

Canon and Covenant: Why the Bible Is the Bible

Richard C. Leonard

The following is a summary of Dr. Leonard's 1972 Boston University Ph.D. dissertation, The Origin of Canonicity in the Old Testament. The dissertation did not deal with the New Testament, and was written before Dr. Leonard had adopted an evangelical theological perspective. Therefore, the study would be written differently and more comprehensively today, and it is hoped that there will be an opportunity for this to occur. Nevertheless, in its basic outline the argument of the dissertation stands.

We are aware of three studies that cite this dissertation: Brevard S. Childs, Introduction to the Old Testament as Scripture (Fortress, 1979), pp. 48, 660, 667; Roger Beckwith, The Old Testament Canon of the New Testament Church (Eerdmans, 1985), p. 63; and John Goldingay, Models for Scripture (Eerdmans, 1994), p. 9.

The "Theory of the Canon"

The basis for the ascription of canonical authority to a body of religious literature such as we encounter in the Old Testament is not immediately evident. As E. Nielsen wrote, "When one comes to think of it, it is a strange phenomenon that a writing or a collection of writings at some period in the history of a movement, a community, a confession, or a church, is canonized and that in future it maintains the character of a binding authority."¹ The motive underlying such a commitment requires examination. We might then ask, "Why is there a Bible, and what makes it the Bible?"

This study is concerned with the "theory of the canon" of the Old Testament. It deals with the problem of the origin of the canonical authority of the Hebrew Scriptures, and seeks to isolate that factor in the religion of Israel which resulted in the formation of a "canon" having the shape of the Old Testament. The procedure has been (1) to understand how the concepts of canon and canonicity may apply to the Old Testament, (2) to survey and evaluate theories of the canon previously advanced, and (3) to present the writer's perspective and conclusions.

Major historians of the canon (Budde², Buhl³, Hölscher⁴, König⁵, Ryle⁶, Wildeboer⁷ *et al.*) did not fully explore the question of the origin of canonicity, partly because their tendency to define canon in terms of a closed collection of officially sanctioned books having a fixed text had the effect of confining the discussion of canonicity to phenomena associated with Judaism in the post-exilic and early Christian eras. But if we define a canon as a body of literature having authority for the faith and life of a particular religious community, then the question of the origin of the canonical authority of the Old Testament literature cannot be separated from that of the origin of the literature itself. The factor which initiates the appearance of the literature is also the factor which makes it canonical, as the normative expression of Israel's understanding of its relation to Yahweh. Hence the discussion of canonicity must be carried back into earlier periods in the history of Israelite religion, and related to Old Testament theological motifs.

The Earmarks of Canonical Authority

Actually, neither ancient synagogue nor church had an Old Testament canon in the sense of a closed, defined collection of writings, for the outer limit of the literature accepted as authoritative was fluid, and even the Jabneh assembly did not stifle debate on the status of certain books. Yet almost all the books of the Hebrew Bible were regarded as of long-established authority.

The term *canon* as applied to the Old Testament is equivalent to the term *scripture*, and refers not to the delimitation or official sanction of the writings but to their quality of authority. The canon arises and exists in relation to Israel as a religious community, dealing with its theological situation; it fulfils a normative function within the community in virtue of its religious contents, as a statement of Israel's relation to God.

Thus the Old Testament traditions may have a canonical quality practically from their origin; and if so, some of the characteristics frequently associated with canonicity are revealed as non-essential. Exclusiveness was not operative in the earlier stages of the formation of the Old Testament, which

developed on a cumulative rather than selective principle. Since the holiness ascribed to the Scriptures in ancient Judaism is an expression of their exclusiveness and separation from other literature, this too is seen to be secondary to the idea of a canon.

Official promulgation, implying a fixed text and defined limits, is also non-essential to canonicity. Such promulgation would be the end, not the beginning, of the formation of a canon; moreover, efforts to establish occasions when portions of the Old Testament were officially promulgated have proved inconclusive. Oral traditions could have exercised a canonical function, and the Old Testament presents evidence of a fairly free handling of traditions clearly regarded as authoritative. The canon of Scripture existed before holiness, exclusiveness, fixed text or official sanction came to be regarded as the marks of canonicity.

