protective mechanism for the simple-minded, rather than a means of escape for the casual oath-maker.

In conclusion, the literate class describes severe consequences for leaving an oath unfulfilled. Wisdom texts attest to the folly of a hasty vow, emphasising the likelihood of such a vow remaining sinfully unfulfilled. Proverbs warns that “It is a trap to dedicate something rashly and only later to consider one’s vows.”²⁰⁹ Deuteronomy warns, “Whatever your lips utter you must be sure to do, because you made your vow freely to the LORD your God with your own mouth.”²¹⁰ Thus, the biblical texts describe the vow as fully committing, with only limited exceptions, as discussed above. Multiple examples support the message that a vow must be honoured, no matter the difficulty, with worse consequences for avoiding oath fulfillment. There is often no simple undoing of the spoken vow; its terms must be met.

The Spoken Nature of the Vow

Although portrayed as fully committing in most circumstances, the vow is nevertheless described as exclusively spoken in the biblical sources. In every biblical oath-making incident, vows are depicted as spoken. Furthermore, as Berlinerblau has noted, Jeremiah 44:17 and 25 refer to the action of vow-making as words literally leaving someone’s mouth.²¹¹ On the receiving end of the vow, vows are described as being “heard” by the deity, which typically indicates they have been fulfilled.²¹²

²⁰⁸ *bata’*

²⁰⁹ Prov. 20:25

²¹⁰ Deut. 23:23

²¹¹ Berlinerblau, *The Vow*, 87-89: “Here then, the authors reveal that in Jeremiah’s dialect making a vow is synonymous with words leaving a person’s mouth. In Deut. 23.24 we again receive evidence of this idiomatic association between spoken words and the making of vows. ... This one verse demonstrates two

This may be unlike ancient Israel's neighbours. H. L. Ginsberg has noted that non-Israelite, ancient Near Eastern forms of public acknowledgement to the deity were "very often epigraphic," while Israelite forms were generally verbal.²¹³ Vows described in northeast Semitic and other ancient Near Eastern texts appear to generally be *written*, while the process of vow-making is recorded with "unusual clarity and consistency" in Israelite texts as *spoken*.²¹⁴ Along with the biblical Israelite texts, two other northwestern Semitic texts, in Ugaritic, also demonstrate vocalic invocations.²¹⁵ In Phoenician and Punic sources, it is assumed that the vow was spoken aloud to the deity, as indicated by the "hundreds of votive stelae containing the rather trite assertion that the deity in question has 'heard the voice'... of the worshipper."²¹⁶ This suggests that northwestern Semitic vow-making traditions were largely vocalic and not written like their eastern neighbours.²¹⁷ This is not to say that the written vows were not accompanied by oral prayers, but that the ancient Israelite vows do not appear to have required or generally used written components.

As Berlinerblau suggests, "this emphasis on the spoken nature of the vow may have had some sort of internal significance for the literati of Israel and Ugarit. They seem to subscribe to an ethos which maintains that a spoken obligation to a god was to be taken with

important aspects of a vow: a vow is an act which requires speech, and once uttered to the deity it is a binding obligation that must be fulfilled. ... Similar emphasis on the importance of the spoken word, and the gravity of its betrayal, can be found in the later wisdom traditions, for example in Eccl. 5.3. The Psalms also abound with references to the vocalic dimensions of this religious act. In Ps. 22.25, 66.14, 116.4, and 56.10."

²¹² Berlinerblau, *The Vow*, 89-90: "A corollary of the principle that the vow must be spoken to the deity is that the god actually 'listens' (shma) to the entreaty of the worshipper. This usage functions as an idiomatic expression: when a deity has 'heard' or 'listened to' the demand of a votary it always means that the former has in fact *fulfilled* the supplicant's request. See Num. 21.3, pss. 22.25; 61.6; 65.3; 66.18; 116.1; job 22.27."

²¹³ Ginsberg, "Inscriptions of Petition," 169.

²¹⁴ Berlinerblau, *The Vow*, 83: In northwest Semitic texts, "supplicants typically speak, cry, call out or even scream to the god(s)." He continues to cite evidence in support of the "mechanism of 'spoken invocation.'"

²¹⁵ *Id.*; citing KTU 1.15.111, which describes the anger of the goddess Asherah with King Keret for refusing to pay back his vow. In a fragment of the Aqhat epic, Danel prefaces his spoken vow with "listen!"—an imperative to gain a deity's attention. While much about these two texts is not known, it is clear that the vows are *spoken* to the various deities.

²¹⁶ *Id.* at 89; citing for example KAI 47, 63, 66, 68, 84, 88, 98, 103, 104, 105, 106, 107, 108.

²¹⁷ *Id.* at 90: "the literati of various northwest Semitic cultures, writing at different times and in different places, depict the fundamental components of votive initiation in a nearly identical manner. It is everywhere assumed that the worshiper must speak aloud to the deity, making use of his or her mouth and lips. As Davies notes, the term *ndr* itself 'suggest[s] the spoken word, the promise, or the 'outgoing from the mouth.'"

the utmost seriousness.”²¹⁸ Indeed, as G. B. Gray put it, “An intention only becomes binding when it has been embodied in speech, and so gained an independent existence; consequently stress is frequently laid... on the utterance of the vow.”²¹⁹ This perspective spans the Old Testament. The vow is consistently portrayed as both vocalic and binding in its pronouncement. This is not isolated to one period or genre.

On the other hand, the vows of elsewhere in the ancient Near East were written. The vow-texts of the Sumerians and Old Babylonians, for example, indicate a sort of making of the vow in its composition: a sort of votive receipt of sorts. The vow-texts do not indicate any verbal counterpart, nor do they intimate any sense of vocalic dialogue. In William Hallo’s study of the neo-Sumerian “letter prayer,” which was inscribed onto a votive object and placed into a deposit near the statue of the deity, he describes them as “taking the place of the suppliant, and relieving him of the need to proffer his prayer in his own person, orally and perpetually.”²²⁰ In Old Babylonian sources, similar texts are found in the temple for vows related to illness—that is, vowing to offer certain artefacts if the God blesses them with the recovery of their health.²²¹

While in the ancient Israelite texts, the vow is made to and by the gods directly, privately, and orally, elsewhere it is made indirectly, through mediation and writing.²²² Indeed, one priestly or scribal function in other communities would have been to aid in the preparation of these vow-texts. But this votive process is not attested in any extant Israelite

²¹⁸ *Id.* at 86.

²¹⁹ G. B. Gray, *A Critical and Exegetical Commentary on Numbers* (New York: Charles Scribner’s Sons, 1906), 415.

²²⁰ Hallo, “Individual Prayer,” 75; see also Berlinerblau, *The Vow*, 91.

²²¹ Berlinerblau, *The Vow*, 91-2: “A corpus of texts containing the expression *salmu baltu* often depicts the plight of a worshipper who is ill and who promises to pay back the deity what she or he ‘owes’ upon regaining her or his health. To some, these texts indicated that an individual, while ill, had merely taken out a temple loan. ... [R.] Harris concluded that these texts were not pure loans but vows. Thus, there existed a mechanism whereby an ill supplicant claims to ‘owe’ a sun disk, which he or she will place around the neck of the god when he or she recovers. In reality, however, the supplicant has vowed that if he or she recovers this religious artefact will be donated to the temple. Harris’s identification of such a practice with the process of vowing is reinforced by the appearance of the *salmu baltu* clause in a text containing the word *ikribu*, the Assyrian noun-form for ‘vow.’ The relevant section of this text reads *i-nu-ma ba-al-tu u sa-al-mu ikribisu ana (d)Sin PN inaddin*, ‘when he is physically well and solvent PN will give his votive offering to Sin.’”

²²² *Id.* at 91.

texts—highlighting the persistence of and preference for verbal vow-making throughout these periods. The available evidence fully supports this theory.²²³ The only accompaniment to the enunciation of the vow seems to have been, occasionally, an offering.²²⁴ Even when made with an offering, however, the vow's enactment only came about with its enunciation.

So the very speaking of the vow seems to have been what made it bind the speaker, as might be recalled from the provision for the “thoughtless” vow discussed above. It does not seem to have required a person's actual, free will intent. A number of vows are described as (or implied as) being forced, with the oath used to induce someone else to behave in a particular manner, rather than instigated by the oath-speaker him/herself. In Genesis, first Joseph and then the Israelites are “made” to swear oaths about the burials of Jacob and Joseph, respectively (Gen 50:5). Under King Asa's reign, all who would not make an oath to “seek the Lord” were killed (2 Chr. 15:13-15). Nebuchadnezzar is described as forcing Zedekiah to “take an oath in God's name” (2 Chr. 36:13). Ezra puts all of Israel under oath to

²²³ *Id.* at 92-3: “The likelihood that such a mechanism actually existed increases when it is taken into consideration that northwest Semitic authors, writing in different times and places, all seem implicitly to acknowledge this aspect of the votive procedure. It might legitimately be asked whether this data actually constitutes implicit evidence. The fact that vows are vocalized to the deity is, after all, explicitly mentioned by the literati. It is significant, however, that such information is repeated over and over again, in nearly the exact same way, in almost every northwest Semitic vow-text examined. It appears to have had little resonance for the biblical author insofar as this reference to vocalized petitions is never commented upon. Further like all good implicit evidence, it appears to have absolutely nothing to do with the theological agenda of the Yahwist party. It is the repetitive, uncontroversial and mundane nature of this evidence which leads me to label it as implicit.”

²²⁴ Often individuals or groups performed offerings at the commencement and/or completion of their vows. The Pentateuchal references to oath-taking are dominated by “vowed” offerings. Leviticus, Numbers, and Deuteronomy make mention of offerings given to “fulfil a vow.” (Lev. 7:16; 22:18, 21; 23:38; 27:2, 8-9, 11; Num. 15:3, 8; 29:39; Deut. 12:6, 17; Deut. 23:18.) Typically, these offerings are contrasted with “freewill” offerings and entail detailed stipulations. These are not freewill offerings as they form the realisation of a spoken, and obligating, vow. 2 Kings attests the usage of money “received from personal vows”—as opposed to money either collected in the census or money brought voluntarily to the temple. (2 Kgs. 12:4). Psalms specifies “thank offerings” as a method of fulfilling vows—likely a sign of gratitude after a request had been made and positively answered. (Ps. 50:14; 56:12). Numbers also introduces the procedure for performing Nazirite vows, which entails certain behavioural sacrifices. After a set period, the Nazirite performs offerings within the temple, which typically mark the end of the behavioural changes and “fulfilment” of the vow. (Num. 6:21). In many cases, however, the commencement and the fulfilment of the vow may not have been two distinct events, but the offering likely accompanied the oralisation of the vow, thereby both confirming and fulfilling the vow concurrently. Then there may have been offerings that acted as confirmation that someone would fulfil what they had vowed to do, implied by the Psalmist in the saying, “I have taken an oath and *confirmed* it, that I will follow your righteous laws.” (Ps. 119:106; emphasis added). Jon. 1:16 is also a notable passage. Jonah's seafaring companions make vows when they encounter a frightening storm, “At this the men greatly feared the LORD, and they offered a sacrifice to the LORD and made vows to him” (Jon. 1:16). Contrary to some interpretations that see the two actions as sequential (Berlinerblau, *The Vow*, 70), it seems the sailors with Jonah offered an offering after making fearful vows during a storm, *thereby* paying their vows.

send away any foreign women they have married (Ezra 10:5). Similarly, Nehemiah “beat some of the men and pulled out their hair. I made them take an oath in God’s name and said: “You are not to give your daughters in marriage to their sons, nor are you to take their daughters in marriage for your sons or for yourselves” (Neh. 13:25). In each of these instances, there is no notion of a requirement of free will to make the oath—once it is made, once it has been spoken before God, it is binding. Even for the thoughtless oath, the vow, once spoken, was made—though it could be nullified for lack of understanding.

