Ancient Jewish Prayers of Penitence
And Questions of Space

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1. Penitential Prayers of the Second Temple Period

In the worship of Second Temple Judaism, repentance flourished and became a hallmark of post-exilic piety. Indeed, penitential prayer became one of the best attested prayer forms during the period of the Second Temple, as evidenced in Isa 63:7-64:11, Ezra 9:6-15, Neh 9:6-37, and Dan 9:4-19. Alongside the impulse to penitence, there are other common features that distinguish this type of prayer.

Literarily, the prayers of repentance reflect the self-conscious use of conventions relating to the form of the psalmic lament. From the psalter the prayers adopt and adapt conventions such as the address, the lament, and the petition. The confession of sin, a minor convention in the psalms (see Psa 79:9), is greatly expanded and so recast; furthermore, penitential prayer helps to generate new conventions such as the recital of national history. Each literary convention is stipulated in terms of language, which thus

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1 We hold the view associated with Joseph Heinemann and others that there was continuous development in Jewish liturgical thought throughout antiquity, from early stages with prayer in the form of creative compositions to the final, set formulations of prayer texts that postdate the fall of the Second Temple by several centuries. Thus, rabbinic sources can provide important data about Second Temple prayer. For example, Heinemann notes that “statutory” or communal, fixed prayer was regarded by the sages as хабав, divine service or worship. He concludes, “It becomes evident that prayer was regarded as хабав, in a manner analogous to the sacrificial cult, not only in the period following the destruction of the Second Temple, but even during the period of the temple itself, the only difference being that, in the temple period, prayer did not take the place of sacrifices but rather paralleled and complemented them.” Later in his discussion, Heinemann adds that repentance or חבָּט is another rabbinic concept that finds expression in the liturgy of the Second Temple period. See his Prayer in the Period of the Tanna’im and the Amora’im: Its Nature and Its Patterns (Jerusalem: Magnes, 1966), 15, 31.
provides opportunity for additional common elements. References to human rebellion, for
example, regularly mention sins, iniquities and transgressions (using the roots \[\text{vp}, \text{ \(\text{w}\)}, \text{ \(\text{aj}\)}, \text{ \(\text{x}\)},\] as in Ezra 9:6, 7, 13; Neh 1:6; 9:2, 29, 33, 37; Dan 9:5, 8, 11, 13, 15, 16, 20).

Indeed there is a significant range of common vocabulary among the penitential prayers. This lexical feature in consideration with others has led some to classify these prayers as a distinct literary genre.  

The literary-critical attention these prayers have received far outweighs the historical-critical work that has been done on them. Historically, there is the thorny issue of identifying the prayers’ context or \textit{Sitz-im-Leben}. The candidates are several. The so-called liturgy of repentance is one logical setting for prayers that seek to console the unfortunate by allowing them to confess their sin.  

Because the available sources say so little about the penitential liturgy, however, it is exceedingly difficult to argue its being the \textit{Sitz-im-Leben} of the prayers in question. The synagogue would be another candidate, and Joseph Heinemann for one posits synagogal origins for much of the prayer of the

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3 The so-called liturgy of repentance is a possible setting for post-exilic penitential prayers. Began at the time of the exile, the liturgy of repentance accentuated the twin themes of penitence for one’s failings and resolve to amend one’s ways. As well, the liturgy allowed penitents to avow their loyalty to the past and their singular dependence upon divine grace. See Peter Ackroyd, \textit{Exile and Restoration: A Study of Hebrew Thought of the Sixth Century B.C.} (Philadelphia: Westminster, 1968), 47. Details of this liturgy are not extant, although it probably entailed fasting (Zech 7:3,5; 8:19), public mourning (Lam 2:10-11), and perhaps even self-laceration (Jer 41:5). The sources for the exilic penitential liturgy include Jer 14:1-15:4 and Lamentations 3. Regrettably, neither the exilic nor the post-exilic sources disclose as much as we would like about the penitential liturgy.
Second-Temple period, including that based in the temple. It would appear, however, that many of the penitential prayers predate the synagogue, especially if one takes Lee Levine’s view that the “dramatic initiative” of introducing obligatory, public communal prayer takes place in the post-70 Palestinian synagogue. There remains one candidate for the Sitz-im-Leben of the penitential prayers, the temple. The prima facie evidence supports the existence of such a relationship.

Communal in character, the prayers of repentance may well have derived from the milieu of the temple cult, although this influence is not necessarily univocal. From the temple, the prayers incorporate significant cultic realia such as specific prayer times. In some cases, the prayer times in question appear to have been festal dates on the calendar. In other cases, they were the hours of prayer in the temple on an ordinary day. The prayers in Ezra 9:6-15 and Dan 9:4-19 are both aligned with the daily sacrifice or dýná̆ (Ezra 9:5, Dan 9:21). These explicit references are valuable, especially if they enable a

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4 Heinemann nuances his position thus: “Although we are inclined to regard most of the prayers which were recited in the temple as outgrowths of the popular creations which developed around the institution of the synagogue, we cannot deny that these temple prayers possess a distinctive nature of their own.” Prayer in the Period of the Tanna’im and the Amora’im, 133.

5 Levine writes: “There can be little doubt that obligatory daily prayer—both personal and communal—was conceived in the post–70 period under the auspices of Rabban Gamaliel. On the other hand, as noted, these prayers were not created ex nihilo There were many precedents, and the Yavnean tannaim incorporated earlier materials, reworking, reformulating, and restricting them so as to fashion a prayer which they sought to make obligatory for Jews everywhere, as a community and as individuals.” The Ancient Synagogue: The First Thousand Years (New Haven/London: Yale University Press, 2000), 503, 518.