The Three Divisions of the Canon

The tripartite division of the Old Testament is usually taken as evidence for a process of historical growth of the canon in three stages. But it may also be understood as an indication of the differing types of literature embodied in the canon. Also, since all of the Scriptures could occasionally be designated as law or torah, as prophecy (being “inspired”), or as writings (i.e., scripture), the threefold designation could have originated in the regarding of all the sacred writings from different points of view.

Historians of the canon found it difficult to differentiate in principle between the Prophets and the Writings; such a principle, however, is found in the fact that the prophets are not so much literary men as spokesmen for an ongoing theological institution, whereas the Writings are characteristically the work of individuals who express their religious concerns with a paramount literary intent.

The Hebrew and Greek Bibles show differing conceptions of what the Scriptures were understood to be in ancient Judaism. Whereas the Hebrew order (Law, Prophets, Writings) suggests that the Palestinians regarded the canon as the historical deposit of their traditions based on the Torah, the Greek order (Pentateuch and historical books, poetic books, prophecy) suggests a rational organization of the literature according to its quality as being directed towards past, present, or future.

With these preliminary considerations, we turn our attention to several theories of the canon which have found the origin of the canonicity of the Old Testament in the inspired word of the prophet, in historical recital or aetiology, in the idea of law, and in cultic usage and themes.

The Canon as Inspired Word

The theory that the canon has its roots in the inspired word is bound up with the general conception of the Scriptures as being of divine origin, arising in the utterances of those men who are considered to be spokesmen for the deity, i.e., the prophets. All Scripture, on this view, must be actual prophecy, material cast into a prophetic mold, or literature mistaken for prophecy (Arnold⁸). Priests could produce Scripture only insofar as they are inspired and function as prophets. The Pentateuch draws its authority from Deuteronomy, the first self-consciously canonical book, which is not law but prophetic address; in principle, Amos would be the oldest canonical book (Pfeiffer⁹).

Although exponents of this theory, following Wellhausen¹⁰, failed to appreciate the antiquity of Israelite law, there is evidence that ancient Judaism perceived canonicity as tied up with the question of prophetic inspiration. Moses is the prophet *par excellence*, and other biblical authors are all viewed as inspired. Josephus¹¹ indicates that in the Pharisaic criteria of canonicity, all Scriptural books must have been produced during the period of “the succession of the prophets,” from Moses to Artaxerxes.

The doctrine of Scripture as inspired and prophetic in origin is also evident in the New Testament. It is Philo¹², however, who lays the greatest stress on inspiration as such; he views it almost mechanically, the Scriptures having been composed by a “divine ventriloquism” in which the human spokesman delivers his oracles as the passive mouthpiece of God. In Josephus, the rabbinic literature and the New Testament, in contrast, the interest is not on the pathology of inspiration but on the inspired content of the message received, as seen in the reliability or inerrancy of the books, or in their edificatory effect.

The concept of prophetic inspiration has its roots in the Old Testament itself, especially in the formulae used to introduce prophetic oracles and in the portrayal of its prophets as men in some degree “possessed” by the deity. But since expressions of this sort are not found in equal proportions in all parts of the canon, it is clear that the limits of the canon are not coextensive with the body of “inspired” literature produced

in ancient Israel. Probably the Jewish view that the Scriptures are inspired was the result of their canonicity, not the cause of it.

The Canon as History

Several writers have viewed the canonicity of the Old Testament literature as residing in its ability to set forth the history of Yahweh's dealings with Israel. Historical narrative is the dominant form of biblical literature, and the framework for the other forms. The beginnings of the canon are found in the "historical creed" of the Hexateuch (von Rad¹³), the basic narrative of Yahweh's saving act in delivering Israel from Egypt. The Law and the Former Prophets may constitute the authorized history, published as canon during the exile to explain the national disaster, and then supplemented with the Latter Prophets (Freedman¹⁴). We may understand both the Jahwist and Elohist documents as aetiologies interpreting the present state of affairs for the Davidic monarchy and the northern kingdom, respectively; these combined "canons" were updated to meet new situations in the Deuteronomic and Priestly editions (Guthrie¹⁵).