This seems to be why Qoheleth warns:

Guard your step when you go²²⁵ to the house of God. Go near to listen rather than to give fools' offering, for they only know how to do wrong. Do not be quick with your mouth, and do not hurry in your heart²²⁶ to bring speech before God.²²⁷ For God is in heaven and you are on earth, so your words should therefore be few. Just as a dream comes with much worrying, a fool’s speech comes with many words. When you make a vow to God, do not delay to fulfill it. Because he has no pleasure in fools, fulfill your vow. It is better not to make a vow than to make one and not fulfill it. Do not let your mouth lead yourself into sin. And do not say to the messenger that it was a mistake. But fear God,²²⁸ or God may be angry at what you say and destroy the work of your hands. Much dreaming and many words are meaningless. (Eccl. 4:17-5:6)

This pericope seems to be a sort of dramatic mini-narrative: evoking memorable images of a sequence of events—a bumbling fool who enters the temple, misspeaks his vow, and hastens to protest to temple officials “my vow was a mistake!”²²⁹

In discussing this passage, Nili Shupak has suggested that this passage embodies the value of “listening” as “a characteristic quality of the wise man.”²³⁰ While listening (or,

²²⁵ Adele Berlin, Marc Zvi Brettler, and Michael A. Fishbane, *The Jewish Study Bible: Jewish Publication Society [JPS] Tanakh Translation* (Oxford: Oxford University Press, 2004). The JPS version translates this phrase, “Be not overeager to go. . .”

²²⁶ “[H]eart” sometimes designates the organ of speech; cf. Isa. 33.18; 59.13; Ps. 19.15; 49.4; Job 8.10[.]” Berlin, Brettler, and Fishbane, *JPS*.

²²⁷ This pericope may also seem to be interested in “internal” speech—but the phrase “do not be hasty in your heart to utter anything before God” (Ecclesiastes 5:1 [2]) should be understood in the sense of “do not let your heart be hasty to utter anything before God.” Crenshaw presents this phrase as a “reference to discourse with a distant deity” (James L. Crenshaw, *Urgent Advice and Probing Questions: Collected Writings on Old Testament Wisdom* (Macon, Ga.: Mercer University Press, 1995), 216)—though admits that this discourse is less related to prayer than it is to vows. He continues, “Gerhard von Rad correctly perceived that Qoheleth had given up on trying to enter into dialogue with God” (216). In Ben Sira, on the other hand, there is mention of internal speech as prayer.

²²⁸ The JPS edition moves this phrase up from verse 6 for clarity. Berlin, Brettler, and Fishbane, *JPS*.

²²⁹ See Bartor, “Juridical Dialogue,” 451.

simply, silence) may have been a sagacious characteristic, this passage does not emphasise *listening* so much as it emphasises circumspection in vow-making: “To draw near to listen is better than to offer sacrifices like the fools...” (Eccles. 4:17) suggesting that one would do better to just listen, rather than vow too hastily, with little thought to the conditions of the vow. The oral vow did not have the inherent self-editing, or at least slow pace (with added time to give greater thought), that laborious dictation and writing would require.

Even with their severity of binding power, made all the more severe by the ease and speed with which they could be made, oaths seem to have been an expected, even customary sign of commitment and righteousness. Qoheleth equates those who are afraid to take oaths with “the wicked, the bad, the unclean, the sinful.”²³¹ If someone fears verbal commitment, they understand the binding nature of it; they understand that to make a false oath or to bind oneself with no intention of follow-through is to incite wrath both human and divine. To fear making an oath emphasises the power and commitment of this act of speech. The commitment of uttering a vow was so great that one would be foolish to hasten their speech: rather, one should remain silent until they are fully prepared, rather than “make a mistake” in speaking their vow.²³²

²³⁰ Nili Shupak, “Learning Methods in Ancient Israel,” *Vetus Testamentum* Vol. 53, No. 3 (2003): 417: “In the Ancient Near East listening was a characteristic quality of the wise man (Prov I 5; xv 31; Job xxxii 2, 34). The importance ascribed to listening in ancient Israeli is shown by the common saying that compares it to offering a sacrifice: ‘To draw near to listen (lismoa) is better than to offer sacrifices like the fools...’ (Eccles. Iv 17); ‘Behold, to listen (s’moa’) is better than to sacrifice, and to hearken than the fat of rams,’ says the prophet (1 Sam. 15:22).”

²³¹ Eccl. 9:2: “All share a common destiny—the righteous and the wicked, the good and the bad, the clean and the unclean, those who offer sacrifices and those who do not. As it is with the good, so with the sinful; as it is with those who take oaths, so with those who are afraid to take them.”

²³² This is why conditional clauses and careful framing of the vow were so important. In a way, prophecies are a species of the oath and also include conditional clauses or contingencies. (i.e. “*except* you repent, the city will be destroyed). This may have been treated traditionally in scholarship as a way to hedge against unfulfilled prophecy, that is, a way to remain a reputable seer even if a prophecy does not come to pass, these conditional clauses also (or perhaps alternatively) indicate the extent to which speech . By uttering or recording a prophecy, a prophet was setting in motion or summoning divine activity that was so powerful or unavoidable that it needed to be mitigated by these conditional clauses. Walter Moberly’s discussion of ancient Israelite prophecy emphasises its perlocutionary nature: “In essence, prophecy—at least, as articulated in the books of Jeremiah and Ezekiel and as presupposed in much other prophetic literature—is relational, engaging language that seeks a response.” (Moberly, “Micaiah ben Imlah,” 8.) In seeking a more immediate response, prophecy hopes to avoid the more distant calamities it foretells. Like oaths, the conditional language of prophecy is the guarantor of action: it seeks to initiate a change in behavior or the fulfillment of some promised

The Vow and the Community

As a spoken communication to the divine, and not a written one, the vow's description is quite egalitarian. As noted above, in other social contexts in similar time and space, making vows required the not inconsiderable resources for writing (variously, tools, clay, and know-how or the ability to hire a scribe with these). This necessarily limited vow-making to only those people who were able to access these resources. Here, however, the literate class portrays vow-making as open to all (and dangerously so, as the Proverbs intimate), allowing all to freely communicate with—and establish a contract of sorts with—deity, simply by saying His name in certain formulaic phrases.

This vow-making system would facilitate community interactions – perhaps nowhere more so than in the juridical setting. The outcome of disputes was, in many cases, based not on what actually happened but on the risks one was willing to take—or in other words, the oaths they were willing to make. Oaths formed the foundation of Israelite legal procedure.

Having reviewed the spoken, committing nature of the ancient Israelite vow, we can also analyse it in terms of speech-act and language theories to understand more about how the literate class perceived ancient Israelite society. The vow was an overt action of speech, a “speech-act” that aided in making orderly social interaction possible in all levels and functions of society. It had to be *spoken* in the ancient Israelite context.²³³

Building upon Wittgenstein's and Winch's ideas about language, the meaning of the vow—the understanding of the oath formula and the words of which it is generally composed—cannot be reduced to a “singular essentialist meaning.”²³⁴ Each instance of a vow was dependent upon the particular, essential role it played in the dynamic socio-linguistic

action. As discussed above, prophecy seems to have had significant written and oral components. In either case, what the prophets reveal is always conditional—to protect their communication and ensure that what they foretell does not happen on certain conditions, as the utterance is fully committing.

²³³ As G. B. Gray stated in his discourse on the ancient Israelite vow, “An intention only becomes binding when it has been embodied in speech, and so gained an independent existence[.]” Gray, *Numbers*, 415.

²³⁴ George and Campbell, “Patterns of Dissent,” 273.

systems of ancient Israel. To speak a vow was to engage in a speech act, giving “meaning to the activities which make up social reality.”²³⁵ Speaking the vow affected—and, in a sense, effected—ancient Israelite reality. It was a form of speech that had been particularised to denote a significant commitment in multiple varieties of circumstances. The speakers of vows shaped and sustained Israelite culture while their own understandings of the nature of the physical and the social world were continuously updated and reinforced. It was a significant social action.

More apt here, however, is Austin’s speech-act theory. The vow was often voiced in a public place when made directly *to* YHWH (accompanying the sacrifice in a temple). When not made to YHWH, but while still appealing to the divine realm, vows were made in the temporal realm between two (or more) parties. The vow was enacted with performative language and brought about change. To adopt the speech-act theory terms defined by Austin and Searle, it was at once illocutionary and perlocutionary: in itself it was an act—the act of vowing, or oath-making—and it also inherently, in its vocalisation, achieved something—*by* vowing, for example, a person became a Nazirite, or, more specifically, *by* vowing, Jephthah and his army are said to have defeated the Ammonites. Thus the “vow” as a speech act is illocutionary in its promising to do something, and perlocutionary in its binding of the speaker (among a variety of other possible perlocutionary effects, like reassuring or threatening someone). To use Searle’s categories, the vow was a commissive act: it committed its speaker to certain behaviours or actions.²³⁶

That vows were implicitly accepted without any indication of suspicion, at least in the recorded data, indicates that both the speaker and the hearer understood the vow as an act of

²³⁵ *Id.*

²³⁶ At the same time, however, it could be supplemented by or made up of other categories of illocution: assertives (i.e., a witness in a juridical setting might vow that something is either true or false), directives (i.e. causing a second party to commit to certain behaviours or actions), expressives (i.e. vows made in anger), and declaratives (i.e. vows which changed a certain state of affairs upon being pronounced, like Nazirite vows).

full obligation. The vow can be seen as the enactment of *hexis* in that it enacted significant intentions. In the framing of the vow, a speaker displayed their judgements of their own and deity's abilities, and expected the vow to be unequivocally trusted, as it was unequivocally binding. The vow demonstrates that in ancient Israel, speech could be wholly binding; the word was powerful and sometimes dangerous (cf. Num. 30).

The specific language of the vow is rooted in socio-cultural context—that is, devoted to the God of Israel, and allowing a number of transactions to go forward where otherwise dishonesty and mistrust might weigh too heavily on the system.²³⁷ In the vow-making attested in narrative texts, the commitment of the vow is ratified by the response of the addressees. These narratives never question the commitment of the vow,²³⁸ only whether or not the party in question will honour that commitment. These texts never suggest that one who has not fulfilled a vow will escape its consequences, even in the skeptical book of Ecclesiastes.

Choosing to be Silent Rather than Make a Vow

Against this backdrop, ancient Israelite texts advocate remaining silent rather than taking a vow. This was especially so in the legal arena, where oaths were often used either as evidence or, sometimes, as the *instigation* of legal disputes (i.e. an indictment for an unfulfilled oath). The seriousness of the oath would allow ancient Israelites to settle conflicts with more finality: even if a party was silent and refused to take the oath, that could still resolve the conflict with as much finality.

Beginning in the patriarchal period and continuing through the monarchic, several oaths are described as taken at an altar.²³⁹ In the test for an unfaithful wife of Num. 5, the

²³⁷ In an interesting point, McDowell argues that the “formalization of ritual speech decreases its accessibility to both potential performers and audiences; this suppression of the referential function enhances its efficacy.” J. H. McDowell, “The Semiotic Constitution of Kamsa Ritual Language. *Language in Society* Vol. 12 (1983): 23-46. The divine aspect of the vow, i.e., “in the name of the Lord,” may have lost its referential function and simultaneously become more effective as a trope in its own right.