6 In the fifth century B.C.E., even after the completion of the Second Temple and the restoration of national rites, penitential practices remained vital to the local liturgy. The gathering of Judeans described in Nehemiah 8 is explicitly liturgical (8:6-7), and it is significant that the people are disposed to mourn and weep (8:9 ḥkb and 11 lba) and to grieve (8:11 bc). The gathering in Nehemiah 8 may represent a penitential service initially associated with Sukkoth (Neh 8:18, 9:1), and the penitential prayer that follows in Neh 9:6-37 indicates a penitential service taking place on the 24th day of the seventh month, two days after the conclusion of the weeklong feast of Sukkoth. It is possible that the prayer has come from a rite of Sukkoth or some other special occasion in the festal year, including Yom Kippur (see my Developments in Genre, 121-22). Such associations link penitential prayer to the rites of national observance and as well to those of the temple cult.

7 In fact the daily sacrifice was offered twice daily; according to S. Safrai, “The morning and afternoon whole-offerings constituted the essence of the divine service and the main function of the altar.
historical reconstruction that illuminates the relationship of these two prayers to the temple cult.

Exploring to the greatest degree possible the relationship between the penitential prayers and the temple is the goal of this paper. This paper will begin by examining the two prayers in Ezra and Daniel with special attention to their temple references. The examination brings to light an exegetical question: “What is the exact relationship between penitential prayer and the temple’s sacrificial system?” Related to this question are others that are less straightforward, such as “When the sum of a prayer’s references to temple procedures contains contradictions and links the prayer to a variety of sacrifices, how is the evidence to be read?”

Toward some resolution of these questions, the paper will consider two veins of scholarship as they indicate structuralist models of sacred space. Following the work of Seth Kunin, the discussion extrapolates a centralized model from the scholarly view that prayer coincides with sacrifice. The view that prayer replaces sacrifice is associated with an alternative model, which Kunin designates as the decentralized model. Our approach in the paper, therefore, is to combine exegetical methods with those of critical theory and with the history of scholarship. The paper concludes with a post-structuralist appeal that the relationship between penitential prayer and sacrifice be reconstrued more broadly. In light of Edward Soja’s work with Thirdspace, the relationship between prayer and sacrifice exhibits political and philosophical dimensions that are opportune for exploration.

Extreme importance was attributed to the daily whole offering.” “The Temple,” pp. 865-907 in The Jewish People in the First Century: Historical Geography, Political History, Social, Cultural and Religious Life
2. Two Representative Penitential Prayers

The introduction listed four ancient Jewish prayers of penitence, and more could be adduced, especially if one looks to the apocrypha and even beyond the canon (Bar 1:5-3:8, 3 Macc 2:13-19, Prayer of Manasseh, 4Q504). On what grounds do we isolate and study two prayers, Ezra 9:6-15 and Dan 9:4-19, other than their both referring to the daily sacrifice? In fact, these two prayers have in common several points that justify their being studied jointly. The prayers are similar in length and in terms of their literary structure. Both appear to be traditional prayers of penitence that have been incorporated into a biblical book by the book’s author, i.e. they are not secondary additions from a redactor.

In both prayers the speaker, Ezra and Daniel respectively, acts as a representative of his people, whose sinful behavior is the cause for profuse penitence and confession of sin. In many ways, the two prayers are comparable, and even their most notable distinction, dating, supports studying them in tandem. Because Ezra 9:6-15 is post-exilic (re. the dating of Ezra see footnote ten) while Daniel 9:4-19 dates to the Hasmonean period, the two prayers are bookends, loosely speaking, for Jewish penitential prayer in the Second Temple period.

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8 The common structure is evident in terms of: invocation (Ezra 9:6, Dan 9:4-5), historical interlude (Ezra 9:7-9, Dan 9:6-14), transition stated [תא] (Ezra 9:10, Dan 9:15), petition (Ezra 9:10-14, Dan 9:16-19).

9 Such authorship of Ezra 9:6-15 is demonstrated in my Developments in Genre, 91-100, and much the same case is made by Yonina Dor in “The Composition of the Episode of the Foreign Women in Ezra IX-X,” VT 53 (2003): 26-47. The position that the author of Daniel 9, and not a redactor, included 9:4-19 is put forth by John Collins in Daniel: A Commentary on the Book of Daniel (Hermeneia; Minneapolis: Augsburg Fortress, 1993), 348.
2.1 The Prayer in Ezra 9:6-15

Ezra’s mission takes place in 458 B.C.E., and four months after his arrival in Jerusalem he becomes involved in a conflict over intermarriage, which is described in Ezra 9-10. Certain officials among the returned exiles (hereafter, the golah community) are chagrined that in Judah there are Jews married to non-Jews. The intermarriage is described in Deuteronomic terms as a transgression of the law and as disobedience to the prophets (9:10-11). Moreover, the foreign women are said to practice abominations, a term that is drawn from the levitical codes against impurity. Thus, the ensuing move to exclude foreign spouses is essentially an attempt to purify and safeguard the entire golah community from a religious standpoint, and to do so on legal grounds.

When the prayer begins, the speaker is Ezra, but after one verse there is a change from first-person singular to plural. The change in Ezra 9:7 is intended to show that a

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10 In dating Ezra’s mission we accept the notice of Ezra 7:7-8 as accurate and historical, contra John Bright, who emends the text and dates the mission to 428 B.C.E. (See his History of Israel [Philadelphia: Westminster, 1981], 391-402) and contra those who interpret Ezra 7:7-8 as referring to the second king Artaxerxes, whose dates would require Ezra’s mission to occur in 398 B.C.E. (See N. H. Snaith, “The Date of Ezra’s Arrival in Jerusalem,” ZAW 63 [1951]: 53-66). In accepting the traditional dating, we give weight as well to the biblical order that places Ezra before Nehemiah, whose mission dates to 445 B.C.E. If the final redactor of the Ezra and Nehemiah material were working shortly after their time, it is unlikely that he would have forgotten their correct order, as David Clines has observed (Ezra, Nehemiah, Esther [NCB; Grand Rapids, Mich.: Eerdmans, 1984], 16-24).


