Law and Ritual

The Power of Cultic Regulations in the Old Testament to Shape Christian Liturgical History

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I. The Unity of Justice, Mercy and the Worship of God Alone in Old Testament Law

All three bodies of law in the Old Testament (the Book of the Covenant, Deuteronomy and the Holiness Code) not only regulate relationships between free and equal men in terms of the law and determine what constitutes compassionate behavior towards foreigners, widows, orphans and slaves, but they also govern Israel's communal worship. The fact that justice, mercy and worship are regulated in equal measure can be considered an inherent structural principle of OT law.[1] Jesus's threat against his opponents in Matt 23:23 reflects the same concerns: Woe to you who "have neglected the weightier matters of the law: justice and mercy and faith."

By linking the cult with justice and mercy, the Old Testament's legal traditions have adopted the prophetic critique of the cult (only consider Isa 1:10–7, 58:2–12, Jer 7:1–15, Hos 6:6, Amos 5:21–4, Mic 6:6–8). The prophets were protesting against a cult that celebrated the maintenance of the world although the social world was falling apart. Because ritual coherence had become detached from social connectivity, a prophet like Amos could proclaim only God's judgment against the official cult of his time:

"Even though you offer me your burnt-offerings and grain-offerings, I will not accept them; and the offerings of well-being of your fatted animals I will not look upon. Take away from me the noise of your songs; I will not listen to the melody of your harps. But

[1] Cf. the contributions by Michael Welker and by Patrick Miller in this volume; Michael Welker, "Gesetz und Geist," *Jahrbuch für Biblische Theologie* 4 (1989), 215–29, 221; Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes, third* ed. (Gütersloh: Gütersloher Verlag, 2005), 199–200, 230; Paul D. Hanson, *Das berufene Volk: Entstehen und Wachsen der Gemeinde in der Bibel* (Neukirchen-Vluyn: Neukirchener Verlag, 1993), 72–80.

let justice roll down like waters, and righteousness like an ever-flowing stream" (Amos 5:22–4).

They were attacking a cult which no longer mediated knowledge of God, meaning knowledge of God's law (cf. Hos 4:6).

After the destruction of the Northern Kingdom – which could be seen as a striking confirmation of the prophets' pronouncement of impending calamity – the people of Judah began an active process of carefully considering and appropriating the prophetic critique (cf. Jer 26:18–9). We could read the Book of the Covenant (Exod 20:22–3. 33) as documenting such a process of reception and appropriation.[2] By linking together the giving of the cultic and social laws, it seeks to address the deficit uncovered by the prophets in the societies of Israel and Judah.

Deuteronomy not only retained the fundamental structural unity between law, mercy and worship, it also expressed the social message of the prophets within the context of the cult. The goal of the temple festivals was the joy of the people, according to Deuteronomy. "Rejoice during your festival" (Deut 16:14) is the *leitmotif* of the Deuteronomic theory of festivals.[3] The purpose of Israel's festivals is to rejoice before God (cf. Deut 12:12. 18, 14:26, 16:11. 14–5). Not just free landholders, but slaves, foreigners, widows and orphans are expected to share in this joy (cf. Deut 16:11. 14). Indeed, the existence of slaves is still assumed, although slaveholding society is already being transcended in the feast. The miserable social situation of the typical welfare case in the ancient world – foreigners, orphans and widows – is no longer ignored in the context of the cult; it is overcome in the shared sacrificial meal. So long as foreigners, widows and orphans are participating in the sacrificial meal, those who would otherwise be excluded are being integrated into the unity of Israel.

The Priestly traditions hold onto the unity of cultic and social regulations (cf. Lev 17–26, 23:22) while expressing how justice and the worship of God belong together even in the sacrificial regulations. Thus the opportunity to make a sin-offering is only available to those who have "unintentionally" violated one of God's commandments (cf. Lev 4:2). Whoever has sinned "with raised hand" (that is, deliberately) is excluded from the cultic community (cf. Num 15:30–1). Thus, proper worship can only take place where justice is done and mercy is exercised.

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[2] Cf. Rainer Albertz, *Religionsgeschichte Israels in alttestamentlicher Zeit I* (Grundrisse zum Alten Testament 8/1; Göttingen: Vandenhoeck & Ruprecht, 1992), 280–90.

[3] Cf. Georg Braulik, "Die Freude des Festes: Das Kultverständnis des Deuteronomium: Die älteste biblische Festtheorie," in *Studien zur Theologie des Deuteronomiums* (Stuttgarter Biblische Aufsatzbände 2; Stuttgart: Katholisches Bibelwerk, 1988), 161–218, 180.

If we consider the Old Testament legal traditions, the cult certainly contributes to the establishment of justice and mercy.[4] Structuring the Book of the Covenant as God's speech to the Israelites already made it likely that it would be read aloud in the cult.[5] Deuteronomy meanwhile picks up this tradition of reading the law aloud in worship. Every seven years during the Festival of Booths, when "all of Israel … comes to appear before the Lord your God" (Deut 31:11a), the law is read aloud (Deut 31:10–3). Worship thus becomes a place to learn the law (cf. Deut 31:12–3, 14:23).[6]

The feasts to be celebrated before YHWH (cf. Deut 16:16) allow Israel to practice worshiping YHWH alone, thus keeping the memory of the Exodus alive. The connection between the sole worship of God and remembering the Exodus is expressed especially in the Decalogue: "I am the Lord your God, who brought you out of the land of Egypt, out of the house of slavery; you shall have no other gods before me." (Exod 20:2–3). The Passover feast in particular is designed to call Israelites to the continual remembrance of the Exodus out of Egypt throughout their lives (cf. Deut 16:3).

By keeping the memory of the liberation from Egypt vivid and alive through the worship of YHWH alone, the cult also reinforces the routines of mercy required by the law, which, in turn, are based on the memory of the Exodus.[7] By celebrating YHWH as the one who brought God's people out of bondage in Egypt, the cult works towards "cultivating an awareness of reciprocity and human equality – and of their violation, which constantly needs to be refined."[8] By contrast, when YHWH is no longer the

[4] Cf. the contribution of Michael Welker in this volume: "An egalitarian, paradigmatic public goes hand in hand with an administration of justice which assumes or is geared toward egalitarianism, and vice versa."

[5] Cf. Yuichi Osumi, *Die Kompositionsgeschichte des Bundesbuches Exodus 20:22b–23:33* (Orbis Biblicus et Orientalis 105; Freiburg: Academic Press, 1991), 209–11, 220.

[6] For more on this see Karin Finsterbusch, *Weisung für Israel: Studien zu religiösem Lehren und Lernen im Deuteronomium und in seinem Umfeld* (Forschung zum Alten Testament 44; Tübingen: Mohr Siebeck, 2005).

