

# ***Pentateuchal Criticism and Interpretation***

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**Notes of three lectures given at the Annual Conference of the Theological Students' Fellowship, held at The Hayes, Swanwick, Derbyshire from  
December 27 to 31, 1965**

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1 This typescript does NOT constitute a formal publication and cannot be cited as such; its contents and views can be referred to as notes of lectures, however.

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## PENTATEUCHAL CRITICISM AND INTERPRETATION

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### Lecture I: CONVENTIONAL DOCUMENTARY AND DEVELOPMENT THEORIES: THE INTERNAL EVIDENCE

#### A INTRODUCTORY

The Pentateuch, by its name, is the first five books of the OT. Each of these books has traditionally been considered to be a literary unit in itself and associated with the name of Moses (commonly as author). The association with Moses appears: (i) in the text of the last four books of the five; (ii) elsewhere in the OT; (iii) in Jewish tradition; (iv) in the NT; and (v) in derivative Christian tradition. However, widely different estimates of the pentateuchal books have become current within the last 200 years; how shall we view these writings today?

#### B SIGNIFICANT PHASES IN THE HISTORY OF THE CONVENTIONAL THEORIES

For fuller detail, see: E J Young, IOT, 1964, chapter VIII, and D A Hubbard, NBD, pp 957-964; from conventional documentary viewpoint, cf O Eissfeldt, OTJ, 1965, pp 158-182, and C R North in OTMS, chapter III.

1 Until the 18th century AD, dissent from the common traditions was relatively scattered and occasional: pagans like Celsus, pantheists like Spinoza, the veiled queries of Ibn Ezra, etc. These were relatively superficial. In the 18th/19th centuries, various currents of thought found their echo in the study of two pre-classical 'ancient monuments': the OT and Homer. The first use of terms for Deity (YHWH; Elohim) to produce two parallel creation-accounts was by Witter in 1711; this criterion is still accepted today (Eissfeldt, OII, p 182), 255 years later. In 1753 came Astruc's Conjectures sur les memoires . . . que Moÿse s'est servi pour . . . Genese. His basic premise: Genesis records events long before Moses' time, hence he could know of them only from direct revelation or else from prior documents (written rather than oral?). As the presentation is historical in type, the latter solution is indicated. So far so good (cf also Young, IOT, pp 119, 120: v). But in order to try to delimit the prior documents as used by Moses and fused into one narrative (Gen 1 to Ex 2), Astruc offered four criteria: (i) 'Duplicate narratives' (eg, Gen 1 and 2) and repetitive language (eg, Gen 7. 18-20); (ii) Two terms for Deity (YHWH, the proper name of God, and Elohim the common noun 'God'), esp. their use in continuous passages; (iii) This distinction is only valid down to Ex 2, ie for periods before Moses' own experience, depending on prior documents; (iv) 'Anti-chronismes', ie events related out of chronological sequence.

Every one of these points is open to question. It never seems to have crossed Astruc's mind, as a Frenchman and European of the 18th century AD, that the literary peculiarities of the OT text might be due to its origin in a distant antiquity and an alien (Near Eastern) culture. Failure to allow for the non-European, non-'modern' origin of the OT text was a cardinal error of the first magnitude, fatally repeated by practically all his successors in conventional criticism. This will be more evident in Lectures II and III.

The German Eichhorn also proposed the 'divine names' as criteria, but as these were inadequate (eg, absent from various passages) he sought to associate definite vocabularies and 'styles' with his YHWH (J) and Elohim (E) documents, to carry through the analysis. This, too, is still basic to conventional literary criticism and is also open to serious objection. De Wette in 1805 assigned Deuteronomy to the time of Josiah, such that pentateuchal matter considered dependent on Deuteronomy would be still later than it; 160 years later this is still commonly held, despite opposition.

In the first half of the 19th century rival theses arose alongside the older 'documentary' theory of long, parallel accounts.

(i) The 'fragment' hypothesis, that Genesis (etc) was made up of a large collection of fragments of varied origin; (ii) the 'supplement' hypothesis, that a basic document had had further fragmentary matter added into it. Despite periodic revivals in one form or another, neither of these two hypotheses commands a following today, and so they will not be further dealt with.

2 In 1853, Hupfeld (Die Quellen der Genesis) divided 'E' into two parts, the first 'E' (nowadays 'P') substantially in Gen 1-20, and the second E (the 'E' of today) from about Gen 20ff, producing in effect P,E,J,D. The essential criterion for dividing off P from E (so-called 'style') is basically subject-matter (not a valid criterion; cf Lecture II on Khetu son of Duau). Note further the observations made by Young, 101, pp 130-135. Hupfeld thus fathered the classic analysis of documents still in vogue today, and opened the way for the next major phase: the dating of the documents so far obtained, bringing us to the development hypothesis.

3 Out of various discussions, Graf, Kuenen and Wellhausen successively argued for putting 'P' not first but last, in post-exilic times. 'D' (Deuteronomy) was affirmed as from Josiah's time, and J/E put roughly in the first 200 years of the divided Monarchy; hence the classical dates and sequence of J (10th-9th century?), E (9th-8th century?), D (late 7th century), P (post-exilic), still very widely quoted today. This question of order and date rested on the interpretation given to the legal and ritual matter in the Pentateuch (rather than on the narratives like the literary analysis); and the interpretation adopted rests primarily

not on facts but on a particular philosophical theory of Israelite history and religion (Wellhausen, influenced by Vatke and Hegel): a unilinear evolution from an 'early', most 'primitive' polytheism to a high, ethical, 'late' monotheism, and from a theoretical early, joyous, 'natural' religion to a late, priest-ridden, sin-obsessed ceremonial cult. . Classic exposition of the theory was Wellhausen's Prologomena zur Geschichte Israels (1878 and later editions); popularized in Britain by W. Robertson Smith and esp. (with moderation) by S R Driver, LOT (1819 to 1913 editions).

4 The 20th century falls roughly into three phases:

- (i) 1900 - 1914/18: The conventional theories dominated all rivals; a trend to splitting up J, E, etc. (J<sup>1</sup>, J<sup>2</sup>, etc., etc.) was inconclusive. Rise of Form-Criticism with Gunkel (cf Lecture II).
- (ii) 1918 - 1939/45: Conventional theory still in the centre. Volz, Rudolph, Löhr sought to reduce documents (against E, P), whereas Eissfeldt (L-source), Pfeiffer (S-source) and Morgenstern (K-source) sought to divide J into J and an additional source (L, S and K partly overlapping). Nyberg (1935) called for the study of Oral Tradition (cf Lecture II). Josianic date for Deuteronomy challenged by contradictory attempts to date it either earlier or later.
- (iii) 1945 - 1965: Even today, the literary criticism of documents (with less stress on unilinear development) is still widely held; cf, for example, Rowley, Growth, 1950; Anderson, CIOI, 1959; Eissfeldt, OII, 1965; etc. Scandinavians (Pederson, Engnell) have emphasized 'oral tradition', ridiculing documentary 'desk-work', but their own blocs of material are not so different from the literary documents in practice. Alt and esp Noth have combined study of 'tradition' with the regular documentary hypothesis.

5 Movements outside the Conventional Theories:

Outside of Form-criticism and Oral Traditionism (Lecture II), a long series of scholars has opposed the conventional theories as being fundamentally mistaken and unsoundly based. The following are but a few examples (cf further Young, IOI, chapters I and VIII).

- (i) In the early 18th century, J G Carpzov in two Latin works effectively disposed of early sceptics (Spinoza, Le Clerc, Simon, etc.).
- (ii) In the mid-19th century, W Hengstenberg and others marshalled the internal evidence against the contemporary documentary theories.
- (iii) In the late 19th/early 20th centuries, several German scholars accepted the analysis but not the developmental datings, for example Baudissin, Delitzsch, Dillman, Kittel, Noeldoke. Moeller was at first a supporter of the documentary/developmental theories, but found them fallacious and so opposed them. Conservative sceptics on cogent internal grounds were W L Baxter (Sanctuary and Sacrifice, 1895), James Orr (The Problem of the OT, 1906) in Britain, and esp W H Green (Unity of the Book of Genesis, 1895, etc.) in the USA.
- (iv) In more recent times, the bases of conventional theory have

been challenged by a variety of scholars. Among conservatives, O T Allis (The Five Books of Moses, 1949), G C Aalders (A Short Introduction to the Pentateuch, 1949 - less thorough-going than Allis); outlines in Young, (IOT, 1964: chapters 2-8) and G L Archer (A survey of OT Introduction, 1965, chapters 6-13, cf 14-18 though treatment of early dates and of Egyptian matters is woefully superficial and misleading). On certain points, cf W J Martin (Stylistic Criteria and the Analysis of the Pentateuch, 1955); on Deuteronomy, cf G T Manley (The Book of the Law, 1957; both IVF): on 'P', cf S R Külling (Zur Datierung der Genesis-P-Stücke, 1964). Among Jewish scholars, Y Kaufmann (The Religion of Israel, 1961) accepted the analysis but refuted the dating of the documents (esp P); entirely sceptical have been U Cassuto (The Documentary Hypothesis, 1961: useful on some points, superficial on others; based on his large Italian book, La Questione della Genesi, 1934) and M H Segal ('The Composition of the Pentateuch - a Fresh Examination', pp 68-114 in C Rabin (ed), Studies in the Bible = vol VIII of Scripta Hierosolymitana, 1961: comprehensive outline-treatment).

