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The Book of the Torah in Joshua 1 and 23 and in the Deuteronomistic History

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I

As might be expected of the farewell address of a parting leader, Joshua's speech reported in Jos 23 does double duty. For one thing, Joshua looks back on the epoch under his leadership. As promised to Moses, Yhwh has granted Israel to conquer her land. Not one »word« has failed of »all the good words« that he promised (v. 14). At the same time, however, Joshua looks forward, too. Warning against transgressing Yhwh's covenant, for otherwise Yhwh will bring upon Israel »all the bad words« and exterminate the people from their land (v. 15–16a),¹ Joshua outlines precisely the ensuing ›history of Israel‹ as presented in the following second part of the Deuteronomistic History (DH). Thus, Joshua's speech serves as the hinge of the DH's double aetiology of Israel winning and losing her land.²

1 While translating דבר in these instances with »thing« rather than »word« would result in a smoother English version, the latter option preserves an important dimension of the Hebrew wording, as the »words« in question are the actual words of blessing and curse which according to Deut 28 serve as sanctions of the covenant.

2 Throughout this paper, English translations follow the New Revised Standard Version with modifications.

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II

Given the current state of affairs, however, the term »Deuteronomistic History« hardly being used anymore without the cautious prefix »so-called«,³ I should make it clear at the outset that by Deuteronomistic History I do mean Deuteronomistic History. This is, in my view, an exilic composition of Israelite traditions, preserved in the latter books from Deuteronomy through II Kings, wrestling with the catastrophe of 587 BCE.⁴ It is to this work that we owe the original composition of the Joshua story. The following texts, I submit, belong to this Deuteronomistic Joshua story:⁵

Jos 1; *3–4	Opening of the epoch
Jos 6*; 7,2–5a; 8,1–29; 9*; 10; 11; 12*	Conquest of the land
Jos 21,43–45; 22,1–6; 23*; Jud 2,6–10	Close of the epoch

A true exposition, the prelude in Jos 1 opens with a speech of principal importance (vv. 1–9). Speaking to Joshua, Yhwh addresses the theme of the day: the succession of Moses. He commissions Joshua to take over command and conquer the land, promising the new leader to be with him as he was with his predecessor (vv. 1–6). Pointing out the basis of this promise, Yhwh then goes on to entrust Joshua with the key to a prosperous future in the land by charging him »to act in accordance with all the Torah that my servant Moses commanded you« (v. 7);⁶

³ See the insightful introduction by T. C. Römer, *The So-called Deuteronomistic History. A Sociological, Historical and Literary Introduction* (London/New York 2007).

⁴ For the main reasons, see the discussion in E. Blum, »Das exilische deuteronomistische Geschichtswerk,« in *Das deuteronomistische Geschichtswerk*, ed. H.-J. Stipp, ÖBS 39 (Frankfurt a. M. et al. 2011): 269–294, and the pertinent parts in J. J. Krause, *Exodus und Eisodus. Komposition und Theologie von Josua 1–5*, VT.S 161 (Leiden, 2014), with full bibliography.

⁵ Krause, *Exodus und Eisodus*, 410.

⁶ As concerns textual criticism, the element כל־התורה in v. 7 must be called into question. The Old Greek does not support it, and in MT the pronominal reference in ממנו shows an incongruity of gender. Even a variant without »all the Torah«, however, does not lend itself to the interpretation proposed by A. B. Ehrlich, *Randglossen zur hebräischen Bibel. Textkritisches, Sprachliches und Sachliches*, Vol. 3: *Josua, Richter, I. u. II. Samuelis* (Leipzig, 1910), 2, claiming that rather general instructions (»allgemeine[...] Instruktionen [...], die Moses seinem Nachfolger über die Leitung des Volkes gegeben hatte«) were at stake originally. Taking into account the immediate sequel featuring the idiomatic phrase »not turning from + neither to the right nor to the left«, this appears quite improbable. According to the extant parallels in Deuteronomistic literature, this phrase is reserved exclusively for obedience to the Torah (see Deut 5,32; 17,20; 28,14; Jos 23,6;

»This book of the Torah (ספר התורה הזה) shall not depart out of your mouth; you shall meditate on it day and night, so that you may be careful to act in accordance with all that is written in it. For then you shall make your way prosperous, and then you shall be successful« (v. 8). And indeed, the following account of the conquest of the land presents itself as a faithful execution of this inculcation.⁷

Considering the context of this well-structured story, and taking into account that in the DH speeches of the main protagonists who, looking back as well as forward, reflect on the course of history and draw consequences from it, are a typical feature of transitions from one epoch to another,⁸ an address such as the one found in Jos 23 seems quite essential.⁹

II Reg 22,2). On the textual analysis of Jos 1,7, see further M. N. van der Meer, »Textual Criticism and Literary Criticism in Joshua 1:7 (MT and LXX),« in *X Congress of the International Organization for Septuagint and Cognate Studies Oslo, 1998*, ed. B. A. Taylor, SBLSCS 51 (Atlanta, 2001): 355–371, and recently K. Finsterbusch, »Deuteronomy and Joshua. Torah in the Book of Joshua in Light of Deuteronomy,« *JAJ* 3 (2012): 166–196; see also T. B. Dozeman, »The Book of Joshua as an Intertext in the MT and the LXX Canons,« in *Pentateuch, Hexateuch, or Enneateuch? Identifying Literary Works in Genesis through Kings*, ed. Th. B. Dozeman, Th. Römer and K. Schmid, SBL Ancient Israel and Its Literature 8 (Atlanta, 2011): 185–209, 201, who makes much of the text-critical problem.

⁷ Considering the ideological provenience of the DH as well as the narrative setting of conquest, it does not come as a surprise that execution of the ban (Deut 20,16–17) is of main concern in this respect, as is obvious from Jos 6,21; 8,26; 10,(1.)28.35.37.39.40; 11,11.12.(14–15); 11,20.21. See R. D. Nelson, *Joshua. A Commentary*, OTL (Louisville, Ky, 1997), 46.