[7] The book of the covenant already seeks to justify the commandments to protect foreigners with a reminder that Israel was once a foreigner itself in Egypt (Exod 22:20, 23:9). Even more comprehensive is the approach taken by Deuteronomy which derives not just the rights of foreigners but those of widows, orphans and slaves from a reminder of their bondage in Egypt *and* the experience of being brought out of Egypt by YHWH (Deut 15:15, 24:18. 22). At the same time, it becomes more certain that the sole adoration of YHWH is also based on the Exodus (cf. Deut 5:6–7, 7:1–8; 13:6. 11). The priestly traditions also subscribe to this tradition. The commandments to protect foreigners (Lev 19:34) and the impoverished Israelites (Lev 25:35–43) as well as the call to worship YHWH alone (cf. Lev 26:1. 13) are based on the reminder that they were enslaved and then delivered out of Egypt.

[8] Michael Welker, "Recht in den biblischen Überlieferungen in systematisch-theolo-

sole focus of adoration, the memory of the Exodus begins to fade so that law and norms are increasingly shaped by other memories and expectations. When no one remembers being brought out of Egypt anymore, the people ultimately come to worship foreign gods under the name of YHWH instead. This, in turn, begins to shape the reality and normative expectations people have for their lives. When the cult no longer corresponds to either justice or solidarity, this is a clear sign they have begun to create a deity for themselves who is no longer the God who brought Israel to freedom. Worship of God alone, remembrance of the Exodus and the unity of justice, mercy and the cult are inseparably connected to one another.

II. The Book of the Covenant's Altar Law as the Framework for Christian Liturgical History

The Old Testament cultic regulations in the Torah have shaped the order of worship in the various Christian churches throughout their historical development. By linking justice, mercy and the adoration of God, these regulations continue to provide a critical benchmark by which to judge how churches handle cultic expression.

The so-called altar law of the Book of the Covenant (Exod 20:22–6) constitutes a common framework for the different Christian worship traditions. The law is structured in such a way that "the central theological statement that matters most for the sacrifice is accentuated in verse 24b: 'in every place where I cause my name to be remembered I will come to you and bless you'" (Exod 20:24b).[9] The diverse confessions may see this statement as an embodiment of the purpose and concept of their own worship practices, although it is by no means exhaustive. Christian worship derives from God's promise to come among God's people, a promise which is not attached to certain places but to the proclamation of the Name of God.[10]

Calvin explicitly pointed to Exod 20:24 in his theology of worship. This biblical text taught him to see the Old Testament Temple as the site of pro-

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gischer Sicht," in *Zur Theorie des Kirchenrechts*, vol. 1 of *Das Recht der Kirche,* eds. G. Rau et al (Forschungen und Berichte der Evangelischen Studiengemeinschaft 49; Gütersloh: Gütersloher Verlagshaus, 1997), 390–414, 402.

[9] Alfred Marx, "Opferlogik im alten Israel," in *Opfer: Theologische und kulturelle Kontexte,* eds. B. Janowski and M. Welker (Suhrkamp Taschenbuch Wissenschaft 1454; Suhrkamp: Frankfurt am Main, 2000), 129–49, 132.

[10] For more on Exod 20:24, see Crüsemann, *Tora*, 203: "It is not the location in and of itself which matters, not even the legitimate altar and cult can guarantee the divine presence, but only the fact that God himself will cause his name to be remembered, meaning he will allow his name to be proclaimed and called upon."

clamation. Indeed, Moses himself spoke "of the habitation of God … as the place of the Name of God," "the place where he established his name (Exod 20:24), clearly arguing that these places are not useful without the proclamation of godliness."[11]

Just as Exod 20:24 states that every place where God allows God's name to be proclaimed is subject to the promise that God will come among God's people and bless them, so one can also expect that in places where Christian proclamation is made, God will become present and bless the people: "When we preach the mercy of God, then the blessing comes over everyone who hears us, for it is as though God were to come and declare his favor to us."[12] Therefore, every location where God's name is proclaimed can be designated as a temple. Along these lines, Calvin writes to the "Protestants in French Poitou who stand in temptation … 1554, that one ought to come together for worship in private homes. For those who own homes, it ought to be an honor to be able to consecrate their homes to God as temples."[13]

The altar law of the Book of the Covenant not only shaped the Reformed worship tradition but also provides a common point of reference for various Christian forms of worship. The orthodox *Divine Liturgy*, derived from the Temple theology of the Old Testament traditions in manifold ways, sees itself, as a whole, as a proclamation-event. When the liturgists at the end of their preparations say: "I want to wash my hands in innocence, and go around your altar, O Lord, singing aloud a song of thanksgiving, and telling all your wondrous deeds"[14] using the words of Ps 26:6–7, then they are indicating that the liturgy to be celebrated is a proclamation of God's mighty deeds. As this proclamation fills a church, that space becomes a temple in which God's sphere becomes accessible. The liturgists express this in the final prayers and dismissal when they sing "You have made the Church a resplendent heaven, that illumines the faithful. Standing in the midst of this dwelling we cry out to You: Make firm this house, O Lord." (*DL*, 96).

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[11] Jean Calvin, *Institutes of the Christian Religion*, IV.1 (*Opera Selecta* V.10:6–9).

[12] *Calvini Opera* 27, 645: "Quand nous preschons la misericorde de Dieu, voila une benediction sur tous ceux qui nous escoutent: car c'est autant comme si Dieu venoit ici, et qu'il declarast sa faveur envers nous."

[13] Bernhard Buschbeck, *Die Lehre vom Gottesdienst im Werk Johannes Calvins* (Marburg: Inaugural Dissertation 1968), 149; cf. *CO* 15, 223: "Que ceux qui ont maisons propres, se sentent honorez quilz les puissent consacrer a Dieu pour temples."

[14] *Die Göttliche Liturgie des Hl. Johannes Chrysostomus mit den besonderen Gebeten der Basilius-Liturgie im Anhang. Griechisch-Deutsch*, vol. 2a of *Oikonomia: Quellen und Studien zur orthodoxen Theologie*, ed. Fairy von Lilienfeld, 2nd ed. (Erlangen: Lehrstuhl für Geschichte und Theologie des christlichen Ostens, 2000), 9: Ps 26,6–7. Citations from the Divine Liturgy are indicated in the text that follows with the abbreviation *DL* and indicate Greek page numbers.

Again and again, the *Divine Liturgy* reenacts God's coming to the place where God's name is remembered. Thus the Little Entrance is understood as an illustration of the coming of Christ in the Gospel, and Christ is welcomed with acclamations when he comes to his congregation. In the Cherubim hymn the congregation prepares itself to receive "the king of all, by angelic hosts invisibly escorted" (*DL*, 54). When the congregation is shown the chalice, and Christ comes to the congregation in the sacrament, the choir sings: "Blessed is he who comes in the name of the Lord. God is the Lord who has revealed himself to us" (*DL*, 83).