In the light of the foregoing (and others unquoted), the conventional hypotheses cannot expect to pass as fact, unchallenged and unscrutinized, in this day and age; and their validity must be tested just as with any other theory.

## 6 General Observations

In scrutinizing the standard introductions, whether written by supporters of these theories or their opponents, one is struck by the following curious facts. The same basic arguments on behalf of the theories are trotted out in book after book after book (at random, of Driver, LOT; A T Chapman, Introduction to the Pentateuch, 1911; D C Simpson, Pentateuchal Criticism, 1924; W D E Oesterley and T H Robinson, Introduction to the Books of the OT, 1937; H H Rowley, Growth, 1950; Anderson, CIOT, 1959; O Eissfeldt, OIT, 1965; etc.); and the objections of sceptics (conservative or otherwise) generally find little or no answer. It would appear that the theorists assume that objectors, commonly conservatives, are condemned by their theological position and so need no refutation. Typical is Eissfeldt (OIT, 1965, p 166) who condemns a series of writers (not all conservative Christians) merely because they have found reason to assign a major role to Moses in the formation of the Pentateuch. This naive attitude would be justified if the reasoning of such conservative and other sceptics were wholly dependent upon their theological outlooks for its validity. However, this is NOT so; the vast majority of their arguments stand on their own feet, within the rules of normal literary and historical reasoning, and so must be refuted in detail by the documentary, etc., theorists if the latter really wish to see their structures established in fact and not merely, as at

present, in what is (despite appearances) a superficial consensus of scholarly imagination in which a multitude of contrary facts have been tacitly ignored.

In the light of this remarkable situation, then, I have made considerable but critical use of the works of Green (Genesis), Aalders, Allis, Archer, Finn (The Unity of the Pentateuch, no date, c 1924), besides other less comprehensive works. Although unpretentious in every way, Finn's work is remarkable for its care, thoroughness and fairness, and is worth careful study.

## C THE CRITERIA OF CONVENTIONAL LITERARY CRITICISM VIA DOCUMENTS

### I The Criteria listed

1 Words: The multiple terms for Deity: Elohim ('E'), common word for 'God' and YHWH ('J') the special name for the God of the Israelites. Considered to be each the mark of distinct writers; inadequate (eg, in passages without references to Deity), hence was introduced:

2 Vocabulary of passages 'divisible' by 'divine names' was used to extend the analysis to passages where the 'divine names' did not occur or suffice. ('Style' is sometimes confused with vocabulary; but style is not just words, but how words are used).

### 3 Style:

J: a lively, human, picturesque source ) difficult to  
 E: also a good narrator, more restrained ) tell apart  
 P: dry, statistical, genealogical, precise, etc.  
 D: exhortatory.

4 Content: 'Doublets' of several kinds that should be kept apart for clarity in studying them:

(a) Alleged Duplicate Narratives, explicitly concerned with the same event, separately recorded in extant OT text. (Eg, creation, Gen 1-2).

(b) Alleged Duplicate Narratives, on similar themes, recorded separately; given as different events in the OT text, but are considered as rival versions of the same theme or incident by conventional theorists. (Eg, wife passed off as sister in Gen 12, 20, 26).

(c) Supposedly repetitious narratives, each a single narrative in the extant OT text, but partitioned by the theorists into separate strands to yield two or three parallel accounts (often fragmentary), often on the basis of apparently repetitious Hebrew style. (Eg, the flood, the sale of Joseph, etc.).

5 'Anti-chronismes', events related out of chronological order.

### 6 Differing theological concepts

J: 'anthropomorphic' view of Deity  
 E: more restrained; God acts through dreams and visions  
 P: expresses just the pure, spiritual, utterly transcendent view of God.

7 Differing social customs, as between different documents.  
 8 The cumulative argument: it is commonly asserted that the coincidence and cumulative weight of all these arguments (and likewise with the sequence of laws on a unilinear development) furnishes convincing evidence for the general correctness of the theories, apart from uncertain details.

## II The criteria examined

The actual value of these criteria is wide open to question.  
 1 Multiple terms for Deity: 'This argument . . . still retains its great significance' (Eissfeldt, OTI, 1965, p 182), and so requires careful examination as one of the first two criteria offered.

### +++ Introductory

It is an open question whether the supposed documents supplied the criteria or vice-versa (W J Martin, Styl. Criteria, 1955, pp 11,15). Note that in 1711 Witter noted the two terms for Deity in Gen 1 and 2 respectively and thence deduced two 'accounts'; whereas in 1753 Astruc (Conjectures, p 9) put up the alleged doublet as his first clue and then noted the two terms for Deity and applied them to the rest of Genesis.

Two aspects of this criterion emerge: 1st, the role of certain passages (i: Gen 1-2; ii: Ex 3.13-16 & 6.2-3); and 2nd, the significance of the terms in question (meaningful; literary).

### +++ 1st: the Role of Certain Passages as key points

#### (i) Gen 1-2

It is common dogma today that Gen 1 & 2 are two separate, duplicate and differing accounts of creation, marked (inter alia) by two terms for Deity (eg, Anderson, CIOI, p 23: 'different'; Rowley, Growth, p 18: 'irreconcilable').

I would most strongly suggest that this dogma is wholly misleading; Gen 1 & 2 are complementary.

(a) Thus Gen 1-2.3 is simply a balanced outline of the whole creation with mankind as the climax. No details at all are given about mankind beyond God's making them in 'his image', of two genders, and earth's store as provision for them. (When Rowley and Anderson, Locc. citt., claim that in the first account man and woman were created together (contrast Gen 2), they are merely reading this into the text; Gen 1.27 does not say either 'together' or which came first).

(b) But Gen 2.4-25 (plus Fall, Gen 3) is not in any way a full and independent creation-narrative (eg., no reference to creation of heavenly bodies, light, etc.). It concentrates on mankind's immediate setting (Eden) and twofold nature (masculine and feminine).

Gen 2.4 is a heading to 2.5ff exactly as all other toledoth ('generations') are headings in Genesis (5.1; 10.1; 11.10, 27; 25.12; 36.1; 37.2), and is not a colophon to 1.1-2.3 (or misplaced from 1.1). It is a back-reference to Gen 1 (creation of heaven and earth is in the 'when'-clauses). Furthermore, Gen 2.4 is a literary unity of a type common in Hebrew (and elsewhere, cf Lecture II) on a chiasmic pattern a-b-c / c-b-a (heaven, earth, when created; when created . . . earth, heaven); this pattern cannot be split up merely to satisfy a priori theories.

Gen 2.5-7, 8 & 9-14 plus 15-17 specify with increasing detail (again characteristic of Hebrew and other literature) the setting (Eden) and man's place and work there; it goes well enough with Gen 1.1-2.3.

Then, 2.18 raises the second topic: a companion for man. Gen 2.19-20 merely state that after animals were created they were subsequently named by man (but not how long after); none was a fit companion. So, 2.21-25 deals with the creation of woman.

Verse 19 is the key verse. It is repeatedly misinterpreted as putting the creation of animals after man was placed in Eden. Hence the supposed clash with Gen 1.

This clash is only tenable if one decides in advance that Gen 1 & 2 are two separate and unrelated accounts. For, in the extant OT text, with Gen 1-2 as a single context, 2.19 simply harks back to 1.20-23, 24-25 (5th-6th 'days') and is a bare recap of the former creation of animal life, not a rival version of it. We are not entitled a priori to make the reference to the creation of animals in 2.19 into an event later than God's decision of 2.18. The matter can be made perfectly clear if one renders 2.19 into English with an English pluperfect as follows:

'Now, out of the ground the Lord God had formed every beast of the field ( . . . etc), and he brought them to the man to see what he would call them'.

However, conventional literary critics simply cannot bear to hear of a pluperfect translation, as it so simply removes their precious contradiction at one fell swoop.