12 On the Levitical code, see Lev 18:24-30. To comprehend better the foreign wives’ impurity, see the accounts of Solomon’s wives (1 Kgs 11:1-8) and Jezebel (1 Kgs 16:31-2). In both cases, the foreign wives’ impurity is taken to be the cause of syncretistic phenomena entering into Yahwism.

13 Such policy was not unprecedented in the provinces of the Achaemenid Empire. The Udjahorresnet inscription, an Egyptian text from the early years of the reign of Darius I, describes the expulsion of all foreigners from the sanctuary of Neith in order that it be restored to its former splendor. Specifically, the foreigners and their unclean things were removed so that the sanctuary could be cleansed and sacrifice be resumed. The text has been published by A. Tulli, “Il Naoforo Vaticano,” Miscellanea Gregoriana (Rome: Tipografia Poliglotta Vaticana, 1941), 211-80.
solidarity of guilt binds together the speaker and all of his contemporaries while it
reaches back to their ancestors. After judgment for their sins, the people as a whole
remain in exilic-like conditions and offer a prayer in five parts. The first part, an
invocation (9:6), is penitential in tone; there follows a somber illustration from history
(9:7-9); a citation from scripture constitutes the third part (9:10-12); a petition or plea is
then directed toward the hearers (9:13-14); and a final statement is designed to motivate
God to respond to the prayer (9:15).

After outlining the prayer’s structure in a manner similar to that above, F. C.
Fensham concludes, “Confession of sin stands in the center of the whole prayer.” His
view is shared by H. G. M. Williamson, who adds that the prayer’s confessions of sin
contain hortatory elements, “as though Ezra were very conscious of the audience who
surrounded him.” The language of sin is highlighted at the prayer’s beginning and end
(9:6-7,15) and is in fact distributed copiously throughout the prayer. Ezra 9:6a is an
individual confession of sins, followed by 9:6b-7 as a communal confession of sins. Both
confess iniquities (חֲטָיוֹת) and guilt (מִרְשָׁנָה). Ezra 9:10-12 is a specific confession of
sins with reference to intermarriage, by which the people have forsaken God’s
commandments (נִשְׁדָּדוּ). In 9:13 they refer to their evil deeds
(אֲשֶׁר יָאָסֵר) and great guilt (חֲרֵצֵים וַמִּרְשָׁנָה). Ezra 9:15 provides a
concluding admission of guilt. Indeed, the confession of sin is a hallmark of this prayer

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14 It is self-evident that the shift to second-person intends to establish solidarity; that it is a
solidarity based upon common guilt is the view of H. G. M. Williamson, Ezra, Nehemiah (WBC 16;


16 Ezra, Nehemiah, 128.
and a prime indicator of the prayer’s historical context, ostensibly a specific point in time and space within the temple milieu.

The prayer’s multiple references to guilt (9:6, 7, 13) invite a correlation to either the sin offering or the guilt offering. These two offerings are quite distinct from the daily offering, as both were offered in the temple to atone for misdeeds. The sin offering or \textit{t\textstyle\aleph}x; was offered for unintentional sins (Lev 4:1-5:13), and the guilt offering or \textit{\textstyle\aleph} was offered as restitution to God for something the sinner should have done or given (Lev 5:14-26). Inasmuch as the rubrics of both sacrifices refer to guilt (\textit{\textstyle\aleph}) a total of eleven times, they echo throughout Ezra’s prayer. The rubrics also include references (Lev 5:5, Num 5:7) to a related expression, “confession” (\textit{\textstyle\aleph} in \textit{hitpa’el}), an action similarly associated with the penitential Ezra (10:1). While the author is not imputing to Ezra’s actions the more technical sense of the term “confession,”\textsuperscript{17} there exists a noteworthy lexical relation between Ezra’s penitential prayer and either the sin offering or the guilt offering.

The abundance of lexical references to guilt and confession overshadow the single reference in Ezra 9:5 to the daily offering, the sacrifice offered twice each day to begin and later conclude activity in the temple. The morning and afternoon offerings established the interval during which could priests offer the various other sacrifices, such as the sin offering and the guilt offering. According to Ezra 9:5, the penitential prayer in

\textsuperscript{17} In Leviticus 5, the technical sense of the term “confess,” according to Jacob Milgrom, is to convert deliberate sin into inadvertant sin so that it may then be expiated sacrificially. See his \textit{Leviticus 1-16} (AB 3; New York: Doubleday), 301-2. In Ezra 10:1, however, the \textit{\textstyle\aleph} in \textit{hitpa’el} connotes a private individual speaking for himself extemporaneously, as opposed to citing a complex composition within the cult. This view of G. Mayer helps to explain why the \textit{\textstyle\aleph} in \textit{hitpa’el} appears adjacent to but never \textit{within} the long penitential prayers we are studying. See his article in \textit{TDOT} 5.441-42.
Ezra 9:6-15 was said in correlation with the daily offering rather than the sin or guilt offering, despite the preponderance of evidence to the contrary. Because the assertion that is contained in Ezra 9:5 does not reconcile easily with the prayer’s lexical data as presented above, one is hard pressed to state the exact relationship that this penitential prayer might have had to the temple’s sacrificial system. The data as we now have it\textsuperscript{18} allow one to locate this penitential prayer in the system generally but not exactly.