Just as God comes to bless his congregation according to the altar law of the Book of the Covenant,[15] so Christ comes to bring his own to "divine knowledge" (*DL*, 40a) and to impart to them his "immaculate body" and "precious blood" (*DL*, 74, cf. 78–80, 84) in the *Divine Liturgy*, thereby granting forgiveness of sins and eternal life (cf. *DL*, 78–80, 84). In contrast to the altar law of the Book of the Covenant, the liturgy places a stronger emphasis on God's forgiving rather than blessing activity, much like the Priestly tradition of the Old Testament.[16] Nevertheless, God's act of blessing in the *Divine Liturgy* is not completely secondary to his saving activity. This point is made clear in the extensive blessings at the end of the (public) liturgy (cf. *DL*, 86–90) which culminates in the distribution of the *Antidoron* (bread which has been blessed but not consecrated for Holy Communion). While the priest distributes this bread to individual believers, he says: "The blessing of the Lord and His mercy be upon you" (90), so that the *Antidoron* qualifies as a blessing as well.

In analogy to the altar law of the Book of the Covenant, we can say the following with regards to the *Divine Liturgy*: When the death of Christ is proclaimed, he comes in person to bless the congregation according to his promise. Thus, in the concluding prayer of the *Liturgy of St. Basil*, it says: "We have had the memorial of your death; we have seen the type of your resurrection" (113). Remembering the death of Christ leads to a (salvific) and blessed theophany.

The *Divine Liturgy* and Calvinist worship services are not the only liturgies that can be understood with reference to Exod 20:24. Even the specifically modern forms of the American 'revival tradition' follow the pattern of Exod 20:24: Proclamation – the Coming of God – Blessing. For the early American Methodists, the sermon in particular was viewed as the central way worship was performed and it was not restricted to any one

[15] Cf. Marx, "Opferlogik im alten Israel," 138: "Every sacrificial theory that does not see this blessing as the central concern of sacrifice must be considered unbiblical."

[16] The Priestly theology of atonement is the counterpart to the Deuteronomic theology of blessing. For more, see Ina Willi-Plein, *Opfer und Kult im alttestamentlichen Israel: Textbefragungen und Zwischenergebnisse* (Stuttgarter Bibelstudien 153; Stuttgart: Katholisches Bibelwerk, 1993), 96ff.

location: "Everywhere and always preaching had priority over all other ministerial activities."[17] Sermons were designed to bring people to Jesus Christ. The early Methodists' view was that becoming profoundly aware of one's "lostness," as suffered concretely in and through one's own body, was the way to Christ. This awareness could cause people to fall to the floor "like dead men."[18]

When the sermon visibly moved one or more people in this way, the early Methodists saw this as a sign of God's presence. For example, Ezekiel Cooper made the following observation in his journal on April 24, 1785: "At night, at Captain Kent's, we had a wonderful time. The power of God so fell upon the people that many cried out aloud; others fell dumbfounded to the floor."[19] On July 3 of the same year, he reported "but at ten o'clock the presence of the Lord was powerfully displayed; the word was like fire in stubble; the people cried and trembled, wept and mourned."[20] One can read similar accounts in other journals, autobiographies and historical reports.[21]

The coming of God was understood as full of blessings because the shattering effect of God's initial presence was the first step in the process of conversion, and it was followed by other signs of God's activity – i.e. people were saved from their despair and joined in the praise of the congregation which strengthened them in their faith: "In [the] love-feast the Lord was precious, but in the time of preaching he opened the windows of heaven and poured down blessings upon us. Sinners were struck as with hammer and fire, or like as if thunder flashes had smitten them."[22]

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[17] Wade Crawford Barclay, *History of Methodist Missions I/2, Early American Methodism 1769–1844: To Reform the Nation* (New York: The Board of Missions and Church Extension of the Methodist Church, 1950), 430.

[18] *Autobiography of Peter Cartwright: The Backwood Preacher*, ed. W. P. Strickland (New York/Cincinnati: n. d. [1856]), 45, 93: "like dead men in mighty battle"; Jesse Lee, *A Short History of the Methodists, In the United States of America; Beginning in 1766, and continued till 1809. To which is prefixed, A Brief Account of Their Rise in England in the year 1729, &c.* (Baltimore, 1810 [Reprint Rutland 1974]), 131, 313.

[19] George A. Phoebus, ed., *Beams of Light on Early Methodism in America, Chiefly Drawn from the Diary, Letters, Manuscripts, Documents, and Original Tracts of the Rev. Ezekiel Cooper* (New York, 1887; Electronic Edition University of North Carolina at Chapel Hill, 2000), 26.

[20] Ibid., 29, cf. 26, 29, 59, 63, 77–8, 81, 87 and in other places.

[21] Cf. *The Journal and Letters of Francis Asbury, In three volumes, Volume I: The Journal 1771 to 1793*, eds. Elmar T. Clark et al. (London: Epworth, 1958), 544 (June 24, 1787); 547 (July 22, 1787); 560 (January 14, 1788); 573 (May 25, 1788); 574 (June 2, 1788); 597 (May 12/20, 1789); 598 (June 5, 1789); 601 (June 26, 1789) and other places; Cartwright, ibid., 30, 48, 65, 86–7, 93, 119, 121, 238, 469 and other places; Lee, ibid., 54–5, 279, 284, 293, 356 and other places.

[22] Cf. Phoebus, ibid., 142. See also *The Autobiography of William Watters: The First American-born Methodist Circuit Rider: A Digital Publication created from the printed*

So the altar law of the Book of the Covenant embodies the shape and purpose of worship praxis for diverse Christian confessions from Orthodoxy to the American 'revival tradition' to contemporary worship services today – or in other words, a cultic ordinance from the oldest body of law in the Old Testament continues to influence Christians today.

At the same time, the reference to the altar law of the Book of the Covenant also establishes a connection to Jewish worship traditions, although the differences between them are not thereby abrogated. Given the Deuteronomic commandment to centralize the cult, Jewish tradition interprets the altar law of the Book of the Covenant as applying solely to the Jerusalem Temple: "in *the* place where I cause my name to be remembered I will come to you and bless you!" The Jewish way of reading this text, which connects the sacrificial cult to the Jerusalem Temple, stands in contrast to Christian tradition, which sees the Temple context as exclusively valid only for a particular time in salvation history. Just as Abraham offered sacrifices at various locations and the Book of the Covenant acknowledges different sites for sacrifice whose legitimacy depends solely on the true proclamation of God, so the promise in Mal 1:11 is fulfilled through Christ according to Christians: "For from the rising of the sun to its setting my name is great among the nations, and in every place incense is offered to my name, and a pure offering; for my name is great among the nations, says the Lord of hosts." A Christian way of reading Exod 20:24b is based on the idea that this promise has been fulfilled, while Jewish tradition questions the extent to which the name of YHWH is truly being glorified among the pagans – in other words, the extent to which God's torah is being fulfilled among the pagans in the unity of justice, mercy and knowledge of God.

III. Huldrych Zwingli's Alignment with the Deuteronomic Concept of the Cult[23]

While various Christian confessions can discover a common framework in the altar law of the Book of the Covenant, once they notice the differences between the theologies of the Priestly and Deuteronomic traditions that are characteristic of the Torah, they realize this tension has decisively shaped

volume titled: A Short Account of the Christian Experience, and Ministerial Labours, of William Watters (Alexandria 1806, Holiness Data Ministry 1998), 33: "The windows of Heaven were opened, and the Lord poured out such a blessing as our hearts were not able to contain."

