I. THE DEVELOPMENT OF THE OLD TESTAMENT CANON

The exact process that led to the formation of the Old Testament canon is unclear, but some general outline can be obtained from a study of the Old Testament itself and from certain extra-canonical Jewish literature. From an early date short law codes such as the decalogue had a binding authority: Moses had written the words of Yahweh himself (Exod. 24: 3-4; Deut. 31: 9); Joshua was bidden to meditate on the law (Josh. 1: 8); and throughout the monarchy the fate of the king was bound up with his attitude to the law (cf. e.g. 1 Sam. 15; 1 Kings 3: 14; 11: 34, 38, etc.). In 2 Kings 22-23 the story is related of the discovery in the temple of a religious law-book, the statutes of which were zealously applied by Josiah; it is widely held that this law book was the code of law contained in Deuteronomy, and G. W. Anderson comments that if this was the case "... we have here in these chapters of 2 Kings the first significant step in the establishment of the Torah as an authoritative religious document."¹ The next important step in the development of the acceptance of the Torah as official canon occurred when Ezra came to Jerusalem with a law book which was accepted as normative by the Jewish community (Ezra 7: 10, 25f.; Neh. 8); some hold that Ezra’s law book comprised the first five books of Moses in their final form while other scholars claim that it consisted of only a part of the Torah. “But it is clear that, whatever its extent may have been, the document was regarded as specially authoritative: and it is equally clear that, if the entire Torah was not so recognized on this occasion, its position must have been assured, at the latest, soon after Ezra’s lifetime.”² Thus it was that over a period of years the first

² Ibid., p. 14. The Torah was important not only because it contained the divine law for Israel but also because it recorded the acts of God in history; cf. G. Östborn, “Cult and Canon,” in Uppsala Universitets Årsskrift. 1950.
five books of the Old Testament, known to the Jews as the Torah, came to be accepted as an authoritative religious document.

The prophetic message was as much a "word of the LORD" as was the Torah. The earliest prophets (Amos, Hosea and Micah, for example) did not themselves put their prophetic oracles into written form, although they were, at some stage (probably earlier rather than later) committed to writing. Isaiah gathered a prophetic circle around himself, and the members of this circle would keep his oracles both in their memories and in written form, and would, no doubt, hand them on (Isa. 8: 16); some of Isaiah's oracles were entrusted to writing directly (Isaiah 30: 8), though more were probably written down subsequent to their delivery. The first prophet actually to collect his own words to any large extent was Jeremiah, who, on being prevented from appearing in public, dictated his messages of the past twenty years to his disciple Baruch; these were subsequently destroyed by Jehoiakim, and so a second volume was compiled and kept by Jeremiah (Jer. 36). The first clear indication of an actual prophetic corpus comes from the early part of the second century B.C., when Jesus ben Sira, giving a review of the nation's past in 190-180 B.C., alludes to what we know as the Former and the Latter Prophets. Further evidence is provided by the book of Daniel, in which Jeremiah is classed as scripture (Dan. 9: 2).

The remaining books of the Old Testament, known as the "Writings", were gradually accepted as authoritative, and so in time (certainly by the time Matthew's and Luke's gospels had been written) the Old Testament canon as we now know it came into being. The nearest Jewish equivalent to the actual concept of canonicity occurs in the Mishnah, where the Old Testament scriptures are said to render the hands unclean (Yadaim 3: 5). Some 100 years before the completion of the Mishnah, Josephus, writing about A.D. 100, referred to the books of the Old Testament as "holy books" and "holy writings". Because the writings of the Old Testament were regarded as being divinely inspired, the actual text was treated with punctilious respect: when the sopherim were copying the text of the Old Testament books, if they found on the copy in front of them a
letter that was too big or too small, they would copy it as such; if a letter in the original text was missing, the letter would be inserted above the line in the copied version—it would not just be unnoticeably slipped in; if there were too many letters in the original text the extra letter would still be copied, although a dot would be placed over it.8 “Schools” of sopherim would often copy one book of the Old Testament alone, and many of the sopherim knew the book with which they were concerned by heart; however, no scriptures were to be written from memory—they had to be read aloud first and then written down. What Gerhardsson has to say about the text of the Torah might well apply to the whole of the Old Testament text: “... the text of the written Torah has ... been preserved with remarkable precision. This is so, despite the fact that exposition was at this time carried on in the most diverse and imaginative ways, and despite the fact that changing religious, social and political circumstances caused the text to be understood in different ways.”9 This faithful transmission of the sacred text throughout the history of Israel must have been due solely to the fact that the Old Testament scriptures were regarded as nothing less than divinely given and inspired. The scriptures were quite genuinely “of God.”