²³⁸ The identity of one party or another is ratified by the “actions of another who assumes a complementary identity toward him/her.” Goodwin and Heritage, “Conversation Analysis,” 292.

²³⁹ 1 Kgs. 8:31; 2 Chr. 6:22; Gen. 26:31 ; Gen. 31:53

priest puts an accused woman under oath, essentially affirming that if she is guilty she will be cursed in a sort of trial by ordeal.²⁴⁰ The woman must submit to the oath vocally—her speech ratifying the priest’s curse. The outcome of the ritual would provide the evidence in a case where no witnesses or physical evidence existed. Failing to vocalise acceptance of this oath would be akin to confession of the misdeed.

Exodus describes the making of an oath to settle a robbery dispute. Such an oath would end the matter: the owner of the missing property in question “is to accept this, and no restitution is required.”²⁴¹ Proverbs describes the failure to take an oath as one’s own undoing: “The accomplices of thieves are their own enemies; they are put under oath and dare not testify.”²⁴² Such silence could only be interpreted as guilt—a reticence to make oneself accused before God, who ultimately presided over the law. In this legal environment, taking false oaths was the definition of depravity.²⁴³ With no material evidence at hand, legal disputes were decided upon oaths and witnesses. Weighty fines, among other severe punishments, were assessed to false witnesses as a deterrent to undermining the judicial system.

The book of Job also can be understood as a tribunal of sorts, with a series of accusations between Job, God, and his friends. After hearing his companions’ words, Job asks, “Can anyone bring charges against me? If so, I will be silent and die.”²⁴⁴ Here Job concedes that, were he guilty of any sin or crime, he would be silent. As he is not, however, he continues to answer his companions’ accusations—eventually speaking with God.

Other texts describe silence on the part of the injured party. In Genesis 34, for example, Jacob is silent after being informed of Hamor’s wrong against his daughter Dinah,

²⁴⁰ Num. 5:19-22

²⁴¹ Ex. 22:11

²⁴² Prov. 29:24

²⁴³ Hos. 10:4 ; To illustrate the extent to which Israel is deceitful, guilty, and soon to receive the Lord’s destruction, Hosea writes that “lawsuits spring up like poisonous weeds in a plowed field” as the people of Israel take false oaths.

²⁴⁴ Job 13:19

though his silence seems to have an adjourning function, postponing the case until all who should be involved are called from the field. Similarly, in 1 Sam. 10:27, Saul also keeps silent as the wronged party: “But some troublemakers said, “How can this fellow save us?” They despised him and brought him no gifts. But Saul kept silent.” These offenders “reviled against the king,” and could have been punished.²⁴⁵ Here, Saul’s keeping silent is indicative of withholding an accusation and avoiding any ultimately unnecessary dispute.

Conclusion

The vow allowed ancient Israelites to create enforceable ties individually with one another, as a self-perpetuating mechanism for community cooperation without a formal bureaucratic or policing system. In theory, it was highly efficient and, by all accounts, was also effective. Ancient Israelite speakers were seen as “enacting intentions” with their speech, and thus speaking was a form of high risk-taking. The ancient Israelite scribal class portrays the vow as fully committing within the community, facilitating economic transactions, deciding legal disputes, and enabling a number of complex interactions that might not otherwise have been so feasible.

Many wisdom texts advocate remaining silent rather than making a vow, even when silence was not simply the lack of speech, but was itself a significant action. In legal settings, for example, silence could indicate guilt. In the ancient Israelite community, speech is portrayed as a way to negotiate reality and silence was a form of assent. Even when accused, silence allowed the guilty to essentially assent to the accusation without formally incriminating him or herself, or creating further conflicts and endless words or the temptation to make a false oath. This is because the spoken word could bind and expose.

²⁴⁵ Although Saul’s kingship may not yet have been recognised, and as the first king of the united monarchy, this law may not have yet been in force.

Chapter 6: God, Community, and Speech

While previous chapters have referenced the relationship between certain Israelite theological conceptions and various communicative practices, this chapter explores these theological conceptions in terms of *speech*. It does so by exploring depictions of language as carrying material force and by exploring the perception that God was audience for speech. It builds on the observation made in chapter 4 that while writing was involved in divine communication down the line, or from the divine, only speech was involved in communications made up the line, or to the divine.

This seems to be related to ancient Israelite “theology,” if that term can be applied, with a conception of writing as limited, static, predictable, and “peaceful”—associated with the positivity and peace of God—and speech, while it could have these attributes, being more unpredictable, potentially noisy, and potentially excessive—“ungodly” in these latter attributes. This idea will be explored in an analysis of wisdom texts. The term “theology” may be a bit imprecise here, but it is intended not in the sense of a systematic set of beliefs so much as in the sense of that which is related to the divine—here, the nature of the perceived relationship between speech and God in ancient Israel.

Ancient Israelite Language as Action

The Mosaic Law was concrete, built on action. In such an environment, speech was commitment. By and large, the *thought*'s relationship to an act, whether relatively good or evil, seems to have little bearing on how the consequence of that action is described in the biblical sources. There are some exceptions: the most notable seems to have been the custom of cities of refuge, which were provided for accidental or non-intentional murders (see Num. 35, Deut. 19, Josh. 20). Moreover, it is difficult to argue—especially across so many centuries—that there was one view, even one prevailing view, of language in ancient Israel.

Still, in many cases, it seems that speech is assumed by the scribal class to be, as will be explored, “dynamic” and “essential”—particularly when related to the divine realm, and regardless of thought or intention. The “noetic” and “dynamic” views of language refer respectively to the word conveying an intellectual idea in the former, and to the word as material force in the latter.²⁴⁶ Von Rad has seen these two views as evolutionary and binary, arguing that the modern use of language is almost exclusively noetic, antithetical to the primarily dynamic use it had in the ancient world.²⁴⁷ While this seems to be an overgeneralisation,²⁴⁸ it certainly appears to be true that more of ancient Israelite communication was dynamic than noetic—and certainly more of ancient Israelite communication was dynamic than our own communication today.

Similarly, Aristotle described words as “essentially” connected to the things they denote. This viewpoint seems true of ancient Israelite words, especially those related to the divine realm. For example, Isa. 55:10-11 discusses God’s speech:

As the rain and the snow come down from heaven, and do not return to it without watering the earth and making it bud and flourish, so that it yields seed for the sower and bread for the eater, *so is my word that goes out from my mouth*: It will not return to me empty, but will accomplish what I desire and achieve the purpose for which I sent it.

²⁴⁶ O. Proksch, “The Word of God in the Old Testament,” *Theological Dictionary of the New Testament* (ed. G. Kittel, Grand Rapids: Eerdmans, 1967), vol. 4, 92-3; G. von Rad, *Old Testament Theology* (Edinburgh: T & T Clark, 1965), vol. 2, 80.

²⁴⁷ *Id.* This binary assessment is erroneous, in the first place, in its assertion of an evolutionary view of language, and, in the second place, in its assumption that these views of language are the only two that exist—and in an either/or arrangement, at that. While it may be true that, as Malinowski has suggested, language frames thought “only in certain very special uses among a civilised community... in worlds of science and philosophy... to control ideas and to make them the common property of civilised mankind,” Malinowski, “Meaning in Primitive Languages,” 316.

²⁴⁸ Not all of modern language is used to convey thought, and, similarly, it does not seem that all of ancient language was used in a functional, material way. On the contrary, in both periods, if we understand the attestation of literature as signification of written *thought*, both views of language are present. Even in some “primitive” societies, where much speech is “deeply implicated in the daily purposes of life, and in that sense, highly effective and functional.” Ernest Gellner, *Language and Solitude: Wittgenstein, Malinowski and the Habsburg Dilemma* (Cambridge: Cambridge University Press, 1998), 146. Oral poetic traditions suggest higher thought-communicating life philosophies. Derek Kidner, in his commentary on Proverbs, notes several themes related to “words” in Proverbs, one of which is the “weakness of words”: they cannot replace deeds and are not guaranteed to compel response or alter circumstances (see Prov. 14:23, 29:19). They can also be deceptive (24:12; 26:23-28; 28:24). (46-48). Additionally, as Thiselton notes, blessings and cursings are not irrevocable (287). There seem to have been both views of language, then, in the ancient Israelite world.

In creation texts, too, things—variously the earth, light, plants, animals, and humans, among others—are brought into being through the speech of divine creators.²⁴⁹

When the biblical sources depict humans speaking, many words still seem to maintain this essentialism, though most examples are associated with the divine realm, which might lend its essentialist character. The vow invoked deity, and the prophecy was a message from deity. The ancient Israelites literate class viewed the words of the oath as imbued with a sort of connective power; that it was *these words* which inherently signified oath-making, and that there was an essential “meaning” that existed outside of and that had emerged with these words.²⁵⁰ Additionally, in the prophetic texts, there is an array of ostensible evidence for the above view; with prophecies, once pronounced, irrefragable, as if the action of speech had by its essentialist characteristic set divine workings into motion (see, for example, Deut. 18:15-22; Jer. 1:9-10, 5:14, 23:29, Isa. 44:26-27; Amos 7:17).²⁵¹ These ideas related to human speech are predicated on the divine being able to “hear” or receive the earthly communication. It seems that speech acts were dynamic, essentialist events, as well as

²⁴⁹ See Gen. 1-2 for a description of the ancient Israelite creation; Fergus Fleming and Alan Lothian, *Ancient Egypt's Myths and Beliefs* (New York: Rosen, 2012), 25, for a description of Ptah's creation text.

²⁵⁰ See, for example, Anthony C. Thiselton, *Thiselton on Hermeneutics: Collected Works with New Essays* (Grand Rapids: Eerdmans, 2006), 53-66; Procksch, “The Word of God”; von Rad, *Old Testament Theology*. Modern language philosophers—Wittgenstein, in particular—have countered “linguistic essentialism,” a view typically attributed to Aristotle, who described words as “essentially” connected to the things they denote.

²⁵¹ Prophecies also include conditional clauses or contingencies, and might also be considered a sort of vow. (i.e. “*except* you repent, the city will be destroyed). While these may have been treated traditionally in scholarship as a way to hedge against unfulfilled prophecy – that is, a way to remain a reputable seer even if a prophecy does not come to pass – these conditional clauses may also (or perhaps alternatively) indicate the extent in which these prophecies were believed. By uttering or recording a prophecy, a prophet was setting in motion or summoning divine activity that was so powerful or unavoidable that it needed to be mitigated by these conditional clauses.

Walter Moberly's discussion of ancient Israelite prophecy emphasises its perlocutionary nature: “In essence, prophecy – at least, as articulated in the books of Jeremiah and Ezekiel and as presupposed in much other prophetic literature – is relational, engaging language that seeks a response.” Moberly, “Micaiah ben Imlah,” 8. In seeking a more immediate response, prophecy hopes to avoid the more distant calamities it foretells. Like oaths, the conditional language of prophecy is the guarantor of action: it seeks to initiate a change in behavior or the fulfillment of some promised action. What the prophets reveal is always conditional—to protect their communication and ensure that what they foretell does not happen on certain conditions, as the utterance is fully committing.

present before God. The latter of these characteristics requires further inquiry, as an aspect of the “theology” of speech.