⁸ M. Noth, *Überlieferungsgeschichtliche Studien. Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament* (Tübingen, 1967), 5f. For a comprehensive study, see J. Nentel, *Trägerschaft und Intentionen des deuteronomistischen Geschichtswerks. Untersuchungen zu den Reflexionsreden Jos 1; 23; 24; 1 Sam 12 und 1 Kön 8*, BZAW 297 (Berlin, 2000).

⁹ The brief remark by the narrator in Jos 21,43–45, albeit solemn in tone, would make for an all too short closure; Joshua's address to the trans-Jordanian tribes in Jos 22,1–6, while also building an inclusio with the opening of the story (see Jos 1,12–18 and 4,12), is devoted to a particular problem; Jud 2,6–10 reports Joshua's death but no last words of the parting leader. – For Jos 24 as a post-Deuteronomistic insertion, see E. Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn, 1984), 45–61; idem, »Der kompositionelle Knoten am Übergang von Josua zu Richter. Ein Entflechtungsvorschlag,« in idem, *Textgestalt und Komposition. Exegetische Beiträge zu Tora und Vordere Propheten*, ed. W. Oswald, FAT 69 (Tübingen, 2010): 249–280, 262–274; T. C. Römer, *Israels Väter. Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Freiburg/Göttingen, 1990), 320–329; idem, »Deuteronomium 34 zwischen Pentateuch, Hexateuch und deuteronomistischem Geschichtswerk,« *ZAR* 5 (1999): 167–178; T. C. Römer and M. Z. Brettler, »Deuteronomy 34 and the Case for a Persian Hexateuch,« *JBL* 119 (2000): 401–419; K. Schmid, *Erzväter und Exodus. Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn, 1999), 209–230; E. Otto, *Das Deuteronomium im Pentateuch und*

III

Nevertheless, for the longest time a double consensus prevailed according to which Joshua's speech was held to be both homogeneous and secondary, a literary unit inserted in the course of a Deuteronomistic reworking of the DH's original composition.¹⁰ The recent analysis of Thomas Römer, however, has called into question both assumptions. Drawing on the older observation that the scenario of a complete conquest of the land as presented by Joshua in retrospect is contradicted by the caution against remaining peoples voiced in his outlook,¹¹ Römer is able to distinguish two layers in Jos 23, the first of which belongs to the initial DH.¹² According to this analysis, the account of Joshua's speech originally consisted of vv. 1–3.9.11.14b–16a.¹³ While confirming Römer's thesis in general, the subsequent analysis by Erhard Blum proposes a slightly modified primary layer comprising vv. 1–3.6(?).11.14–16a.¹⁴

Hexateuch. Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens, FAT 30 (Tübingen, 2000), passim; R. Achenbach, »Pentateuch, Hexateuch und Enneateuch. Eine Verhältnisbestimmung,« *ZAR* 11 (2005): 122–154, 139–153, among others. For a skeptical view, see R. G. Kratz, »Der vor- und der nachpriesterschriftliche Hexateuch,« in *Abschied vom Jahwisten. Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. J. C. Gertz, K. Schmid and M. Witte, BZAW 315 (Berlin/New York, 2002): 295–323, 299–307.

10 Restated in H. N. Rösel, *Joshua*, Historical Commentary on the Old Testament (Leuven, 2011), 353–359. For a full-blown exposition, see Nentel, *Trägerschaft*, 49–139.

11 R. Smend, »Das Gesetz und die Völker. Ein Beitrag zur deuteronomistischen Redaktionsgeschichte,« in *Probleme biblischer Theologie. Gerhard von Rad zum 70. Geburtstag*, ed. H. W. Wolff (München, 1971): 494–509.

12 T. C. Römer, »Das doppelte Ende des Josuabuches: einige Anmerkungen zur aktuellen Diskussion um ›deuteronomistisches Geschichtswerk‹ und ›Hexateuch‹,« *ZAW* 118 (2006): 523–548, 531–533; idem, »Book-Endings in Joshua and the Question of the So-Called Deuteronomistic History,« in *Raising Up a Faithful Exegete. Essays in Honor of Richard D. Nelson*, ed. K. L. Noll and B. Schramm (Winona Lake, IND, 2010): 87–101, 94–97. For consenting votes, see Blum, »Geschichtswerk«: 287 f. n. 70; idem, »Überlegungen zur Kompositionsgeschichte des Josuabuches,« in *The Book of Joshua*, ed. E. Noort, BETHL 250 (Leuven, 2012): 137–157, 151, and C. Nihan, »The Literary Relationship between Deuteronomy and Joshua. A Reassessment,« in *Deuteronomy in the Pentateuch, Hexateuch, and the Deuteronomistic History*, ed. K. Schmid and R. F. Person, FAT II 56 (Tübingen, 2012): 79–114, 100–102; for a critical view, see W. Groß, »Das Richterbuch zwischen deuteronomistischem Geschichtswerk und Enneateuch,« in *Geschichtswerk*, ed. H.-J. Stipp (n. 4): 177–205, 189. See further the discussion in C. Frevel, »Das Josua-Palimpsest. Der Übergang vom Josua- zum Richterbuch und seine Konsequenzen für die These eines Deuteronomistischen Geschichtswerks,« *ZAW* 125 (2013): 49–71, 59–68.

13 Römer, »Book-Endings«: 94–97.

14 Blum, »Geschichtswerk«: 287 f. n. 70.

This account allows for the reconstruction of a pattern of speech due to which Joshua's farewell address presents itself virtually as a Deuteronomy *en miniature*:¹⁵

v. 3	You have seen all that Yhwh your God has done to all these nations for your sake, for it is Yhwh your God who has fought for you.	Recollection of Yhwh's attention as experienced by Israel
v. 6	Therefore be very steadfast to observe and do all that is written in the book of the Torah of Moses, turning aside from it neither to the right nor to the left.	Parenetic inculcation to heed the book of the Torah
v. 11	Be very careful to love Yhwh your God.	... and the first commandment
vv. 14–16a	Behold, I am about to go the way of all the earth, and you know with all your heart and with all your soul, all of you, that not one word has failed of all the good words that Yhwh your God promised concerning you; all have come to pass for you, not one of these words has failed. But just as all the good words that Yhwh your God promised concerning you have been fulfilled for you, so Yhwh will bring upon you all the bad words, until he has destroyed you from this good land that Yhwh your God has given you, if you transgress the covenant of Yhwh your God, which he enjoined on you, and go and serve other gods and bow down to them.	Presentation of the alternative of blessing and curse with reference to the actual »words« of the Torah

The successor of Moses leaves his legacy in the form of a covenant speech which in essence is but one great reference to the fundamental covenant speech of Moses in Deuteronomy – a fitting closure of the epoch indeed.