II. THE PENTATEUCH AS GOD’S TORAH

The word torah very probably means in the first place “indication” (hint), namely as to what should be done in a particular case, and secondly thence means “instruction”.10 As such, it refers firstly to juridical and cultic pronouncements given by the priests. The first occasion on which the word torah is used in the Old Testament itself occurs in Exod. 18: 19-20, when Moses’ father in law was advising Moses as to how he should “judge” the people of Israel: “You shall represent the people before God, and bring their causes before God; and you shall teach them the statutes and the decisions [toroth] and make them know the way in which they must walk and what they must do.” As a cultic pronouncement the word torah is used, for example, in Jer. 18: 18, when Jeremiah’s enemies scorned him saying, “Come, let us make plots against Jeremiah, for the law [torah] shall not perish from the priest. . .”11

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8 This is in direct contrast to the translators of the LXX who did not hesitate to alter the text when they thought that an expression was indecorous to pronounce in public, or when they thought it might be used to establish a false doctrine; cf. W. Robertson Smith, The Old Testament in the Jewish Church (A. & C. Black, London, 1895), pp. 76ff.


This latter quotation probably points to the formation of a definite body of torah which has become codified, a situation which led to the word torah coming to mean “instruction”. The course of action which had originally been “indicated” by the priest on a particular occasion has now become part of a body of torah which can be referred to as “instruction” at a later date (cf. also e.g. Amos 2: 14; Hosea 4: 6; 8: 12, etc.). Thus the Deuteronomists frequently meant by the Torah the deuteronomic code of law itself (Deut. 4: 44; 17: 18f.; Josh. 8: 31f.). In time, the whole Pentateuch became known as Torah, whilst the remaining two sections of the Old Testament canon, the prophets and the writings, became known as the qabbalah (tradition). The Torah, as torah, was perfect: it could neither be added to or subtracted from—it was God’s ultimate revelation: thus we read in Midrash Rabbah on Deut. 30: 12, “Say not another Moses shall arise and bring another law from heaven: there is no law left in heaven.”13 The pentateuchal Torah exhausted divine Torah: it was its exact transcription. To claim that there might be more Torah denied that it really was God’s Torah at all.

The Torah was reckoned as very precious and as having a power of its own (given it by God): thus one rabbi wrote, “Words of Torah are like golden vessels, the more you scour them and rub them, the more they glisten and reflect the face of him who looks at them. So with the words of Torah, whenever you repeat them, they glisten and lighten the face . . .”14 Another rabbi compared the words of Torah to fire: “The words of the Torah are compared to fire, for both were given from heaven, both are eternal. If a man draws near the fire, he is burned; if he keeps afar, he is frozen, so with the words of the Torah, if a man toils in them, they are life to him, if he separates from them, they kill him . . .”15 In the Babylonian Talmud the words of the Torah are compared to those of a prince, since words of the latter have power over life and death.16 The Torah is thus often referred to as a two-edged sword; it is actually so called in Psalm 149: 6. In the Midrash Rabbah we read, “R. Tanhuma said: ‘The word of the Lord went forth in two aspects, slaying the heathen who would not accept it, but giving life to Israel who accepted the Torah.’ ”17 The

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12 These latter two sections were not regarded as canonical by the Samaritans.
13 Quoted from W. Robertson Smith, op. cit., p. 160.
15 Ibid., p. 164.
16 Shabbath, p. 420; all quotations from the Babylonian Talmud are taken from the edition by I. Epstein (Soncino, London, 1935-1952), and are referred to by page numbers.
revelation of God’s Torah has a two fold result: life and death; hence its designation as a two-edged sword.\textsuperscript{18}