Thus the Old Testament writings function as authoritative by providing the explanation for the community's present situation in the form of a narrative of historical events. But since other ancient peoples had histories, the importance of Israel's history as canon must be seen in the distinctiveness of the events therein recounted, and chiefly in the setting in which the history is recalled.

The Canon as Law

The theory that canonicity originated in the concept of law or *torah* has been widely accepted amongst historians of the canon, due to the evident priority of the Pentateuch and to the common opinion that the Torah was the first section of the canon to be officially promulgated. As to occasions when such an express commitment to the Law may have taken place, historians settle upon the assembly of Ezra (Neh. 8–10) or the reform of Josiah (2 Kings 22–23). The canonicity of the Prophets and the Writings is considered an extension of the authority ascribed to the Torah.

Although law, in the sense of binding statutes, is not the only meaning of *torah* ("instruction" may be more accurate), this meaning came to predominate as an expression for the normative quality associated with the canon. Recent investigators have shown that many of the laws in the Pentateuch are indeed of ancient standing in Israel and were regarded as authoritative. The basic form of Israelite law is the apodictic series of commands or prohibitions (Alt¹⁶); the great age of such formulations is shown by their correspondence to the stipulations of international treaties from the second millennium, and the authority of this law in ancient Israel is attested by the use of apodictic series as the basis for parenthesis in Deuteronomy and elsewhere, in the fact that the prophets presuppose knowledge of the basic decalogue statements on the part of their hearers, and in Psalms which testify to the use of such laws in the cult.

This evidence bolsters the theory that the canonicity of the Old Testament originated in the idea of law. Yet it is obvious that the preponderance of the canonical literature is not law (even in the Pentateuch the laws appear within a narrative framework), so that this theory is not sufficiently comprehensive.

The Canon as a Cultic Phenomenon

The origin of the canonicity of the Hebrew Scriptures has also been seen in their association with the Israelite-Jewish cult. It is not merely the case that the canon arises in the recitation of certain traditions in worship. Rather, it is held that the canonical literature is found suitable for use in worship in virtue of its contents, which reflect the basic cultic motif of Yahweh's struggle and victory (Östborn¹⁷).

Such a motif, which corresponds to a pattern widespread in ancient Near Eastern mythology, is most clearly present in Israel's basic narrative of Yahweh's deliverance in the exodus; but this struggle-victory or distress-salvation scheme is thought to be pervasive in the Old Testament. This pattern is complete in Exod. 1–15, so that the remainder of the Pentateuch presents the covenant and law as an expansion of the victory motif. The lives of the Former Prophets are depicted according to this motif. Distress forms the background for the messages of the Latter Prophets, while the messages themselves represent Yahweh's activity to bring about salvation.

However, at this point the effort to discern a struggle-victory pattern becomes somewhat strained, and it breaks down in the Writings when, for example, the wisdom literature is said to depict the struggle between foolishness and wisdom for dominance in man. Such an internalization of the divine struggle is quite different from the way Yahweh's activity is portrayed in the exodus.

We may also question whether Israel would have consistently accepted as normative for its canon a dramatic motif so intimately related to the mythological cults of its Near Eastern environment. Moreover, the struggle-victory pattern often corresponds to the actual course of events, so that it requires no assumption of an underlying motif when the narrative is seen to have this shape.

Canon and Covenant Structure

Nevertheless the origin of canonical traditions in a cultic setting may be taken as an assured conclusion resting on the work of those critics who have demonstrated the existence in Israel of a recurrent festival of the renewal of the covenant (Mowinckel¹⁸, von Rad¹⁹, Kraus²⁰, Weiser²¹). This celebration served as the center for the gathering of narrative and legal traditions of the sort which form the basis of the Hexateuch. Indeed, the canonicity of the basic Israelite tradition may be understood as the result of the combination of history and law in the covenant festival of the tribal confederation.

Israel's basic cultic motif is really that of the covenant, for it is by the covenant that Israel comes into being as a people in relation to Yahweh and thus producing a canon as an expression of this identity. Therefore it is in the liturgical celebration of the covenant, and in the expansion of the various elements of the covenant liturgy, that the origin of the Old Testament as canon or Holy Scripture is to be found. This is the theory of the canon advanced in this study.