God as Audience for Everyday Speech

The texts seem to assume that God was audience for everyday speech, not audience for any forms of writing. In this section, I focus on the salient points of this concept in the Hebrew Bible, especially as contained in the text of Qoheleth 5:1-6 [4:17-5:5], which describes the folly of loquacity (“many words mark the speech of a fool... many words are meaningless”) and the idea of God as the audience for speech (“do not be hasty in your heart to utter anything before God. God is in heaven and you are on earth, so let your words be few”). It is quite clear in biblical wisdom, and throughout the Hebrew Bible, that overabundant or hasty speech is considered foolish—even “wicked.” But beyond the content and quality of speech, certain spatial and invocational aspects of discourse are seen to intensify its potential of being heard (whether favourably or not) by the divine. Thus, we can understand mores of speech as founded in part on this understanding of God as audience.

First, ancient Israelites are only portrayed as communicating with YHWH through speech, not writing. While YHWH himself is depicted as communicating through writing, the prophets’ communications are always described as oral, and writing is nowhere described as a means of communication *up* the line in the biblical texts (←), addressed to God. So it appears that speech was the vehicle for communication with YHWH, and the features of this specific form of communication (as opposed to writing) seem to inform many of the concerns described in the texts.

Unlike writing, speech is a seemingly inexhaustible resource; there are no real intrinsic or physical limitations to our ability to speak, other than anomalies like stuttering. It requires little physical energy (and too often, as the ancient scribes lament, little mental energy as well). There seems, then, to be little physical advantage, as it were, to

circumspection in speech. Any such limitations in terms of speech to the divine seem motivated instead by the sociological and, to the extent that “theological” can be abstracted therefrom, also theological.

Second, the location of speech or the substance of speech might make speech more susceptible to being heard by the divine. In Ecclesiastes 5, the temple is depicted as a location where speech is heard by the divine, and ancient Israelites consistently refer to their speech being heard by the divine. Mal. 3:16 describes people talking with another after hearing a divine prophecy, with YHWH listening to and hearing their conversation, then writing “a scroll of remembrance... concerning those who feared the Lord and honoured his name.” Such speech, then, directly or indirectly invoking the divine realm—whether spatially (i.e. in the temple) or thematically (i.e. discussing the divine)—seems to be seen as highly susceptible to being overheard by the divine. Qoheleth maintains this attitude, asserting that those who fear God are reverent before him (8:12).

Third, biblical texts encourage communication to or before the divine to reflect divine qualities. In Ecclesiastes 4:17-5:6, the audience is instructed to “let your words be few” *because* “God is in heaven and you are on earth.” Crenshaw presents this passage as a “reference to discourse with a distant deity.”²⁵² However, the proposed “distance” between heaven and earth does not seem to be motivation for succinctness, as if the distance necessitated terse communication such as that of the telegraph, because of the “technological” limitations, as it were. Rather, this admonition to limit words, to speak efficiently, is further explained with the excursus: “Just as a dream comes with much worrying, a fool’s speech comes with many words.” and later, in poetic echo and completion of the section, “Much dreaming and many words are meaningless.”

²⁵² Crenshaw, *Urgent Advice*, 216.

Thus, limiting one's words *because* God is in heaven and people are on earth seems to be a theological reference more than a geographical one. God's being in heaven is a description of his divine environment, one of peace and intellectual loftiness—where much is understood, much more, apparently, than on earth, and where less needs to be said. On earth, there is less wisdom and understanding, more disagreement and discussion required. A parallel concept seems to be present in Isaiah:

For my thoughts are not your thoughts, neither are your ways my ways, declares the Lord. As the heavens are higher than the earth, so are my ways higher than your ways and my thoughts than your thoughts. (Isa. 55:8-11).

This passage similarly uses physical distance to illustrate theological difference. It illustrates the theological distinction, in both form and content, between heavenly and earthly communication, which mirrors the physical distinction or distance between heaven and earth.²⁵³

As discussed above, it seems that writing was more easily ascribed to God as it is innately limited, static, predictable, and “peaceful,” while speech is not innately so; speech's innate potential for unpredictability, loudness, and excess is much greater. For example, Eliphaz describes Job's speech as hindering devotion to God and prompted by sin:

Would a wise person answer with empty notions or fill their belly with the hot east wind? Would they argue with useless words, with speeches that have no value? But you even undermine piety and hinder devotion to God. Your sin prompts your mouth; you adopt the tongue of the crafty. Your own mouth condemns you, not mine; your own lips testify against you.²⁵⁴

Elihu makes his own response, presenting a reality where God speaks in order to correct and instruct those on earth. He exposes inefficient speech as foolish—lacking the understanding

²⁵³ Katharine Dell emphasises the tension between divine and human knowledge (wisdom) in Job, supporting this emphasis with Elihu's speech in Job 32-37. Elihu rebukes Job, accusing him in 34:35 of “speaking ‘without knowledge’ (da'at) and ‘insight’” (“Does God Behave Ethically in the Book of Job?” in *Ethical and Unethical in the Old Testament: God and Humans in Dialogue* (ed. Katharine Dell; New York: T & T Clark, 2010), 181).

²⁵⁴ Job 15:2-6

that he sees as divinely endowed. When one fills up the air with speech, there is no room for, as Elihu put it, “the breath of the Almighty” to pass on understanding (Job 33).

These ideals are consistent throughout the wisdom corpus: thoughtless, excessive speech is ungodly and not appropriate before God. For example, Qoheleth emphasises the importance of reverence before God (8:12) and Prov. 29 distinguishes between one who “speaks in haste” and a “fool,” suggesting that foolish speech, while still far from the norm, is better than rash, impulsive speech.²⁵⁵ The Proverbs value the “peace” that proper communication provides. “Better a dry crust with peace and quiet than a house full of feasting, with strife.” (Prov. 17:1; see also 29:9, 17). Peace is a ubiquitous community goal, and the proverbs seek to achieve this peace by idealising careful, quiet speech as godly and providing rules for this proper communication; rules that, if followed, would minimise community conflicts and disputes. This is related to restraint in speech, as will be discussed below in chapter 7.

Finally, in later texts, this idea of divine purview over communication seems to extend to that which is unspoken—to thoughts. This is clearly the case by the time of the New Testament texts, with Jesus’ sermon on the mount equating, for example, mental adultery with physical adultery (i.e. Matt 5:28). This idea may have been present by the time of Qoheleth, who refers in chapter 5 to being quick with the mouth *or* the heart in uttering anything *before God*, which seems to matter-of-factly assume that thoughts are (a) as accessible to God as speech and (b) judged by God like speech. In this particular passage, Qoheleth is referring to thoughts of one within the temple, which may indicate a spatial anomaly. Or, this passage might simply be referring to the heart as the spring of speech, as in Prov. 4:23: “Above all else, guard your heart, for everything you do flows from it.” If

²⁵⁵ Prov. 29:20: Do you see someone who speaks in haste? There is more hope for a fool than for them.

Qoheleth is actually describing thoughts as under divine purview, however, then it seems to be as an emerging concept in a late Israelite text.

Ultimately, it seems that the ancient Israelite scribal class, especially during the earliest periods, did not consider thoughts to be accessible and assessable, as such. Rather, that class depicts speech as the means by which community members were evaluated by the community and by God. There is much greater emphasis on what is said and done than one's thoughts or intentions—when the latter are mentioned, it is only in conjunction with action or as a means to better control action. The later attitude, which sees thought or intention as important as action, seems to be just that: later. Silence, then, does not seem to be significant as a “placeholder” for action, or as an indication of thought or contemplation. Instead it is in itself a significant action, as will be discussed in the next chapter.

Conclusion

In sum, it appears that the ancient Israelite scribal class saw divine speech as “essentialist,” bringing about events simply by speaking about them. Insofar as community members' own speech invoked the divine realm, it also is portrayed as having this essentialist nature. Although it is difficult to assert that speech in general was perceived as having an essential nature, when one is described as speaking a vow in the biblical texts, they are understood to have committed *to* the divine realm. A vow-maker needed to fulfil that commitment in order to avoid the divine consequences. For this reason, the biblical texts advise against making too many vows, or, for that matter, making too many long-winded speeches, whether to heaven or earth. Restraint and reverence in communication were associated with God, while only fools spoke impulsively. This idea may have led to later theological development: in communicating like God, one almost became “nearer” to him. In that, theological difference – and thus the divine distance – was decreased. The concept of “thoughts” being open to the divine, however, seems a clearly later development. Instead,

speech was the means by which you were evaluated by the community and God. Thus, as will be discussed in chapter 7, silence could be a compelling alternative to speech, especially when that speech could expose one to social and divine judgments.

Chapter 7: The Effect of Community on Speech

Where the vow was a formal, formulaic communicative act, the biblical texts also express concern with the commitment of speech in more informal situations. There are several informal social protocols regarding speech throughout wisdom literature. Chattiness and imprudent speech, for example, are described as potential faults in everyday, less formal situations—potential indications of Kripke’s “incurable deviance,” as discussed in the introduction. These kinds of protocols were shaped and enforced by the community—or at least, a certain class of the community—and are portrayed as significant cues for social achievement. The major themes of these informal or implicit social protocols involve using speech and deliberate silence to (1) communicate respect (giving silence—“deference”—to those whom one respects), (2) exercise restraint (the virtues of speaking with discretion and follies of failing to do so), and (3) communicate correction (if, when and how one should give or receive correction). Buttressing these themes are considerations of social situation: how speech and restraint are markers of relative class through which individuals assert or subordinate themselves. Some speech protocols apply to specific social classes or vocations, while others make specific classifications of social standing based on an individual’s “discretion” in speech.

Again, one must acknowledge the distinction between ideal and practice in the texts’ discussion of speech—while at the same time recognising that the two can, and sometimes do, coincide. It may be impossible to reconstruct the speech of ancient Israelites, but it is possible to identify ancient Israelite speech ideals, at least as perceived by the scribal class.

Respect and Social Status

Silence – or “peace” – is described as a great marker of respect in the wisdom texts. Job describes his lack of peace and quietness as one of his chief misfortunes (Job 3:24) and the object of his fear and dread (3:25-26). Much of his own speech is asking for peace from

his companions: “will your long-winded speeches never end?” (16:3; see also 21:3). In contrast to this later “turmoil,” Job’s friends are initially “silent” upon joining him immediately after he is struck with catastrophe.²⁵⁶ This has been interpreted as one of the phases of ritual lament: his friends are silent out of respect.²⁵⁷ Job is the one to break the silence, allowing his friends to, in turn, also speak.²⁵⁸ Generally, it appears the grief-stricken, like Job, as well as the elderly and those with otherwise high social status “earned” highly-valued silence out of respect.²⁵⁹

Indeed, according to Job, before his calamities his social status commanded silence as a sign of respect. He describes his social reception using speech-acts, which had previously been respectful:

When I went to the gate of the city and took my seat in the public square, the young men saw me and stepped aside and the old men rose to their feet; the chief men refrained from speaking and covered their mouths with their hands; the voices of the nobles were hushed, and their tongues stuck to the roof of their mouths. Whoever heard me spoke well of me, and those who saw me commended me (Job 29:7-11).

People listened to me expectantly, waiting in silence for my counsel. After I had spoken, they spoke no more; my words fell gently on their ears. They waited for me as for showers and drank in my words as the spring rain. When I smiled at them, they scarcely believed it; the light of my face was precious to them. I chose the way for them and sat as their chief; I dwelt as a king among his troops; I was like one who comforts mourners (Job 29:21-30:1).