S R Driver and his adherents allege that for a Waw-consecutive-Imperfective a Pluperfect rendering 'would be contrary to idiom', trying to explain away the various possible or alleged examples of this construction where a Pluperfect would be an appropriate rendering. While this construction is by form and origin a continuative tense, yet in function in contexts it is an equivalent of the Perfective (for which no one objects to a Pluperfect translation where suitable), and so (like the Perfect) it comes to express completed action in the past - which covers both the Perfect and the Pluperfect of English. There is no special Pluperfect form in Hebrew, other Ancient Semitic languages, or

Egyptian; hence there are only the attested completed-action forms to express it. See AO/AT, p 50 & note 302, and AO/OT, on Literary Criticism, i (b) with notes.

Once the nature of Gen 1-2 is understood, and the unnecessary key taboo on Gen 2.19 is broken down, there is no ground left for the dogma of two accounts, and two accounts that are 'irreconcilable'. For the only other line of approach (the theological concept of God), cf below on criterion no 6; it is no more convincing.

In Gen 1-3, the 'divine names' are not mere labels, the mutually exclusive property of peculiar writers, but are conditioned by context (see 2nd aspect, below). In Gen 1-2.3, God appears as general creator of the universe and all within it: hence use of the general term Elohim, simply 'God'. In Gen 2-3, the proper name of God is included, His name in relation to His people, the name of covenant, redemption, etc., in connection with Adam and Eve and in Gen 4 re Adam's line. The validity of this distinction is widely admitted but too often ignored.

But also in Gen 2-3, YHWH is combined with Elohim as YHWH Elohim (the LORD God of English versions), and does not stand alone as it should do (as in Gen 4) if Gen 2-3 is really 'J' and if terms for Deity are really the label-markers that they are alleged to be. Elohim in this compound throughout two J (ahweh) chapters should indicate that 'J' knew and used Elohim when and as he wished; if so, the distinction of authors by divine names is pointless and erroneous. The only expedients open to conventional literary criticism are to emend Elohim out of the text or to attribute it to a later redactor or the like, to explain away somehow or anyhow the physical evidence of the Hebrew text - a very bad sign. Outside of Ex 9.30, the compound YHWH-Elohim occurs only here in the whole Pentateuch, and fittingly serves as a transitional form: it identifies the supreme God of Gen 1, the creator of all, as the same God YHWH who is vitally concerned with His people. (Other compounds, cf Lecture II).

(ii) Ex 3.13-16 and Ex 6.2-3

These two passages have been commonly misinterpreted as two rival accounts of the first revelation of the name YHWH to Moses, as reported by E and P respectively; and then set in opposition to those patriarchal narratives in Genesis that show that the Patriarchs did already know the name YHWH before Moses. In point of fact neither passage in Exodus represents the first revelation of the name JHWH, to Moses or anyone else, and there is thus no clash with Genesis.

First: Ex 3.13-16. This occurs in a series of excuses and attempts by Moses to shrug off his commission to lead Israel from Egypt (cf Ex 3.11; 4.1,10,13). In 3.13 Moses objects that He'll be asked about the God of the fathers; 'what is his name?' is not

an adequate translation of ma shemo, but 'what means his name?' (as with ma in Gen 21.29; Ex 13.14; Jos 4.21; etc.); this is indicated by God's answer not with the mere label JHWH but with an explanation of the name as the self-existent covenant God (on which, cf Archer, Survey of OT Introduction, 1965, p 114, n 6). For this passage, cf M H Segal in C Rabin (ed), Studies in the Bible (=Scripta Hierosolymitana, VIII, 1961), pp 72-74.

Second: Ex 6.2-3. On the significance of 'I am the Lord' (YHWH) in verse 2, cf Segal, op cit, pp 74-75. That verse 3 should not be misconstrued that the patriarchs knew God as God Almighty (El-Shaddai) and not by the name JHWH is indicated on two points: (i) The name of Moses' forebear Jochebed contains the name YHWH in shortened form (Ex 6 20), agreeing with its being actually known to the patriarchs. As Jochebed is in P, this would show ablatant contradiction with Ex 6.3 also within P. In other words the name YHWH was known before Moses.

(ii) The conventional translation of Ex 6.3 is inadequate in any case. In 1955 W J Martin, Styl Crit, pp 16-19, indicated several alternatives, esp that of a virtual interrogative: ' . . . and by my name YHWH was I not known to them?' 'And also I have established . . . ' (sentence dependent on the rhetorical positive). In 1959 J A Motyer, The Revelation of the Divine Name, like others before him (Finn, Allis, etc) showed that the syntax was suited to the rendering that it was 'in the character expressed by my name YHWH' that God had not revealed Himself to the patriarchs; ie, they did know the name as proper name of their God, but not its inner significance.

Either interpretation is markedly superior to the conventional rendering, and there is no legitimate warrant for setting Ex 6.3 over against Genesis (esp with Ex 6.20 to contend with). It should be noted that this conviction is not peculiar to scholars of a conservative persuasion: it was shared by S Mowinckel in 1937 (cf North in OTMS, pp 53-54 & 54 n 1), and even allowed by the notorious Colenso eventually (The Pentateuch and Joshua . . . VI, pp 582-583).

### +++ 2nd: the Significance of the 'Divine Names'

#### (i) As Meaningful Terms

That one (Elohim, 'God') is a general term and one a proper name (YHWH) has been noted. They are not absolute synonyms, both on their different nature and on their use in contexts. Various passages in Genesis reflect the distinction. In Gen 9.26-27, YHWH is the God of Shem in the chosen line, but it is simply Elohim (God) who will enlarge Japhet (outside that line). YHWH is the covenant name used in worship by the faithful; cf Gen 4.26; 8.20; 12.7,8; 13.4,18; 21.33; 26.25; etc. Elohim is used in contexts where the covenant name would be unfitting, eg, in the sinful conversation of the serpent and Eve (Gen 3.1,3,5). When

the chosen people are in alien territories outside the promised land: Gerar (Gen 20,21), Aram (Gen 28-35), Egypt (Gen 40-50). Thus, YHWH cares for Joseph in Gen 39.2,3,21 in the narrator's words, but Joseph in his reported speech with Potiphar's wife (Gen 39.9), the officers (40.8) and Pharaoh (41) speaks to them of God, not YHWH, as foreigners. (A foreigner, of course, can use the name if he is specifically wishing to refer to the patriarch's God in particular - so Abimelech (Gen 26.28-29)). Hagar in Gen 16 was part of the chosen family, hence YHWH; but in Gen 21.8-21, she passes out of the covenant-group (cf later Gal 4.30) and it is God (Elohim) who deals with her. And so on.

The 'meaningful' role of the 'divine names' in many passages was recognized beyond all cavil 80 years ago by none other than the famous literary critic Kuenen (see W H Green, Unity of the Book of Genesis, 1895, pp 541-2); was grudgingly admitted by S R Driver (Genesis, p xi, n 3), and clearly stated by the Scandinavian Engnell (cf North in OTMS, pp 66-67, with doubts on pp 79-80 that wholly overlook elegant variation, point (ii) just below). So this phenomenon exists independently of conservative scholars, and cannot just be ignored as is usually done by the conventional theorists. (Note also the significant role of the name El Shaddai, 'God Almighty', Finn, Unity of the Pentateuch, chapter 2; Segal, op cit, p 75; Motyer, Revelation of the Divine Name).

On the 'Divine Names' and their significance, see: Finn, loc cit; Allis, Five Books of Moses, pp 24-25; Green, Unity of the Book of Genesis, pp 538-548; to some extent, Segal, op cit, pp 79-86, and Cassuto, Documentary Hypothesis, 1961, chapters 2 & 3 (list, pp 31-32).

There is here a crucial point of method; in those passages where the various terms for Deity are being used meaningfully, they cannot at the same time be just meaningless labels - they there mark aspects of Deity, not the irrational habits of differing writers. Hence, no passages of this kind can be used as evidence of multiple documents.

(ii) In 'Elegant Variation'

To avoid crass monotony of style, writers of all ages and places - including the Biblical Near East (see Lecture II) and the OT writers - have become accustomed to use synonyms and related word-pairs, lightening their style by the alteration of terms. The conventional theory makes the incredible basic assumption that this most common and natural of customs was almost throughout shunned by, beyond the scope of, or forbidden to, just the writers J, E and P from the whole of Near Eastern antiquity. This cannot be allowed to pass as an easy assumption (as is commonly done) but is in urgent need of some convincing evidence. On OT usage, see Allis, Five Books of Moses, pp 33-38, for good examples.

Once the meaningful passages and the use of elegant variation have been allowed their proper place, the 'evidence' of the divine names for partitioning the pentateuchal books simply evaporates.

+++ Finally: the 'divine names' cannot be conformed to the conventional analyses with full consistency even on their own premises.