2.2 The Prayer in Daniel 9:4-19

The prayer in Dan 9:4-19 evinces a clear structure that begins with an address. Dan 9:4 addresses God as great and awesome, a formula whose full form is available in Neh 9:32. There follows a historical recital, in 9:5-14, filled with unrelenting self accusation of the people, who have sinned and transgressed the law given by Moses and the prophets. One verse, 9:11b, is noteworthy: “And the curse and the oath written in the law of Moses, the servant of God, were poured out upon us, because we sinned against him.” The expression “the curse and the oath” is comparable to cultic language in Num 5:21,\textsuperscript{19} and the admission of the people’s sin (\textit{Al Wnaj’x’ yKi}) is evocative of the rubrics for the sin offering or \textit{taJ’x}; that was offered for unintentional sins (see Lev 4:1-5:13).

In 9:15 a petition begins with the formula \textit{ht[\textit{W}also to be found in Ezra 9:10. In what follows, the text distinguishes its historical circumstances. There are repeated

\textsuperscript{18} As Stefan Reif observes, gaining access to “the original evidence” can be challenging: “The problem for the researcher is that [liturgical] developments are not of course seen as such, or not at least described as such, in the relevant or in subsequent generations. Once new customs or rites are legitimately established, they are redefined in light of their new status and acquire an authority and history that cover the original evidence with layers of later deposits.” \textit{Judaism and Hebrew Prayer: New Perspectives on Jewish Liturgical History} (Cambridge: Cambridge University Press, 1993), 20.

\textsuperscript{19} Collins draws this comparison in \textit{Daniel}, 350.
requests for God to restore the Jerusalem sanctuary, which has been left desolate (\textit{~meV'h} 9:17-18). Thus, the prayer arises out of a desecration of the temple, which was in turn part of a larger conquest. One may identify this event both with the Babylonian sacking of Jerusalem in 587 B.C.E. and with its capture by Antiochus IV in 168 B.C.E., when he erected in the temple a statue of a foreign god whose moniker was (\textit{mv}). The prayer concludes with a conventional address to God “for your sake,” (9:19), and 9:20-21 are the transition from the prayer to the dialogue between Daniel and Gabriel. Cursorily, 9:21 links the prayer to the time of the daily sacrifice offered in the temple each evening.

The prayer’s reference to the evening sacrifice, although explicit, is not nearly as conspicuous as its penitential language corresponding to the sacrificial rites designed to counteract sin and similar misdeeds. The conflicting data allows no conclusions to be drawn, and so there arises again the exegetical problem around which this paper revolves. As with the prayer in Ezra 9:6-15, one may only speculate as to the exact relationship between the text of a penitential prayer and the temple’s sacrificial system. The situations of Ezra 9:6-15 and Dan 9:4-19 are markedly different from those of Psalm 92 or Qumran’s Songs of the Sabbath Sacrifice, prayers whose internal evidence places them

\footnote{20 The use of the word, according to Collins, “does not require that the prayer be composed in Maccabean times, but it may have made this traditional piece more immediately relevant to the author of Daniel.” \textit{Daniel}, 351.}

\footnote{21 Psalm 92, whose title states that it is the psalm for the Sabbath, is one of the few psalms in the psalter assigned to a particular occasion and a specific day. The designation arose during later cultic practice and thus says nothing about the song’s connection to its original setting. For further commentary and bibliography, see Hans-Joachim Kraus, \textit{Psalms 60-150} (CC; trans. H. C. Oswald; Minneapolis: Fortress), 228.}

\footnote{22 This liturgical collection contains songs for the first 13 sabbaths of the year, and certain of the texts indicate a connection to the Sabbath sacrifice. The thirteenth song, for example, speaks of priestly angels offering sacrifices in the temple in heaven, which is described in terms of its outer rooms and finally its central sanctuary. According to Esther Chazon, the songs were probably not used in the contemporary Jerusalem temple, “but it is highly plausible that they were recited at the hour when the Sabbath sacrifice was offered.” Her position, to be explored later in this paper, appears in “When Did They Pray? Times for Prayer in the Dead Sea Scrolls and Associated Literature,” pp. 42-51 in \textit{For a Later Generation: The}}
rather precisely within the ambit of temple worship. Similarly, in the cases of Ezra 9:6-15 and Dan 9:4-19, thorough study of the prayer suggests that it be aligned with a specific offering in the temple, either the sin offering or the guilt offering. Such placement, however, is elusive, in part because there are in each prayer explicit references to the daily offering (Ezra 9:4, Dan 9:21) that suggest something else might be the case.

3. A Solution: Structuralist Models of Sacred Space

Thus far in our study of ancient Jewish prayers of penitence and their historical settings, we have worked exegetically and pressed this methodological approach toward its limits. In the process, exegesis has yielded a valuable question as to whether certain prayers exhibit a bona fide connection to temple sacrifices. Exegesis has allowed us to refine the question: How should we interpret conflicting data about a given prayer’s relationship to specific sacrifices, as in the cases of Ezra 9:6-15 and Dan 9:4-19? Exegesis, however, has yielded no answers to these questions. Nonetheless, because the questions are sufficiently intriguing, we shall pursue them anew with a more hermeneutical methodology, critical theory.