After his calamities, however, Job describes his social reception using scornful speech-acts:

People open their mouths to jeer at me; they strike my cheek in scorn and unite together against me (Job 16:10).

Surely mockers surround me; my eyes must dwell on their hostility. . . . God has made me a byword to everyone, a man in whose face people spit (Job 17:2, 6).

²⁵⁶ Job 2:13-3:1 “Then they sat on the ground with him for seven days and seven nights. No one said a word to him, because they saw how great his suffering was. After this, Job opened his mouth and cursed the day of his birth.”

²⁵⁷ See, for example, Norbert Lohfink, “Enthielten die im Alten Testament bezeugten Klageriten eine Phase des Schweigens?” *Vetus Testamentum* Vol. 12, No. 3 (1962): 260-277.

²⁵⁸ This is likely related to social decorum; Job describes his high social standing, where people would not speak before him, in chapters 29-30.

²⁵⁹ As Elihu notes in the preface to his speech, the elderly commanded the place of honour in conversation and thus were entitled to respect and its accompanying silence, or at least communicative deference (32:4, 6-12).

I summon my servant, but he does not answer, though I beg him with my own mouth. . . . Even the little boys scorn me; when I appear, they ridicule me (Job 19:16-18).

But now they mock me, men younger than I, whose fathers I would have disdained to put with my sheep dogs (Job 30:1).

And now those young men mock me in song; I have become a byword among them. They detest me and keep their distance; they do not hesitate to spit in my face. Now that God has unstrung my bow and afflicted me, they throw off restraint in my presence. . . . Terrors overwhelm me; my dignity is driven away as by the wind, my safety vanishes like a cloud (Job 30:9-15).

Oh, that I had someone to hear me! I sign now my defense—let the Almighty answer me (Job 31:33-35).

Despite the honour of his age, Job's social situation is perceived as so lowly that he loses the social respect, or the silence of deference.

Job's loss of wealth may have been a significant factor in this result. The book of Ben Sira similarly illustrates the difference between the rich and the poor by using contrasting speech acts:

If the rich person slips, many come to the rescue; he speaks unseemly words, but they justify him. If the humble person slips, they even criticise him; he talks sense, but is not given a hearing. The rich person speaks and all are silent; they extol to the clouds what he says. The poor person speaks and they say, "Who is this fellow?" and should he stumble, they even push him down (13:21-23).

Silence seems to have been highly valued, something "earned" not only by old age or grief, but also by wealth.²⁶⁰ This is not to say that the wealthy or high-stationed were automatically

²⁶⁰ On the other hand, the "poor" were expected to maintain this respect, and, it seems, guard their speech most carefully. It is again difficult to know exactly who belonged to this class. The Proverbs provide some rationale for circumspection in speech for lower classes: "One who loves a pure heart and who speaks with grace will have the king for a friend" (22:11). Proper speech is seen as a sign of wisdom and necessary for vocational success. Prov. 16:13 advises that "Kings take pleasure in honest lips; they value the one who speaks what is right," while "Sending a message by the hands of a fool is like cutting off one's feet or drinking poison." (Prov. 26:6-11 "Sending a message by the hands of a fool is like cutting off one's feet or drinking poison. 7 Like the useless legs of one who is lame is a proverb in the mouth of a fool. 8 Like tying a stone in a sling is the giving of honour to a fool. 9 Like a thornbush in a drunkard's hand is a proverb in the mouth of a fool. 10 Like an archer who wounds at random is one who hires a fool or any passer-by. 11 As a dog returns to its vomit, so fools repeat their folly.") The figurative language warning against "sending a message by the hands of a fool" seems to indicate that this message is oral. Thus, a message is not to be given to the fool, but to someone who speaks properly. If we understand Prov. 26:6-11 as a group, then sending a message orally was perhaps an honour and required some skill—not to be entrusted to a random "fool or any passer-by." Qoheleth, too, does acknowledge some advantages of speaking wisely with superiors: "If a ruler's anger rises against you, do not leave your post; calmness can lay great offenses to rest" (10:4) and "The quiet words of the wise are more to be heeded than the shouts of a ruler of fools" (9:17).

“wise,” and the poor “foolish,” but rather that social respect was borne out through communicative deference, and the valuation of respect depended on who and when. Thus, social expectations regarding speech and silence are portrayed as being built in to social class: the rich, elderly, or aggrieved are given respectful silence, and, as Ben Sira more directly suggests, their speech is highly valued. Those not in these classes, however, are not afforded respectful silence, but generally rebuked, mocked, criticised, or ignored.

Restraint and Discretion in the Community

Regardless of social station, on the other hand, restraint and discretion are described as communicative ideals for all in ancient Israel. Qoheleth famously describes a “season” for everything: “a time to be silent and a time to speak” (Ecc. 3:7b). Restraint (ערמה) and discretion (מזמה) form a major theme of biblical wisdom literature, and this section will examine both of these terms in turn to better understand these ideals. It will then discuss discretion and restraint as making choices between speech and silence.

מזמה

מזמה is a mem-prefix participle from the root זממ: “to consider,” “to devise,” “to have a thought, plan, purpose.” It conveys a sense of wilfulness and intent—that one’s actions have cognitive antecedents. It is not inherently positive; indeed, in Job 21:27, Job tells his companions “I know full well what you are thinking, the schemes (מזמות) by which you would wrong me.”²⁶¹ But in the first section of Proverbs, chapters 1-9, it is used exclusively in a positive sense. These are the only such positive attestations corpus-wide:

2:11 *Discretion* will protect you, and understanding will guard you.

5:1-2 My son, pay attention to my wisdom, turn your ear to my words of insight, that you may maintain *discretion* and your lips may preserve knowledge.

8:12 I, wisdom, dwell together with prudence; I possess knowledge and *discretion*.

²⁶¹ See also Job 42:2; Ps. 10:2; 21:11; 37:7; 139:20; Prov. 12:2; 14:17; 24:8; and Jeremiah 11:15 for negative associations and Jeremiah 23:20; 30:24; 51:11 for neutral associations

ערמה

Like מזמה, the term ערמה is not inherently positive; it is probably best understood as the neutral “shrewdness,” but its meanings range to describe the more sinister “craftiness” (see Ex. 21:14; Josh. 9:4; 1 Sam. 23:22; Ps. 83:3) as well as the more praiseworthy “prudence.” One of the objectives of the book of Proverbs, listed in the book’s opening verses, is “to give *prudence* to the naïve” (1:4). In the personification of wisdom in Prov. 8, Wisdom calls out, “You who are simple, gain *prudence*; you who are foolish, set your hearts on it” (8:5) She continues, “I, wisdom, dwell with *prudence*; I possess knowledge and discretion” (8:12).

Prudence seems to be the goal of correction. Whoever heeds correction shows prudence (Prov. 15:5). A simple person must be *flogged* to learn prudence, while someone who is discerning requires only a verbal rebuke (19:25). Prudence is an internal state, manifested in external speech. This is why Prov. 4:23-24 warns: “Above all else, guard your heart, for everything you do flows from it. Keep your mouth free of perversity; keep corrupt talk far from your lips.”²⁶²

Thus, it seems to be “prudence” that keeps Job from speaking against God in the opening chapters of Job. The narrator takes pains to note that “Job did not sin *in what he said*” (2:10). As William P. Brown has noted, Job proves himself patient amid horrific circumstances by not uttering one word against God. He proves himself to be a man of few words, embodying a traditional ideal among the sages”²⁶³ Brown continues, “The outcome of

²⁶² See also 6:12-19; 10:8-14, 19-21, 31; 11:9; 25:28

²⁶³ Brown, *Character*, 53-54: “As he is known in the new Testament and in pseudepigraphical literature (see Jas. 5:11 and the testament of Job), ... His character is one of patient endurance, accepting his misfortunes without a word, except in deference to God. Again the key word that most sharply describes Job’s character is *tam*, usually translated ‘blameless,’ along with the cognate term *tumma*, ‘integrity.’ Integrity ‘denotes a person whose conduct is in complete accord with moral and religious norms and whose character is one of utter honesty.’ One who is *tam* is one whose life is coherent and consistent in the ways he or she makes ethical choices within the life of the community. Consequently, *tumma* denotes a certain *wholeness* or coherence of character. While Proverbs focuses almost exclusively on the specific virtues, the book of Job begins with the issue of their internal coherence, specifically of their coherence in light of Job’s world turned topsy-turvy. ... It is precisely this issue that dramatically contrasts the characters of the Satan and Job. Job, the blameless one,

the test will be determined by what Job has to say about God. As in proverbial wisdom, speech provides a window into one's integrity (or lack thereof); it is by nature revelatory of one's character. In Job's case, accusing God would irrevocably compromise Job's integrity."²⁶⁴

Later, however, Job loses his restraint, bucking against the assumed norms of speech that his companions would have him follow. Eliphaz uses rhetorical questions to at once describe the discretion of the wise and accuse Job of sin.

Would a wise person answer with empty notions or fill their belly with the hot east wind? Would they argue with useless words, with speeches that have no value? But you even undermine piety and hinder devotion to God. Your sin prompts your mouth; you adopt the tongue of the crafty. Your own mouth condemns you, not mine; your own lips testify against you.²⁶⁵

This final sentence is most significant; it emphasises one of the primary reasons for public restraint and discretion: to avoid self-condemnation or incrimination.²⁶⁶

would forsake his integrity if he were to assume the role of the satan by charging God with wrongdoing. Perhaps that is the sole prerogative of this heavenly prosecutor, or perhaps the satan has overstepped his boundaries. The text remains tantalisingly unclear. However, it is obvious that the satan is a foil for Job: Job adamantly refuses to do what the satan has done, namely accuse Yahwh of moral indiscretion. Moreover, the respective perspectives of Job and his accuser are entirely at odds. On the one hand, the satan accuses God of affording Job *special privileges*, making it worth Job's while to act piously. On the other hand, if Job were to accuse God of anything, it would be for having singled him out for *special oppression*, as he does in the poetic discharge that follows. But Job does no such thing in the opening chapters. Rather, his grip on integrity, as profiled in the prologue, remains firm."

²⁶⁴ *Id.*

²⁶⁵ Job 15:2-6

²⁶⁶ Person, *Scribal Works in an Oral World*, 60-61 (speaking of the discourse section vs. the prologue): "Job the silent has become Job the verbose, full of bitter complaints. Indeed, the verbal excess with which Job complains gives expression to what is essentially unspeakable in the prose. It is no coincidence, then, that the Testament of Job, a later revision of the biblical story, by and large passes over Job's outbursts against God and the friends, preferring rather the clear and unambiguous portrait of Job presented in the prologue/epilogue. Yet enmeshed in the unorthodox words of his poetic discourse in the biblical account, Job is somehow still able to lay claim to his integrity, an integrity that is defamed by his friends, deconstructed by the poet, and reformed by Yahweh. In the prologue, Job categorically rejected the curse as an appropriate response. Now his lips are filled with cursing (Job's 'birthday curse' in 3:1). ... By calling for a reversal of creation, Job curses not only a particular day on the calendar, his birthday, but by extension all of creation itself, signified by light, the first act of creation (Gen. 1:3). Job cannot but help perceive the world through the prism of his tormented life. His curse begins with a structural and theological antithesis to Gen. 1 (job 3:4a) Let that day be darkness! *Moreover, the reference to the seven days during which Job's friends dare not speak is a counter echo to the Priestly Creation account, in which all creation is brought about and structured by divine speech (Gen. 1:1-2:4a)*" (emphasis added).