- (i) Thus, YHWH crops up in E and P, who should use only Elohim:  
In E: Gen 15.1,2,7,8 (Green, Genesis, p 539); 20.18 (Allis, p 38; Segal, p 79; Young, IOT, pp 133-4); 22.11,14 (Allis, p 38; Archer, p 112); 28.17-22 (Allis, Archer, locc citt).  
In P: Gen 7.16b (Young, pp 133-4); 17.1 (Archer, p 112); 21.1b (Finn, p 7; Allis, p 38; Young, p 134).
- (ii) Thus, Elohim (outside of fixed phrases) also trespasses  
In J: Gen 2-3; 3.1-5; 4.25 (Allis, p 38; Segal, p 79); 7.9 (Allis; Young, p 133); 9.27 (Allis; Green, p 539); 16.13 (E1, Archer, p 111); 31.50 (Green, p 539); 32.9 (Finn, p 7); 32.28-29 (Finn); etc.

#### In short,

1 These clashes of documents and criterion indicate that the terms for Deity are not a consistent and reliable criterion with their own users.

2 The occasional admission of this fact (eg, Driver, Genesis, p viii) negates the principle of 'one Name/one author'.

3 The only means of disposing of such inconvenient matter is the fatal and desperate appeal to emendation or redactor, ie, special pleading.

4 The proportion of such evidence is very much higher than appears at first sight, when one takes into consideration the whole series of isolated bits of verses cut out of the midst of continuous documents by literary critics solely because they contained the 'wrong' divine name, and so had to be wrenched from context (cf eg, Green, Unity of Book of Genesis, pp 540-541, examples).

These matters are not the invention of wicked and obscurantist conservatives : they are the product and part of the nemesis of the theory.

#### 2 Vocabulary

Whole chapters (eg, Gen 23-24, 36-37, 47) have no reference to Deity; many more have either no Elohim or no YHWH. In all such cases, the divine names are inadequate for analysis. Hence the use of other vocabulary in passages already separated on divine names in order to extend the analysis. Where the initial word-stock is not enough, the process can be repeated: take words associated with words in turn associated with J or E . . .

It should be obvious that, fundamentally, the use of vocabulary is directly dependent on the validity of using the divine names. If they fall, this also must fall. However, we will give it independent examination, as its dependence is often conveniently forgotten.

(i) One is often given lists of words 'found only in' J, E or P. Usually, these merely reflect varying subject-matter and so count for nothing. And in fact many of these words do occur in other posited 'documents' - and so cannot be used as evidence for one particular document. Cf examples in Allis, Five Books of Moses, pp 46-48.

(ii) One is also given lists of synonyms, with (eg) one word in J and its equivalents in E; group, personal and place names are also so treated (eg, Ishmaelites/Midianites, Israel/Jacob, Sinai/Horeb).

Various objections make nonsense of the synonym-lists:

(a) So-called synonyms are not necessarily mechanical and exact equivalents, eg, amah and shipphah, 'bondmaid', 'handmaid' (Jepsen, Vetus Testamentum 8 (1958), pp 293-297, 425); or different verbal forms like yalad and holid, 'beget' (Segal, Scripta Hierosolymitana, VIII, pp 87-88; and esp Cassuto, Documentary Hypothesis, pp 43-53).

(b) Synonyms can only be consistently kept apart in different 'documents' by minute hair-splitting of verses (like Gen 2.4, cf Allis, op cit, pp 49-51) and excisions in continuous sentences and documents - first and last, special pleading. Even then, these words still pop up in the 'wrong' documents. See for examples, W H Green, Unity of Book of Genesis, 1895, pp 353-4, 355:2, 462:5; Allis, op cit, pp 56-57, s 6a; Aalders, Short Introduction to Pentateuch, pp 39-40.

(c) Other synonyms, etc., are simply ignored and not used for analysis - why? Cf Allis, op cit, pp 57-59.

#### Result:

(1) If vocabulary were an independent criterion, it would have to be discarded, because so often the supposedly exclusive words prove not to be exclusive to a given 'document', because synonyms are not absolute (therefore their use often depends on the meaning wanted, not on the rival writers), because the synonyms also turn up in the 'wrong' source-documents (however finely-split, even to absurdity) and are therefore not fit criteria, and because other pairs of synonyms, equally eligible, are mysteriously not used. Time and again the only appeal left is to emendation of the text or the redactor, ie, special pleading. This condemns itself, and would be scornfully rejected in any other historically-sound or scientifically-based discipline.

(2) But, as earlier noted, the vocabulary is NOT an independent criterion: it is based on association with the terms for Deity,

and so depends on the reliability of that criterion. As that criterion has nothing to commend it (and much against it) on internal grounds as indicated above, and everything against it on external grounds (Lecture II), neither has the criterion of vocabulary; the only cumulative force here is the accumulation of errors.

### 3 'Style'

As 'P' uses the same terms for Deity as does 'E', and in any case was originally considered to be but part of 'E' (for a century undetected, 1753-1853, till Hupfeld), other criteria have to be used to justify its separate existence.

Uniformly, conventional literary critics appeal to P's unmistakable style: 'stereotyped, measured and prosaic; precise, formulaic and repetitious; lacking in metaphor and simile, and little or no dramatic element'. Contrasted with J and E, 'flowing, picturesque'.

BUT our conventional litterateurs have time and time again ignored or minimized the brute fact that this formalism of P is the direct result of the subject-matter of P. Again and again P consists only of names, numbers and dates, lists and genealogies; or of cultic and legal matter (tabernacle, regulations for priests, etc.) with barely one or two narrative fragments.

Two points should be noted here:

(i) For a century no-one even recognized P. Hupfeld's division simply siphoned-off most of the lists, statistical, genealogical data, etc. to form his first E (our P). P is only really continuous in Gen 1-2, 6-9, 10-11, 17 and more bits up to about 20. After that - apart from 23 - the rest of P in Genesis is the merest little fragments. Curiously, E proper only begins about Gen 20 and thence continues. I e, P + E looks suspiciously like one document cut in half. Cf Young, IOI, p 131.

(ii) And, of course, if one first carefully segregates nearly all the formal matter (genealogies, lists, numbers, priestly regulations, etc.), then - conditioned by the special and limited subject-matter - the vocabulary is certain to look peculiar, and the style arid, because it has been selected that way!! In any case, who ever heard of a poetic and dramatic genealogy, or of a movingly picturesque cultic regulation?

To compare 'styles' of two alleged documents one must use strictly comparable material. The result of so doing is striking.

A comparison of (eg) P and J narratives shows them equally able and flowing (examples: Finn, Unity of Pentateuch, pp 131-133); while comparison of (eg) P and J genealogies show the latter to be no less formal than P (cf Finn, op cit, p 133 on Gen 22).

Nothing could be more misleading than statements in Rowley, Growth, p 22, para 7, in the light of all the foregoing. On

discontinuity of P's vocabulary, note Green, Unity of Book of Genesis, pp 552-3. In short, 'style' should not be confused with either subject-matter or even pure vocabulary, as it often is; cf further, Lecture II.

#### 4 'Doublets'

We divide these into three classes as we did in the list of criteria above. It is impossible to deal with these individually and in detail here. As with other criteria, perfectly reasonable interpretations of the text make the invention of doublets unnecessary, except to those who are compelled to find them to maintain a theory and are deaf to the canons of Ancient Near Eastern literature both inside and outside the OT. So we simply give a list of commonly proposed ones in threefold classification, with references to treatments of them.

- (a) Alleged duplicate narratives, on same event, separately recorded
- 1 Creation (Gen 1-2); see above under Criterion 1 (Terms for Deity); Finn, Unity of Pentateuch, pp 32-37, and esp Green, Unity of Book of Genesis, pp 7-36.
  - 2 Naming of Beer-sheba (Gen 21.31; 26.31): cf Finn, op cit, pp 26-31, and W J Martin in NBD, pp 137-138. s v.
  - 3 Name of Bethel (Gen 28.19-22; 35.14ff): Finn, op cit, pp 21-22.
  - 4 The names Jacob/Israel (Gen 32.28; 35.10): Finn, loc cit.
  - 5 Tent of Meeting/Tabernacle (Tab: Ex 25-31, 35-40 / Tent: Ex 33 and Num): see Finn, op cit, pp 275-284 (esp 278ff); who deals well with this.
  - 6 Naming of Isaac (Gen 17.9-15; 17.16-19; 21.6): Finn, op cit, pp 17-20.
  - 7 Jacob's leaving Canaan (Gen 27.1-45; 27.46-28.9): ibid, pp 20-21.
  - 8 Esau's movements (Gen 32.3 & 33.16; 36.6): ibid, pp 22-3.
  - 9 Genealogies (Gen 4-5, 10-11): see ibid, pp 23-26.
  - 10 Commission of Moses (Ex 3-6; 6-7): ibid, pp 61-67.
- (b) Alleged duplicate narratives, separate accounts of different events, but held by conventional theory to be variants of one event:
- 1 The wife as sister motif (Gen 12.10ff; 20.1ff; 26.6ff): see (eg) Finn, op cit, pp 26-31, esp table p 28; Gen 20.13 makes Abraham's set practice perfectly clear, and Isaac simply behaved 'like father, like son'. To refer the verse to a redactor is simply dodging the evidence of the text, rests on no particle of independent evidence, and is therefore inexcusable.
  - 2 Hagar's flight and expulsion (Gen 16.6ff; 21.8ff): there is no duplication here at all. One was voluntary flight as part of the household, the other expulsion from that household. Cf Green, Unity of Book of Genesis, pp 266-267; Segal, Scripta Hierosolymitana, VIII, p 101. This also is inexcusable; cf also, Criterion 1 (Divine Names), 2nd aspect, (i) above.

