

INTRODUCTION

Maria Häusl

As the title of the present volume makes clear – *Sedaqa and Torah in Postexilic Discourse* – the central focus here is on the postexilic period, dealing with biblical, rabbinic and New Testament texts that were produced during the sixth century BCE to second century CE. The connection of the two terms תורה and צדקה is likely to be surprising, raising issues of how the words תורה or צדקה in the postexilic period are understood and why in particular these two terms are investigated in connection with each other.

The question of whether and how צדקה and תורה are mutually connected in postexilic texts was raised by the realization that there is a near-universal consensus among scholars that the observance of Torah is *the* central marker of Israel's identity in the postexilic period. Questions surrounding what exactly should be understood by the term תורה and whether Torah observance is indeed central to the self-understanding in all postexilic theological writing naturally arise, as does the question of whether תורה functions as the stabilizing force in society even when תורה is not explicitly mentioned. These questions are answered best when the use of תורה and צדקה, along with their connections, are investigated more closely. Indeed, it is on the basis of several *perceived* connections with תורה that צדקה is to be considered. Seemingly, with the help of both ideas, the postexilic society's cohesion and life together was underpinned. Yet it appears that neither תורה nor צדקה are dependent upon each other, and they cannot be seen as a unified explanatory resource for understanding postexilic society. Importantly, תורה and צדקה are not used as complementary terms, for they cannot easily be subsumed under one concept. Thus, there are only a few *explicit* connections between תורה and צדקה. What is more, particular portions of the biblical text show clear concern with just one of the terms: in the book of Isaiah צדקה represents a central concept which interrelates all parts of the book, while in the Pentateuch צדקה is hardly to be found. However, תורה is the central idea in Deuteronomy, in Deuteronomistic texts and in the books of Ezra and Nehemiah as well.

To begin, the two concepts תורה and צדקה are described briefly, separately and then together, in an effort to show their semantic commonalities and differences as they arise in the Old Testament. Next, the contributions of the volume are introduced and the most important results presented.

Torah

Dictionary entries dealing with תורה typically inform the reader that תורה, which stems from the root ירה, in its origins and in its basic meaning is associated with the giving of ‘immediate and verbal instruction by parents or priests’.¹ Th. Willi refers to Joachim Begrich, who had already in 1935 stated ‘that *tōrā* in its beginning and in its essence is a *communicative event*, a *spoken process*, arguing against a long and to date indefatigable understanding [of *tōrā* as law]’.² For the postexilic period, which is at the centre of this volume, most Old Testament scholars assume that תורה, in particular the Torah (or Law) of Moses (תורת משה), is no longer considered to be oral instruction but has rather become an object term describing a written text.³ After Deuteronomy first identified itself with תורה, and seemingly made clear that תורה refers to a written text, it has been assumed that תורה means increasingly a certain, although not always reliably identifiable, textual body. While the book of Deuteronomy refers to itself as written תורה, it is currently almost universally assumed by scholars that for the books of Ezra–Nehemiah and Chronicles, all of which were written in the Persian or Hellenistic periods, that תורה was understood to refer to be writings known to us now as the Pentateuch, a body of writing that was completed during this time.

1. Ansgar Moenikes, ‘Tora’, in *Neues Bibel-Lexikon, Band III O–Z*, ed. Manfred Görg and Bernhard Lang (Düsseldorf: Benziger, 2001), cols. 899–904 (903); Andreas Ruwe and Martin Vahrenhorst, ‘Tora/Nomos’, in *Sozialgeschichtliches Wörterbuch zur Bibel*, ed. Frank Crüsemann et al. (Gütersloh: Gütersloher Verlagshaus, 2009), 590–96 (590); Thomas Willi, *Juda – Jehud – Israel. Studien zum Selbstverständnis des Judentums in persischer Zeit*, FAT 12 (Tübingen: Mohr Siebeck, 1995), 91–101; and idem, *Esra. Der Lehrer Israels*, Biblische Gestalten 26 (Leipzig: Evangelische Verlagsanstalt, 2012), 177–88.

2. Willi, *Juda – Jehud – Israel*, 92; and idem, *Esra*, 178.

3. Rainer Achenbach, ‘Gesetz’, in *Wörterbuch alttestamentlicher Motive*, ed. Michael Fieger, Jutta Krispenz and Jörg Lanckau (Darmstadt: Wissenschaftliche Buchgesellschaft, 2013), 193–99.