In formulating its covenant with Yahweh in terms of history and law, Israel was adopting the form of the ancient treaty²² by which a king established a relation with his vassal (Mendenhall²³, Baltzer²⁴, McCarthy²⁵). In such treaties, although the historical recital of past benefits of the sovereign and the stipulation of the vassal's obligations are the preponderant elements, additional sections must be reckoned as belonging to the full treaty formulary: sealing of the agreement; calling of witnesses, and pronouncement of treaty sanctions in blessing and curse.

Analysis of the principal biblical deposits of covenant-festival tradition (Exod. 19–24, Deut., Josh. 24, Neh. 8–10) and numerous shorter passages reveals that Israel made use of the full treaty form as the pattern for the celebration or renewal of the covenant. Thus we may regard the treaty-covenant structure as the hallmark of emergent scriptural traditions in Israel. The covenant formulary itself may be called the pattern-component of canonicity, while the several elements of this pattern we may designate the content-components. The Scriptural weight of the Old Testament literature is apparent in its ability to reflect the covenant pattern in its various components.

The full covenant formulary is most evident in the Book of Deuteronomy. The elements of the covenant structure are present also in the collection of Shechemite traditions in Josh. 8 and 24 and Deut. 27. Upon closer examination the Sinai pericope discloses a covenant concluded more by theophany than by treaty, and only in its present form does this passage approximate the treaty formulary. The Sinai section could therefore be another sanctuary tradition which has been incorporated into the realm of canonical traditions by assimilation to the covenant pattern associated with Shechem and Deuteronomy. If so, the importance of treaty-covenant structure for canonicity is reinforced.

Expansion of Canonical Traditions

We may regard the buildup of individual portions of the canonical literature as a process of the expansion of the several elements of the covenant-festival pattern, a process apparent especially in the Hexateuch.

History and Law. The occurrences of the historical creed are variations or elaborations of the historical prologue section of the covenant structure, in relative separation from the law or stipulations element. The pre-Abrahamic and patriarchal traditions of Genesis and the other narrative material in the Hexateuch constitute the filling out of the history element, so that the Hexateuch comes to display the form of the historical creed except for the insertion of the law element.

The law element also expanded independently. Essentially this occurred by development from the original apodictic series, so that groups of such laws began to take shape for specialized purposes outside

the framework of the covenant festival proper, and these laws were held to be authoritative because of their correspondence in form to the covenant stipulations. Laws in casuistic form, not originally associated with the Israelite covenant, were appropriated for Israel's canonical tradition by a two-stage process: first they became overlaid by or intermixed with the independently elaborated apodictic series; then the whole complex of such mixed laws was again brought into association with overall covenant structure in the position of the stipulations section (e.g., the Book of the Covenant in the Sinai pericope).

The covenant formulary, with its expansions of both the history and law elements, can be demonstrated for each of the major literary strands of the Hexateuch (Ezra's assembly serving as a related example for the Priestly source), so that J, E, D and P comprise not only stages in the literary buildup of the Hexateuch but also parallel canons within ancient Israel.

Prophecy. The canonical authority of the prophetic literature is due to the association of the prophets with the covenant festival and its liturgical pattern. Renewal of the covenant requires the activity of a covenant mediator, and biblical evidence indicates that the role of mediator was a prophetic office, possibly embodied in an institutional succession.

The literary prophets employed speech forms corresponding to the covenant formula or portions thereof. The two parts of the prophetic judgment-speech, the accusation and sentence linked by a messenger formula (Westermann²⁶), have a relationship corresponding to that between law and curse in the covenant structure; thus the prophets proclaim the consequence of the violation of covenant stipulations. The prophets also use the "covenant lawsuit" form, which indicts the people for violation of covenant obligations and also frequently involves witnesses in a manner reminiscent of the treaty-covenant formulary (Wright²⁷, Huffmon²⁸). Prophetic maledictions are related to ancient Near Eastern treaty curses (Hillers²⁹).