(c) Supposedly repetitious narratives, each a unity in the OT text, but partitioned into two or three rival accounts by conventional theory:

- 1 The Flood (Gen 6-9): Finn, op cit, pp 38-51; Green, op cit, pp 65-130, a detailed treatment; W J Martin, Styl Crit, pp 15-16; Allis, Five Books of Moses, pp 97-101; Archer, Survey of OT Introduction, pp 119-120.
- 2 The sale of Joseph (Gen 37; 39; 45): see Finn, op cit, pp 52-60; Kitchen in NBD, pp 657-658; and in damning detail, Green, Unity of Book of Genesis, pp 430-452.
- 3 Plagues of Egypt (Ex 7-12): see Finn, op cit, pp 68-82, and cf in NBD, pp 1001-1003, in relation to Greta Hort, 'The Plagues of Egypt', Zeitschrift für Alttestamentliche Wissenschaft 69 (1957), pp 84-103 and ibid 70 (1958), pp 48-59. The natural phenomena agree only with the full account in Exodus - and not with any of the supposed J, E or P 'documents'.
- 4 The spies (Num 13-14): see Finn, op cit, pp 83-90.
- 5 Korah, Dathan, Abiram (Num 16-17); Finn, op cit, pp 91-96; see also G Hort, Australian Biblical Review 7 (1959), pp 2-26, and NBD, p 1329; and in some measure, J Liver, Scripta Hierosolymitana, VIII, 1961, pp 193-198. And so on.

Throughout, it is the same old story. (a) Supposed full doublets are nothing of the kind when the text is studied properly.

(b) Ostensibly different narratives are different, and should not be wilfully confused (cf also Lecture II). (c) Supposedly repetitious narratives are in fact unitary and call for ordinary exegesis not surgery, the style being inherent in Hebrew and elsewhere (cf Lecture II).

##### 5 'Anti-chronismes' (Astruc)

Astruc offers nothing convincing; and no author is compelled always to group his matter chronologically anyway.

##### 6 Differing theological concepts

J as strongly anthropomorphic; E more restrained; P transcendent, etc. (See list of criteria). This whole distinction is grossly overdrawn, and too often can only be maintained by twisting the evidence (assuming what has to be separately proved). The following points show how illusory the 'distinctions' can be in practice.

P is also clearly anthropomorphic. In Gen 1, God 'called, saw, blessed, rested' (Young, IQT, p 51). In Gen 17.1,22; 35.9,13, God appears to, speaks to, and goes up from man (cf Y Kaufmann, Religion of Israel, 1961, pp 206 top, 207 middle) - very local, not transcendent! Etc.

J, like E, also has God speaking through an angel, in Gen 16 (Segal, Scriptura Hierosolymitana, VIII, 1961, p 92).

E, like J, can have God in direct relation with man, cf Gen 22. 1,2, and His wrath can be kindled (Num 12.9); Segal, loc cit.

For excisions deliberately made solely to prop up the conventional theory, cf Cassuto, The Documentary Hypothesis, 1961, pp 59ff.

In general, cf Finn, op cit, pp 35-37 (Gen 1, etc.), and Green, Unity of the Book of Genesis, pp 31-33, 63-64, 145 (noting also, as does Cassuto, that the different subject-matter and the different aspects of Deity (eg, as Elohim and as YHWH) must be taken into account).

### 7 Differing social usages

In P, the father names a new-born son, but in J/E the mother does so. This is entirely illusory; the evidence, when scrutinized, shows no such divergence! See Cassuto, Documentary Hypothesis, p 66, for the evidence of this superficial idea.

### 8 The cumulative argument

A cumulative argument in any sphere of study is only sound if it represents the combined weight of two or more lines of evidence that are known to be sound. Weak or indecisive arguments can add nothing of cumulative force of themselves. And a collection of erroneous arguments can cumulatively produce only a concentration of error. These principles hold regardless of one's field of study, biblical or otherwise.

Where 'divine names' and vocabulary are a false argument;  
 where 'style' is a misuse of subject-matter;  
 where 'doublets' are illusory or artificially created;  
 where theological concepts are contrasted artificially;  
 where additional points are irrelevant or backfire,  
 then no cumulative argument exists - except against conventional theory.

In conclusion one may fairly say that on the internal literary evidence of the pentateuchal books themselves, the documentary thesis is misleading, unnecessary, unsoundly-based, must be propped up on misuse of biblical data, and therefore is in all probability completely erroneous in its accepted forms. With this result must be compared the impartial, external evidence presented in Lecture II. The net result is that each of the existing pentateuchal books is doubtless based on various kinds of source-materials and earlier data (written and/or oral), but no such documents can be delimited physically in the existing books, unless and until such prior documents can be discovered archaeologically. Apart from possibly a few minor items (cf Lecture III), the existing books are substantially literary units, regardless of what their date may be.

However, additional evidence for the independence of the 'documents', and in particular for their relative and absolute dating, is alleged from the legal and ritual matter of the Pentateuch, and to this we

now turn. The elimination of the 'documents' (cf all the preceding pages) and the external date (Lectures II and III) are themselves enough to wreck severely the evolutionary dating set out in the development hypothesis; but we shall now firstly deal with that hypothesis on its own ground, to illustrate its total failure. Despite increasingly common disavowals in OT studies of a smooth unilinear evolution, it is obvious from all the standard conventional treatments (right down to Eissfeldt, OTI, 1965) that in practice the developmental dating of documents is still used and taught substantially as it emerged six or eight decades ago; therefore a treatment is necessary.

## D THE BASIS AND VALIDITY OF THE DEVELOPMENTAL THEORY EXAMINED

### Introductory

We shall look at each main aspect in turn, combining theory and criticism in each case.

#### 1 Interrelation of the Groups of Laws

(i) Three 'strata' have been alleged:

JE: simple; D: more complex; P: very elaborate.

(ii) Discrepancies are alleged between these three groups (often called 'codes'), taken in this order:

(iii) Chronologically, the three stages of laws have been compared with three epochs of history: the early Monarchy (Solomon and following), the time of Josiah (Deuteronomy), and after the Exile (P). Points (ii) and (iii) are particularly urged.

On general and specific grounds, this scheme is open to objection.

1 The three groups of laws are not 'codes' in the ordinary sense of the word, with its overtones of systematic constitutions and the like (cf also Lectures II and III).

The profile of the three law-groups is briefly sketched by Finn in Unity of the Pentateuch, pp 150-151.

JE ('Book of the Covenant') in Ex 20.23 to 23.19 has 90 vv:

- (1) Civil and criminal laws, Ex 21.1-22.17 (= 53 verses).
- (2) Worship and religious observances, Ex 20.23-26; 22.20, 28-31; 23.10-19 (= 19 verses); intertwined with
- (3) Morality, esp humanitarian, Ex 22.18,19,21-27; 23.1-9 (= 18 verses).

Here, the civil and criminal laws are over half the total, and twice as extensive as either of the other two single groups; nothing systematic and code-like in the arrangement.

D (Deut 12-26) has some 330 verses:

- (1) More than half are moral and legal injunctions, intertwined like JE;
- (2) Less than half are concerned with religious duties, and very few with ceremonial.

P plus H (ie, Priestly code including the 'Holiness Code' in Lev and Num) is over 1000 verses:

- (1) Moral and legal commands are very few, barely over one tenth;
- (2) Ceremonial regulations account for almost seven tenths;
- (3) Other religious observances take up the other two tenths.

In other words, religious and ceremonial matters take up some nine tenths of this body of material; very little intermingling (except in Lev 19, 20) of subjects, but much mingling of laws and history in Numbers.

Now, with Finn, op cit, pp 152-4, one may note the differences here. P is emphatically ceremonial, and D is hardly so at all - they are complementary.

In relation to the JE laws, D has vast omissions, and cannot be an 'expansion' of a JE that it does not duplicate as well as extend (D omits burglary, protection of slaves, injuries from accident or quarrel, and so on); it is supplementary to a considerable degree. Cf G T Manley, The Book of the Law, 1957, p 80.