Yet for most readers this reconstruction will raise a question regarding v. 6. Does this verse, prominently as it does featuring the book of the Torah, really belong to the original composition of the DH? Römer, for his part, attributes it to a later addition.¹⁶ That is by no means a particular position. For most scholars, ascribing Jos 23,6 to the DH's original composition is simply out of the question.¹⁷ A rare dissenting vote, Blum allows at least for the possibility, noting, however,

¹⁵ For the following reconstruction, see Krause, *Exodus und Eisodus*, 87; cf. Blum, »Geschichtswerk«: 287 f. n. 70. Proposing a similar pattern of speech, Römer, »Ende«: 534, speaks of a »Deuteronomium *en miniature*«.

¹⁶ Römer, »Ende«: 532.

¹⁷ See e.g. the succinct comment on v. 6 in Rösel, *Joshua*, 357.

that an immanent analysis of Jos 23 does not offer sufficient evidence to decide the matter,¹⁸ and pointing towards Jos 1 as key.¹⁹

Indeed, any decision on Jos 23,6 must be taken in conjunction with a decision on Yhwh's speech to Joshua and his inculcation to heed the book of the Torah left by Moses (Jos 1,7–8). For it is due to referring to this »book of the Torah of Moses« that not only Jos 1,7–9 (8) but also, by way of analogy, Jos 23,6 is generally relegated to a reworking of the DH.

IV

Despite other differences, current hypotheses of the formation of the DH almost unanimously agree that these as well as other references to a »book of the Torah« in Deut–II Reg must be regarded as later additions. The agenda has been set by Rudolf Smend Jr. followed by many, he attributed these references to a reworking of the DH concerned with observation of the law (»DtrN«).²⁰ More recently, Alex-

¹⁸ While v. 6 neatly fits the pattern of speech reconstructed above, it can also be read as part of the secondary Deuteronomistic reworking, introducing the theme of the remaining peoples and their gods.

¹⁹ Blum, »Geschichtswerk«: 287 f. n. 70.

²⁰ Smend, »Gesetz«. See further idem, *Die Entstehung des Alten Testaments*, ThW 1 (Stuttgart, ³1984), 111–125; idem, »Das uneroberte Land,« in *Das Land Israel in biblischer Zeit. Jerusalem-Symposium 1981 der Hebräischen Universität und der Georg-August-Universität*, ed. G. Strecker, GTA 25 (Göttingen, 1983): 91–102; T. Veijola, *Die ewige Dynastie. David und die Entstehung seiner Dynastie nach der deuteronomistischen Darstellung*, AASF 193 (Helsinki, 1975), 141 f., and W. Dietrich, »Niedergang und Neuanfang. Die Haltung der Schlussredaktion des deuteronomistischen Geschichtswerkes zu den wichtigsten Fragen ihrer Zeit,« in *The Crisis of Israelite Religion. Transformation of Religious Tradition in Exilic and Post-Exilic Times*, ed. B. Becking and M. C. Korpel, OTS 42 (Leiden, 1999): 45–70. For a critical reassessment of the hypothesis, see H. N. Rösel, »Lässt sich eine nomistische Redaktion im Buch Josua feststellen?,« *ZAW* 119 (2007): 184–189; cf. idem, *Von Josua bis Jojachin. Untersuchungen zu den deuteronomistischen Geschichtsbüchern des Alten Testaments*, VT.S 75 (Leiden, 1999), 47–69. For Smend's precursors, see E. Albers, *Die Quellenberichte in Josua I–XII. Beitrag zur Quellenkritik des Hexateuch* (Bonn, 1891), 19; 21; C. Steuernagel, *Übersetzung und Erklärung der Bücher Deuteronomium und Josua und Allgemeine Einleitung in den Hexateuch*, HK 1/3 (Göttingen, 1900), 154; H. Holzinger, *Das Buch Josua*, KHC 6 (Tübingen, 1901), 2; R. Smend, *Die Erzählung des Hexateuch auf ihre Quellen untersucht* (Berlin, 1912), 280; M. Noth, *Das Buch Josua*, HAT 7 (Tübingen, ¹1938), 7 (but see also idem, *Das Buch Josua*, HAT 7 [Tübingen, ²1953], 28); H. W. Hertzberg, *Die Bücher Josua, Richter, Ruth*, ATD 9 (Göttingen, 1953), 15; N. Lohfink, »Die deuteronomistische Darstellung des Übergangs der Führung Israels von Moses auf Josue. Ein Beitrag zur alttestamentlichen Theologie des Amtes,« *Schol.* 37 (1962): 32–44, 37. Smend's position has been adopted by P. Sacchi, »Giosuè 1,1–9. Dalla critica storica a quelle letteraria,« in *Storia e tradizioni di Israele. Scritti in onore di J. Alberto Soggin*, ed.

ander Rofé proposed to explain them as »nomistic corrections« by pious students from the late Persian or early Hellenistic period, inserted in the course of the formation of the Hebrew canon.²¹ The latter view has been espoused by Thomas Römer, too.²² Either way, the book of the Torah is considered a secondary element.²³

Both explanatory models stand or fall with their respective analysis of Jos 1. Yhwh's inculcation to heed the book of the Torah is the *locus classicus* for the alleged redactional layer DtrN as well as for the hypothesis of late scribal alignments in the wake of an evolving devotion to Torah study. Smend, Rofé, Römer and others have produced several reasons why, in their view, vv. 7–9 or v. 8, respectively, need to be cut off diachronically from their preceding context. Elsewhere I have subjected these reasons to a thorough examination.²⁴ Instead of repeating this discussion in detail, suffice it here to merely state the main points.