[23] In the following sections I pick up insights of my second thesis . . . *zu schauen die schönen Gottesdienste des Herrn: Eine biblische Theologie der christlichen Liturgiefamilien* (Frankfurt a. M.: Lembeck, 2010) and develop them further.

their own relationships to one another and burdened them. These differences between Priestly and Deuteronomic theology, present from the beginning of the formation of the Old Testament canon, has become ingrained in the canon, shaping the history of Christianity and its liturgical families as a result.

In his text *Action oder bruch des nachtmals* (1525), Zwingli compares his liturgical reforms explicitly with those of Hezekiah (Z IV, 13, 14) and Josiah (Z IV, 13, 15). Just as the Passover was celebrated according to the Book of the Covenant again under Josiah, the Lord's Supper was supposed to be celebrated correctly again in Zurich.

While Zwingli's reforms of Holy Communion practices are clearly formally analogous to the reforms of Hezekiah and Josiah, they are also an attempt to integrate essential aspects of the Deuteronomic conception of the feast into Christian communion, in particular the idea that communal and community-creating joy is a necessary attribute of a feast in order to please God. Joy is understood as gratitude for the benefits received (cf. Deut 16:11) which individuals do not express alone before God but rather in the midst of the gathered congregation. Precisely for that reason, every Israelite celebrates the feast with his family but also with his slaves, the Levites, and the orphans and widows who live in his neighborhood (cf. Deut 16:11. 14). The feast suspends class differences and unites Israel into one large family (see the discussion above).

Zwingli's Holy Communion service clearly resonates with this concept of the feast. In contrast to the plain preaching worship service, the celebration of Holy Communion in Zurich has a markedly festive character. The focus of the feast is gratitude, so that the ceremony of the Lord's Supper is designed as an expression of thanks. Zwingli not only describes Holy Communion as "giving thanks and rejoicing"[24] in the preface to his order of communion, but this understanding appears throughout the liturgy. When the congregation speaks the Gloria, responds to the reading with expressions of praise, and at the end of the service joins in the psalm of praise, it is repeatedly offering God praise and thanks. In this joyful expression of thanks, the municipality of Zurich, the community of city residents, now presents itself as a community of sisters and brothers: "They need one and the same sacrament and become one and the same people and at the same time a sacred sworn community; they become one body and one people."[25]

The unity of the community is expressed first of all in the fact that everyone receives communion together in the nave of the church. The dis-

[24] Z IV, 15:10: "eyn dancksagung und frolocken."

[25] Cf. Z VI, V, 161:2–5: "Qui enim unis eisdemque sacramentis utuntur, una eademque gens ac sancta quedam coniuratio fiunt in unum corpus, inque populum unum coeunt."

tinction between clergy, whose place was in the choir of the church, and the lay people, who were relegated to the nave, is thus eliminated for the sake of embodying the unity of the congregation. The community founded on faith not only relativizes the distinction between clergy and lay but also between lord and servant. This becomes especially obvious when, during the celebration of the Supper for which the whole congregation has gathered, the servant sits down "next to the rulers of his people"[26] and together they all receive bread and wine from wooden bowls and cups. Zwingli also sought to express the equality of men and women (in liturgical matters at least) – also realized in the Deuteronomic concept of the feast[27] – by having men and women alternate speaking several linguistic segments responsively, although the Council refused to grant permission.

So just as the Israelites presented themselves as the one family of God during the pilgrim festivals, the local municipality, the community of Zurich city residents, now presents itself as a community of sisters and brothers in the celebration of the Lord's Supper marked by joy and thanksgiving. In the feast of the Lord's Supper, the congregation transcends its social stratification and discovers what it already is in faith: the Body of Christ. The congregation thanks God in the Communion prayer that "through your Spirit you have made us into your one body in the unity of faith."[28]

The depiction of this unity in the Body of Christ is not unrelated to societal reality and ought to have an impact on this reality. Communion becomes an admonition to "adhere to Christian love and faithfulness and show a willingness to serve one another."[29] As in Deuteronomy, the major annual festivals serve to illustrate and embody community while imparting the fear of God at the same time (cf. Deut 14:23).

IV. The Priestly Concept of the Cult and its Contribution Towards Justice

In the Torah the Deuteronomic conception of the cult, in which the people are understood as the subject of the cult, is juxtaposed with the Priestly

[26] See Z IV, 693:13: "by den fürsten sines volcks."

[27] Cf. Georg Braulik, "Durften auch Frauen in Israel opfern? Beobachtungen zur Sinn- und Festgestalt des Opfers im Deuteronomium," in *Studien zum Deuteronomium und seiner Nachgeschichte* (Stuttgarter Biblische Aufsatzbände 33; Stuttgart: Katholisches Bibelwerk, 2001), 59–89.

[28] Z IV, 22:9–10: "uns durch dynen geyst in eynigkeit des gloubens zu einem dinem lyb gemacht hast."

[29] See Z IV, 694:6–7: "christenliche liebe, trüw und diennstbarkeyt ye eins gegen dem andren ze halten."

view, which places the Temple cult with its sacrifices and consecrated priests in the center of Israel's relationship to God. According to this view, the construction of the Temple, the performance of sacrifices, and the establishment of a class of consecrated priests are commanded by YHWH at Sinai like all the other laws. In contrast to the cult theology of Deuteronomy which concentrates fully on the major pilgrim festivals, the Priestly traditions deal with everyday cultic sacrifices. Besides the major annual festivals, there are the daily sacrifices. Thus, the sacrificial calendar in Num 28–9 first regulates those sacrifices which ought to be offered to God every day (Num 28:2–8, cf. Exod 29:38–46). Yet if we consider the pilgrim festivals, we will notice a significant shift: Whereas the concept of the cult for Deuteronomy is concentrated on joy in the festival (for the Festival of Weeks (*Shavuot*) and the Festival of Booths (*Sukkoth*)), the Priestly annual calendars (Lev 23, Num 28–9) address the sacrificial aspect of the festivals.[30]

According to the Priestly traditions, neither the major festivals alone nor the participants' joy at the festival are enough to adequately comprehend the nature of the cult. The cult cannot be reduced to the task of constituting a non-hierarchical public. Furthermore, it cannot be ascribed a societal function (in the narrower sense), but should be understood instead as a "means of communication between secular and sacred reality."[31] The cult institutionalizes religious communication with God so that God will continue to turn to God's people.