The conventional chatter about 'incomplete' or 'fragmentary' codes is misdirected, and to talk about 'reformulation' in the face of such obviously non-systematic material is more than mildly fatuous.

'JE' is part of the covenant at Sinai, and Leviticus is attached to this via the tabernacle worship (P & H) for the priests and Levites. Numbers contains additional matter, and Deuteronomy represents the renewal of the Sinai covenant, reaffirmed and supplemented. In general cf also the whole of chapter VI (pp 76-95) in Manley, The Book of the Law.

2 The idea that P is dependent on (and so later than) D is not borne out by the facts. Besides Finn, Unity of the Pentateuch, pp 309-328 (which cannot be quoted in detail here), cf the following sample items from G L Archer, Survey of OT Introduction, 1965, pp 150-151:

For 'dependence' of Deuteronomy on P (Lev, etc.), cf Deut 14. 3-20 on clean and unclean animals reflecting what one finds in Lev 11.2-23 (ultimately admitted by Driver, LOT, p 145, that, 'if so, . . . one part of P was in existence when Deuteronomy was written.').

Deut 15.1 refers to year of release as found in Lev 25.2ff. Deut 23.9,10 implies Lev 15 (ceremonial impurity). Deut 24.8 explicitly states the existence of a Mosaic law of leprosy, cf Lev 13, 14.

One may also find Deut references that point to 'P' laws in Lev 11, 13-15, 17-19 and Num 18.20ff. Amos long before the Exile presupposes a whole set of 'P' provisions and usages. Cf Amos 2. 11,12 with Num 6.1-21; Amos 4.5 with Lev 2.11. 'P' terms like 'burnt offering', 'meal offering', 'peace offering' occur in Amos 5.22 (cf Lev 7.11-14; 8.1-32); 'freewill offering', nedebah, in

Amos 4.5 (cf Lev 7.16-18; 22.18; Num 15.3); and 'solemn assembly' in Amos 5.21 (cf, Lev 23.36; Num 29.35). Emendation of the text of Amos would be special pleading to dodge the evidence.

Conventional critics sometimes suggest that such examples are allusions to 'old laws' later codified by P - but this begs the question, and admits that in practice P contains much old matter. On this basis the late date of P becomes an empty dogma, and one is entitled to ask just what in its formulation is 'late', and on what tangible evidence. On P before D, see also Y Kaufmann, Religion of Israel, 1961, pp 175-200 (many good points, but also some speculative).

## 2 Centralization of the Cult

An enormous amount of nonsense has been written on this. The view has been propounded that Ex 20.24 endorses a plurality of altars all in use at the same time, and that this situation held sway until Josiah's time when Deuteronomy and the law of the central sanctuary were proclaimed; and that still later P presupposes (in its tabernacle) a central sanctuary.

This all seems quite unjustifiable, and is based solely on the rejection of biblical data in favour of a priori theories about Hebrew religion, without a particle of solid, external fact.

In sufficient detail, cf Finn, Unity of the Pentateuch, pp 156-159. In Ex 20.24, God would bless the Hebrews when worshipping at an altar of earth (or unhewn stone) 'in every place where I record my name'. This phrase has no relation to continuing and contemporaneous cults at places of theophany etc., (note Finn, p 156), but refers to each successive place where the Hebrews would stop on their journey. Note the similar construction in Gen 20.13, where Sarah is to feign being Abraham's sister at every place where they will come - ie, each successive place (Manley, Book of the Law, p 131).

Thus, during the journeyings to Canaan, the Tabernacle provided already a 'central' cult, and so largely in the period of the Judges (eg, at Shiloh) until Solomon's temple was built. 'Central' cult was nothing new in Josiah's time.

As for the supposed local sanctuaries, much appeal is made to Kings. (See on this matter, Manley, op cit, pp 128ff; Finn, op cit, pp 243ff, esp 246ff). But (i) Deuteronomy NEVER mentions the 'high places' (bamoth) as such (Deut 32.13 is a symbol of exaltation; Deut 33.29 is similar and might be 'backs', cf C Pfeiffer, Ras Shamra and the Bible, 1962, p 60, or J Gray, Legacy of Canaan, 1957, p 189), despite the prominence of the high places in the Divided Monarchy, including Josiah's time. And (ii) Deuteronomy does not totally exclude other altars besides the central one; cf 'thy altar' in 16.21,22; and the special

altar associated with the covenant-monument in Deut 27. (Cf Manley, op cit, pp 101, 132).

Furthermore (iii), so far from being legitimate local sanctuaries, the high places during the Divided Monarchy were predominantly idolatrous, not Jahwistic. Only in the period before Solomon's temple does one find rare references to Jahwistic high places, and several references to other altars. The transition in the connotation of the high places is seen in 1 Kings 3.1-4 (used before the temple as an expedient, and by Solomon a little dubiously); cf generally, Manley, op cit, pp 128-131.

(iv) Josiah's reform (if one reads what is in 2 Kings) was for purification from idolatry and not simply unification. Cf long ago, the listing of evidence in Finn, op cit, pp 249-250). On the altar of Ex 20 & 27 and officiant, cf Finn, op cit, pp 159-163.

### 3 Priests and Levites

Here too, the same views are uncritically reiterated from one 'conventional' book to another. On the (basically Wellhausian) scheme, four stages are distinguished:

- (i) Anyone was eligible for priesthood (JE).
- (ii) In D, all Levites could be priests.
- (iii) In Ezekiel, only the Zadokite branch of Aaron's family could be priests.
- (iv) In P, the family of Aaron (including but wider than the Zadokites) were the only priests.

One may note, in the first place, that the progressive narrowing-down to the Zadokites followed directly by extension to all Aaronites of rights to priesthood is an illogical line of development (Archer, Survey of OT Introduction, 1965, pp 148-9).

Stage (i) rests solely on the misuse of a single verse, Ex 19.6. But that verse should be taken in context with Ex 19.5. Israel alone could mediate the knowledge of the one true God among the heathen nations. And after Aaron's appointment, not a single passage in the Pentateuch exists to permit any non-Aaronite to become a priest. Cf Archer, op cit, pp 147-148.

Stage (ii), the idea that all Levites could be priests, is based on Deut 18.1 in particular. But a careful study of other examples of the syntax of Deut 18.1 shows that this verse means simply 'the Levitical priests and the whole tribe of Levi' as two related but separate lots of people under the same inheritance-law. All regular priests are Levites (because descended from Aaron, himself a Levite) but not all the Levites are priests. This was long since recognized not only by conservatives, but also by such noted conventional figures as Dillman, Delitzsch and Kittel. See on all this, Finn, op cit, pp 187-191, and Manley, The Book of the Law, pp 104-107, Allis, Five Books, pp 185-9; Aalders, Short Intr to the Pentateuch, pp 66-71.

The idea that the Levites were originally a non-tribal caste lacks all evidence, and cannot be read into the irregularities of Judg 17.7-9; cf Finn, pp 191-3, and Aalders, loc cit.

Thus, re Stages (iii)/(iv), there is no factual reason to doubt the role of Aaronic priests only from Sinai onwards; Ezek 44.15 merely confirms the priesthood of the Zadokite branch of Aaron's family.

On the High Priestly office as an ancient, and not purely post-exilic office, cf (eg) Aalders, op cit, pp 70-71; Allis, Five Books of Moses, pp 194-196; Archer, p 149; Kaufmann, Religion of Israel, pp 184-7.

Note also the shrieking discrepancies between P (if post exilic) and the data in real post-exilic books like Ezra, Nehemiah, Haggai, etc. In P, the Aaronic priesthood is just the immediate family of Aaron and his two sons, and the Levites are a whole tribe (8,580 on the traditional figures); contrast in Ezra 2 the return of 4,289 priests and of but 74 Levites (plus 267 porters and singers if one will); cf Allis, op cit, pp 192-3. And note especially over a score of far-ranging contrasts between P and indisputably post-exilic conditions, graphically pointed out by Allis, op cit, pp 196-202. If only our good friends the conventional theorists would face up to, and explain rationally, such phenomena as these. . .

#### 4 Endowments of Priests and Levites

On attribution of shoulder from sacrifices (general and specific), cf Finn, pp 193-4. On the Levitical cities, cf also Finn, pp 193, 194-6. On firstlings, tithes and such-like revenues, see Finn, op cit, pp 196-199; Kaufmann, Religion of Israel, pp 187-193; Aalders, op cit, pp 67-68. This subject is not free of difficulties of interpretation, no matter what view be adopted - but note well the ludicrous results of adopting the 'conventional' sequence of data, listed by Finn, p 199 ! (And pp 453-454).