D. Garrone and F. Israel (Brescia, 1991): 237–253; V. Fritz, *Das Buch Josua*, HAT 7 (Tübingen, 1994), 26; E. Noort, »Josua und seine Aufgabe. Bemerkungen zu Josua 1:1–4,« in *Nachdenken über Israel, Bibel und Theologie. Festschrift für Klaus-Dietrich Schunck*, ed. H. M. Niemann, M. Augustin and W. H. Schmidt, BEATAJ 37 (Frankfurt a. M., 1994): 69–87, 72; K. Bieberstein, *Josua – Jordan – Jericho. Archäologie, Geschichte und Theologie der Landnahmeerzählung Josua 1–6*, OBO 143 (Freiburg, Schweiz/Göttingen, 1995), 96 f.; Nentel, *Trägerschaft*, 24–27 (cf. *ibid.*, 45–48); M. N. van der Meer, *Formation and Reformulation. The Redaction of the Book of Joshua in the Light of the Oldest Textual Witnesses*, VT.S 102 (Leiden/Boston, 2004), 217, among many others. Essentially going his own way, M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford/New York, 1985), 384 f., *ibid.*, 425 f. arrives at the same conclusion as did Smend.

21 A. Rofé, »The Nomistic Correction in Biblical Manuscripts and Its Occurrence in 4QSam^a,« *RdQ* 14 (1989): 247–254; *idem*, »The Devotion to Torah-Study at the End of the Biblical Period. Joshua 1:8; Psalm 1:2; Isaiah 59:21 (Hebrew),« in *The Bible in the Light of Its Interpreters. Sarah Kamin Memorial Volume*, ed. S. Japhet (Jerusalem, 1994): 622–628; *idem*, »The Piety of the Torah-Disciples at the Winding-Up of the Hebrew Bible. Josh 1:8; Ps 1:2; Isa 59:21,« in *Bibel in jüdischer und christlicher Tradition. Festschrift für Johann Maier zum 60. Geburtstag*, ed. H. Merklein, K. Müller and G. Stemberger, BBB 88, (Frankfurt a. M., 1993): 78–85; *idem*, »The Scribal Concern for the Torah as Evidenced by the Textual Witnesses of the Hebrew Bible,« in *Mishneh Todah. Studies in Deuteronomy and Its Cultural Environment in Honor of Jeffrey H. Tigay*, ed. N. S. Fox, D. A. Glatt-Gilad and M. J. Williams (Winona Lake, Ind, 2009): 229–242.

22 T. C. Römer, »Josué, lecteur de la Torah (Jos 1,8),« in »*Lasset uns Brücken bauen ...*«. *Collected Communications to the XVth Congress of the Organization for the Study of the Old Testament, Cambridge 1995*, ed. K.-D. Schunck and M. Augustin, BEATAJ 42 (Frankfurt a. M., 1998), 117–124; *idem*, »Pentateuque, Hexateuque et historiographie deutéronomiste. Le problème du début et de la fin du livre de Josué,« *Transeuphratène* 16 (1998): 71–86; *idem*, *Deuteronomistic History*, 117 n. 19.

23 For a recent endorsement of this popular opinion, see Finsterbusch, »Deuteronomy and Joshua«.

24 Krause, *Exodus und Eisodus*, 82–89.

Firstly, Smend's linguistic observation regarding the repetition of חזק ואמץ and its introduction by the initial רק eventually remains inconclusive.²⁵ Therefore, secondly, the allegation of a secondary origin of the passage rests exclusively on Smend's interpretation of its content. Smend argues that, while in the preceding context Yhwh makes an unconditional promise to Joshua, v. 7 offers the »earliest exegesis« of this promise, making it conditional on Joshua's obedience to the Torah.²⁶ This interpretation, however, is not quite as self-evident as it is presented by Smend. To be sure, v. 7 raises a matter which has not been mentioned in the preceding context. That is not to say, however, that it must be of secondary origin. Quite to the contrary, obedience to the Torah is part and parcel of any Deuteronomistic theology one can conceive, as Römer has rightly pointed out in his critique of Smend's analysis.²⁷ For this reason, Römer, as well as Rofé, regards only v. 8 which features the concept of a *book* of the Torah as secondary. Yet this latter analysis, thirdly, is rendered improbable when compared against the evidence in Jos 23,6:

רק חזק ואמץ מאד לשמר לעשות ככל־התורה אשר צוה משה עבדי אֶל־תסור ממנו ימין ושמאול
למען תשכיל בכל אשר תלך Jos 1,7

לא־ימוש ספר התורה הזה מפיד והגית בו יומם ולילה
למען תשמר לעשות ככל־הכתוב בו כִּי־אז תצליח את־דרכך ואז תשכיל Jos 1,8

וחזקתם מאד לשמר ולעשות את כל־הכתוב בספר תורת משה
לבלתי סור־ממנו ימין ושמאול Jos 23,6

As is obvious from this comparison, Jos 23,6 cites and conflates material from both Jos 1,7 and 1,8. In light of this find, it does not commend itself to cut off v. 8 from its context, still less to date it to the late Persian or even Hellenistic period.

Hence my conclusion: None of the reasons advanced in favour of a diachronic dismissal of vv. 7–9 or v. 8 is compelling. Admittedly, such an analysis still appears possible. It has not, however, been demonstrated necessary.²⁸ Thus,

²⁵ Smend, »Gesetz«: 494.

²⁶ Ibid.: 495: The author of v. 7 »liefert die älteste Exegese dieses Textes, indem er ihn [...] im Sinne des Gesetzesgehorsams zugleich verallgemeinernd und einschränkend interpretiert.«

²⁷ It is »un des piliers de l'idéologie dtr«, as Römer, »Josué«: 120 puts it.

²⁸ It should be remembered that Noth, who in the first edition of his commentary held Jos 1,1–9 to be »surely secondary« (»[s]icher sekundär«; Noth, *Josua*, 1. ed., 7), revoked that judgment later (idem, *Josua*, 2. ed., 28). On this, see also Rösel, »Redaktion«: 185.

the classic rule of Martin Noth applies: »A literary-critical possibility is not yet a literary-critical necessity.«²⁹

Such a case calls for a cross-check. Having examined the reasons against, we should also search and test reasons *for* regarding the verses in question as part of the initial DH. Is there evidence pointing towards such an assessment of Jos 1,7–9 and its parallels, first and foremost Jos 23,6? Indeed, there is. Contrary to the current *communis opinio*, in the remainder of this contribution I will argue the case for the book of the Torah as an integral component of the first layer to be found in Jos 1 and 23. In my view their reference to the book of the Torah, just like most of the pertinent parallels, is an indispensable element of the DH from its beginning. Without that book, the DH's double aetiology – Israel winning and losing her land – is simply not comprehensible to its hearers or readers respectively.