The term Torah of Moses (תורה משה), which is clearly bound up in the events at Sinai and in a certain revelation, and the stylizing of Deuteronomy as the written Torah (ספר התורה), led to the notion of תורה as the Law. Such a nomistic understanding of תורה is, as a rule, seen as prerequisite to the Torah observance. Still further, the Greek translation of תורה as *νόμος* underlines its character as the Law. In the postexilic period, Torah observance is viewed as the important identity marker binding all postexilic Judaistic and Jewish groups.

For several reasons, however, this understanding of תורה as the Law and/or as Pentateuch must be seen as too narrow for the postexilic period. First of all, the two ideas of ‘law’ and ‘Pentateuch’ are quite clearly not equivalent. Indeed, the Pentateuch includes law but is not in its entirety a text of law. If, however, the Pentateuch can be described as ספר התורה, it must be asked whether the meaning ‘law’ for תורה is then applicable. On the other hand, if one starts with the meaning ‘law’ for תורה, such a תורה is not limited to the Pentateuch. That תורה in the postexilic period was possessed of a considerably wider spectrum of meaning is shown as well by the use of תורה in the scriptural texts from Qumran.⁴ There it is apparent, as is also the case in the writings of Philo, that תורה is less a book of laws, or ‘the Law’, but is much more to be seen as the comprehensive, foundational, life-giving expression of the will of God. Thus, Tiwald holds fast to the notion that תורה in the time between the second century BCE to the second century CE “‘Torah’...for a Jew of the times [was] less a compendium of scripture, but rather God’s living will, which the creator had in the creation laid protologically as the foundation for the “world order””.⁵ From this Willi assumes that in the entire postexilic period תורה has not (fully) lost its basic meaning as an oral process of instruction:

Thus, *tōrā* is not a body of non-binding knowledge, merely information or abstract science, but it is a living exchange, education put into practice, which invites realisation and wants to be translated into action. It is not the concrete, detailed prescription, not the apodictically or causally formulated *corpus juris*, not cultic customs or rites – but it stands prominently as source and origin behind all of that and bestows on it obligation, authority of truth, canonicity... Hence it is not surprising, that the exilic or early postexilic

4. Markus Tiwald, *Das Frühjudentum und die Anfänge des Christentums. Ein Studienbuch*, BWANT 208 (Stuttgart: Kohlhammer, 2016), 258–66; see also Heinz-Josef Fabry, ‘Der Umgang mit der kanonisierten Tora in Qumran’, in *Die Tora als Kanon für Juden und Christen*, ed. Erich Zenger, HSB 10 (Freiburg i.Br.: Herder, 1996), 293–328.

5. Tiwald, *Frühjudentum*, 266.

Priestly Code does not merely hand down *tōrā* for this or that type of sacrifice and the situation in which it is appropriate, but raises *tōrā* finally to a single, great learning process from the creation and from history composed into a body of knowledge. The Priestly Code thus presents *tōrā* in the form of a cosmology, historiography, genealogy, chronology, and so forth. In this way the present process of *tōrā* teaching became *the* Torah, the gigantic written work of the Pentateuch of the five Books of Moses, without drying up the living stream of handed down oral teaching, on the contrary, just as history and, in particular, the appearance of Ezra in the classic *tōrā* chapter Nehemiah 8 teach us.⁶

Ṣedaqa

All of the pertinent literature sees צדקה as a term of relationship describing the life-giving shaping of interpersonal relationships, as well as the relationships between God and humankind. As such, it is the foundation of living together.⁷ צדקה is for this reason described in German as ‘*konnektive Gerechtigkeit*’ (Assmann) or as ‘*Gemeinschaftstreue*’ (Koch).⁸ צדקה outlines at first a basic ethical norm which binds society together⁹ and means in the second instance a fabric of just relationships and social equality. Hence, under עשה צדקה, ‘the doing of righteousness’, is meant ‘the service owed to the common good within the institutions created for it, be it the righteous judgements of the king, the redemptive provision of posterity for the widow, indeed every form of friendliness and solidarity with one’s neighbour’.¹⁰

6. Willi, *Ezra*, 187–88.

7. Markus Witte, ‘Von der Gerechtigkeit Gottes und des Menschen im Alten Testament’, in *Gerechtigkeit*, ed. Markus Witte (Tübingen: Mohr Siebeck, 2012), 37–67 (39).