Qoheleth also advises speaking with discretion, though his arguments for doing so also seem to include pragmatism: “The more the words, the less the meaning, and how does that profit anyone?” (6:11) He explains that “fools are consumed by their own lips. At the beginning their words are folly; at the end they are wicked madness—and fools multiply words” (10:12-14). Here, words can be dangerous; the foolish are unable to control their speech, and they consequently harm themselves (and potentially those around them). This is perhaps a reference to the more formal, committing modes of communication, like the vow. Thus, discretion was clearly valued, it seems, to avoid wasting time, on the one hand, and, on the other – and perhaps most importantly – to avoid sinning through speech.

Discretion as Knowing When to Be Silent

Discretion or restraint might also be described as knowing when to “refrain” from speaking. Some work has been completed on what “good” speech was and the relative differences between bad, good, and better speech and silence—but not on “discretion” as the choice to speak or remain silent. The tension between speech and silence in ancient Israel and the varied instructions regarding silence in wisdom literature have been the focus of very few works—most notably those of Walter Bühlmann, Elizabeth Huwiler, and Nili Shupak.

Treatment in Academic Literature

Walter Bühlmann published *Vom rechten Reden und Schweigen: Studien zu Proverbien 10-31* in 1976, and he essentially categorised all the Proverbs relating to speech or silence, with extensive grammatical and stylistic observations. His method led to little by way of conclusions, and, for all of its meticulousness, seemed to simply synthesise the varied positions described in Prov. 10-31. Bühlmann argued that the ultimate reason for silence in the Proverbs is to honour God and to avoid mocking the poor.²⁶⁷ The work is most important,

²⁶⁷ Walter Bühlmann, *Vom rechten Reden und Schweigen: Studien zu Proverbien 10-31* (Göttingen: Vandenhoeck & Ruprecht, 1976), 252-54. “Den tiefsten Grund fuer das sinnende Schweigen erfahren wir in zwei Proverben (29:13 und 22:2). Sowohl der Reiche wie der Arme sind Geschoepfe Gottes. Der Einsichtige ist sich dessen bewusst und wird sich deshalb nicht veraechtlich ueber den Armen aeussern, sondern versinkt in

however, in asserting that the ideals of “correct” speech and silence belong not only to the so-called “court setting”, but also to the family setting (*Sippenweisheit*).²⁶⁸

Elizabeth Huwiler examined speech and silence within Proverbs in her dissertation of the 1980’s, coming to the conclusion that silence is either positive or negative depending on the subject’s association with an approved group, “the wise” or “the righteous.”²⁶⁹ She argued that members of the approved groups used speech or silence positively and that, ultimately, Proverbs urges its audience to be part of approved groups and to only trust the speech or silence of those in approved groups.²⁷⁰ She also suggested that “the relationship between individuals or behaviors and outcome suggests a modification of current proposals about the connection between deed and consequence: the correspondence is between the evaluation of the individual or behavior and the evaluation of the outcome, rather than the actual behavior or character and the outcome.”²⁷¹ Huwiler concluded that, ultimately, speech and silence protocols are ambiguous.²⁷²

Finally, Nili Shupak’s 1993 monograph “Where Can Wisdom be Found?” emphasised the connection between the apposite types in the Egyptian *Instruction of Amenemope* and those in Proverbs.²⁷³ The Egyptian texts, particularly *Amenemope*, are concerned with the “hot” and the “cool” man. Albrecht Alt’s 1953 synopsis of the Egyptian texts in this regard has been largely maintained: “Der Mensch, wie er sein soll, ist für ihn der "Schweigende", der die egoistischen Regungen seiner Gefühle und seines Willens zu unterdrücken und sich auch in üblen Lagen zu bescheiden weiss, im Gegensatz zu dem "Heissen", der seinen

nachdenkliches Schweigen. Im Gegensatz dazu masst sich der Einfaeltige an, einen von Leid end Elend Geplagten zu verschaeen.” *Id.* at 253

²⁶⁸ See *id.* At 243.

²⁶⁹ Huwiler, *Control of Reality*, 238

²⁷⁰ *Id.* at 238-9.

²⁷¹ *Id.* at ii.

²⁷² *Id.* at iii.

²⁷³ For example, in Shupak, “Where Can Wisdom Be Found,” she presents the “negative human type” as the “heated” man (129), and the “positive human type” as quiet, calm, and cool (150).

Leidenschaften freien Lauf lässt und sich dadurch selbst ins Unglück stürzt.”²⁷⁴ These types, however, while quite polarised in *Amenemope*’s work, only retain such differentiation in select parts of the book of Proverbs. Shupak argued that directly equating the wise man of Israel’s wisdom texts with the “cool,” “silent” man of Egypt’s is not altogether satisfactory.

She identified two “human types” in both Egyptian and biblical wisdom: the “silent, cold-tempered” positive human type, and the “heated” negative human type.²⁷⁵ She argued that the “silent man” as such does not appear in biblical wisdom, that Egyptian’s *grw* has no counterpart in Hebrew.²⁷⁶ While this may be true lexically, a cursory study of biblical wisdom will find the ideal of “silence” emerge as one of the sage’s chief traits. At the same time, however, as Shupak also noted, “in Hebrew wisdom the central topic is not the polarity of ‘silence’ and ‘speech’ but the confrontation between ‘restraint’ or ‘self control,’ and the ‘lack of self-control.’ The emphasis is not on the contrast between the ‘silent’ and the ‘hot-tempered’ man but between the ‘wise man’ and the ‘fool.’”²⁷⁷ This is an important distinction, and central to Shupak’s analysis.

Speech and Silence in Wisdom Texts

While the polarity between speech and silence may not be wisdom’s “central” theme, it is nevertheless a significant one. Silence in Proverbs—indeed, throughout the Bible—is multivalent: both sage and fool are admonished to silence as a variously appropriate course. In Prov. 24:7, fools are urged to silence because wisdom is out of their reach: “Wisdom is too high for fools; in the assembly at the gate they must not open their mouths.” At the same time, in Prov. 10:19b and 11:12b, silence is seen as the hallmark of the prudent and wise: “the prudent hold their tongues”; “the one who has understanding keeps quiet.”

²⁷⁴ Alt, “Analyse der Weisheit,” 21. Alt continues, “Von diesen beiden Menschtypen war auch in der älteren ägyptischen Weisheit schon manchmal die Rede gewesen; aber bei Amenemope rückt ihre Gegenüberstellung in den Mittelpunkt der Ermahnungen und Warnungen.”

²⁷⁵ Shupak, “Where Can Wisdom Be Found,” 178, note 4.

²⁷⁶ *Id.* at 147, 170, 342.

²⁷⁷ *Id.* at 342.

Most significantly, there is much talk of silence and discretion as protection.²⁷⁸ The most prevalent motivation for cautions to silence appears to be for “protection,” be it spiritual or physical (though these were not, perhaps, distinct), for individuals and the community. There is first a concern for protecting knowledge.²⁷⁹ There are several iterations of maintaining silence when a neighbour asks for a pledge—that to agree to put up security for a neighbour or stranger should result in silence rather than acquiescence: “Whoever puts up security for a stranger will surely suffer, but whoever refuses to shake hands in pledge is safe” (Prov. 11:15).²⁸⁰ Another verse, Prov. 13:3, also advocates guarding lips for physical and perhaps material preservation: “Those who guard their lips preserve their lives, but those who speak rashly will come to ruin.”²⁸¹ Some passages discuss intellectual protection, others material and physical protection (often in a forensic setting), and still others the protection of reputation. These instances imply the danger of speech, of the entrapment of the word. Thus discretion or restraint is knowing when to stay silent.

Indeed, in what may be termed the “legal” or “conflict resolution” arena, silence had much significance.²⁸² Discretion was also knowing *when* to speak and not stay silent. In

²⁷⁸ Silence is in some cases symptomatic of that which is unable to be expressed, which is mystically beyond description. However, this does not seem to be apparent in Israelite texts until the time of Qumran. In the Qumran scrolls, at the very least, there appears to be an appreciation of those things that are “secret” or “hidden”; things which are inexpressible or which cannot be described in words. This idea of ineffability is also present in various Pauline epistles. For example, the “man in Christ” who was caught up to heaven “heard inexpressible things.” (2 Cor. 12:1-4). Those who have trouble praying are advised to seek the Spirit, which “makes intercession for us with groanings which cannot be uttered” (Romans 8:26). But this clear idea of ineffability in later texts finds little precursor in earlier concepts of secrecy and revelation—the texts of the Hebrew Bible allude mostly to secret or hidden things in the sense of unknown or unrevealed things. See, for example, Jdgs. 3:19; Job 15:11; Ps. 44:21; Prov. 3:32; 11:13; 20:19; 25:9; Dan. 2:18-19, 30; Amos 3:7; Isa. 48:6; Ob. 1:6. There is perhaps some discussion of mystically inexpressible things in Judges 13:8, when a divine messenger states “Why do you ask my name? It is beyond understanding.” This translation is somewhat ambiguous, however. Even Deuteronomy 29:29 and Proverbs 25:2, which also deal with divine “secrets,” describe them as simply concealed, not yet revealed—not because they are inexpressible or beyond comprehension, however, but simply because this is God’s prerogative.

²⁷⁹ Prov. 12:23: “The prudent keep their knowledge to themselves, but a fool’s heart blurts out folly,” Prov. 5:2: that you may maintain discretion and your lips may preserve knowledge”

²⁸⁰ See also 6:1-5

²⁸¹ See also Prov. 21:23: “Those who guard their mouths and their tongues keep themselves from calamity.”)

²⁸² This has been noted in several studies of the legal codes and narrative in the Hebrew Bible and other ancient Near Eastern sources. Most notably, Pietro Bovati’s work, “Re-Establishing Justice,” performs a

Esther 4:14, Mordecai tells Esther that her remaining silent will be a concession: she and her family will die. Ps. 109 records a plea to the Lord not to be a silent advocate, implying that such silence would lead to indictment. This is echoed in Lev. 5:1, which warns that failing to testify in a case to which one is privy is tantamount to whatever crime is being tried: “If anyone sins because they do not speak up when they hear a public charge to testify regarding something they have seen or learned about, they will be held responsible.” Prov. 30:32-33 caution, “If you play the fool and exalt yourself, or if you plan evil, clap your hand over your mouth! For as churning cream produces butter, and as twisting the nose produces blood, so stirring up anger produces strife.” The connective preposition ׀ at the beginning of verse 33 intimates that the behaviours described in the preceding verse (playing the fool, exalting yourself, or planning evil) cause—with a predictability as assured as a butter churn—the unfortunate events of the second verse (stirring up anger and, consequently, strife). In his analysis of these verses, Walter Bühlmann noted quite matter-of-factly that a dispute can only be mitigated if one is silent instead of angry.²⁸³

The aforementioned aspects of silence within legal settings have variations of setting, perspective, and genre. However, a common thread through these nuanced instances is the emphasis of circumspection in speech. Recognising that silence in legal situations is multivalent—but far from arbitrary—is to understand the real dynamism of social (non)speech, rooted in socio-cultural context. It echoes Wittgenstein’s emphasis on the multiplicity of meanings found in social activity: “the meaning of a term/word/symbol could not be assumed to correspond to some essential and externally derived foundation or object,

systematic study of legal terminology and procedure in ancient Israel and cites silence on the part of the accused as a concession of guilt. Bovati, *Re-Establishing Justice*, 340-43.