The turn to theory involves reading biblical scholars who have addressed the matter of prayer and its relationship to temple sacrifice. The scholarship exhibits trends of at least two sorts. Some scholars understand prayers such as Ezra 9:6-15 or Dan 9:4-19 to have had an actual relationship to the temple’s sacrificial system such that they were recited at the time that the sacrifice was offered. Proponents of this view, such as Esther Chazon (see above footnote 22), typically understand the prayer to be not a part of the

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*Transformation of Tradition in Israel, Early Judaism and Early Christianity* (ed. R. A. Argall et al.; Harrisburg, Penn: Trinity), 49.
temple rite but a recitation that coincides with the rite. On the other hand, there are scholars who interpret prayers such as Ezra 9:6-15 or Dan 9:4-19 as substitutes for temple sacrifice that is no longer in use. In this view, prayer has replaced temple sacrifice; the two do not coincide. Both of these views foreground the temporal dimension of prayer vis-à-vis sacrifice, although each contains as well inferences about sacred space. Ultimately, both views imply a distinct model of sacred space adduced from the temple and the habits of prayer. In this section, we will consider the two views in order to discuss and assess the models of sacred space that each implies.

3.1 Model A: Prayer Coincides with Sacrifice

The view that prayer coincided with temple sacrifice is informed by the historical observations of Yehezkel Kaufmann, who notes that after the exile the temple cult was in flux. As the form of the cult was being renewed, according to Kaufmann, not everything could be restored, and as a result prayer developed into a form of religious activity that was increasingly autonomous from the temple cult. There were, to be sure, limits to this autonomy, and these limits are central to the view in contemporary scholarship that prayer coincided with temple sacrifice. Arguing for prayer’s limited autonomy from the temple cult has led scholars to make claims about sacred time and as well sacred space.

Kaufmann’s intellectual legacy has been a guiding force for many scholars, including Israel Knohl. Knohl has developed Kaufmann’s view of the “silent” cult within

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23 Kaufmann observes, for example, that the ark, the Urim and Thummim, and the anointing oil were not restored. The Religion of Israel: From Its Beginnings to the Babylonian Exile (trans. M. Greenberg; New York: Schocken, 1972), 184.
the temple that was bereft of spells, psalms, prayers and the like. The priests performed temple rites without a word spoken, according to Kaufmann, while surrounding the silent sanctuary there abounded prayer and other forms of popular religious sentiment. Knohl has embellished Kaufmann’s understanding of the cult with a highly particularized sense of space. He writes,

At the end of the Second Temple period, prayer penetrated into the periphery of the priestly realm, .... The temple may therefore be described as a series of concentric circles. The inner circle is that of the priests, in which the sacred service is conducted in absolute silence; the outer circle is that of the folk prayers of the people; while in the middle is the circle of the song of the Levites. Despite the tension among them, these circles existed alongside one another and complemented one another.

Knohl articulates contours of space that are at best implicit in Kaufmann’s reconstruction of temple worship. Knohl indicates the priestly realm as an inner circle and posits two concentric circles that form a periphery. He indicates tension among the circles, and as well a countering force of complementarity. In making the spatial dimension so explicit, Knohl generates a model that demonstrates the close proximity of popular prayer to the priestly cult of the Second Temple. Prayer is distinct from the inner circle, but it is not autonomous.

One can gain insight into Knohl’s spatial model via his analysis of Num 5:21, a verse noted earlier because of its lexical connection to Dan 9:11b (see footnote 19). Both verses contain an expression approximating “the curse and the oath.” According to Knohl, Num 5:19-22, a pericope known as the adjuration of the wayward wife, reflects

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24 In The Sanctuary of Silence: The Priestly Torah and the Holiness School (Minneapolis: Fortress, 1995), Knohl identifies nuances in the “silence” of the cult. For example, in texts from the Priestly Torah God is never depicted as dwelling in the tabernacle, and the tabernacle is treated as God’s revelation to Moses alone. In the writing of the Holiness School, however, the tabernacle is more closely linked to God, and its discussion occurs among the entire people. 106-8.
one of only two exceptions to the norm when words *are* spoken within the temple.\(^{26}\) This particular exception exists because the words spoken within the pericope are mere formulary and do not in Knohl’s view constitute prayer to a personal God. Curiously, the verse containing the expression echoed in Daniel’s prayer, Num 5:21, is not part of the original pericope, according to Knohl.\(^{27}\) That is to say, the verse that may be cross-referenced to a specific prayer of penitence is judged a redactor’s gloss, and as a result strict separation is maintained among the spatial dimensions that Knohl has established. The audible prayer of Dan 9:4-19 remains apart from the cult itself. Knohl’s spatial model admits no porous borders as indeed “prayer penetrated into the periphery of the priestly realm” but never into the realm itself. The place of prayer and the cult are distinct, and a measured degree of autonomy forms the basis of the distinction.

Knohl’s implicit judgment that Dan 9:4-15 was recited very near the temple becomes explicit in the work of Esther Chazon, who has adopted Knohl’s terminology and his model of temple space.\(^{28}\) Chazon groups Dan 9:4-19 with Ezra 9:6-15 and other prayers that refer to the daily afternoon sacrifice and thereby “indicate that prayers said at the temple remained on its *periphery* both geographically and cultically.”\(^{29}\) She contrasts these prayers with *David’s Compositions*, which reports that David wrote songs to sing *before the altar* at the time of the daily offering.\(^{30}\) Chazon does not consider in Dan 9:4-19 and Ezra 9:6-15 the surfeit of penitential language suggesting that these prayers were said in connection with the guilt offering or sin offering rather than the daily offering.


\(^{26}\) Ibid., 20.

\(^{27}\) Ibid., 20, n. 6.

\(^{28}\) “When Did They Pray,” 48, n. 26.

\(^{29}\) Ibid., 48, emphasis added.

\(^{30}\) Ibid, emphasis added.
She instead focuses on direct references to the daily offering to conclude that prayers with said language were “coordinated” with temple sacrifice.  