V

This double aetiology revolves around one central idea: Israel loses her land, not because Yhwh has broken the covenant as to forsake Israel, but because of Israel's own failure and disobedience to Yhwh. Recently we saw a lively debate regarding the criteria for judging such disobedience:³⁰ Who is judged, the king, all the kings, or the people? And what exactly is under scrutiny, the centralization of the cult, the first commandment, or observance of »all the Torah«? Yet no matter which criterion we examine – it will always be a criterion inextricably linked with the figure of Moses. »Moses« is the point of origin and basis for

²⁹ M. Noth, *Könige*, Vol. 1: *I Könige 1–16*, BK 9/1 (Neukirchen-Vluyn, 1968), 246: »Eine literarkritische Möglichkeit ist [...] noch keine literarkritische Notwendigkeit«.

³⁰ See K. Schmid, »Das Deuteronomium innerhalb der ›deuteronomistischen Geschichtswerke« in Gen – 2 Kön,« in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, ed. E. Otto and R. Achenbach, FRLANT 206 (Göttingen, 2004): 193–211; idem, »Hatte Wellhausen Recht? Das Problem der literarhistorischen Anfänge des Deuteronomismus in den Königebüchern,« in *Die deuteronomistischen Geschichtswerke. Redaktions- und religionsgeschichtliche Perspektiven zur ›Deuteronomismus«-Diskussion in Tora und Vorderen Propheten*, ed. J. C. Gertz, D. Prechel, K. Schmid and M. Witte, BZAW 365 (Berlin, 2006): 19–43; idem, *Literaturgeschichte des Alten Testaments. Eine Einführung* (Darmstadt, 2008), 80 ff.; 118 ff.; 158 f., and especially F. Blanco Wißmann, »Er tat das Rechte ...«. *Beurteilungskriterien und Deuteronomismus in 1Kön 12–2Kön 25*, AthANT 93 (Zürich, 2008), 31–211. For earlier positions, see R. G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 (Göttingen, 2000), 155–193; E. Aurelius, »Der Ursprung des ersten Gebots,« *ZThK* 100 (2003): 1–21, 1–4, and already idem, *Zukunft jenseits des Gerichts. Eine redaktionsgeschichtliche Studie zum Erneuteuch*, BZAW 219 (Berlin/New York, 2003), 21–110, esp. 57 ff. For a thorough critique, see Blum, »Geschichtswerk«: 273–283.

acceptance of any conceivable criterion of obedience.³¹ For the Deuteronomists and ever since, Moses is the mediator of the will of God.

Now this authority to mediate the will of God is Moses' exclusively; it is not transmitted, neither to Joshua nor to any other successor.³² Therefore the Deuteronomistic conception of Torah as *written* Torah is a necessary feature of the narrative. That is why, in the Deuteronomistic edition, the book of Deuteronomy refers to itself as an actual book one can consult and cite – »the book of the Torah of Moses«, written by Moses himself, containing his entire covenant speech, and committed to the care of the Levitical priests.³³ Thus, the chain of command effective in Moses' day »Yhwh → Moses → Israel« is, after the mediator's death, transformed into »Yhwh → book of the Torah of Moses → Israel«. ³⁴ What it means to live according to the will of Yhwh is, in the epochs after Moses, known from the book of the Torah – or rather, it could be known and indeed should be known from that book.

Against this backdrop, it is but indispensable to introduce the book of the Torah as an element of the following »history of Israel« narrative. As we saw, this narrative has Israel lose her land due to disobedience to Yhwh's will – that is, due to failure to live according to commandments mediated by Moses. Such a plot is comprehensible only on one condition: The hearers and readers need to understand if and how the protagonists were able to know the standard applied to them. After all, the criteria according to which the acting persons are judged have been proclaimed orally, and long before their lifetime at that. This makes sense if and only if, for one thing, the proclamation of these criteria has been recorded, and if, for another, the resultant record has been handed down so as to be accessible to kings and people in later times.³⁵ It must be explained, or it must at least be explainable, within the narrative, how later generations can be expected to know the teaching of Moses.³⁶

³¹ This holds at the latest since, at Deuteronomistic hands, the older Deuteronomy was moulded into its characteristic form of a covenant speech of Moses.

³² On this point, see C. Schäfer-Lichtenberger, *Josua und Salomo. Eine Studie zu Autorität und Legitimität des Nachfolgers im Alten Testament*, VT.S 58 (Leiden, 1995), 46–51.

³³ Note the series of self-referential definitions in Deut 31,9–12.24–26; 1,5; 17,18–20; for a discussion, see E. Blum, »Pentateuch – Hexateuch – Enneateuch? oder: Woran erkennt man ein literarisches Werk in der hebräischen Bibel?«, in *Textgestalt und Komposition*, ed. W. Oswald (n. 9): 375–404, 391–397.

³⁴ Schäfer-Lichtenberger, *Josua und Salomo*, 51. See further G. J. Venema, *Reading Scripture in the Old Testament. Deuteronomy 9–10; 31 – 2 Kings 22–23 – Jeremiah 36 – Nehemiah 8*, OTS 48 (Leiden, 2004), 39–46.

³⁵ This holds, to repeat myself, irrespective of the question which criterion is under scrutiny.

³⁶ Scarcely noted, this problem has also been recognized by T. C. Römer, »Entstehungsphasen des »deuteronomistischen Geschichtswerkes«,« in *Geschichtswerke*, ed. Gertz, Prechel, Schmid

In short, there is a twofold prerequisite for understanding the DH's narrative: Not only must the teaching, or Torah, of Moses be conceptualized as written Torah; this book of the Torah must also be introduced as an element of the narrative.