The experience of the Babylonian exile ought to have made the priestly traditions aware that proper performance of sacrifices alone cannot safeguard the presence of God. The cult is endangered by sin and impurity (cf. Lev 15:31, 20:3, Num 19:13. 20). The Priestly writer responds to this experience by drafting the so-called *Holiness Code* (Lev 17–26), which obligated all those living near the Temple to a life of holiness, as well as introducing new cultic forms. Thus, the Priestly writer mandates that at every new moon and during all festivals, "a sin-offering" must be offered "in addition to the regular burnt-offering" (cf. Num 28:15. 22. 30, 29:5. 11. 16). Furthermore, the priestly writer expands the pre-exilic festival calendar to include New Year's Day (*Rosh Hashanah*) and the Day of Atonement (*Yom Kippur*, cf. Lev 23:23–32, Num 29:1–11), thereby creating a time for the expiation of the people but above all for the cleansing of the

[30] Cf. Rolf Rendtorff, "Die Entwicklung des altisraelitischen Festkalenders," in *Das Fest und das Heilige: Religiöse Kontrapunkte zur Alltagswelt*, ed. Jan Assmann (Studien zum Verstehen fremder Religionen 1; Gütersloh: Gütersloher Verlag, 1991), 185–205, 202.

[31] Christian Eberhart, *Studien zur Bedeutung der Opfer im Alten Testament: Die Signifikanz von Blut- und Verbrennungsriten im kultischen Rahmen* (Wissenschaftliche Monographien zum Alten und Neuen Testament 94; Neukirchen: Neukirchener Verlag, 2002), 187.

sanctuary, the altar and the priest from sin and impurity (cf. Lev 16:16. 20. 32–3).[32]

In this way, the priestly Temple cult not only keeps the cult functioning through the daily offerings in which the deity receives something back from what has been given but also deals with the problem of sin and impurity through the sin-offering so that the flow of the cult cannot be endangered by these variables. The cult makes participants aware that a successful life is not a given and encourages them to practice gratitude as a way of life, while also sensitizing them to the numerous threats to success in life. In so doing, the cult draws attention in particular to those threats that are not justiciable. The cult expresses the notion that not all threats to a successful life can be remedied solely by applying justice and mercy. For this reason, the Priestly legal texts arrange that a cultic sin-offering is to be made for specific offenses in addition to reparations for any damage incurred:

> When "you have sinned and realize your guilt, and would restore what you took by robbery or by fraud … you shall repay the principal amount and shall add one-fifth to it. You shall pay it to its owner when you realize your guilt. And you shall bring to the priest, as your guilt-offering to the Lord, a ram … The priest shall make atonement on your behalf before the Lord, and you shall be forgiven for any of the things that one may do and incur guilt thereby." (Lev 6:4–7)

This commandment makes it clear: Financial reparations alone cannot remedy the damage. Contemporary experiences with justice show that this assumption may be plausible for us as well. In recent years instruments for victim-offender mediation have been strengthened and expanded – inspired by biblical approaches[33] – yet this may not fully remedy the psychological impact of the violence on the victim (nor potentially on the perpetrator). Modern societies react to this deficit in the law with therapeutic programs; cultic societies put their trust in the power of the cult in such situations.

The cult simultaneously makes it possible to address even injustice due to ignorance and violence performed by accident without evil intent.[34] This

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[32] The narrative framework of Lev 16 makes it clear that the Day of Atonement is a reaction to a cult which has endangered itself: "The Lord spoke to Moses after the death of the two sons of Aaron, when they drew near before the Lord and died." (Lev 16:1). As a "response to the disaster which befell the insubordinate priests (Lev 10,1–2), God establishes the celebration of the great Day of Atonement" (Adrian Schenker, *Versöhnung und Sühne: Wege gewaltfreier Konfliktlösung im Alten Testament: Mit einem Ausblick auf das Neue Testament* [Biblische Beiträge 15, Freiburg: Schweizerisches Katholisches Bibelwerk, 1981], 113).

[33] Cf. Frank Crüsemann, *Maßstab: Tora. Israels Weisung für christliche Ethik* (Gütersloh: Gütersloher Verlaghaus, 2003), 164–74.

[34] Cf. David Daube, "Error and Accident in the Bible," in *Biblical Law and Literature: Collected Works of David Daube. Volume 3*, ed. Calum Cramichael (Berkeley: The Robbins Collection, 2003), 359–74.

benefit can be appreciated when we consider comparable contemporary situations such as an automobile accident in which a human being is killed but where the driver of the car causing the accident is not legally liable. Even in this case, late modernity responds with therapeutic programs, whereas a cultic society will respond with a cultic practice. While therapy can help process the psychological consequences of the injustice for the individual(s) affected, cultic thought is sensitive to the consequences that acts of violence exert on society as a whole. By researching the effects of totalitarian systems, we have come to understand how much they hinder the development of trust in society for generations. This is especially the case when the injustice perpetrated is never legally addressed.[35] Yet even in South Africa, where the injustice was addressed, the shadows cast by the apartheid system have not been fully exorcised from the country: "the violence of apartheid left wounds that a few years of public testimony were unlikely to heal."[36] One can certainly disagree over whether the legal instrument of the *Truth and Reconciliation Commission* was truly adequate or whether it should have been accompanied by stronger moves towards reparation,[37] but even then the darkness would probably not have been completely cast out.

A society shaped by cultic thinking responds to such dynamics with cultic rituals. In the Priestly concept of the cult, this function is accorded to the Day of Atonement in particular. The rituals performed on this day serve to cleanse injustice and its consequences, including all acts that have taken place during the past year. In the process, the consequences of injustice are expiated, even in situations where they have already been redressed legally or the perpetrator has been punished. According to this insight, injustice cannot be eliminated solely by way of the legal process, both exposed and hidden acts of injustice linger on, and even unconscious injustice persistently casts shadows. This leads a society to acknowledge it is not able to deal on its own with all dimensions of human existence and the consequences of all its members' actions.

The priesthood assumes this is the reason God has given God's people a day in which God can personally address this problematic situation "because of the uncleanness of the people of Israel, and because of their transgressions, all their sins" (Lev 16:16), a day in which God can make atonement for the people. On *Yom Kippur*, the Great Day of Atonement, God will "make atonement for the people of Israel once in the year for all their

[35] Cf. Charles Harper, ed., *Impunity: An Ethical Perspective. Six Case Studies from Latin America* (Geneva: WCC Publications, 1996).

[36] Cf. Paul Ricoeur, *Memory, History, Forgetting*, transl. Katheen Blamley and David Pellauer (Chicago: University of Chicago Press, 2004), 485.

[37] Cf. John W. de Gruchy, "Versöhnung durch Wahrheit: Die Bedeutung der Wahrheits- und Versöhnungskommission in Südafrika," *Evangelische Theologie* 57 (1997), 372–5.

sins" (Lev 16:34), making an abiding coexistence between God and God's people possible once again.

The Priestly torah thus discovers the limits of law. The law is not able to heal the wounds left by violence and injustice.[38] The Priestly traditions do not hide this limit of the law, but reflect it in the law itself. By integrating the cultic code of the Day of Atonement into the Torah, the priesthood places all legal actions within the horizon of possible forgiveness, although this can only be realized by God alone.