The Jews came to believe that, if God was just, the Torah, revealed in its entirety to Moses at Sinai, must also have been revealed to the Gentile nations. Thus it was noted that the Torah was revealed publicly in the desert where it was said to have been given in four different languages—Hebrew, Roman, Arabic and Aramaic. Since Gen. 10 mentions seventy nations of the world, the belief also grew up that the Torah was heard in seventy languages at once, whilst another tradition held that it was inscribed on the stones of the altar at Mount Ebal, and the seventy nations each sent their writers to copy it.\textsuperscript{19} Once revealed, the Torah was held to be immutable; thus Philo comments, “The provisions of this law alone, stable, unmoved, unshaken, as it were stamped with the seal of nature itself, remain in fixity from the day they were written until now, and for the future we expect them to abide through all time as immortal as long as the sun and moon and the whole heaven and the world exist.”\textsuperscript{20}

The Torah could be termed “God’s word”: since the Torah was believed to have had its origin in God’s words of revelation to Moses on Sinai this is not altogether surprising. The ten commandments are referred to as the \textit{debarim} of God in Exod. 24: 3, 4, 8, and the code of Ezra is similarly called in Ezra 7: 11, 9: 4. The Babylonian Talmud refers to the Torah as the word of God when speaking about a man’s attitude to the Torah: “And even if he admits that the whole Torah is from heaven, excepting a single point, a particular \textit{ad majus} deduction or a certain \textit{gezerah shawah}, he is still included in ‘because he hath despised the word of the LORD.’”\textsuperscript{21} The Torah was the utterance of God himself: it could be said to be “God’s word”, for God had spoken the Torah to Moses at Sinai.

In later Judaism the figure of wisdom became associated with the Torah. Wisdom was seen as an agent of creation (Job. 28: 23-27; Pro. 8: 22-31; Wisdom 7: 11, 9: 9), and a similar belief was held concerning the Torah: Akiba said, “Beloved are Israel, for to them was given the instrument with which the world was created.”\textsuperscript{22} A rabbi of the third century A.D., Rabbi Simeon, held a different view: he believed that before creation God had studied the book of Genesis in the Torah, and then created the world to correspond with

\textsuperscript{18} The two edges of the sword were taken to be not only life and death, but also the written Torah and the oral Torah; cf. C. G. Montefiore and H. Loewe, \textit{op. cit.}, p. 132.
\textsuperscript{20} Philo, \textit{Vita Mosis}, ii, 3; cf. also Tobit 1: 6; Matt. 5: 18.
\textsuperscript{21} \textit{Sanhedrin}, p. 672.
\textsuperscript{22} \textit{Genesis Rabbah}, 1: 1.
what he had read there. 23 A further idea, this time from Rabbi Benaiah, was that the world was created for the Torah. In all cases, whatever the precise belief concerning the Torah and creation, the Torah itself is seen as preexistent. In the Babylonian Talmud it is seen as one of the seven preexistent entities: “Seven things were created before the world was created, and these are they: the Torah, repentance, the Garden of Eden, Gehenna, the Throne of Glory, the Temple, and the Name of the Messiah.” 24 In the later wisdom literature Torah is actually identified with the figure of wisdom: in Ecclesiasticus 24 wisdom is said to have “come forth from the mouth of the Most High” (v. 3), and is said to be “... the book of the covenant of the Most High God, the law which Moses commanded us as a heritage for the congregations of Jacob” (v. 23). In Baruch 4:1 it is said that wisdom “... is the book of the commandments of God and the law that endures for ever.” So the Torah was, in later Judaism, associated, even identified, with the figure of wisdom. This wisdom—Torah synthesis was, I believe, strongly at the back of St. John’s mind when he wrote his prologue on the Logos of God at the beginning of his gospel. 25