Thus the characteristically judgmental tone of the prophetic utterances appears within the covenant formulary itself and stamps the prophetic literature as originating in the expansion, especially, of the curse element in the liturgy. The prophetic salvation oracle originates in the blessing section. It is therefore likely that the prophetic literature was regarded as authoritative in ancient Israel because the prophets appeared as spokesmen for the God of the covenant, and used literary forms recognized as deriving from the liturgical celebration of the covenant.

Royal Traditions. The Davidic covenant traditions were also brought into the sphere of canonical tradition by their connection with the treaty covenant. The biblical expressions of the royal covenant embody a standardized content including Yahweh's choice of David, the king's sonship of Yahweh by adoption, and the promise that the dynasty will endure for ever.

It appears that this covenant was originally conceived as promissory, i.e., as a covenant granted to the king by Yahweh and thus lacking in stipulations (Clements³⁰). However, the liturgical celebration of the Davidic covenant was apparently part of the annual new year festival in Jerusalem, which was also the festival of Yahweh's enthronement and thus served as the Jerusalemite version of the Israelite covenant festival. As such, this festival was marked by the prominent place given to the "history and law" structure of the Israelite covenant traditions. This pattern superimposed itself also upon those parts of the festival which celebrated Yahweh's covenant with the king, so that a conditional or stipulations element begins to intrude into the Davidic covenant expressions even in 2 Sam. 7 but especially in the occurrences in the Psalter. In this way the royal covenant traditions were assimilated to the form of the conditional covenant of the Israelite tribes, and could enter the realm of canonical traditions in a shape acceptable to those circles which associated canonicity with the treaty-covenant structure characterized by stipulations.

Also, there is evidence that the Judean monarch could serve as mediator of the Israelite covenant traditions. The word *'edut*, associated with the king's coronation, may refer to a written law to which he was subject together with all Israel, and may therefore mean "canon." These considerations testify to the pervasive influence of the covenant-festival pattern, and to its decisive influence for the formation in Israel of traditions recognized to be canonical.

The Writings. The books of the Hagiographa evince to a greater or lesser degree a correspondence to some aspect of the covenant and its liturgical pattern. The Psalter stands in intimate relation to the various parts of the covenant festival especially in its Jerusalemite form, this being reflected in the fact that its status as the nucleus of the third division of the canon was firmly established in antiquity. Many books

of the Writings develop the blessing and curse elements of the covenant formulary. Thus Daniel displays the blessing element in its portrayal of the vindication of the righteous. The connection between act and consequence, the basis of much of the wisdom literature, corresponds to the connection between law and blessing or curse in the covenant liturgy. The Psalms, which place Israel “before Yahweh” in worship, belong essentially to the blessing element.³¹

But the canonical status of the Writings was established in both biblical and Talmudic tradition on the basis of their association with recognized mediators of the covenant, be they kings (David, Solomon), prophets (Moses, Samuel, Jeremiah), or priests (Ezra); so that Job, which seems to ignore the covenant traditions, was related to the covenant by its attribution to Moses. Only Esther, the canonicity of which remained in doubt until the third century CE, cannot be effectively related to covenant forms or to a covenant mediator.

A Comprehensive Structure

In fact, the canonicity of the entire collection of Law, Prophets and Writings reflects, in a general way, the structure of the covenant liturgy. The Tetrateuch and Former Prophets, which form a continuous narrative, constitute the *historical prologue*. Deuteronomy would then be the law or *stipulations* of the covenant, since Deuteronomy (or its nucleus) is the “book of the covenant” read at the *sealing of the covenant* which occurs at the end of the historical narrative in the reform of Josiah (2 Kings 22–23). The Latter Prophets, according to their characteristic contents, would then correspond in the main to the curse element of the covenant pattern, while the Writings bring the formulary to completion by their portrayal of both *curse and blessing* in hymn, apocalyptic vision, poetic utterance and wise saying. Thus even in the process of assembling and ordering the canonical literature in a relatively late period, the relation of canonicity to the covenant-festival pattern could have been sensed.