8. Klaus Koch, ‘Sādaq und Maʿat. Konnektive Gerechtigkeit in Israel und Ägypten?’, in *Gerechtigkeit. Richten und Retten in der abendländischen Tradition und ihren altorientalischen Ursprüngen*, ed. Jan Assmann, Bernd Janowski and Michael Welker (Munich: Fink, Reihe Kulte, Kulturen, 1998), 37–64; see as well Stefan Fischer, ‘Der alttestamentliche Begriff der Gerechtigkeit in seinem geschichtlichen und theologischen Wandel’, in *Die Königsherrschaft Jahwes: Festschrift zur Emeritierung von Herbert H. Klement*, ed. J. Thiessen and H. Seubert, Studien zu Theologie und Bibel 13 (Münster: Lit-Verlag, 2015), 61–74.

9. Klaus Bieberstein and Lukas Bornmann, ‘Gerechtigkeit/Recht’, in Crüsemann et al., eds., *Sozialgeschichtliches Wörterbuch zur Bibel*, 197–203; Stefan Fischer, ‘Gerechtigkeit/Gerechter/Gerecht’ (AT), in *Wissenschaftliches Bibellexikon*. Online (wiblex): <http://www.bibelwissenschaft.de/stichwort/19316/> (accessed 25 July 2016).

10. Thomas Staubli and Silvia Schroer, *Menschenbilder der Bibel* (Ostfildern: Patmos, 2014), 325.

According to general ancient Near Eastern understanding, צדקה expresses itself especially with reference to judicature. Therefore, in the Old Testament משפט ('justice') and צדקה ('righteousness') are linked. Justice should serve 'just' relationships and serve a just order. 'With respect to wicked ones, justice tries to help righteousness to victory, while in reverse, the perceived sense of righteousness tries to improve poor justice or to adjust justice to fit changed societal conditions.'¹¹ In the ancient Near Eastern context the king is particularly responsible for the enforcement of and adherence to law and righteousness. However, the ancient Near Eastern ruler is above all 'not a lawgiver, but its enforcer. The laws which he gives or sanctions are merely a visible form of righteousness unavailable to the king.'¹² The Old Testament sees the king in the same way, as a legal authority. Yet the Old Testament deals much more critically with the rule of the monarch, and does not see in the king the chosen guarantor of righteousness. The final judicial authority is YHWH as king, whose kingdom is founded on justice (משפט) and righteousness (צדקה); משפט and צדקה are the supports of his throne (Pss. 89.15; 97.2) and surround him together with חסד and אמת (Ps. 85.11–14). YHWH appears in this way as founder, origin and, hence, guarantor of צדקה.

צדקה, then, also means 'a God-oriented, God-given and, even in interpersonal areas, God-created relationship'¹³ or order, and for this reason possesses theological, cosmological, historical, social and ethical aspects. What the exercise of justice and righteousness as 'communally just and life-promoting demeanour and action'¹⁴ each contain and circumscribe concretely in different situations is being newly described for each (Isa. 58.1–12).

*Relationships: Şedaqa or Torah, Şedaqa in Torah,
Torah through Şedaqa*

In the *Sozialgeschichtliches Wörterbuch zur Bibel* we find the following description:

It is not unimportant to note that those terms derived from the root צדק, are mentioned especially in the wisdom scriptures Proverbs and Job, as well as in the books of Isaiah and Ezekiel; the lexeme תורה [*torah*], however, is mentioned especially in the Pentateuch, the Deuteronomic History and the

11. Ibid.

12. Ibid., 322.

13. Witte, 'Gerechtigkeit', 61.

14. Ibid., 62.

Chronicler's History. Apparently the roots צדק on the one hand and תורה on the other established themselves in different discourses and became more strongly related only in the postexilic era (Pss. 37.30–32; 40.9–11; 119). A behaviour is not described as 'just' because it corresponds to the Torah. Rather, the Torah itself is described as righteous (Deut. 4.8; Ps. 119.142; cf. Isa. 42.21; 51.4–7) because and insofar as it is used to achieve a consistent, relationally conceived 'righteousness'. Accordingly, 'righteousness' proves to be a much broader term, against which standards must be measured. Thus, modes of behaviour are considered [just] which may occasionally exist apart from predefined systems of law (Gen. 38.26; Dan. 9.16) and in the relief of the poor (Amos 2.6; 5.12; Ps. 112.9; Prov. 31.9), widows and orphans (Jer. 22.3).¹⁵