I have already said that the Torah was immutable; there may have existed, however, a belief that the Torah would undergo a change in the age of the Messiah. There are hints of this, perhaps, in the Old Testament itself. Jeremiah saw God as promising a new covenant with the house of Israel, with Torah written on the hearts of the people: “Behold, the days are coming, says the LORD, when I will make a new covenant with the house of Israel and the house of Judah... I will put my law within them, and I will write it upon their hearts...” (Jer. 31:31, 33). Isaiah had a vision which included the law going forth from Zion and God’s word from Jerusalem (Isa. 2:3; cf. also Micah 4:2). In 1 Maccabees a prophet is looked for who will resolve the difficulties in the Torah (1 Macc. 4:46; 14:41), whilst in some of the rabbinic literature certain parts of the Torah were seen to be obsolete in the Messianic age, for sin would no longer exist and the distinction between clean and unclean would be abrogated. Thus, despite the immutability of the Torah in the present age, certain changes might be made in the age to come; “... it is important, however, to recognize explicitly that all the changes envisaged were deemed to occur within the context of the existing Torah and presuppose the continuance of its validity.” 26

23 Ibid., 3:5.
24 Pesachim, p. 265.
25 Thus both the Torah and the Logos are associated with light (e.g. Prov. 6:3; 4 Ezra 14:20f./John 1:4-5) and wisdom is said, like the Logos, to have sought a dwelling in Israel (e.g. Ecclesiasticus 24:11/John 1:11).
26 W. D. Davies, Torah in the Messianic Age and/or the Age to Come, J. B. L. Monograph VII (1952), p. 66.
Nevertheless, W. D. Davies has found passages which may point to an actual new Torah, although no definite conclusion can be drawn. It may have been the case, as Davies suggests, that passages concerning the new Torah were deliberately removed in the face of Christian teaching on the subject. He concludes: “The evidence that we have been able to adduce in favour of a new Messianic Torah cannot be regarded as impressive. But what makes it probable that some elements in Judaism at least may have contemplated a new Messianic Torah is the fact that the early Christians, who were conscious that they were living in the Messianic Age, did in fact find room in their interpretation of the Christian dispensation for such a concept.”

III. THE STATUS OF MATERIAL OUTSIDE THE PENTATEUCH

The prophets of the Old Testament were believed to reveal a message from God, to be speaking God’s word: they were the mouthpiece of Yahweh. Thus the Lord speaks “by Isaiah,” “through Jeremiah”, “by the former prophets”; the prophetic message can be designated “the word of the Lord” and therefore to listen to the word of the prophet is to listen to the voice of God himself: “... then Zerubbabel ... and Joshua ... with all the remnant of the people, obeyed the voice of the Lord their God, and the words of Haggai the prophet, as the Lord their God had sent him; and the people feared before the Lord. Then Haggai, the messenger of the Lord, spoke to the people with the Lord’s message...” (Haggai 1: 12-13). The true prophet, says Jeremiah, has, unlike the false prophet, heard the words of God from God’s own mouth: “Thus says the Lord of hosts: ‘Do not listen to the words of the prophets who prophesy to you, filling you with vain hopes; they speak visions of their own minds, not from the mouth of the Lord. ... For who among them has stood in the council of the Lord to perceive and to hear his word or who has given heed to his word and listened?’” (Jer. 23: 16, 18). The true prophet speaks a word from the Lord: the false prophet a word from his own imagination; the true prophet has himself heard and received a message from Yahweh: the false prophet has not. The prophets could, along with the priests, transmit torah (cf. e.g. Ezek. 43: 10ff.), but sometimes their own prophetic message could also be designated as torah; thus in Zech. 7: 12 we read: “... they made their hearts like adamant lest they should hear the law [torah] and the words which the Lord of hosts had

27 Ibid., p. 66ff.
28 Ibid., p. 90; cf., e.g., Matthew’s understanding of the Christian gospel studied in W. D. Davies, The Sermon on the Mount (C.U.P., London, 1966); also Gal. 6: 2 and John 13: 34.
sent by his spirit through the former prophets” (cf. also Isa. 8: 16). The prophetic oracles were as much God’s *torah*, were as much an instruction from the Lord as was the pentateuchal Torah. If the Torah of Moses, both as given to him at Sinai and as written down in the first five books of the Old Testament, could be termed the word of God, so too could God’s message through the prophets both in its spoken and its subsequent written form.