3.2 Structuralist Implications of Model A

In summation, the model of sacred space invoked by Knohl and Chazon ascribes to the temple a center and a periphery; penitential prayer occurs on the periphery in coincidence and in coordination with sacrifice offered at the center. The coordination notwithstanding, center and periphery are otherwise rigidly opposed. In terms of its binary oppositions and other features, the model aligns rather uncannily with one elaborated by Seth Kunin. Kunin draws on structuralist theory and texts in the Hebrew Bible to devise a model of sacred space whose underlying structure may be observed in the Tent of Meeting (in Exodus, Leviticus and Numbers) and as well in Solomon’s Temple (in 1 Kings). According to Kunin:

The texts present a model of sacred space consisting of [five] progressively smaller domains which are opposed one to another on the basis of holiness and purity. Each ring is more exclusive and holy with respect to the ring inside of it.  

In Kunin’s model, the inner ring is that of the high priest, and the subsequent rings represent the domains of the priests, the Levites, the people Israel, and finally the nations. Structurally, Kunin’s model of five rings is much like the three-ring model of Knohl. Moreover, when one focuses on adjoining rings in a given model there is a common pattern of relationship. Kunin echoes Knohl in asserting,

31 Ibid., 50.
33 Ibid., 14.
The categories [rings] are exclusive and unbridgeable. Each category [ring] is so defined that it excludes the other. … The opposition between unbridgeable categories [rings] exemplifies the structural equation \( A \) (not) \( B \). Structuralist analysis suggests that this equation is characteristic of Israelite culture as a whole.\(^{34}\)

With regard to renderings of the Second Temple, there is one important distinction between the models of Knohl and Kunin. Knohl’s model reflects his attempt to reconstruct the temple with historical veracity; in citing biblical and rabbinic texts he reports what he understands to have been the literal arrangement of space in and around the temple.\(^{35}\) Kunin, on the other hand, identifies in his model of sacred space an “aspect of idealization.”\(^{36}\) That is to say, the model contains “categories and elements” with symbolic valences, and biblical authors were wont to idealize an element by renegotiating its symbolic meaning and value. The ten tribes are Kunin’s example of a symbolically meaningful element in Second Temple accounts written when the actual tribes no longer existed. Kunin notes: “It is the symbolic value of the tribe, or any other element, within the oppositional structure that is significant, rather than the particular [element] itself. The ideal model allows the exemplification of cognitive structural models rather than being bound by the concrete of historical situations.”\(^{37}\) Knohl’s model makes more literal claims and purports to locate with historical accuracy Jewish worship such as the prayers of penitence, although presently we will introduce a sense in which Knohl’s model as well may be thought of as “ideological.”

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\(^{34}\) Ibid.

\(^{35}\) “Between Voice and Silence,” 23.

\(^{36}\) “God’s Place in the World,” 22.
3.3 Model B: Prayer Substitutes for Sacrifice

The seminal fact that the post-exilic cult of the Jerusalem temple was in flux due to the selective restoration of its traditional features led to the model of space described above and as well to an alternative view wherein prayer substitutes for sacrifice. Observing a “shift in emphasis away from sacrifice and toward prayer,” one scholar has suggested that prayer grew in popularity as that of sacrifice waned in the Persian, Hellenistic and Roman periods. 38 According to this view, prayer in the time of the Second Temple evolved into a form of religious activity that was increasingly autonomous from the cult. Penitential prayer was no exception. While penitential prayers such as those found in Ezra and Daniel were invariably associated with a ceremonial context, the context was not reducible to the temple cult and its sacrificial system. Because the place of these prayers remains indeterminate, it is difficult here to talk in terms of a spatial model and better to speak initially of the view wherein prayer substitutes for sacrifice.

In terms of Second Temple texts, Chronicles is often cited as evidence to support this view. Otto Plöger has suggested that there arose during the exile a certain custom involving prayer and sacrifice: “Prayer played a special role of replacing sacrifices.” Plöger does not expound on this development except to connect it to the later emphasis on prayer visible in Chronicles. “The Chronicler placed so much value on prayer, and [the development] perhaps explains why he elevated prayer over speeches.” 39 Among the

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37 Ibid., 22-23.
penitential prayers that Plöger attributes to the Chronicler are Ezra 9:6-15, Neh 1:5-11, and Neh 9:6-37, although according to Plöger the prayers in Nehemiah had a prior existence in the Nehemiah memoir. In his discussion of these prayers he also addresses the prayer in Dan 9:4-19 and judges it to be a counterpoint to the prayer in Ezra 9:6-15.⁴⁰

Prayer’s substituting for sacrifice is prominent in the writings of a group that broke away from the Second Temple, the covenanters at Qumran. Because this community believed the Jerusalem temple and its sacrificial system to be corrupt, it took prayer to be the optimal form of worship and the surest means of atonement. Texts internal to this community thus speak of prayer in sacrificial terms: “An offering of the lips for judgment is like the sweet fragrance offered by the righteous.” (1QS 9:5) Other texts, however, preserve the rubrics of sacrifice (see 2Q24, frg. 4; 11Q18) so that in the future the sacrificial system could be reestablished as part of a new and wholly correct temple. This hope for a future temple suggests that at Qumran prayer was an equivocal substitute for sacrifice.