VI

While the first part of this prerequisite is met by the self-referential definition of Deuteronomy as »the book of the Torah«, the second is by Jos 1,7–8 – the very verses which, according to prevailing opinion, are regarded a secondary addition to the original DH. At the compositional seam between Deuteronomy – or rather, as it calls itself, the book of the Torah – and the subsequent narrative, precisely where we should expect it, this reference explains what needs to be explained. Explicitly making it the subject of discourse, the book of the Torah is presented as an actual book available to Joshua. Moreover, Joshua receives a manual of sorts for dealing with it. Emphatically impressing the book's importance on the new leader, Yhwh himself provides a detailed instruction on how to observe it.³⁷ This introduction of the book of the Torah as an element of the ›history of Israel‹ is the *conditio sine qua non* for the ability of its protagonists, presupposed throughout the subsequent narrative, to live according to the will of Yhwh.

There is something to be said for this thesis not only from the point of view of narratology, but also of intertextuality, more specifically, of the theory of marking intertextual relationships. Due to its role in the unfolding narrative, Deuteronomy *alias* »the book of the Torah« becomes the single most important point of reference, or intertext, for the DH. In this context, Jos 1,7–8 offers a classic example for the marking of intertextual relationships by auto-reflexively making them the subject

and Witte (n. 30): 45–70. Yet his approach to solving it, viz., the idea of a »Deuteronomistic library« (ibid.: 56–59), does not seem to suffice. It addresses the aesthetics of production, not of reception. It is the latter question, however, which is at stake here. The intended hearers and readers of the narrative are the ones who, in the end, need to be in a position to comprehend the plot.

³⁷ For the typically Deuteronomistic emphasis on learning, see G. Braulik, »Das Deuteronomium und die Gedächtniskultur Israels. Redaktionsgeschichtliche Beobachtungen zur Verwendung von למד,« in *Biblische Theologie und gesellschaftlicher Wandel. Für Norbert Lohfink SJ*, ed. G. Braulik, W. Groß and S. McEvenue (Freiburg, 1993): 9–31; K. Finsterbusch, *Weisung für Israel. Studien zu religiösem Lehren und Lernen im Deuteronomium und in seinem Umfeld*, FAT 44 (Tübingen, 2005), and D. M. Carr, *Writing on the Tablet of the Heart. Origins of Scripture and Literature* (Oxford/New York, 2005), 134–139.

of discourse.³⁸ Such markings explicitly describe the intertext and/or its reception. Characteristically, verbs of meta-communication are employed for this end, e.g., »to read«, »to memorize«, »to recite«, »to quote«; or, to use examples from Jos 1,8, »to mutter«, »to meditate«, »to observe«, »to act in accordance with«. In addition to such marking of the intertextual disposition of the present text, the respective intertext frequently is identified *expressis verbis*. This technique is to be observed in Jos 1, too. Not only is the intertext called by its name (v. 8), in the immediate context there is also a conspicuous concentration of references to it (vv. 3b.7a.13a).

According to Jörg Helbig's seminal study of intertextual marking, markers of this type are typically found at the beginning of a text, aiming to draw the reader's attention to a specific intertext and the mode of relating to it. In so doing, these markers prepare the reader to recognize more subtle references to the same intertext in the subsequent text.³⁹ Helbig goes on to explain that there are cases where such seemingly all too explicit markers are in fact indispensable. Especially in cases where the intertext plays a role in the present text's plot, the acting persons dealing with it in some way, it is but necessary, according to Helbig, to identify the intertext explicitly and describe its reception, thus introducing it as an element of the narrative.⁴⁰

In like manner, recipients of the DH should expect a reminder of the all-important record and its proper observance as the epoch under Joshua's leadership comes to a close. And indeed, just as he himself was instructed to observe the book of the Torah, Joshua now instructs the next generation.⁴¹ Both in his farewell to the trans-Jordanian tribes (Jos 22,1–6) and in his legacy left in the final address (Jos 23*), Joshua unmistakably harks back to Yhwh's speech to himself,⁴² thus passing on what he received:⁴³

38 For the theoretical background, see J. Helbig, *Intertextualität und Markierung. Untersuchungen zur Systematik und Funktion der Signalisierung von Intertextualität*, Beiträge zur neueren Literaturgeschichte 3/141 (Heidelberg, 1996), 131–138.

39 Ibid., 136.

40 Ibid.

41 Focussing on instructions regarding the book without making mention of the Levitical priests and their function as its custodians (Deut 31,9–12.24–26), this pattern calls to mind the classic exposition in Pirke Avot: ... משה קיבל תורה מסיני ומסרה ליהושע, ויהושע לזקנים (mAv 1,1, text according to the critical edition in M. Krupp and F. Ueberschaer, *Avot – Väter, Die Mischna. Textkritische Ausgabe mit deutscher Übersetzung und Kommentar*, ed. M. Krupp [Jerusalem, 2003]).

42 For a detailed comparison with discussion of the Hebrew wording of Jos 1,7–8 and 23,6, see Krause, *Exodus und Eisodus*, 86.

43 The parallels to be noted in the following comparison are part of a dense net of cross-references between the opening and the close of the epoch as presented in Jos 1; *3–4 and Jos 21,43–45; 22,1–6; 23*; Jud 2,6–10, respectively. See Krause, *Exodus und Eisodus*, 410 f.

Jos 1,7–8	Yhwh to Joshua:	Be strong and very courageous, being careful to act in accordance with all the Torah that my servant Moses commanded you; do not turn from it to the right hand or to the left, so that you may be successful wherever you go. This book of the Torah shall not depart out of your mouth; you shall meditate on it day and night, so that you may be careful to act in accordance with all that is written in it. For then you shall make your way prosperous, and then you shall be successful.
Jos 22,5	Joshua to the trans-Jordanians:	Take good care to observe the commandment and instruction that Moses the servant of Yhwh commanded you, to love Yhwh your God, to walk in all his ways, to keep his commandments, and to hold fast to him, and to serve him with all your heart and with all your soul.
Jos 23,6	Joshua to all Israel:	Be very steadfast to observe and do all that is written in the book of the Torah of Moses, turning aside from it neither to the right nor to the left.