In this way, the Priestly torah frees the people from bad legal forms of forgiveness, of which amnesty is paradigmatic. *Yom Kippur* does not demand that people forget, but rather keeps alive the memory of the injustices done and suffered. Every scapegoat sent away is a reminder of where Israel is coming from. Without forgetting the past, *Yom Kippur* opens up a new future for the people. Although the Great Day of Atonement keeps the memory of the injustice alive, at the same time Yom Kippur rejects the assertion that injustice is ultimately the decisive reality.

V. The Hierarchical Differentiation of Priests and Laity in the Priestly Traditions of the Torah and the Orthodox Churches

In the Torah, the Priestly and Deuteronomic concepts of the cult are presented alongside one another. As they appear in the Torah, both argue that worship is celebrated in the presence of YHWH, and both are conceived of as Temple theologies. The point of contention is the necessity of a designated priesthood. The different responses to the situation by the Priestly traditions, on the one hand, and the Deuteronomic or Deuteronomistic texts, on the other, are not reconciled in the Torah. Thus, the Deuteronomic idea is that all God's people constitute a kingdom of priests (cf. Exod 19:6), meaning the people offer their own sacrifices and the priestly class no longer mediates between God and the people (cf. Deut 18:3[39]), but this is contradicted by other parts of the Torah itself (cf. Num 16).[40]

Such open critique continues to shape the pluralism of Christian confessions. Alongside those confessions shaped by the Deuteronomic option are those which follow the Priestly model instead.

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[38] Cf. Ricoeur, *Memory*, 488: "There is no politics of forgiveness."

[39] For more, see Georg Braulik, *Deuteronomium II: 16,18–34,12*, Die Neue Echter Bibel: Kommentar zur AT mit der Einheitsübersetzung, vol. 28 (Würzburg: Echter, 1992), 132: "According to Deuteronomy, offering sacrifice is expressly stated to be a matter for the laity."

[40] Cf. Crüsemann, *Tora*, 413–419; Rainer Albertz, *Religionsgeschichte Israels in alttestamentlicher Zeit II* (Grundrisse zum Alten Testament 8/2; Göttingen: Vandenhoeck & Ruprecht, 1992), 527–30.

The *Divine Liturgy*, which follows the theological traditions of the Temple in numerous ways, also holds onto the Priestly differentiation between priest and lay. We encounter the hierarchical differentiation of priest and lay in the pre-anaphora prayers of the Eucharistic offering. In the first prayer of the faithful, which corresponds to the Priestly sacrificial instructions (Lev 1–7) and which indicates all actions at the altar are reserved for the priests, the priests pray using these words: "make us worthy to bring before you prayers and intercessions and bloodless sacrifices on behalf of all your people" (*DL*, 48). In the prayer of preparation known as the *Proskomedia*, the actions of the priests are seen as corresponding to the actions of the High Priest on the Day of Atonement. Just as the High Priest comes before God to offer a sacrifice because of the "sins committed unintentionally by the people" (Heb 9:7), the priests in the *Divine Liturgy* also offer gifts and spiritual sacrifices because of the "ignorance of the people" (*DL*, 59).[41] Given such statements one can rightly lose sight of the fact that the priest does not celebrate the *Divine Liturgy* for the congregation but with them.[42]

This insight has been neglected in Orthodox theology, affecting the execution of the liturgy. One example is the tendency for priestly prayers always to be spoken softly so that they lose their connection to the congregation. Even Justinian forbade bishops and priests from speaking the Eucharistic prayers softly, echoing 1 Cor 14:16–7: "If you say a blessing in the Spirit, how can anyone in the position of an outsider say 'Amen' to your thanksgiving, since the outsider does not know what you are saying? For you may give thanks well enough, but the other person is not built up."[43] But he was not able to enforce this ban. As a consequence, doctrine and doxology went their separate ways. Instead of building up the congregation again, the emphasis was placed on the correct performance of priestly functions.

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[41] Cf. Daniel Stökl Ben Ezra, *The Impact of Yom Kippur on Early Christianity: The Day of Atonement from Second Temple Judaism to the Fifth Century* (Wissenschaftliche Untersuchungen zum Neuen Testament 163; Tübingen: Mohr Siebeck, 2003), 272: "The high priest's entry into the holy of holies, Christianized in Hebrews, has been re-ritualized in the Christian liturgy."

[42] Although this is a strong possibility, this view of the priest's role is not a necessary or automatic result of this line of thinking. Thus John Chrysostom, to whom we can likely attribute the first prayer of the faithful, emphasizes that the priest cannot offer the thanksgiving alone, but the whole people offer it together with him (cf. Johannes Chrysostomus, In Epist. II. Ad Cor. Homil. 18, 3, MPG 61 (1862), 527: οὐδὲ γὰρ ἐκεῖνος εὐχαριστεῖμόνος, ἀλλὰ καὶ ὁ λαὸς ἅπας). Modern Orthodox theologians such as Alexander Schmemann have also addressed this danger in the liturgy and called for reform. See *The Eucharist* (Crestwood, NY: St Vladimir's Press, 1987), 232.

[43] Cf. *Corpus Iuris Civilis: Volumen Tertium: Novellae*, eds. Rudolfus Schoell and Guilelmus Kroll (Berlin: Weidmann, 1968 [1899]), 699: *Novella* 137, 6.

Furthermore, because this mediating function was ascribed to the priest, the importance of lay communion was increasingly misunderstood until it was viewed as a kind of rare religious ceremony like baptism or marriage. Evidence for this includes the fact that the prayer of thanksgiving after communion is spoken directly after the priest takes communion.[44] This misunderstanding is intensified even more through the reliance on Isa 6 as an interpretation of Communion, so that the community meal comes to be seen in analogy to Isaiah as an individual ritual of expiation. Just as the tendency for the priest to speak his prayers softly was based on the notion that "the priest speaks the Eucharistic Prayer 'as the only one before the only One,' like Moses on the mountain, so that he alone engages in dialogue with God,"[45] in the same way the priest at the Eucharist also stands alone, like Isaiah before the throne of God.

These developments in Orthodox liturgy emphatically highlight the dangers of closely following Priestly temple theologies with their differentiation between priest and lay. In the Bible itself, these tendencies are counteracted by the Deuteronomic concept of the temple and cult in which the festival joy of the participants in the sacrifice is crucial: "Whenever an offering – or a gift to the central worship site in Jerusalem is to be made from the produce of the fields and flocks or the people gather there after the harvest for the Festival of Weeks or the Festival of Booths, in Deuteronomy it always says: 'You (singular) shall rejoice' or 'You (plural) shall rejoice!'"[46] Because Israel qualifies as a holy people on theological grounds (Deut 7:6, 14:2) and constitutes "a kingdom of priests" (Exod 19:6), all people – meaning free Israelites – are the subject of the cult (cf. Deut 18:3).