²⁸³ Bühlmann, *Reden und Schweigen*, 225: “Die rechte Haltung aber, naemlich die des legens der hand auf den mund als zeichen des verstummens, entspringt einem klugen Nachdenken. doch scheint diese auffassung nicht gerade gut mit den begrundungssaetzen ueberinzustimmen. mit einer doppelfrage wird aber das mahnwort besser verstaendlich: wenn einer zornig geworden ist, sei es aus leidenschaft oder aus berechtigten gruenden, so ist das beste, wenn er in der folge schweigt, damit kein streit entfacht wird.” See also pages 227-228.

but was dependent upon the particular constitutive role it played in socio-linguistic systems or ‘language games.’”²⁸⁴

The above motifs seem to be sub-units of a broader theme in wisdom literature, one that has been addressed throughout this dissertation: the power—and specifically the hazards—of speech. Job warns, “Words from the mouth of the wise are gracious, but fools are consumed by their own lips. At the beginning their words are folly; at the end they are wicked madness—and fools multiply words.”²⁸⁵ Ben Sira also warns his audience to be circumspect around those who are wealthier than they are: “Do not quarrel with a rich man, lest his resources outweigh yours; for gold has ruined many, and has perverted the minds of kings.”²⁸⁶ Qoheleth sees much talk as unprofitable: “the more the words, the less the meaning, and how does that benefit anyone?”²⁸⁷ Discretion – staying silent at appropriate times – would have served community cohesion by preventing conflict. In the scribes’ minds, if “fools” were silent, then they were not provoking disputes.

Correction

Relatedly, the texts of ancient Israel emphasise “correct” speech. Wisdom texts not only appeal to their audiences to exercise restraint in using proper speech and behaviour, but also emphasise the correction and instruction of those who have failed to do so, whose speech or behaviour is improper. The bulk of the book of Job, for example, is founded on dialogues of mutual correction. But the ideals of correction do not seem to be exclusive to those social groups out of which wisdom creators and compilers arose: typically described as a “scribal class” and perhaps the court. While that class may very well have been the one perceiving and recording these ideals, as James Crenshaw has noted, “A list of living teachers within Israelite society would include virtually everyone, inasmuch as instruction is both positive

²⁸⁴ George and Campbell, “Patterns of Dissent,” 273.

²⁸⁵ Job 12:12-14

²⁸⁶ Ben Sira 8:2, 13:2. See also Goff, *Worldly and Heavenly Wisdom*, 138.

²⁸⁷ Eccl. 6:11; cf. 5:2-7 [5:1-6]

and negative, intentional and unintentional.”²⁸⁸ Unlike the general “instruction” that Crenshaw noted, the “rebuke” is generally negative and intentional. But like the list of living teachers, “living rebukers” within Israelite society could, arguably, also include virtually everyone. Indeed, the biblical texts suggest a broader social setting—that is, a setting not exclusive to a single class—in which one felt obligated to speak for correction, and to be silent when receiving such correction.²⁸⁹

This informal correction is situated in the legal and theological obligations present in the text; one significant example is in Lev. 19:17: “Do not hate a fellow Israelite in your heart. Rebuke your neighbour frankly so you will not share in their guilt.” These and other didactic texts suggest that there was a sense of community obligation to correct (see also Lev. 5:1, Jeremiah 2:19, Amos 5:10, Ruth 2:16, Isa. 30:17).

Elisabeth Huwiler has argued that this obligation arose out of a desire to preserve the community. She posits that in the putatively tightly-closed community of ancient Israel, threatened by surrounding, “wicked” communities, the composers of Proverbs sought to encourage loyalty to their own group and resistance of the “other.”²⁹⁰ While this might be an over-generalisation, enforcing community boundaries was likely a goal of the creators and compilers of Proverbs, at the very least in a moral sense. The idea might have been that verbal correction would improve the community’s resistance to “sin” and, in a community that believed in shared guilt, be a means of self-preservation.

In addition to describing the obligation to correct other community members, many texts also describe how to properly *receive* correction. The book of Proverbs, itself, is a work of potential “rebuke” or instruction, and it prepares its audience for humbly receiving such instruction. In numerous instances, it cites the wisdom of taking advice and responding to

²⁸⁸ Crenshaw, *Education*, 208.

²⁸⁹ See, e.g., Prov. 9:7; 13:1. As such, students (youth) are taught not to resent that correction; they are young and without experience (wisdom).

²⁹⁰ See Elisabeth Huwiler, *Control of Reality in Israelite Wisdom* (unpublished PhD Dissertation, Duke University, Durham, NC, 1988).

rebukes (see 13:1, 10, 18; 15:5, 31; 16:20; 17:10; 27:5; 28:4). At the same time, it also warns of the dangers (often mortal) of ignoring its instruction, vilifying those who do so. For example, it is only “a mocker” who “does not respond to rebukes.” (Prov. 13:1). Although the mocker would likely *verbally* respond to rebukes—as the hallmark of the mocker is the (over)use of proud and condescending speech about others—here, the mocker “does not respond” in the sense that he fails to act upon the rebukes. (cf. 9:7-8; 13:10; 14:9; 19:28; 21:24; 22:10; 29:8). Indeed, “mockers resent correction, so they avoid the wise.” (Prov. 15:12). This phrase assumes that “the wise” correct others. Thus, the book of Proverbs, as a book of instruction, established itself as the product of “the wise” while shaming those who would avoid or mock such instruction (see 13:18; 29:1). The wise will accept and respect the corrector, while the unwise will mock or abuse the corrector (Prov. 9: 7-9). In masterful strokes, it both forwards a practical ideology while promoting its own preservation and veneration.

Still, the texts describe some situations where instruction and correction would be of no use, where silence would be the better route. Wisdom texts recommend silence if the potential recipient is already a far-gone fool. A rebuke will have its most profound effect on likewise discerning recipients: “A rebuke impresses a discerning person more than a hundred lashes a fool” (Prov. 17: 10). Accordingly, many proverbs consider the “wisdom” of the potential recipient *a priori* in determining whether or not to correct them. In general, the proverbs advise speaking to the wise and the righteous, and remaining silent with mockers and the “wicked.” Prov. 9:7-9 outlines guidelines for imparting correction and instruction by detailing with whom to be silent and with whom to speak:

- 7 Whoever corrects a mocker invites insults;
whoever rebukes the wicked incurs abuse.
- 8 Do not rebuke mockers or they will hate you;
rebuke the wise and they will love you.
- 9 Instruct the wise and they will be wiser still;
teach the righteous and they will add to their learning.

The wise are even counselled to go so far as remain silent before fools: “Do not speak to fools, for they will scorn your prudent words” (Prov. 23:9).

In this line of reasoning, if someone fails to heed corrections, they have marked themselves as foolish and further censure would be futile. Prov. 26:4-5 illustrates how this might seem to be contradictory, and the quandaries the wise might face in accepting the above line of thought:

4 Do not answer a fool according to his folly,
or you yourself will be just like him.
5 Answer a fool according to his folly,
or he will be wise in his own eyes.

Here, the advantages of two alternate paths are listed consecutively, emphasising discretion to paint a picture of various situations—even seemingly analogous ones—in which either speech or silence might be best. This is taught through overt contradiction. Christine Roy Yoder has noted the use of contradiction as a pedagogical technique in Proverbs, citing the “incongruous proverbs scattered throughout the book, inviting readers into a sort of disputational dialogue. . . . Insofar as Proverbs preserves such divergent points of view, it ensures a certain ambiguity: wisdom does not afford only one perspective on . . . most anything.”²⁹¹ We cannot treat the Proverbs as truisms or “cultural facts”: just as the English proverbs “Birds of a feather flock together” and “Opposites attract” are contradictory, it is

²⁹¹ Christine Roy Yoder, “Forming ‘Fearers of Yahweh’: Repetition and Contradiction as Pedagogy in Proverbs,” in *Seeking Out the Wisdom of the Ancients* (Ronald L. Troxel et al., eds., Winona Lake, Ind.: Eisenbrauns, 2005), 179. She further states that in a “study of pedagogy in Prov. 10:1-31:9, William P. Brown identifies an ‘overarching editorial arrangement and pedagogical movement of the book as a whole,’ namely, a progression from Israelite to international wisdom, an increasing variety and complexity of literary forms, and an increasing breadth and complexity of moral purview. Thus, the book guides readers through a process of maturation from a silent, dependency son (chaps 1-9) to a mature adult companion of wisdom (31:10-31). Progressing pedagogically from ‘basic staples’ to ‘more advanced variegated fare,’ Proverbs develops readers by its content and its arrangement.” (167; citing W. P. Brown, “The Pedagogy of Proverbs 10:1-31:9,” in *Character and Scripture: Moral Formation, Community, and Biblical Interpretation* (ed. W. P. Brown; Grand Rapids: Eerdmans, 2002): 152, 153, 181).

important to note that “proverbs are not universal truths but rather limited pieces of folk wisdom that are valid only in certain situations.”²⁹²

So here, the motivations for, variously, rebuke and silence, concerned community and individual responsibility. These ideas seemed to occasionally be at odds with one another. This is well illustrated in the book of Job. It is a work in mutual rebuke: instruction and correction between Job, his companions, and ultimately YHWH, with his friends giving up, one by one, after offering instruction.²⁹³ Job’s friends each make a resolute, collaborative effort to either silence Job or eke a confession out of him. To their way of thinking—the traditional act-consequence rationale—he must have committed some wrongdoing proportionate to his suffering.²⁹⁴ Their persistence, far from literary exaggeration, seems commensurate with the expectations of Proverbs and Leviticus—indeed, their very persistence may indicate their fear at being held accountable.

First, Eliphaz reminds Job of the times Job’s own words have “supported those who stumbled,” how he “instructed many” (Job 4:3-4). Having referenced Job’s own verbal correction and instruction of others, Eliphaz then asks: “If someone ventures a word with you, will you be impatient? *But who can keep from speaking?*” (4:1, emphasis added). Next, Zophar implies that Job’s speech *must* be corrected: “Are all these words to go unanswered? Is this talker to be vindicated? Will your idle talk reduce others to silence? Will no one rebuke you when you mock?” (11:2-3). Third, Bildad references ancestral teachings, urging Job to consider the wisdom of the ancients (Job 8:8).

²⁹² Wolfgang Mieder, *Proverbs: A Handbook* (Westport, Conn.: Greenwood Press, 2004), 134.

²⁹³ Several commentators have described their dialogues as battles of words—with phrases like, “Job’s words have become his weapons,” “Job’s verbal battle with his friends,” “the onslaught he must suffer at the mouths of his friends.” Brown, *Character*, 105-106; Louis Stuhlemann, 314. Even Job asks: “How long will you torment me and crush me with words? Ten times now you have reproached me; shamelessly you attack me” (Job 19:2-3).

²⁹⁴ Joseph Blenkinsopp, *Wisdom and Law in the Old Testament: The Ordering of Life in Israel and Early Judaism* (Oxford: Oxford University Press, 1995), 43.

The companions felt obligated to speak to Job—if not out of compassion, then to fulfill certain ideals: (1) from Proverbs, the ideal of true wisdom as correcting those in need of correction and (2), from Leviticus, the principle of shared culpability if one does not rebuke their neighbour. But after the three companions' concerted attempts, they follow the advice of Prov. 23:9 and 26:4-5, answering Job's foolishness with silence: "So these three men stopped answering Job, because he was righteous in his own eyes" (32:1). They had fulfilled their obligation.