In actual fact, the whole of the Old Testament could be termed Torah; “Asaph said . . . ‘There are sinners in Israel who say that the Prophets and the Holy Writings are not Torah, and we will not obey them’. But the prophets and the Holy Writings are Torah”.

In the Babylonian Talmud there appears a concept of a threefold Torah (the Law, the Prophets and the Writings) given to a threefold people (Priests, Levites and Israelites), whilst in the Mishnah quotations from the book of Proverbs are quoted as from the Torah.

Alongside the written Torah, however, there existed an oral Torah; it was believed that this oral body of instruction was given to Moses at Sinai along with the written Torah, and delivered to Ezra through the continuity of the prophets. In the *Tanhuma* we read that Israel was given oral Torah in order to distinguish it from other nations: thus, when Yahweh gave Moses the Torah Moses said to him, “‘Lord of the universe, write it for your children’. He said to him, ‘I wanted to give it to them in writing, but it was revealed before me that the time would come when the nations of the world would rule over them and claim Torah for themselves, and my children would then be like the nations of the world. So give scripture to them in writing, and mishnah, haggadah and talmud by mouth . . ., and they will distinguish between Israel and the nations of the world.’”

It was believed that some of this oral Torah had been forgotten: 3,000 unwritten laws were forgotten through grief occasioned by the death of Moses, whilst Joshua forgot 300 as a punishment for his self-sufficiency. The oral Torah was seen to be necessary in order to “fill out” the written Torah: thus the laws for offerings (Lev. 1: 3) and for the Day of Atonement (Lev. 16) were not seen as being sufficient in themselves to prescribe the total religious practice; in Deuteronomy (24: 1-4) mention is made of a certificate of divorce, but the Old Testament itself does not describe the details of the certificate. The oral Torah, therefore, was seen as a necessary supple-

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31 Quoted from C. G. Montefiore and H. Loewe, *op. cit.*, p. 158.
32 *Shabbath*, p. 417.
33 *Aboth*, 6: 7.
34 *Tanhuma*, 2: 116f.
ment to the written Torah. Not all sections of Judaism, however, accepted the idea of an oral Torah. The Sadducees, in distinction from the Pharisees, rejected it outright: "... the Pharisees had passed on to the people certain regulations handed down by former generations and not recorded in the Law of Moses, for which reason they are rejected by the Sadducean group, who hold that only those regulations should be considered valid which were written down (in scripture), and that those which had been handed down by the fathers need not be observed."\(^{35}\) It was the Pharisees who zealously cherished the oral Torah, and it was this that made them challenge some of the religious ideas of Jesus.

IV. JESUS AND THE OLD TESTAMENT

Jesus’ understanding of the Old Testament is thoroughly Jewish. The immutability of the Torah—indeed of all the scriptures—in the present age is referred to in the Sermon on the Mount: “Think not that I have come to abolish the law and the prophets; I have not come to abolish them but to fulfil them. For truly, I say to you, till heaven and earth pass away, not an iota, not a dot, will pass from the law until all is accomplished. Whoever then relaxes one of the least of these commandments and teaches men so, shall be called least in the kingdom of heaven; but he who does them and teaches them shall be called great in the kingdom of heaven” (Matt. 5: 17-19). Jesus appears here to continue the Jewish conception of the scriptures as being immutable in the present age. He sees God as speaking through the Old Testament, sees it as God’s word; thus he is able to attribute a passage from scripture to God: “And Pharisees came up to him and tested him by asking, ‘Is it lawful to divorce one’s wife for any cause?’ He answered, ‘Have you not read what was said to you by God, ‘For this reason a man shall leave his father and mother and the two shall become one’?” (Matt. 19: 3ff.) In a similar fashion Jesus sees words of God spoken to Moses, written down in Exod 3: 6, as being God’s words to contemporary Israel, for, in discussing the nature of the resurrection with the Sadducees, he says, “And as for the resurrection of the dead, have you not read what was said to you by God, ‘I am the God of Abraham, and the God of Isaac, and the God of Jacob’? He is not God of the dead, but of the living” (Matt. 22: 31-32). For Jesus, the fact that the Old Testament scriptures said something meant that God had said it, and what God had said to the Jews of more than a thousand years ago he was still saying through the scriptures to his people.