In Orthodoxy, on the other hand, the characteristic tension in the Torah between the Temple theology of the Priestly writings and that of lay theologians is resolved in favor of the Priestly approach. Throughout the history of Orthodoxy, the aspect of Holy Communion as a communal meal has been neglected while its sacrificial character has taken center stage, in keeping with the Priestly sacrificial laws in Lev 3, which are interested in the sacrificial rather than the communal meal aspect of the sacrifice of communion. These laws only implicitly assume that the sacrifice will be

[44] Cf. Karl Christian Felmy, *Vom urchristlichen Herrenmahl zur Göttlichen Liturgie* (Oikonomia 39; Erlangen: Lehrstuhl für Geschichte und Theologie des christlichen Ostens, 2000), 108.

[45] Georg Wagner, *Der Ursprung der Chrysostomusliturgie* (Liturgiegeschichtliche Quellen und Forschungen 59; Münster: Aschendorff, 1973), 40 with a reference to the liturgical commentary of St. Germanus; cf. *Germanus of Constantinople on The Divine Liturgy: The Greek Text with Translation,* intr. and comm. Paul Meyendorff (Crestwood, NY: St. Vladimir's Seminary Press, 1985), 90: "μὸνος μόνῳ προσλαλεῖ"; the comparison to Moses, ibid.

[46] Braulik, "Freude," 179–80; cf. Deut 12:7. 12. 18, 14:26, 16:11. 14, 26:11.

eaten or they simply remain silent on this point. Further, in Orthodoxy the growing understanding of the Eucharist as a "sacred, awesome sacrifice" contributed to the tendency to ignore its character as a communal meal[47] – a process following the precedent in the Priestly cult regulations of reducing the joyful sacrificial meal "in favor of the first sin-offering."[48]

The continued decline in lay communion to the point of its being completely displaced has further cemented the differentiation between priest and lay. The ongoing biblical discussion about the consequences of the holiness of the entire congregation[49] for institutionalized religion has thus been brought to an end within Orthodoxy. Because the Orthodox tradition has lost sight of the lay theological concept of the cult as presented in Deuteronomy, their liturgical practice is especially prone to take the Priestly perspective.

If we consider that the *Divine Liturgy* has been shaped by the cultic concepts of Temple theology and the Priestly traditions, while Reformed worship has been shaped by the Deuteronomic concept of the festival, then I believe we can make the following argument: The *Divine Liturgy* is just as dependent on the counterpart of the Reformed order of worship as the Priestly traditions of the Old Testament are on Deuteronomy. Just as the canon presents the Priestly and Deuteronomic concepts of the cult next to one another without further commentary, the contemporary ecumenical community cannot aim to eliminate differences by creating a uniform theology of liturgy and the cult. On the contrary, it seems more appropriate to me that we initiate mutual learning processes which make it possible to agree about where defects and distortions exist within individual traditions and how these might be remedied.

As part of such a process, Reformed churches could point out to the Orthodox churches that the Priestly traditions, although they are primarily interested in the sacrifice offered by the priests, have adopted a sacrificial system in which the laity appears to be the subject, namely the thanksgiving-offering or thanksgiving sacrifice of well-being (Lev 7:11–5, cf. Lev 22:29).[50] This is offered as a "sacrifice of communion" (*Schlachtopfer*) meaning a central aspect of the sacrifice is the communal consumption of most of the sacrificial animal. The regulations for the thanksgiving-offer-

[47] Cf. Felmy, *Herrenmahl*, 49, 116.

[48] Albertz, *Religionsgeschichte II*, 495, cf. Bernd Janowski, "Opfer I (AT)," *Neues Bibel-Lexikon* 3 (2001), 36–40, 38.

[49] The Priestly texts also did not dispute the holiness of the entire people (see Lev 22:32–3 as well as Crüsemann, *Tora*, 350–5, cf. 416). Likewise, the Divine Liturgy understands the entire congregation as a "royal priesthood [I Peter 2:9]" (103: Basilius-Anaphora).

[50] Cf. Rendtorff, *Leviticus: 1,1–10,20* (Biblischer Kommentar Altes Testament III/1; Neukirchen: Neukirchener Verlag, 2004), 249; Jacob Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (The Anchor Bible; New York: Bantam Doubleday Dell, 1991), 413.

ing help us see the event as a feast, which corresponds in essence to the goal of Deuteronomy as well.

The *Divine Liturgy* has decidedly come to be understood in this tradition of sacrifice. In the *Divine Liturgy*, when the Eucharist is understood as a sacrifice of praise (θυσία αἰνέσεως; cf. *DL*, 62), then it is clear that the Eucharist is being interpreted in the *Divine Liturgy* as corresponding to the Old Testament thanksgiving-offering. In the Septuagint αἴνεσις is the translation of תדה and θυσία αἰνέσεως of זבח-תדה.[51] Characteristic of the thanksgiving-offering, however, is the unity of sacrifice and communal meal as well as the intelligibility of the prayer. Given the nature of the biblical thanksgiving-offering, practices such as saying the priest's prayers silently and speaking the post-communion prayer of thanksgiving after the *priests* have communed are distortions to be remedied.

The fact that the *Divine Liturgy* views itself as analogous to the Old Testament thanksgiving-offering allows Orthodox churches to reflect on the abundance of biblical strands in their own tradition and to identify distortions that have slipped in over the years. Thus they can work towards overcoming problematic practices while still remaining true to their tradition.

VI. Functional or Spiritual Understanding of Worship Services

The contrast between the Deuteronomic und Priestly concepts of the cult is reflected both in the different approaches to worship among various confessions but also in the conflicts within individual confessions as they struggle to agree on the right form for worship. These different concepts of the cult are also latent in discussions within the Roman Catholic Church about the necessary consequences of Vatican II liturgical reforms, as well as the ongoing discussions in Protestant theology about whether worship services should be viewed as functional or spiritual. In both discussions, the question revolves around whether the purpose of church services is to maintain and strengthen faith[52] or to worship God.[53]

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[51] Cf. Lev 7:12–5, Ps 27:6 (LXX: 26:6); 50:14 (49:14); 107:22 (106:22); 116:17 (115:8).

[52] Christoph Dinkel, *Was nützt der Gottesdienst? Eine funktionale Theorie des evangelischen Gottesdienstes*, Praktische Theologie und Kultur 2 (Gütersloh: Gütersloher Verlag, 2000), 113; For a Catholic perspective, see Albert Gerhards, "Menschwerden durch Gottesdienst? Zur Positionsbestimmung der Liturgie zwischen kirchlichem Anspruch und individuellem Erleben" in *Gott feiern in nachchristlicher Gesellschaft: Die missionarische Dimension der Liturgie,* eds. Benedikt Kranemann et al (Stuttgart: Katholisches Bibelwerk, 2000), 20–31.

[53] Joseph Ratzinger, *Der Geist der Liturgie: Eine Einführung* (Freiburg: Herder, 2000), 42. A similar argument is made from a Protestant perspective by Christian Möller, *Einführung in die Praktische Theologie* (Tübingen: Francke, 2004), 103–7.