As an answer to the question whether תורה, that is, תורה in its entirety could, not be replaced by short summaries, abstracts or principles, above all as done repeatedly in the Christian Reception History even today, Crüsemann writes as follows on the relationship between צדקה and תורה:

All attempts to summarize the main themes or principles as formulae, in their particular contexts, have their meaning; they are necessary and irreplaceable in many ways. They exist quite clearly in Jewish context as well. One can think of didactic purposes; this is also true in terms of the model of Deuteronomy 4...to demonstrate from each given perspective the essence of Torah, to pool its wealth and make it accessible. However, they become problematic – and the history of Christian ethics is the best example of this – if they are separated from the Torah and replace it, especially when the Torah itself is devalued and disqualified. Even the concept of righteousness cannot be seen to be before or superior to the Torah. Indeed, the peoples in Deuteronomy 4 were at odds with each other about their righteousness, but that relates to the comparison with the legal systems of other nations. It is not a complete, predetermined measure of natural origin which can be applied here. Just what righteousness is can only be seen in the Torah.¹⁶

Both of the above quotations can be understood as complementary to each other but also show differences in the assessment of how תורה and צדקה are to relate to each other. Although Bieberstein could trace no exact historical development, he anticipates that תורה and צדקה stem from different discourses and are related to each other only in the exilic and postexilic periods. If this is true, then according to Bieberstein צדקה is to

15. Bieberstein and Bormann, 'Gerechtigkeit/Recht', 119.

16. Frank Crüsemann, *Maßstab Tora. Israels Weisung und christliche Ethik* (Gütersloh: Gütersloher Verlagshaus, 2003), 33–34.

be used as a generic term. This assumption implies that צדקה expresses itself differently to תורה, and further that צדקה can also be against existing 'systems of law'. Something is not just merely because it corresponds to norms; rather, the Torah is just because it serves the purpose of realizing relationally conceived righteousness. This last statement would probably also find Crüsemann's agreement, for Crüsemann targets the Christian marginalization of the Torah in the Reception History. He stresses that Torah cannot be inferred from a principle, for example, by means of philosophical deduction. With this statement on the history of the Torah's origins one can certainly agree, but Crüsemann goes a step further, asserting that the Torah cannot be prescribed based on a principle, not even based on righteousness. Rather, what righteousness is arises only out of the Torah.

Bieberstein would also not disagree with this statement were it not restricted to the extent that צדקה is 'only' shown in the Torah. In other words, it can be considered to be a consensual relation of תורה to צדקה, that תורה has צדקה as part of its content and, more specifically, that the Torah strives with its commandments to lead to צדקה, to create and realize צדקה. Such a relationship corresponds to general ancient Near Eastern thinking that wisdom, and thus also צדקה, are reflected in legal texts and standards. Though it is correct that Torah aims at צדקה, this statement does not describe the relationships between Torah and צדקה sufficiently because this form of relationship presupposes that the two terms are used together when discussing ethics or reconstructing the history of the law of Ancient Israel. For Torah and צדקה are usually linked with each other by referring to the Torah as law or any collection of concrete norms which aim at צדקה as a meta-norm or principle. More generally, Torah is understood as a concrete form, a single prescription, a collection of laws, Pentateuch, whereas צדקה refers to an abstract principle. Torah thus substantiates צדקה and turns it into reality.

But both terms have, as explained above, significantly broader semantic meanings. צדקה does not designate primarily an ethical principle, but a life-supporting relationship and order along with the ability of people to stand up for the community. תורה cannot be understood only as the Pentateuch, but also as the comprehensive will of God and as a process of instruction or education. Hence, it turns out that תורה and צדקה can be used in the same manner, sharing some semantical aspects. Especially in the identity discourse of the postexilic period תורה and צדקה are both used as resources establishing the postexilic community and reinforcing a common ethos.

For the literature of the postexilic time it still applies – contrary to Bieberstein’s assumption for this period – that תורה and צדקה are rarely linked and instead are preferred in different contexts, are found in different semantic fields and are considered in connection with other concepts.

Plurality of Texts: Diversity of Torah and Şedaqa

The studies appearing in this volume examine the use of the two concepts תורה and צדקה in the postexilic identity discourse. They examine the meaning and the focus of each concept in different texts by clarifying their relations to other concepts, such as holiness or purity. They show the various forms of usage, examine how the two concepts are interrelated in different texts and which aspects צדקה and תורה have in common and how they differ from one another. And finally, they examine how these concepts shape the self-understanding of postexilic communities.