#### 5 Supposed Development of Sacrifice

From joyous, 'natural', spontaneous communion-meals, at due agricultural seasons (pre-exilic) to the sin-obsessed, guilt-laden, artificial, ceremonial rituals of priestly P in the post-exilic period.

This thesis of Wellhausen, still used in practice however much it is decried outwardly, is purely the result of preferring philosophical speculation to the tangible evidence of our written sources. The OT evidence outside of the Levitical and allied laws has recently been surveyed by R J Thompson, Penitence and Sacrifice in Early Israel outside the Levitical Law, 1963. His findings are clear: that sacrifice could be for sin from the earliest times

onwards in Hebrew tradition, and that the naturalistic-to-ritualistic sequence of Wellhausen is simply not justified. Outline in NBD, pp. 1114-1115.

## 6 The Festivals

These are well covered by Finn, op cit, pp 172-186, in general and in various details. Cf also NBD, under Calendar, etc. Here again supposed divergencies depend on arbitrary division instead of on the existing text. OT language is strained to obtain 'differences'. Eg, Deut 16.7 is alleged to prescribe boiling the Passover sacrifice, whereas Ex 12.9 (P) says not 'sodden at all with water, but roast with fire'. In fact the same verb is used in both passages: it is a general word for cooking of any kind (hence qualifying 'with water' added in Ex 12.9) and does not imply boiling with water in Deut 16.7 - a non-existent contrast (cf Finn, p 173). And so on.

## 7 Ezekiel and P

Conventional theory has it that prior to Ezekiel, Levites generally had priestly rights; Ezek 44.10-14 would mark their degradation to non-priestly work; and P with its ruling that Aaronites and not other Levites could be priests would be later than (and following) Ezekiel.

But, as pointed out by Finn in Unity of the Pentateuch, pp 208-212 (esp 211-212), much turns on the interpretation of the term Levites in this short passage. He very properly points out that, if Ezekiel is indeed 'conveying a sentence of deprivation of priestly rights', then there is no reason why we should not understand it to apply simply to those Levites who did have priestly rights - ie, the descendants of Aaron (exactly as in P). Ezekiel's charge is one of idolatry except against the family of Zadok among the Levitical (Aaronic) priests; the Zadokites alone had been faithful. Therefore, he would demote all the priestly (ie, Aaronic) Levites - except the faithful Zadokite branch - to the same non-priestly duties about the temple as were performed by the rest of the Levites. The Zadokites would continue to supply the priests (as from Solomon's time onwards, NBD, pp 1352-1353). On this plain, straightforward reading P will be long before Ezekiel (who simply builds on P and usage since Solomon), as it is before D(eut); cf item 1 above (Interrelation of Laws).

(It would also be possible to suggest that Ezekiel is simply saying that, despite their idolatry, the Levites would be retained in their customary, non-priestly employ about the Temple, and that by restricting priesthood to the Zadokite branch of the Aaronic priests, he simply is levelling the rest of the Aaronic Levites (formerly priests) to ordinary Levitical status - which is practically the same as Finn.).

One should also note the vigorous criticism of the conventional views offered by Kaufmann, Religion of Israel, 1961, pp 193-196, 199-200, that no OT scholar can afford to ignore. Cf also very briefly the remarks of Allis, Five Books of Moses, pp 189-192; Archer, Survey of OT Introduction, pp 359-361; and Aalders, op cit, p 115, n 1.

In short, conventional views here are no better based than elsewhere.

## 8 Laws and History

On the correlation of the pentateuchal laws and Hebrew history as recorded in the OT, see Allis, op cit, pp 185ff, G T Manley, The Book of the Law, passim, and esp Finn, Unity of the Pentateuch, chapters 23-29, cf 30-33, in greater detail.

Only a few points can be touched on here. Wherever the OT narratives appear to show knowledge of laws or usages attested in the pentateuchal laws at an epoch too early to suit conventional theory, then the narrative is held to be 'coloured' (eg, by super-imposed Deuteronomic editing) - for which no evidence is ever offered; and it is contended that only the usages are thereby presupposed and not their written pentateuchal forms - a distinction again for which no evidence is ever offered (and may therefore be dismissed until it is); and it is alleged that in any case, where the narratives and pentateuchal laws and usages show common ground, there are divergences precluding actual allusions to the extant pentateuchal laws. The illusory nature of such divergences would take too long to illustrate: cf Finn, ch 23 (pp 228-232), the History and P. See ch 24, 25 for the History and JE, and D. On the Tabernacle, see chs 26-29.

## 9 Other Points

### The Relation of P to H (oliness Code, Lev 17-26)

Various reasons have been offered for distinguishing Lev 17-26 from the rest of P as a group of regulations of separate origin. The poverty of the arguments advanced in favour of this view has been well exposed by Finn, Unity of the Pentateuch, pp 200-207.

A bare summary must suffice here:

(a) The supposed distinctive character of H: holiness. As this features in only about four of the ten chapters, it is hardly distinctive.

(b) Miscellaneous contents. In fact, but for ch 19, chs 17-26 are not at all miscellaneous, but cover one religious or cultic matter after another; in any case, a miscellany would prove nothing.

(c) Supposed repetitions seem to prove both diversity and unity of origin according to whim; they are therefore pointless.

(d) Nature of beginning and ending of H. The exhortatory ending in Lev 26 concludes the whole of what precedes, ie, Lev

1-25. And the beginning of Lev 17 ('And the Lord spoke to Moses saying . . . ') is just like a series of sectional headings throughout Leviticus - and is no more significant in itself than any of the other headings. A division here is purely artificial.

(e) Supposed differences of standpoint. These are achieved repeatedly by deliberately excising from H just those bits of verses that make it the same as the rest of P (cf. Finn, p 203: 1,2), or by imposing an unnecessary interpretation on the biblical data (so with killing of animals, Finn, pp 205-206). The reconstruction of the history of the regulations about killing animals offered by the conventional theory utterly condemns itself.

I give Finn's summary (p 206):

'Whereas, on the critical theory, D first permits freely the "slaughtering for food": H forbids it; P, later on, freely permits it again; and, as if all this inconsistency were not enough, R-P (= the Priestly Redactor) puts all three together as parts of one and the same law. What a simoleon!'

Other difficulties are sometimes advanced against the existing pentateuchal data, eg, large numbers as in early lifespans or as in the numbers in the Exodus. But it should be clearly understood that numbers in themselves are never an adequate ground on which to base a criticism:

- (i) the possibility of textual corruption in transmission should be borne in mind;
- (ii) reinterpretation of the consonantal text by the Massoretes is in some cases a possibility;
- (iii) we do not have reliable comparative population-statistics from the Ancient Near East anyway;
- (iv) large lifespans (however regarded) have no bearing on the historicity of the people involved (Ancient Near Eastern evidence).

## CONCLUSION

The development aspect is no better than the documentary. The OT evidence has in large measure simply been manipulated to fit a philosophically-conditioned theory, instead of being evaluated for what it is. By itself, the existing text yields a picture that has no need of the whole tissue of imposed reconstruction with its too-often grotesque results. Not everything may be clear in the text as we have it, but this is universal in the Ancient Biblical East in circumstances where such reconstruction is ruled out anyway. In fine, the documentary/developmental theories are unnecessary, unsoundly-based, misleading, and give results inferior to the extant record.

## LECTURE II

## A THE CONVENTIONAL DOCUMENTARY/DEVELOPMENT THEORIES AND THE ANCIENT NEAR EAST

I The Significance of the Ancient Near East

In all that we considered in Lecture I, one cardinal fact should be noted above all else: the entire structure of the documentary and development theories in their varied ramifications has throughout been erected in a vacuum, with no reference to the world and circumstances in which the biblical books were actually written. Neither the criteria, nor the documents, nor the assumed mode of composition/conflation have ever been seriously verified against what is actually known of ancient, contemporary usage.

This vast and monumental omission is a basic error that cannot be overstressed. Years ago the cry was, 'treat the OT like any other human writings'; and, quixotically, this is precisely what has not been done - namely, to deal with the OT writings on the same general basis as other Ancient Near Eastern books and writings.

From the days of Astruc (1753) to Wellhausen's initial 'success' (1878), the Near Eastern material was for the first hundred years just not available, and in the last 20 or 30 years is just being opened up fully for the first time. Hence, conventional criticism during this time was operating in the absence of data for checking; this was a pre-scientific age of literary and historical criticism.

But from Wellhausen's heyday onwards (1880ff) there was available an increasing and reasonably accessible flood of Egyptian and Mesopotamian (and some West Semitic) literature and texts; neglect of that evidence by OT scholars was thenceforth inexcusable. With the availability of such rich comparative material and gross failure to utilize it, conventional pentateuchal (and other biblical) criticism passed unknowingly into a pseudo-scientific phase (using the term purely descriptively) from which it has not yet emerged.