After the fall of the Second Temple, the view that prayer substitutes for sacrifice remained current and even gained adherents. Leviticus Rabbah 22:8 arguably speaks to the limits of sacrifice, and later Maimonides’ Guide of the Perplexed finds shortcomings in sacrifice while holding up prayer as the preeminent form of worship.⁴¹ Maimonides’s position contra sacrifice has been influential, especially to the Reform movement,

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⁴⁰ Ibid., 48-49. Plöger points commonalities between the authors of the two prayers, such as an interest in the 70-year prophecy of Jeremiah, while noting that the prayer in Daniel introduces an eschatological perspective not found in Ezra or elsewhere in the Chronicler’s writing.

although it was controversial even in its own day and has recently been critiqued as
inimical to “the traditional Jewish view” of sacrificial worship.\footnote{42}

In sum, since the exile there has existed the view that prayer substitutes for sacrifice.
Christian and Jewish scholars alike have pointed to a dynamic whereby penitential prayer
supplanted temple sacrifices, and their views have elicited qualification and critique.
Because the spatial dimension of prayer that substitutes for sacrifice is indeterminate and
elusive, we have not spoken of a “model.” Yet this interpretive position is not agnostic
with regard to space, especially on the level of implications. Implicitly, this position
allows for a multiplicity of sacred places and even, in Kunin’s words, “a multiplicity of
centers.”\footnote{43} In fact, the dynamic of prayer substituting for sacrifice proves to be quite
comparable to the “decentralized model of sacred space” that Kunin has developed.\footnote{44}
The decentralized model exhibits a distinct set of structuralist principles, different in kind
from those informing the centralized model of sacred space considered above. We now
consider these structuralist principles to illuminate further the nature of prayer that
substitutes for sacrifice.

3.4 Structuralist Implications of Model B

The decentralized model of sacred space reflected in prayer substituting for
sacrifice is built on the principle of “multiple segmentation,” in contrast to the “dyadic
segmentation” of the centralized model:

In the centralized form, the emphasis is on duality. The duality at each
level naturalizes and emphasizes the pattern. Ultimately, this creates a

\footnote{43} “God’s Place in the World,” 28.
\footnote{44} Ibid.
very strong external boundary. If the external boundary is less important, then greater internal segmentation is possible.\textsuperscript{45}

That is, a need to maintain strict internal or external boundaries prevails in the centralized model. This need can be expressed relationally, as when Knohl and Chazon locate penitential prayers in a sphere adjacent to the temple but not in the temple proper. On the other hand, the decentralized model “emphasizes the divisions within the community in respect to itself.”\textsuperscript{46} The emphasis on divisions leads to the designation “multiple segmentation” and, more importantly, the view that prayer has not simply replaced sacrifice but has made possible a multiplicity of sacred spaces. These sacred spaces are indicated not by the temple or any other physical structure but by the very recitation of prayers such as the penitentials. In this model, prayer itself lends structure to space while enjoying autonomy from the temple.

In his analysis, Kunin attempts to reconcile the two models. He suggests that although the models represent very different interpretive positions, the two could co-exist in a situation where “they reflect two different views of the editorial present, one functional and the other ideological.”\textsuperscript{47} He writes:

\begin{quote}
It is possible that the multiple segmentation model, and the multiplicity of sacred spaces, depict sacred space as it existed, using the “historical” narratives to justify both the model and particular places, in Israelite society, while the dyadic or centralized model reflects an ideological position, that is, sacred space as it ideally should be.\textsuperscript{48}
\end{quote}

For the purposes of this paper, there are two concurrent responses to the exegetical question, “What is the exact relationship between penitential prayer and the temple’s

\textsuperscript{45} Ibid.
\textsuperscript{46} Ibid.
\textsuperscript{47} Ibid., 29.
\textsuperscript{48} Ibid.
sacrificial system?” The functional response is “prayer substituting for sacrifice” and the ideological response is “prayer coinciding with sacrifice.” Scholars in the course of their exegetical investigations have found one of these two views more coherent and compelling, and they have made their assumptions about the place of penitential prayer accordingly. Scholars tend to gravitate to one of the two views/models as if a law of nature were in effect.

Such a settling of the question may, however, be too opportune. The either-or resolution itself smacks of structuralism at its worst, i.e. resorting to formulaic conclusions rather than grappling with at times unruly data, such as the various references to temple sacrifice in a penitential prayer of the Second Temple period. To avoid such reductionism, we bring post-structuralist theory to bear on the question of penitential prayer and sacred space.

4. Toward a Post-Structuralist Reading of the Penitential Prayers

Evaluating the historicity of penitential prayer in the period of the Second Temple has proven challenging, although it has been possible to study scholarship on the matter and to identify the ideology of the centralized model (prayer coincides with sacrifice) over and against the functionality of the decentralized model (prayer substitutes for sacrifice). Once they are articulated in structuralist categories, these two models stand in stolid opposition to one another. Nonetheless, they collectively produce a siren-like effect portending intellectual shipwreck in that they hold out what geographer Edward Soja

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49 It must be stressed that scholarship developing the thesis that prayer coincides with sacrifice is not uniquely ideological. There is ideology embedded in the alternative thesis, that prayer substitutes for sacrifice; Klawans provides indications of this ideology in Ritual Purity, 24.
calls “the lure of binarism.” While the lure of binarism operates in many disciplines, in geography it is the opposition between perceived space, which is materialized and empirical, and conceived space, which is conceptualized and epistemological. Perceived space approximates the view of prayer substituting for sacrifice while conceived space is consonant with the view of prayer coinciding with sacrifice. The opposition between the two is conspicuous in both biblical studies and geography, to the detriment of both disciplines. Soja likens the opposition to “the hammerlock of binaristic logic” and charges it with “constraining the free play of the creative spatial imagination.” As it delimits imagination, however, the opposition contains within itself the way back to imagination and creativity. Citing Henri Lefebvre, Soja states that the “illusion” (read: a given side of the binary) is not always composed in such rigidly antagonistic opposition because within the binary opposition “each illusion often embodies and nourishes the other.” Surprisingly, the binary bears potential.

Like Lefebvre, Soja has sought to elucidate the potential inherent in an otherwise unserviceable opposition or binary. He has advanced his project within the field of geography, and his book Postmodern Geographies contains his early thought on the matter. Here he speaks of dialectics that are socio-spatial and spatio-temporal in kind. The process whereby these and related dialectics are constituted is, in Soja’s words, “problematic, filled with contradiction and struggle.” Soja trenchantly critiques the

51 Ibid., 65.
52 Ibid., 64.
thought processes that result in dialectics and other binary formations, but his own understanding of the process is not yet complete.