The first part of the volume concentrates on תורה and צדקה in the Pentateuch, the books of Ezra and Nehemiah and the book of Isaiah.

In ‘Şedaqa and the Community of the Scribes in Postexilic Deuteronomy: A Didactical Perspective’, *Kåre Berge* examines Deuteronomy as one of the few texts of the Old Testament in which תורה and צדקה are repeatedly correlated. What is striking is that the root צדק can only be found in late postexilic texts: Deut. 4.5–8; 6.20–25; 9.4–5; 16.18–20; 24.13; 25.1; 33.21. תורה refers either to Deuteronomy or to the entire Pentateuch as written text. Deuteronomy mentions not only that in the ancient Near East the wisdom or צדקה in connection with lawgiving through the king is democratized and based on the people, but mentions as well that צדקה is realized in learning and its consequent practice. The community is presented as a utopia of literate scribes. Berge understands צדקה (‘righteousness’) as a utopia that is realized in a community of readers, teachers and students of the Torah. צדקה (‘righteousness’) is expressed not in legislation but rather in constant learning in a ‘community of learners’. An Israel so understood is therefore constituted not by a legal-religious system but above all by constant learning which aims at remembrance. צדקה thus describes the Torah-didacticism of the final redaction of the Pentateuch.

For the postexilic period, which is characterized by self-preservation and restoration, *Jeremiah Cataldo*, in ‘How Torah, Şedaqa and Prejudice Mapped the Contours of Biblical Restoration’, finds צדקה to be a ‘force for group cohesion’ or as a ‘comprehensive and systematic power through which social experiences are given order and value’. He

assumes that in this time of restoration and stabilization צדקה names above all the attitude of the individual, indeed as ‘the attitudinal disposition one must have to maintain the dominant and normative order of the group’. He understands תורה therefore as constructivistic law and as a codified symbol of צדקה. The qualities of צדקה codified within תורה were consistent with those of a utopian hope of restoration, all of which is a fundamental response to deep-rooted anxieties over socio-political irrelevance or annihilation.

That תורה is the basis of צדקה or צדקה based on Torah observance, can, however, according to Cataldo, not be assumed since this would presuppose תורה as socially and religiously functioning law. As Berge also highlights, Cataldo raises the utopian character, in his case, of postexilic Israel and of תורה (‘law’) in the restoration phase, as in Ezra and Nehemiah. The law is a constructive and prescriptive, not a descriptive law. The relationship of צדקה and תורה must also be understood in the light of such utopian thinking. For an understanding of law, including a written law, as provided in Ezra and Nehemiah or in Ezekiel, it is therefore essential to understand that it did not have the power of enforcement. It becomes ‘law’ only by being followed. Recourse to the law corresponds to the hope of thereby constituting Israel again. As Cataldo puts it, ‘(religious) law is understood to be a mechanism that will bring about the desired reality’.

Due to the postexilic situation defined by the necessity of self-assurance, the law is to be seen as a framework for the stabilization of Israel. This then encompasses the isolation and perhaps the prejudices with respect to ‘outsiders’, of whom it is feared that they embody the ‘possibility’ to destroy this stability.

Thus, Cataldo defines the connection between תורה and צדקה as follows: law specifies the parameters of a normative order, through which morals and ethics can be practiced; צדקה specifies the quality of behaviour, to be understood as the symmetry of the relationships to others.

Maria Häusl asks in her ‘Searching for Forces of Group Cohesion in the Books of Nehemiah and Isaiah’ which resources are used to form group cohesion and to contribute to the constitution of postexilic Israel. The term ‘force of group cohesion’ includes a normative and an individual aspect, that is, the commonly shared ethos, and the sense of the individual for the common good.

For this purpose, texts from the books of Ezra, Nehemiah and Isaiah, all of which deal with the same socio-ethical problems, are examined: Neh. 5.1–13; 9–10; Isa. 58.1–12 and 65.16b–25. Surprisingly, only in Nehemiah 9–10 is תורה the central element, whereas other elements are

used in the other three texts to form group cohesion. In Nehemiah 9–10 the memory of one's own formative tradition is the basis for a commitment formulated as a contract, which can be regarded as a manifestation of תורה and an expression of the group cohesion. In Isa. 58.1–12, צדקה is used as the central element; in fact, it comes closest to the definition of 'force of group cohesion', meaning the sense of the individual for the community and the commonly shared ethos. In Isa. 65.16b–25 we find the vision of a צדקה-order. Finally, Neh. 5.1–13 emphasizes the solidarity among the Judeans by the general wisdom topos of the 'Fear of God' and by the evaluation of the precarious situation as being not good and as a disgrace in the eyes of the nations.