It is because of his view of the Old Testament as God’s word to man that he uses it in controversy with his opponents: thus when

the young man asks Jesus what he should do to inherit eternal life, Jesus replies by using quotations from the ten commandments and from Leviticus, drawing the full significance from the quotations he gives (Matt. 19: 16-22); Christ replies to a Pharisee's question about the law with two quotations from the Pentateuch; when he is tempted he rebuffs the devil with quotations of scripture (Matt. 4: 1-11). After his resurrection from the dead it is quite probable that Jesus' instructions to the embryo church consisted of exposition of the Old Testament (Luke 24: 25-27, 44-49).

Along with the Sadducees Jesus rejected the oral Torah, and thus fostered opposition from the Pharisees: he claimed the right to heal on the Sabbath (Matt. 12: 9-14), and defended the disciples when they broke an oral tradition (Matt. 15: 1-6). Indeed, Jesus protested that their own oral Torah made a mockery of the real Torah: "... why do you transgress the commandment of God for the sake of your tradition? For God commanded, 'Honour your father and your mother,' and, 'He who speaks evil of father or mother, let him surely die.' But you say, 'If anyone tells his father or his mother, "What you would have gained from me is given to God", he need not honour his father.' So, for the sake of your tradition, you have made void the word of God. You hypocrites! " (Matt. 15: 3-7). For Jesus, what was written in the Old Testament scriptures was God's word: no more, no less.

V. CONCLUSION

It is my conclusion that the Jews regarded what we call our Old Testament, what they called the Law, the Prophets and the Writings, as no less than the word of God. Throughout the history of Israel a definite canon of scripture had been established, a canon that was treated with awe and punctilious respect. The first section of that canon was called the Torah, a word that takes its origin from God's instruction to Israel; the Torah was believed to have a power of its own (given it by God), and was held to be immutable; it was termed "God's word", and obtained what amounted to almost a hypostatic status when the concepts of Torah and Wisdom were identified with one another. The prophetic message, and hence the prophetic books, were seen as a word from God to his people. In time, the word Torah, with all the awe and respect which that word implied, could be applied to the whole of the Jewish canon. Jesus followed in this Jewish tradition, seeing the Old Testament as the word of God, but denying the validity of any additional revelation—the oral Torah. Thus he expounds the Old Testament, quotes from it, argues from its verses, upholds its eternal validity, and vehemently accuses the Pharisees of killing its true spirit in Judaism.

It therefore follows that Christians, who see Jesus as the Word incarnate, must accept the Old Testament as the word of God as did
Jesus and the Jews of his day. Exactly how a christian theology of the Old Testament should be worked out it is not my purpose to examine here, although I think Christ’s statement that he had come to fulfil the Jewish scriptures must mean that, as Christians, we must read the Old Testament in the light of Jesus. Nevertheless, however we may choose to exegete the Old Testament, it must be for us the word of God.  

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The Old Testament scriptures, as the word of God, must yet “become” the word of God for us in the sense that Barth expounds in his *Church Dogmatics*; cf. also S. Mowinckel, *The Old Testament as Word of God* (Blackwell, Oxford, 1960). This must not detract, however, from the nature of the Old Testament scriptures as God’s word: we are perfectly entitled to say that they both “are” and “become” his word. Probably the most popular attempt at a christian theology of the Old Testament is J. Bright, *The Authority of the Old Testament* (S.C.M., London, 1967): its central chapter, however, chapter 3, is very weak and self-conflicting. For a more successful attempt cf. Th. C. Vriezen, *op. cit.*, ch. 4.