After revisiting Lefebvre’s writings, specifically his “dialectics of triplicity,” Soja has been exploring the prospects of what Soja calls “trialectics.” Trialectics is dialectics with not merely a third term added; trialectics manifests a “strategic preference for the third term but always as a transcending inclusion of the other two.” That trialectics which is intellectually prior to all others involves the “rebalancing of spatiality, historicality and sociality as all embracing dimensions of human life.” Here spatiality is the added “third term” that serves as a corrective to the “conventional, temporally-defined dialectics of Hegel or Marx.”

Another trialectics that is prominent is Soja’s work is a trialectics of spatiality. This he describes as a trialectics of spatial imagination that weaves together perceived space, conceived space and lived space. Lived space is the catalytic third term that sparks imagination and creativity; as such it is also called Thirdspace, and its operations are called Thirding-as-Othering. Although these operations are said to have a *de novo* quality, Soja enumerates them largely in terms of perceived Firstspace and conceived Secondspace, both of which are critiqued and challenged as Thirdspace “extends well beyond them in scope, substance and meaning.”

If perceived Firstspace approximates the view of prayer substituting for sacrifice while conceived Secondspace is consonant with the view of prayer coinciding with sacrifice, what is the place of Thirdspace in our investigation of penitential prayer and its

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54 Thirdspace, 70.
55 Ibid., 10.
56 Ibid.
57 Ibid., 11.
historical setting or background in the Second Temple period? Generally speaking, conceptions of penitential prayer and sacrifice should be reconstrued more broadly so that the relationship of the two includes additional referents for exegetical and hermeneutical exploration. That is, a third term should be integrated into the study of prayers such as Ezra 9:6-15 and Dan 9:4-19. The integration of the third term should be thoroughgoing, far-reaching and in no way cursory, although providing an example of such is beyond the scope of this paper.

It is possible, in concluding, to indicate two candidates that could function as the third term. The third term could be political in nature as Thirdspace is wont to inquire into forms of power, such as domination or hegemony, that are operative in a given dialectic. In this regard, the fact that both Ezra and Daniel speak “for the people” is noteworthy. As they offer prayer at the time of sacrifice, both stand as representatives of the Jewish populace in Jerusalem, a people whose sinful behavior has been the cause for divine retribution and, now, penitence. The prayers of Ezra and Daniel have a tone that is not only penitential but as well democratic and inclusive. Yet history reports that both prayers arose at a time of factions; Ezra’s golah community of returned exiles joined with select Judeans who had remained in the land to oppose others who had remained and intermarried (see footnote 11) while Daniel’s composition slightly predates a group of devout Jews breaking away from the temple, possibly because the group was in a dispute with the holder of the office of high priest. It is thus unlikely that when the prayers in

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58 Ibid., 70.
59 James VanderKam entertains the hypothesis that between 159 and 152 B.C.E the Teacher of Righteousness, Qumran’s original leader, was the de facto holder of the office of high priest, and that the appointment of Jonathan Maccabee to that office by a Seleucid monarch in 152 was the trigger that led to the departure of the Teacher and his followers from Jerusalem. See his The Dead Sea Scrolls Today (Grand Rapids, Mich.: Eerdmans, 1994), 103-4.
Ezra 9:6-15 and Dan 9:4-19 were written any leader in Jerusalem could effectively speak for all the people. Implicit claims to do so should be examined not as rhetoric but as elements of discourse, that is as writing that is highly textual and hides the systematic rules of its formation and its concrete affiliations with power. Such examination would seem to constitute an operation of lived space or Thirdspace as Soja has defined it.

The third term could be philosophical in nature as Thirdspace routinely raises questions of epistemology by questioning the assumptions of scholars who study space. Soja notes that certain geographers “seek their source of understanding the social production of Firstspace either in individual and collective psychologies or in the social processes and practices presumed to be underlying and structuring the production of material spatialities.” As a result, “The flow of causality in this epistemology thus tends to run primarily in one direction, from historicality and sociality to the spatial practices and configurations.” Soja thus calls for a return to Firstspatial analysis that avoids determinisms (read: Marxian scientific socialism) and constitutes a rigorous study of space in its material forms and patternings. As a result, some but not necessarily all lines of a spatial investigation would begin with the given space in its particularity. In the matter of prayer and sacrifice, scholars would take seriously the spatial data of the Second Temple in terms of its various arches, courts and altars. This would be a salutary development, especially when assertions that prayer substitutes for sacrifice are based on assumptions that sacrifices such as the guilt offering and the sin offering went into extinction at some unspecified point and that the place of their offering ceased either to

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61 Thirdspace, 77.
exist or to matter. Such assumptions disregard Firstspace as a locus of study, and any who make them would be called to account for the fact of the temple and its physical existence in the course of determining how social and cultural movements affected worship practices in the time after the exile.

The prospects of Thirding in terms of politics or philosophy are auspicious as both signal newly creative approaches to locating the Jewish penitential prayers that became popular after the exile. In this matter, there are doubtless other possibilities for throwing light on Thirdspace. It would seem to be the very nature of Thirdspace that neither politics nor philosophy nor any other adjunct would singularly revitalize the investigations of space that in turn deepen one’s understanding of human life. There are a myriad of “new ways that are aimed at opening up and expanding the scope and critical sensibility of your already established spatial or geographical imaginations.” 62 There are many things new to adduce in the study of penitential prayer and sacrifice offered at the temple.

\[62\] Ibid., 1.