It is at this point that Elihu, steps in, further iterating the practices found in Proverbs. He first justifies his correction of an elder, saying that although he dared not to do so at first, none of his companions adequately refuted Job's words.²⁹⁵ He explains that he "must speak and find relief" (32:18-20) and warns Job, like an unruly son, to listen to his words and pay attention to everything he says (Job 33:1-3; 31-33): "be silent, and I will teach you wisdom."

Elihu presents a reality where God speaks in order to correct and instruct those on earth, and the description of this reality forms a part of his rationale for correcting Job himself. This foreshadows the text's resolution. Job, exasperated, submits that because his words have not been successfully "corrected" by his companions, he has only spoken the truth and that no correction was warranted. However, the final and primary rebuke here, as in the rest of the Old Testament, comes from YHWH.²⁹⁶ This correction finally satisfies Job.

Most of the central portion of the book of Job is comprised of dialogue, including the statements discussed above. This dialogue lends drama and authenticity to the text, enabling the narrators to expose the character of each speaker without imposing their own overt

²⁹⁵ I thought, 'Age should speak; advanced years should teach wisdom.' But it is the spirit in a person, the breath of the Almighty, that gives them understanding. ... Therefore I say: Listen to me; I too will tell you what I know. I waited while you spoke, I listened to your reasoning; while you were searching for words, I gave you my full attention. But not one of you has proved Job wrong; none of you has answered his arguments" (Job 32:7-12).

²⁹⁶ See, for example, Job 33:14-18. "For God does speak—now one way, now another—though no one perceives it. In a dream, in a vision of the night, when deep sleep falls on people as they slumber in their beds, he may speak in their ears and terrify them with warnings, to turn them from wrongdoing and keep them from pride, to preserve them from the pit, their lives from perishing by the sword."

evaluations.²⁹⁷ The direct speech would allow the audience to evaluate the character of the speaker for themselves.²⁹⁸ The “primacy of dialogue” in Job also seems to reflect the scribes’ perception that speech was one of the foremost mechanisms for exposing and evaluating character.

Conclusion

As speech could be binding, especially in terms of a vow, pledge, or legal setting, wisdom texts emphasise restraint and discretion, even in more informal communications. In a community that subscribed to the concept of shared guilt, and in which speech could be used to sin, correction is an obligation to keep the community safe. But beyond this, the texts also outline informal rules for communication, advocating community respect and restraint. Each of these – respect, restraint, and correction – seem to have been designed to contribute to conflict resolution, conflict prevention, and cohesion in the community.

These “rules” for communication were often based on the intended recipient of one’s speech, and they became somewhat elaborate. For example, the obligation to correct did not extend to those who were so foolish that correction would have no effect. While the foolish earned the silence of ignoring, rather than correction – in a shift from community to individual responsibility – it appears that others earned deferential silence, a sort of lack of correction, out of respect. This kind of silence seems to have been highly-valued, something “earned” by old age, wealth, or grief. Respectful and calm communication fostered important community values: giving honour to the elderly and minimising grief.

Additionally, speech and restraint could be markers of relative class, through which individuals could assert or subordinate themselves. Several passages in the wisdom texts describe speech acts in terms of class or wealth. As mentioned above, the wealthy are described as listened to and not mocked, while the humble or poor are described as ridiculed

²⁹⁷ See Bartor, “Juridical Dialogue,” 451.

²⁹⁸ See Alter, *Biblical Narrative*, 85, 86-87.

and ignored. There are similar descriptions of the wise and the poor. There may be some overlap between the wise and the wealthy, on the one hand, and the poor and the foolish on the other hand, but there is not enough evidence to suggest that these classes were congruent. On the contrary, it seems at least that the authors of the Proverbs considered one's speech alone as the indicator of wisdom or folly. The scribal class portrays the wise as both receiving and making corrections, with the discretion to know when to be silent, while the foolish don't do either. The scribes also seem to consider silence as a specific action of communication. In a community where speech was exposure and could involve high risks, silence was a conscious communicative decision. With the exception of a legal accusation, silence allowed community members to participate in the community without subjecting them to the adverse consequences that speech might bring about.

Finally, the wisdom texts emphasise correction. Job's companions have few qualms in correcting him, which can be better understood in a corpus where correction was seen to better the community and enforce community boundaries. Prov. 28:23 promises that "Whoever rebukes a person will in the end gain favor, rather than one who has a flattering tongue." Ultimately, the rebuke is seen as a gesture of community participation; it demonstrates care for the community and for the recipient: "As iron sharpens iron, so one person sharpens another" (Prov. 27:17).

Chapter 8: Conclusions

This dissertation has emphasised the value and importance of “speech” concepts in ancient Israel. It has summarised key points and drawn out indicative issues in hopes of bringing more attention to these matters. More attention is needed because something as fundamental to our own society as “speech” is also more prone to anachronism, and anachronistic views on this subject might well lead to problematic results. Here, I attempted to provide a starting-point from which broader studies can continue.

This work has relied on modern theories about speech to better frame the identified concepts. Of particular value have been speech-act theory, language game theory, the theory of *hexis*, and dialogue theory. These have provided some structure in evaluating speech as described in written text, and they support the idea that we can understand how ancient Israelite scribes perceived their society’s expectations and judgments based on what they wrote about speech. The biblical sources show a continuing interest in speech as a vehicle for communication, and this interest is often most explicit in the wisdom literature.

In order to better understand “speech” as a specific mode of communication, this dissertation then explored the development of writing and its possible effect, if any, on oral communication. Broadly speaking, varied means of communication are adopted for varied purposes and meanings. Certain trends in communication developments can be observed, though they are by no means deliberate or absolute every time, or across every society. Writing typically comes about in primitive societies first in “economic” contexts—to record inventory or transactions, as a way to reckon and divide, or to identify artisan products by their owner or creator. As writing develops, speech retains its previous functions, on the whole, but it also becomes significant in its contrast. It becomes, for some people and in some situations at least, an *option*—something chosen for its comparative advantage in fulfilling the objective at hand.

Obviously, in pre-literate communities, speech is the medium through which every “thing” is communicated. With the advent of writing, more attention is given to whether or not something qualifies, based on whatever criteria this particular society emphasises, for being “fixed” in writing or communicated broadly through speech. In terms of community, however, it is difficult (if not impossible) to know the extent to which ancient Israel was literate, and speech remained an option available to all. It does seem clear, however, that a literate class of scribes composed or recorded the works that comprise the Hebrew Bible today.

The biblical sources reflect the interests and ideas of this literate class, which tends to project its own literacy on to its depictions of religion and society, despite the fact that, historically, much of the population probably did not belong to that class. The authors of the biblical texts advocate certain communicative rules for ancient Israelite society and intimate certain ideas about appropriate speech. Some of these seem to be based on theological conceptions, and others seem to be based on effective community control. In reviewing the texts, there are some trends that appear.

First, as discussed in chapter 3, the texts often associate writing with divine communication. Most fundamentally, writing is part of the community identity as a covenant people, bound by written covenants made through Moses. The Law of Moses is referred to as “what was written,” and the texts’ narrators evaluate behaviors or histories against this standard.

Additionally, writing is involved in prophetic transmission from the divine. Both writing and speech occurred in a variety of alternating or concurrent patterns *down* the theological line (→) (e.g., Jeremiah receiving a vision from God and dictating it to Baruch, Baruch delivering the scroll to Jehoiakim, and Jehoiakim having it reoralised or read to him), but only speech is used to communicate *up* the theological line, to God (←). Where everyday

people relied on speech, God relied on writing. Writing is portrayed as rendering the divine word immutable. A written text could act as a “witness” of receipt of prophecy. Writing was innately limited, static, predictable, and “peaceful”: more congruent with theological conceptions of God as distant and incorporeal. This is not to say that the ancient Israelite scribes necessarily perceived writing as more authoritative, but just that it served different functions than speech (with speech important for public recitation, for example).

Second, as discussed in chapters 2-4, there was often not only overlap in the functions of speech and writing, but there was often transmission between the two modes. Oral traditions and divine communications were written down, just as they were then later reoralised. Understanding the ancient Israelite conception of “truth” underscores our understanding of this process, as well as speech and writing in their own rights. Rather than exactness or some objective state of affairs, truth seems to have referred to community agreement, justice, good intent, loyalty, or fidelity in message.

Even with the advent of writing, however, there does not appear to be any point on the continuum of literacy in ancient Israel at which orality becomes less significant. Instead, it seems to have remained important in various functions throughout. Although there is some debate about the prevalence of writing and literacy in ancient Israel, “speech” retained important functions even when writing became more common. In a context where writing was difficult (i.e. due to the scarcity of materials or the amount of time and training required), this makes sense pragmatically. However, this dissertation explored other reasons for this preference.

Third, as discussed in chapters 5-6, speech implied commitment, and ancient Israelites depicted God as audience to speech. No speech act was more committing, perhaps, than the vow. The utterance of the vow bound the speaker to fulfill the conditions spoken, at the risk of the fatal consequences of blasphemy. The scribal class does not describe any exception to

the vow's commitment based on mistake or coercion—once spoken, it is depicted as fully committing. In this way, speech is portrayed as dynamic. Vows and prophecy, once pronounced, are described as essentially setting divine workings into motion. Thus, through speech alone, and not writing, they were able to invoke a sort of ratification of any vow and make these spoken vows “essentialist” in nature, bringing about the spoken consequences by the invocation of the divine realm, should the speaker not fulfill his or her commitment.

In terms of community, this described vow-making system would facilitate an orderly society. It would allow community interactions and transactions to go forward in the face of what might otherwise be too much uncertainty. It would also create expectations in terms of conflict resolution: if someone would not vow that they were innocent, this was essentially an admission of guilt. The biblical sources imply this commitment in both formal (i.e. structured/procedurally proscribed) and informal (i.e. not structured/procedurally proscribed) settings.

Fourth, as discussed in chapters 6-7, speech was the means by which individuals were evaluated by the community and God. The scribal class seems to have assumed that the divine can receive spoken communications, and they depict God in the biblical texts as audience for everyday speech. But this assumption leads to the worry about speech as exposure. The biblical texts describe speakers and speech as imbued with *hexis*. One's speech demonstrated one's intentions and enacted one's own judgments (of others) and expected judgements (from others, including YHWH). Through speech—and variously, silence—ancient Israelites revealed their evaluations, understandings, and intentions to other community members—both directly and indirectly.

In other respects, speaking could lead to self-incrimination or “sin,” loosely defined. It could also create much community conflict, as alluded to throughout the wisdom texts. These texts therefore forward a variety of communicative rules, in order to avoid this conflict and

encourage community cohesion. The incorrigible deviant who cannot follow these rules is “the fool,” and is described as a failure both socially and theologically. Speaking could therefore give rise to certain obligations and commitments, and where one “took a chance” when speaking, silence was often recommended. In the ancient Israelite community, speech was a way to negotiate reality—but it could be risky. Silence was a safer form of assent, and would be especially helpful in preventing or diffusing conflicts. It could also save a community member from the judgment of the community and the divine. Discretion is therefore described as a chief virtue, and can be understood as knowing when to be silent.

Clearly, communication is foundational to the formation and continuation of society. The ancient Israelite community—or at least parts of it—recognised that some communicative practices are more effective than others in facilitating a *peaceful* continuation of society. At the same time, they had complex ideas about the divine—and specifically, how their communication involved the divine. While this dissertation has attempted to explore and define these issues, much work remains to be done.

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