Alphonso Groenewald investigates 'The Role and Function of Ṣedaqa and Torah in the Introduction to the Book of Isaiah (1.1–2.5)' and assumes that תורה in Isa. 1.10 and Isa. 2.3 is to be understood as the written 'Torah of Moses' in the sense of the Pentateuch. For the more the texts of the Pentateuch become canonical and authoritative, the more Torah-related themes are taken up in the Prophets. With the help of both Torah references, which prominently occur in its introduction, the book of Isaiah is seen as the interpretation/continuation of the Torah of Moses. With that this 'new' Torah on the Mountain of Zion applies to the nations who will become acquainted with the Torah. The learning of and the following of the Torah through Israel and the nations are the basis for Israel's and the entire world's being able to live together in righteousness. For צדקה, which is regularly connected with משפט, describes in Isaiah 1–39 righteous behaviour and deeds of each human in relation to his or her fellow humans. Also in the introduction to Isa. 1.1–2.5, משפט and צדקה are qualities of an ideal society, above all when they are judged as central compared to sacrifices in Isa. 2.2–5.

Contrarily, *Judith Gärtner* demonstrates in her "Keep Justice!" (Isaiah 56.1): Thoughts Regarding the Concept and Redaction History of a Universal Understanding of Ṣedaqa' how strongly the postexilic traditions of the book of Isaiah are concentrated on צדקה, in that they use משפט and צדקה in Isaiah 56–66 regularly, leaving תורה, however, unmentioned. צדקה, understood as a relational-reciprocal 'Guttat-Heilszusammenhang' and taken from its own prophetic tradition, is the basic prerequisite for a successfully functioning community and cannot be simply reduced to the faithful following of divine law. To a greater degree צדקה in Isaiah 56–66 (Isa. 56.1–8; 66.23) is joined with observance of the Sabbath and the Covenant by means of the theology of creation and in this manner opened to all humankind, 'all flesh'. When one looks back from the end of the book of Isaiah to the beginning in Isa. 1.10–17, תורה mentioned in

Isa. 1.10 is less important than צדקה. Rather, the universal צדקה represents itself as the observance of the Sabbath by individuals, whether from Israel or from other nations.

The second part of the volume examines the relationships of תורה and צדקה with other concepts such as holiness, purity/impurity or faith.

In her 'Purity/Impurity: Identity Marker and Boundary Maintenance in Postexilic Discourse', *Marianne Grohmann* examines the extent to which purity and impurity as primary ritual categories also have a moral and ethical dimension in exilic and postexilic texts from the books of Leviticus, Ezekiel and Lamentations. She consciously asks this question in the context of the identity marker of the postexilic Israel and its associated boundaries. Grohmann shows that the concept of purity and impurity, and the concept of holiness, which is rooted in ritual/cultic areas, do not exclude the ethical/moral realm. This is especially the case for the concept of priestly holiness in the book of Leviticus, where holiness is conceived as a comprehensive system in the form of תורה (instruction), including ritual and ethical purity, each with specific criteria. The books of Ezekiel and Lamentations, which make use of the torah form either seldom (Ezekiel) or not at all (Lamentations), define the distinction between purity and impurity not systematically, but more situationally and contextually. In the book of Ezekiel, impurity may describe both the state of shame due to the destruction of Jerusalem as well as the sin of idolatry or social offence. In Ezekiel 36, moral impurity is compared to ritual impurity; in Lam. 1.8–10 and 4.14–15, ritual impurity is even a metaphor for moral impurity. Thus, Grohmann can show that primarily ritual concepts tend to be extended to the area of morality and ethics, which actually has its own terminology. However, it is not surprising that צדקה is not documented in the texts treated, even when one talks of ethical/moral issues. תורה describes a specific form in these texts, namely the form as instruction or the manifestation of the instruction in the (written) text of the Torah.