We therefore contend that the canonicity of the Old Testament is the consequence of the ultimate origin of this literature in the ancient Israelite festival of the renewal of the covenant, and that the authority of the Hebrew Scriptures is apparent in the manner in which they correspond in form to treaty-covenant structure, or to its several elements of historical recital, covenant stipulations, invocation of witnesses, blessing and curse.³² This theory of the canon is able to account for the esteem accorded all parts of the Hebrew Bible on essentially the same principles, and to a degree not attained by any other theory of the canon.

Further, this theory of the origin of canonicity comprehends the others and incorporates their insights. Insofar as the office of covenant mediator is a prophetic office, the canon is connected with the phenomenon of prophecy. Since the covenant pattern comprises historical recital, the canon originates partially as history or aetiology. The prominent place given to the proclamation of stipulations in the Israelite covenant ceremony underscores the importance of the idea of law for the question of canonicity. And the celebration of the covenant is a liturgy, so that the canon originates as a cultic phenomenon. All these theories of the canon are thus brought under one aegis through the correlation of canon and covenant.

If the literature of the Old Testament originated as canon in relation to the liturgical formulary of the covenant, this is but the result of the fact that this structure expresses the central factor in Israel’s religious experience, its relation to God in the covenant itself. Israel is a name for a people chosen by Yahweh and thus bound in covenant with him. It is to be expected that the canon of Scripture, as Israel’s normative religious statement and the expression of its identity as a community, would take the form of an expansion of the basic framework of its relationship with the deity.

¹ E. Nielsen, *Oral Tradition: A Modern Problem in Old Testament Introduction* (*Studies in Biblical Theology*, No. 11; London: SCM Press, 1954), p. 61.

² K. F. R. Budde, “Canon, Old Testament,” in T. L. Cheyne and J. S. Black, eds., *Encyclopaedia Biblica*, vol. I (New York: Macmillan, 1899), cols. 647-674.

³ F. P. W. Buhl, *Canon and Text of the Old Testament*, trans. by J. MacPherson (Edinburgh: T. & T. Clark, 1892).

⁴ G. Hölscher, *Kanonisch und Apokryph: Ein Kapitel aus der Geschichte des alttestamentlichen Kanons* (Leipzig: A. Deichert’sche Verlagsbuchhandlung/Georg Böhme, 1905).