VII

In light of the present approach, the book of the Torah does indeed suggest itself as an integral component of the first layer to be found not only in Jos 1 and 23 but throughout the DH. There is, however, one fundamental objection which needs to be considered before drawing this conclusion. Assuming that the book of the Torah is introduced so prominently into the ›history of Israel‹ narrative because it is of pivotal importance for its plot, as I have argued, then why do we hardly ever hear of it again until it is rediscovered right before the end (II Reg 22)?⁴⁴ Why is it so rare to read of protagonists who expressly act according to the Torah as does king Amaziah regarding the children of his father's murderers (II Reg 14,6)? Why does it remain a notable exception that David refers his son and successor Solomon to the book as the essential source of instruction for pious conduct (I Reg 2,1–4)?⁴⁵ That is the problem of my approach. Yet this problem could, at

⁴⁴ The sparse evidence has been sighted recently by D. A. Glatt-Gilad, »Revealed and Concealed. The Status of the Law (Book) of Moses within the Deuteronomistic History,« in *Mishneh Todah*, ed. N. S. Fox, idem and M. J. Williams (n. 21): 185–199, 189–197 (with bibliography).

⁴⁵ On this passage, see Schäfer-Lichtenberger, *Josua und Salomo*, 245–249. In her view, David's pointing out the book of the Torah as »constitution« (»Staatsverfassung«; *ibid.*, 247) provides

the same time, carry its own solution – if it should turn out that the narrative's silence about the book of the Torah is indeed the punch line of its plot.

The latter is, in fact, just what the Deuteronomistic account of the book's unexpected ›discovery‹⁴⁶ under king Josiah (II Reg *22–23) seems to convey.⁴⁷ Apparently the book of the Torah had sunk into oblivion. Having come to light again during construction work in the temple, the find is commented on succinctly by the high priest Hilkiah: »I have found *the* book of the Torah« (II Reg 22,8). Anaphorically calling it *the* book, that is, a known book, this comment alludes to the recipients' previous knowledge from the DH.⁴⁸ This understanding is corroborated immediately by the king's response to the book's reading. Realizing that his ancestors' evident lack of obedience must have kindled Yhwh's wrath, Josiah tears his clothes and commands to inquire of Yhwh concerning »the words of this book« (vv. 11–13). Thus he appreciates precisely the Deuteronomistic concept of Deuteronomy as the book of the Torah. In the same vein, the prophetess Huldah declares that Yhwh will bring »all the words of the book« (v. 16), thus presupposing both pragmatics and wording of the covenant curses in Deut 28 and 29.

The book having been read to him, Josiah knows what needs to be done in order to live according to Yhwh's will. Losing no time, he hastens to »establish

the benchmark for the later evaluation of Solomon and his descendants (ibid., 248). By contrast, Veijola, *Dynastie*, 19–26 attributes the reference in vv. *3–4 to DtrN.

46 On its genre, see B. J. Diebner and C. Nauwerth, »Die Inventio des ספר התורה in 2Kön. 22. Struktur, Intention und Funktion von Auffindungslegenden,« *DBAT* 18 (1984): 95–118 and T. C. Römer, »Transformations in Deuteronomistic and Biblical Historiography. On ›Book-Finding‹ and Other Literary Strategies,« *ZAW* 109 (1997): 1–11.

47 The following interpretation is based on the critical analysis of II Reg *22–23 found in C. Hardmeier, »König Joschija in der Klimax des DtrG (2Reg 22f.) und das vordtr Dokument einer Kultreform am Residenzort (23,4–15*). Quellenkritik, Vorstufenrekonstruktion und Geschichtstheologie in 2Reg 22f.,« in *Erzählte Geschichte. Beiträge zur narrativen Kultur im alten Israel*, ed. R. Lux, BThSt 40 (Neukirchen-Vluyn, 2000): 81–145; idem, »King Josiah in the Climax of the Deuteronomistic History (2 Kings 22–23) and the Pre-Deuteronomistic Document of a Cult Reform at the Place of Residence (23.4–15*). Criticism of Sources, Reconstruction of Literary Pre-Stages and the Theology of History in 2 Kings 22–23,« in *Good Kings and Bad Kings*, ed. L. L. Grabbe, Library of Hebrew Bible/Old Testament Studies 393 (London, 2005): 123–163. For the Deuteronomistic provenience of the book-finding account see further H.-D. Hoffmann, *Reform und Reformen. Untersuchungen zu einem Grundthema der deuteronomistischen Geschichtsschreibung*, ATThANT 66 (Zürich, 1980), 190–192, 268 and passim. As opposed to this, C. Levin, »Josia im Deuteronomistischen Geschichtswerk,« in *Fortschreibungen. Gesammelte Studien zum Alten Testament*, idem, BZAW 316 (Berlin/New York, 2003): 198–216 has attempted to establish that the references to the book of the Torah betray the final touches on II Reg 22–23. A similar position is presupposed by E. A. Knauf, *Josua*, ZBK.AT 6 (Zürich, 2008), 41f.

48 Thus also Hardmeier, »König Joschija«: 136.

the words of the Torah that were written in the book« (II Reg 23,24b). Including a solemn renewal of the covenant (vv. 1–3) followed by a rigorous ›cleansing‹ of the cult (vv. 4–20) and the revival of passover (vv. 21–23), Josiah's reform expressly appeals to do »what is right in the sight of Yhwh« (II Reg 22,2).⁴⁹ The account thus demonstrates the king's ideal obedience. Like no one before him and no one after, Josiah turns to Yhwh »according to all the Torah of Moses«⁵⁰ (23,25).⁵¹ In fact, the wording proves him the only person in the entire history narrative who fully lives up to the *Shema's* command, loving Yhwh »with all his heart, with all his soul, and with all his might« (II Reg 23,25 par. Deut 6,5).⁵²

In the end, however, to praise Josiah is not the account's sole purpose. Rather it aims at contrasting his praiseworthy conduct with that of his »fathers«. ⁵³ »[A]fter Moses in Moab and Joshua during the acquisition of the land, Josiah is the first and only one in the whole of the DtrH who fully understood the Dtr torah [...] and who consequently put it into practice as a whole.«⁵⁴ This casts bright light on Josiah. Yet all the darker are the shadows cast on those who came before him.