Dolores Kamrada begins her 'Ideas of the Holy: Şedaqa and Torah within a Cultic/Religious System' with an examination of the basic meanings of the terms צדקה and תורה. She underscores that צדקה refers to correct behaviour among people and before God, thus describing a positive relationship, while תורה posits a specific form of divine communication with the people. This fundamental difference is also due to the fact that the terms generally occur in different genres and are rarely used together. However, what the terms תורה and צדקה do have in common is that they belong to the positive category in a cultic/religious binary system. Kamrada focuses on the religious motifs associated with צדקה, and treats the right hand of God, the king, the city of Jerusalem,

the creation of a cosmic order founded by God, and solar symbolism. תורה can be integrated into this investigation of religious history only by the acceptance of its origin in the priestly message from God and is therefore only rarely found in the relevant צדקה texts with cosmic or solar symbolism.

Christina Tuor-Kurth asks in her ‘How Is Justice Referred to in Faith? Some Reflections on the Hellenistic Jewish Tradition of the Reciprocal Relationship Between Obedience to Torah and Righteousness and Their Reception in the New Testament with Special Focus on the Letter to the Romans’. While the Hebrew word צדקה, if it relates to people, is able to describe both the relationship to God and the relationship to one’s fellow man; Greek-Hellenistic Judaism and the New Testament differentiate between εὐσέβεια (‘piety’) towards God, and δικαιοσύνη (‘righteousness’) towards one’s neighbour. Piety and righteousness are considered virtues in the sense of philosophical concepts, with piety as the more important virtue. Piety means Torah observance, which in turn allows for righteousness. תורה, which is understood as a collection of specific rules and is translated into the Greek as νόμος is seen as comparable to other good social orders and is presented as reasonable and purposeful in respect of virtues, thus guiding people towards a virtuous life. These basic relationships of νόμος (‘Torah’), εὐσέβεια (‘piety’) and δικαιοσύνη (‘righteousness’) can also be found in the New Testament. εὐσέβεια and δικαιοσύνη are achieved by obedience to the Torah, leading to an ideal way of life. According to Paul faith makes redemption attainable and also allows keeping to the Torah. Faith does not suspend Torah observance, which remains the exemplary basis of ethical behaviour. Both for Christians as for Hellenistic Jewish groups Torah observance means both acculturation as well as differentiation from unethical behaviour of people outside their faith.

Michaela Bauks shows in her ‘Exodus 4.24–26 – The Genesis of the “Torah” of Circumcision in Postexilic and Rabbinic Discourses’, that in Rabbinic times circumcision was a central, albeit not exclusive, identity marker and a sign of the fulfilment of the entire Torah. Since the symbol of circumcision was not originally delineating and marking, it required for its career as an identity marker the blood of circumcision, for the blood links circumcision, as a sign of the Covenant, with the Covenant on Sinai. The only text which mentions blood in connection with circumcision is Exod. 4.24–26. According to Bauks, the vagueness of this statement enables the linking of this text with Exodus 24 and Genesis 17. The rabbinic tradition develops the ‘covenant of circumcision’ and sees

circumcision as the sign of the Covenant, by which identity and atonement are connected. Circumcision is then considered as the fulfilment of all the commandments of the Torah, and it is called the ‘Torah of circumcision’. The term תורה means in this context the single commandment of circumcision among other commandments also, but above all תורה means the commitment to the Covenant, which realizes identity, atonement and ultimately blessed life, and its sign is precisely the circumcision.

Conclusions: Sedaqa and Torah

In a religious system oriented to the notion of order, צדקה and תורה are positively connoted. The meaning of both terms can be expanded within a theology of creation. תורה means God’s will which is already included in the creation and is as such identifiable; צדקה means the order of creation guaranteed by God. If the terms are used in such a broad sense, they come very close in their semantics and function.

Although צדקה can be more widely used, there is a tendency to limit צדקה to the areas of social and ethical conduct, interpersonal relations and to use a different terminology for the relationship of humans to God. So it may not be surprising that in the rabbinic context circumcision is a symbol of the fulfilment of the entire Torah.

In ethical discourses both צדקה as well as תורה are used independently of one another to establish norms, where צדקה is more value-oriented and תורה works more strongly tradition-bound. Thus, תורה must be construed neither as the Pentateuch nor as the law valid within the community. תורה can be considered as the authoritative instruction of God including both formative as well as normative parts. תורה is, one may say, not ‘necessary’ as a reason for norms, but it is as instruction a very good way of learning the norms.