- ⁵ E. König, *Kanon und Apokryphen* (Gütersloh: C. Bertelsmann, 1917).
- ⁶ H. E. Ryle, *The Canon of the Old Testament*, 2nd ed. (London: Macmillan, 1895).
- ⁷ G. Wildeboer, *The Origin of the Canon of the Old Testament*, trans. by B. W. Bacon (London: Luzac & Co., 1895).
- ⁸ W. R. Arnold, "Observations on the Origins of Holy Scripture," *Journal of Biblical Literature*, xlii (1923), pp. 1-21.
- ⁹ R. H. Pfeiffer, "Canon of the OT," in *The Interpreters Dictionary of the Bible*, vol. i (New York: Abingdon Press, 1962), pp. 498-520; *Introduction to the Old Testament* (New York: Harper & Brothers, 1948), pp. 50-70.
- ¹⁰ J. Wellhausen, *Prolegomena to the History of Ancient Israel*, trans. by J. S. Black and M. Menzies. (Edinburgh: Adam & Charles Black, 1885).
- ¹¹ *Contra Apionem* i:8.
- ¹² *De Vita Mosis* II, xxv (188).
- ¹³ G. von Rad, "The Form-Critical Problem of the Hexateuch," in *The Problem of the Hexateuch and Other Essays*, trans. by E. W. Trueman Dicken (Edinburgh: Oliver & Boyd, 1966), pp. 3-8; *Old Testament Theology*, vol. i, trans. by D. M. G. Stalker (New York: Harper & Row, 1962), pp. 121-128.
- ¹⁴ D. N. Freedman, "The Law and the Prophets," *Supplements to Vetus Testamentum*, ix (Leiden: E. J. Brill, 1963), pp. 250-265.
- ¹⁵ H. H. Guthrie, "Wisdom and Canon: Meanings of the Law and the Prophets" (monograph; Chicago: Seabury-Western Theological Seminary, 1966).
- ¹⁶ A. Alt, "The Origins of Israelite Law," in *Essays on Old Testament History and Religion*, trans. by R. A. Wilson (Oxford: Basil Blackwell, 1966), pp. 79-132.
- ¹⁷ G. Östborn, *Cult and Canon: A Study in the Canonization of the Old Testament* (Uppsala Universitets Årsskift, 1950:10; Uppsala: A.-B. Lundequistska Bokhandeln, 1950).
- ¹⁸ S. Mowinckel, *Le Décalogue* (Paris: Libraire Felix Alcan, 1927), pp. 114-162.
- ¹⁹ G. von Rad, "The Form-Critical Problem of the Hexateuch," pp. 20-26; *Old Testament Theology*, vol. i, pp. 192-193.
- ²⁰ H.-J. Kraus, *Worship in Israel*, trans. by G. Buswell (Richmond: John Knox Press, 1965), pp. 136-139.
- ²¹ A. Weiser, *The Old Testament: Its Formation and Development*, trans. by Dorothea M. Barton (New York: Association Press, 1961) pp. 81-99.; *The Psalms: A Commentary*, trans. by H. Hartwell (Philadelphia: Westminster Press, 1962).
- ²² Especially the treaties granted by Hittite rulers, as set forth by V. Korošec, *Hethitische Staatsverträge* (Leipziger Rechtswissenschaftliche Studien, 60; Leipzig: 1931).
- ²³ G. E. Mendenhall, "Covenant," *Interpreter's Dictionary of the Bible*, vol. i, pp. 714-721; "Law and Covenant in Israel and the Ancient Near East" (monograph; Pittsburgh: Presbyterian Board of Colportage, 1955).
- ²⁴ K. Baltzer, *Das Bundesformular* (Wissenschaftliche Monographien zum Alten und Neuen Testament, Bd. 4; Neukirchen: Neukirchener Verlag, 1964).
- ²⁵ D. J. McCarthy, *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and in the Old Testament* (*Analecta Biblica*, 21; Rome: Pontifical Biblical Institute, 1963).
- ²⁶ C. Westermann, *Basic Forms of Prophetic Speech*, trans. by H. C. White (Philadelphia: Westminster Press, 1967).
- ²⁷ G. E. Wright, "The Lawsuit of God: A Form-Critical Study of Deuteronomy 32," in B. W. Andersen and W. Harrelson, eds., *Israel's Prophetic Heritage* (New York: Harper & Brothers, 1962), pp. 26-67.
- ²⁸ H. Huffmon, "The Covenant Lawsuit in the Prophets," *Journal of Biblical Literature*, lxxviii (1959), pp. 285-295.
- ²⁹ D. R. Hillers, *Treaty Curses and the Old Testament Prophets* (*Biblica et Orientalia*, no. 16; Rome: Pontifical Biblical Institute, 1964).
- ³⁰ R. E. Clements, *Abraham and David: Genesis XV and Its Meaning for Israelite Tradition* (*Studies in Biblical Theology*, 2nd series, no. 5; London: SCM Press, 1967).
- ³¹ The writer subsequently came to a different understanding of the Psalms. The worshipers' confession of Yahweh's lordship, and his appeal to Yahweh for help — so frequent in the Psalter — are clearly based on the bond created by Yahweh's covenant-love, or *hesed*. See Richard C. Leonard, "The Covenant in the Psalms of Petition" and "The

Covenant in the Psalms of Celebration,” in *The Biblical Foundations of Christian Worship (The Complete Library of Christian Worship*, Robert E. Webber, ed., vol. 1; Nashville: Abbott Martin Press, 1993), pp. 247-256.

³² When this dissertation was nearly complete the work of M. G. Kline, who draws a similar conclusion from a different approach, came to the writer’s attention. See especially “The Correlation of the Concepts of Canon and covenant,” in J. B. Payne, ed., *New Perspectives on the Old Testament* (Waco: Word Books, 1971), pp. 265-279; *The Structure of Biblical Authority* (Grand Rapids: Wm. B. Eerdmans, 1972); *Treaty of the Great King: The Covenant Structure of Deuteronomy, Studies and Commentary* (Grand Rapids: Wm. B. Eerdmans, 1963).

©2009 Richard C. Leonard
Original material written in 1972