The Deuteronomic concept of the festival, which places responsibility for the cult in the hands of free Israelites, can be reconstructed in a functional way: "The regulations related to the cult serve … to constitute a free and open public which is not brought together by adversity."[54] When this public is constituted in a non-hierarchical way, it supports the intention of the Deuteronomic regulations "which both assume and promote equality."[55] The cult also enables the people of Israel to develop a dynamic self-understanding by concretely placing the gathered feasting community in the context of the Exodus (cf. Deut 16:6. 12).[56] Likewise the 'motto' of the Deuteronomic concept of the cult is "not the adoration of God but the rejoicing of the people before YHWH."[57]

In contrast to the functional theory of the cult in Deuteronomy, the Priestly texts reflect a cultic concept that cannot be easily reconstructed in a functional way. Priestly systematic thought about sacrifice certainly includes numerous rituals fulfilling specific functions. The sin-offering allows injustice committed out of ignorance to be addressed and dealt with.[58] Meanwhile, the function of creating an all-encompassing public is maintained through the adopted practice of pilgrim festivals. Yet the interest of the Priestly traditions goes far beyond those functional rituals we can reconstruct, as can be observed in the daily sacrifices, which the general public is largely excluded from attending. From a secular perspective they can no longer be reconstructed in a functional way, but the Priestly texts do identify a specific function for these sacrifices: They serve – to use an old fashioned or even archaic idea – as means for God to receive nourishment. They seek to increase God's joy in Israel, or rather, to appease God's wrath, thus helping to sustain the world.[59]

Yet this functional definition is still hardly within the scope of secular thought. As soon as one goes beyond the level of self-description, it ceases to provide new ideas or insights about why a sacrifice performed without the larger public should sustain the world. Therefore, in the modern conflict between appropriating the Priestly and Deuteronomic concepts of the

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[54] Welker, "Recht," 402.

[55] Ibid., 403.

[56] Cf. the contribution of Michael Welker in this volume: "Even those who were never personally in Egypt allow themselves to be addressed as those who were slaves in Egypt and were liberated by God's hand." See also Walter Brueggemann, *Worship in Ancient Israel: An Essential Guide* (Nashville, TN: Abingdon, 2005), 16–7.

[57] Braulik, "Freude," 213.

[58] Cf. David Daube, "Error and Ignorance as Excuses in Crime," in *Biblical Law and Literature: Collected Works of David Daube. Volume 3*, ed. Calum Carmichael (Berkeley: The Robbins Collection, 2003), 391–407, 399.

[59] Cf. Jan Assmann, *Ma'at: Gerechtigkeit und Unsterblichkeit im Alten Ägypten*, second, rev. ed. (Munich: Beck, 2006), 204: The "function [of the cult] consists in taming chaos, maintaining the world."

cult, the difference comes down to whether we assign a communicative-functional purpose to the cult or whether a so-called spiritual and intentionally not functional purpose is the essence of the worship service.

In order to shake up an often deadlocked discussion, it may be helpful to point out that Deuteronomy does not completely functionalize the worship service, nor do the Priestly traditions focus solely on the daily sacrifice taking place out of sight. According to Deuteronomy, which seeks to centralize cultic practices in the Jerusalem Temple, it is of the utmost importance that the pilgrim festivals be celebrated "before YHWH."[60] Admittedly, we do not know how this presence was staged liturgically, but it was at least indicated architecturally in the construction of the Temple. "The liturgical 'rejoicing before YHWH' cannot be grasped metaphorically, but must occur in the spatial presence of YHWH, in immediate proximity to the God attendant in the Jerusalem sanctuary,"[61] who actively participates in the festivals of his people – unlike the false gods of the foreigners (cf. Deut 4:28).

The Priestly traditions reciprocate by integrating the major pilgrim festivals into the sacrificial calendar. In particular Lev 23 points out that the festivals of YHWH should be celebrated as "holy convocations." Of course, the purpose of these convocations is to present offerings (cf. esp. Lev 23:37), but the congregation is not supposed to be excluded when these sacrifices are performed. So in the Priestly tradition, sacrifice is only one aspect of the festivals "but it is that aspect which needs to be more precisely defined, a process in which the priesthood must be particularly interested. The other aspect was – and remains – the participation of the celebrating people in the festival itself."[62]

Thus, Deuteronomy and the Priestly texts each make clear in their own way that following the Old Testament Torah does not mean choosing between mutually-exclusive alternatives between the functional and spiritual dimensions of public worship. On the contrary, Deuteronomy and the Priestly tradition represent two different ways of prioritizing these elements. Additionally, because the Old Testament canon connects Deuteronomy with the Priestly traditions, it sketches out a theology of public worship in which a connection between the functional and spiritual dimensions of worship is normative. In light of the Old Testament canon, defining

[60] Cf. Deut 12:7. 12. 18, 14:23. 26, 15:20, 16:11 and other places.

[61] Georg Braulik, "Von der Lust Israels vor seinem Gott. Warum Kirche aus dem Fest lebt," in *Den Himmel offen halten: Ein Plädoyer für Kirchenentwicklung in Europa: Festschrift für Paul M. Zulehner,* eds. Isidor Baumgartner et al (Innsbruck: Tyrolia, 2000), 92–112, 106; cf. Georg Lohfink, "Opferzentralisation, Säkularisierungsthese und mimetische Theorie," in *Studien zum Deuteronomium und zur deuteronomistischen Literatur III* (Stuttgarter Biblische Aufsatzbände 20; Stuttgart: Katholisches Bibelwerk 1995), 219–60, 240.

[62] Rendtorff, "Entwicklung," 202–3.

public worship services as either purely functional (in other words, completely secularizing public worship services) or concentrating services solely on the worship of God both seem reductionistic. Having the Deuteronomic and Priestly traditions alongside one another in the Torah makes it possible to retain different ways of prioritizing both dimensions of worship.

VII. Concluding Remarks

The Old Testament Torah discovered the unity of cult, justice and mercy. On the one hand, an egalitarian, paradigmatic public strengthens the administration of justice geared towards egalitarianism.[63] On the other hand, the cult makes it possible to address even injustice due to ignorance, violence performed by accident without evil intent and the consequences that acts of violence exert on society as a whole.

In addition, the Old Testament Torah is aware of the fact that there is not only one legal form of the cult. In the Torah itself, the Priestly and Deuteronomic cultic codes are presented alongside each other. Although they prioritize the spiritual and functional dimensions of worship in different ways, they share the insight that public worship needs both dimensions. The cult could not contribute to the establishment of justice and mercy without creating an egalitarian, paradigmatic public. Without the spiritual dimension, the cult would lose the insight that the law cannot establish atonement by itself. The consequences of injustice linger on, even in cases where injustice has been addressed legally. Therefore, the law needs the spiritual horizon of divine atonement.

The Old Testament cultic codes have shaped the history of liturgy in Judaism and Christianity for more than 2,500 years. This historical power may be a hint that the cultic codes of the Torah are not only inventions of a few religious thinkers in ancient times. The Deuteronomic and the Priestly cultic codes have grasped elementary structures of the unity of law and ritual.

[63] Cf. the contribution of Michael Welker in this volume.