If צדקה and תורה are correlated, it is done in the context of ethics and value-orientation. The studies presented in this volume make clear that the terms תורה and צדקה may have different meanings in the various Old Testament contexts, and thus different forms of relationship can be seen. In the introduction to the book of Isaiah, treated by Groenewald, תורה is introduced as the Torah of Moses, so that for a life in צדקה, which according to Gärtner a central topic in the whole book of Isaiah, the learning of the Torah is integrated, and this Torah learning is to be spread beyond Israel to all nations. Berge points out that צדקה can be achieved according to the texts of Deuteronomy which belong to the final

redaction of the Pentateuch, not by promulgation of תורה and not by royal lawgiving, as was then common in the ancient Near East, but by learning in a community of Torah students. Hence, צדקה is expressed not in Torah observance, but in Torah didacticism. Cataldo even goes a step further and looks at צדקה as a force for group cohesion and morality, dealing with the symmetry of relationships, such as the basic attitudes of individuals. So, צדקה enables one to accept תורה as law and as codified symbol of צדקה. If one defines the relation of צדקה and תורה to the effect that תורה is valid as a symbol for צדקה, the question arises whether there are other symbols for צדקה and whether תורה might also be the symbol for something else. The contributions of Gärtner and Grohmann make it clear that such a relation between צדקה and תורה is not exclusive. The late Isaiah texts see צדקה not realized in תורה but rather in the observance of the Sabbath, and in the book of Leviticus תורה also represents holiness, not merely righteousness.

If Cataldo defines תורה as the codified symbol of צדקה, he wants to make it clear that צדקה does not follow from the Torah observance, but צדקה is the basic disposition to accept תורה as law. He rates this צדקה in the postexilic context as subjective disposition, which enables individuals to follow תורה understood as the Law. Gärtner argues against such a personal application of צדקה from the book of Isaiah. The meaning of דקה here cannot be reduced to 'following a law faithfully', but has rather a wider spectrum by means of a theology of creation.

Groenewald, Berge, Cataldo and Tuor-Kurth understand תורה functioning throughout the postexilic period as an object term, describing the Law, probably identical with the Pentateuch. Berge and Cataldo, however, emphasize the utopian or prescriptive character of תורה; so, תורה designates not a descriptive law, but something utopian, aimed at bringing about the constitution and stabilization of the postexilic community. While צדקה describes the intrinsic disposition towards the law, תורה as law is an extrinsic force, however prescriptive and utopian. A similar meaning of תורה – identical with the Pentateuch – is assumed by Tuor-Kurth as an 'extrinsic force' in the Hellenistic context, where תורה, as νόμος, is finally a set of binding rules on par with other good social orders.

While Berge and Cataldo interpret תורה as an object term and explain the gradual enforcement of the Pentateuch as law in the postexilic period with its prescriptive or utopian character, Häusl understands תורה in the postexilic period as a process which has not lost the meaning of instruction, even though there are manifestations of תורה, such as written commandments (cf. Neh. 10.31–40) or comprehensive collections of laws (Deuteronomy or Pentateuch). All three interpretations contradict, albeit in different ways, the widespread assumption that in postexilic times the

Torah observance, that is, observing the commandments (the Pentateuch), was the essential identity marker. All three clearly differentiated interpretations of תורה benefit materially in that they determine the relation of תורה and צדקה.

In the Hellenistic and Christian contexts צדקה is split into the two aspects of piety [before God] and righteousness [with respect to neighbours], where piety is rated more highly (Tuor-Kurth). Against the background of the differentiation of צדקה within the Greco-Hellenistic context, the distinction made in Grohmann's investigation of the concepts of purity/impurity and holiness, their links with moral and ethical issues on the one hand and their connections to תורה on the other hand, are of particular interest. The primary cultic concept of purity/impurity is unfolded as תורה into a differentiated system. This cultic differentiation in purity and impurity is extended in various Old Testament texts on moral and ethical behaviour, without using the term צדקה. The priestly concept of holiness in the book of Leviticus combines cultic instructions on purity/impurity and ethical directives for the social context. Holiness and צדקה are comparable, although in three points they differ significantly in their semantics. Both can describe a quality of God; both have the relation of man to God as well as to his neighbour under consideration, and both serve to justify specific instructions. What is interesting to us in the connection between תורה and צדקה is that the concepts of purity/impurity and of holiness are bound to a much greater extent with the form of תורה than is the case for צדקה.