49 This is not the place to enter into the debate regarding the *historical* question of the so-called »cult reform« of Josiah. Most recently, see the exhaustive study of M. Pietsch, *Die Kultreform Josias. Studien zur Religionsgeschichte Israels in der späten Königszeit*, FAT 86 (Tübingen, 2013). Note also the methodological *caveat* in M. Weippert, »Geschichte Israels am Scheideweg,« *ThR* 58 (1993): 71–103, 73, warning against »sub-Deuteronomistic« approaches at historiography on the basis of the biblical account.

50 The terms ספר התורה, »book of the Torah« (II Reg 22,8), ספר הברית, »book of the covenant« (II Reg 23,2.21), and תורת משה, »Torah of Moses« (II Reg 23,25) are equivalent insofar as they all point to one and the same book of the Torah. Their variation is called for by the respective context, as Hardmeier, »König Joschija«: 92 n. 24 has explained convincingly. See also Glatt-Gilad, »Revealed and Concealed«: 190.

51 This concluding remark sheds additional light on the opening remark in II Reg 22,2 which acknowledges that Josiah »did not turn aside to the right or to the left«. According to Deuteronomistic phraseology, this wording pertains exclusively to observance of the Torah (Deut 5,32; 17,20; 28,14; Jos 1,7; 23,6).

52 Römer, »Entstehungsphasen«: 58 n. 67.

53 It tells its own tale that the passover, commanded by Josiah »as prescribed in this book of the covenant« (II Reg 23,21), is called the first passover »since the days of the judges« (v. 22). Consequently, it is the first since the passing of Joshua, one could argue. This is hardly a back reference to Jos 5,10–12, however, as R. D. Nelson, »Josiah in the Book of Joshua,« *JBL* 100 (1981): 531–540, 536 f. would have it. The proposed point of reference is clearly a post-Deuteronomistic insertion, as shown in Krause, *Exodus und Eisodus*, 331–373.

54 Hardmeier, »König Josiah«: 130.

VIII

Thus, in light of the final act the DH's conspicuous silence about the book of the Torah proves its ultimate punch line. To be sure, this book, written down by Moses and observed in exemplary fashion by Joshua, is hardly ever mentioned again as the DH moves along the regal period of Israel and Judah. This, however, is due neither to narrative negligence nor to diachronic development, but rather demonstrates the careful composition of the ›history of Israel‹ at Deuteronomistic hands.⁵⁵ Forging a bridge all the way from the glorious conquest of the land down to its eventual loss, this history narrative finds its rationale in Israel's tragic failure. For Yhwh's wrath is kindled, as Josiah realizes in horror, »because our ancestors did not obey the words of this book, to do according to all that is written in it« (II Reg 22,13). Eventually responding to their stubborn disobedience, Yhwh has indeed brought upon the people »all the bad words« written in the book of which Joshua warned (Jos 23,15–16a).

Having considered this, we are now in a position to draw our conclusion. Far from being a late supplement, both Joshua's inculcation to heed the book of the Torah in his farewell (Jos 23) and his being introduced to this book by Yhwh (Jos 1) belong to the DH from its beginning. Without that book, we will not be able to appreciate the ›history of Israel‹ narrative in the way the Deuteronomists want us to.

Abstract: In its Deuteronomistic edition, Deuteronomy refers to itself as »the book of the Torah«, written by Moses himself. In Jos 1 and 23, this book is introduced as an element of the subsequent ›history of Israel‹ narrative. Despite other differences, current hypotheses of the formation of the Deuteronomistic History (DH) almost unanimously agree that these as well as other references to the book of the Torah in Deut – II Reg must be regarded as secondary additions. Contrary to this *opinio communis*, the present paper argues the case for the book of the Torah as an indispensable element of the first layer to be found in Jos 1 and 23. Their references to the book of the Torah, just like most of the pertinent parallels, serve an essential function in the DH from its beginning. Without that book, the DH's double aetiology – Israel winning and losing her land – is simply not comprehensible to the addressees.

Zusammenfassung: Das dtr edierte Deuteronomium bezeichnet sich selbst als »das Torabuch«. Niedergeschrieben von Mose, wird dieses Buch in Jos 1 und 23 als

⁵⁵ See also Römer, »Transformations«: 5–7.

Element der anschließenden ›Geschichte Israels‹ eingeführt. Diese und weitere Erwähnungen des Torabuchs in Deut – II Reg gelten gegenwärtigen Hypothesen zur Entstehung des dtr Geschichtswerks (DtrG) unabhängig von allen sonstigen Unterschieden nahezu einmütig als sekundäre Ergänzungen. Entgegen dieser *opinio communis* wird hier die These vertreten, dass das Torabuch unverzichtbarer Bestandteil der ersten literarischen Schicht in Jos 1 und 23 ist. Den dortigen Erwähnungen des Buches kommt, ebenso wie den meisten ihrer Parallelen, schon im ursprünglichen Entwurf des DtrG eine tragende Funktion zu. Ohne das Torabuch müsste die doppelte Ätiologie von Israels Landgewinn und Landverlust den Adressaten des DtrG unverständlich bleiben.

Résumé: Dans son édition deutéronomiste, le Deutéronome se présente comme »le livre de la Torah« écrit par Moïse lui-même. En Jos 1 et 23, ce même livre est introduit comme un élément du récit de »l'histoire d'Israël« qui suit. Les différentes hypothèses actuelles sur la formation de l'histoire deutéronomiste (HD) sont presque unanimes pour considérer ces références – ainsi que d'autres renvois – au livre de la Torah dans Deut –II Reg comme des ajouts secondaires. Contrairement à cette *opinio communis*, le présent article avance des arguments pour montrer que le livre de la Torah fait partie intégrante de la première couche littéraire en Jos 1 et 23. Les références au livre de la Torah, qui se trouvent dans ces chapitres, tout comme la plupart des autres parallèles, remplissent une fonction essentielle dans HD depuis le début de la narration. Sans ce livre, la double étio-logie de HD – à savoir Israël qui gagne et perd sa terre – n'est tout simplement pas compréhensible pour les lecteurs.