The Near East is vital :

1 Because the OT was written by Near Easterners (the Hebrews) in the Ancient Near East. This is its context, and there are very close external affinities between OT literature and the rest of the Ancient Near East (hereafter abbreviated to ANE).

2 Because the ANE gives us a vast amount of first-hand material, distributed (and well dated) over many centuries - unlike the OT, where we have nothing older than the 2nd century BC (Dead Sea Scrolls - valuable, but not nearly old enough to have much bearing on directly literary matters). Hence, before the 2nd century BC, the mass of uncontrolled and undisciplined speculation in OT study.

3 Because this ANE material provides an external means of control, a measuring-rod to check upon the reality of falsity of literary and linguistic theories about the OT. Eg, if a word in the OT is found also in Mari in the 18th century BC, and at Ugarit in the 14th/13th century BC, then it cannot possibly be called a 'late' word or a mark of post-exilic age, for example. Argument is ended.

4 Because the ANE is a field of steadily increasing knowledge, producing new facts of service to biblical interpretation and opening up new possibilities not otherwise foreseen. Neglect of such riches means impoverishment and error.

## II Background and Principles

Scrutiny of the last 200 years of OT study and of typical or standard works soon shows that the 18th and esp the 19th centuries exhibit a reaction against traditional views, (i) because of new ways of looking at the OT (regardless of the truth or error of such ways) and (ii) even because they were traditional. During the 19th century, OT scholarship, as is well known, was dominated by theories about Hebrew literature, religion and history, rather than by any new factual data; this dominant role of theory can be seen in any OT introduction down to today.

ANE studies carry rather a different stamp. The decipherment of Egyptian hieroglyphs and Mesopotamian cuneiform opened up whole new worlds of factual material. Early investigation was partly motivated by the hope of getting direct contacts with the OT, but such have been rare (for good reasons) and the vastness of the non-biblical data recovered led to the various branches of ANE studies becoming independent disciplines on their own (entirely separate from OT studies), disciplines in which theory has always had to be firmly subordinated to the flow of new material, and in which facts, learnt the hard way, count most.

We thus have two disciplines (OT and ANE studies) in the same general field of time and space, but with (until recently) very little correlation between them either in practice or in material and methods. Of late the ANE material has begun to be made more available by Orientalists, and has been increasingly used by OT scholars (but only within their inherited theories), but this cross-fertilization is still far too small.

In the past there has been a notable tension between the picture of the Hebrews, etc, as given in the OT itself, and as presented in the theoretical reconstructions offered by OT studies. But it is becoming apparent gradually that the data from the ANE agrees far better with the OT itself, and not with the theoretical schemes, be they literary, religious or historical. This is going to increase.

In Near Eastern studies there are certain well-tried principles so commonly acknowledged that we never normally need to state them.

If these had been properly observed in OT studies (instead of being flouted), many OT problems would never have reached their present over-inflated state. Thus, priority must always go to tangible facts, and these must control theory - not vice-versa. A positive attitude to our material: unreliability, secondary origins, tendentious traits, etc. must be proved by evidence, not merely asserted or assumed to fit a theory. Negative evidence is no evidence - non-mention of a person, event, etc. in other sources merely indicates the poverty of our surviving documentation, illustrates our ignorance and proves nothing about the person, event, etc. concerned. And apparent discrepancy is not necessarily always real discrepancy or error; fuller data can give the real clue to the whole. These are not harmonizing 'get-outs', but well tasted everyday principles. For this section, see AO/AT, pp 10-16, and slightly fuller, AO/OT, Part I, A, paras 1-3; both fully documented.

### III The Ancient Near East and the Documentary/Development Theories

Let us now view the criteria and claims of the theories in the light of the actual usage of the OT world, of the contemporary literatures, following the documentary criteria as set out in Lecture I. See NBD, pp 348b-351a.

#### 1 Multiple terms for deity.

It was noted in Lecture I that YHWH and Elohim ('God'), (i) were not solely synonyms, being used meaningfully in various appropriate contexts, and (ii) could in any case be used in alternation to avoid monotony of expression ('elegant variation'). Point (i) needs no further comment, although the association of a divine name with a role or function was used by the Egyptians at all periods from c 2400 BC (Pyramid texts) onwards. Examples, Wb II, p 426: 24-26, Belegstellen, eg in 426: 26, from Pyramid Texts 741, 'Thy mother Tayt (a goddess) bears thee to heaven in this her name of Djeret (Kite)!'.

For (ii), elegant variation, examples are legion in the ANE: among examples given by me in NBD, p 349a (fuller in JEA 47 (1961), p 163, and AO/AT, pp 51-52 with nn, and AO/OT, Pt 1, B, 4. Lit Criticism, ib), cf the four names and epithet plus nuter ('God', like Elohim) for the God Osiris on the stela of Ikhernofret, c 1850 BC, or two goddesses with either two or three names in the prologue to Hammurabi's laws, or similar phenomena from Canaan (Baal/Hadad in Ugaritic texts, etc.), the Hittites and Hurrians, and old South Arabia.

For compounds like YHWH-Elohim (Gen 2-3), cf in Egypt, Iir-Sedjmy ('Sight-(&)-Hearing') and in Canaan Kothar-w-Hasis, Athirat-w-Rahmaya and Aliyan-Baal, in the Ugaritic texts (all, Kitchen, JEA 44 (1958), p 128), besides the various Egyptian compounds with Re - eg, Amen-Re, Mentu-Re, Sobek-Re, etc. (cf also C H Gordon,

Christianity Today, 4 (1959), pp 131-134). None of these variant and interchanging terms for deity serves as literary markers in the ANE - and so have no call to be so used in the OT either.

## 2 Vocabulary

Exactly the same situation. See examples for double personal, place, group, names, double terms (common synonyms) and even variant personal pronouns (esp ani/anoki in Ugarit, just like Hebrew), in NBD, p 349; or JEA 47 (1961), p 163; or Faith and Thought 91 (1959/60-61), pp 188-190; and AO/AT, pp 51-52, and AO/OT, section cited).

The verdict of the ANE is clear: such 'criteria' are absolutely worthless, shown by their occurrence in monumental texts without literary prehistories just as they do in the OT.

## 3 'Style'

Really the attribution of different subject-matter and its forms (as if an author could never deal with more than one kind). This too is worthless - note the examples of varying matter and 'style' (narrative, poetry, fixed refrains, etc.) within single unitary ANE texts - cf NBD, p 349 (on Uni), AO/AT, p 52, and AO/OT.

As for one literary 'author indulging in different classes of literature and their various styles, note c 1990 BC the Egyptian Khety son of Duaf who wrote (a) his own wisdom-book (often called the Satire on the Trades) and possibly drafted that of king Amenemhat I, (b) the Book of Kemyt, a kind of Civil Service text-book or manual, and (c) in all probability, the Hymn to the Nile, yet a third literary category. (Cf G Posener, Literature et Politique dans L'Egypte de la XIIe Dynastie, 1956, p 19 and n 7 & refs). There seems no reason to deny a similar ability to the Egyptian-trained Moses (narrative; laws, selected more than invented; and poetry) a mere 700 years later than Khety.

## 4 'Doublets'

(a) Alleged duplicate narratives of the same event; separate in the text. That Gen 1 and 2 are one account - outline plus details on one aspect (man) - rather than two, has been indicated in Lecture I. Precisely this usage of outline and then more detail (or even partial restatement) is attested in the Biblical Near East (unbeknown to the Astrucs, Wellhausens, Rowleys and Eissfeldts).

The Karnak Poetical Stela of Tuthmosis III, c 1460 BC, has the god Amun address the king on the latter's political supremacy over foes (i) in a varied style, lines 1-12 (J/E?), (ii) in a very stately and slightly more detailed poem (P?), far more rigid in pattern than Gen 1, and (iii) in lines 23-25 again in more varied style (J2/E2?). Similarly, the Gebel Barkal stela of this king - general terms

(11.3-9), then specific victories (11.9-27) and then on about tribute (27ff). (This is partly visible in the translations respectively in Erman & Blackman, Literature of the Ancient Egyptians, 1927, pp 254-258 (Karnak), and G A and M B Reisner, ZAS 69 (1933), pp 24-39 (Gebel Barkal), but not so fully as in the original).

The royal inscriptions of the kings of Urartu (OT, Ararat) of the 9th-8th centuries BC repeatedly begin with an initial summary-paragraph ascribing defeat of such-and -such land(s) to the divine chariot of the god Haldi, and then go on to repeat the victories in some detail, crediting them to the king. We have here a Haldi-source, in brief, fixed style, and a king-source, fuller with more varied ('livelier') style, if the dogmas applied to Gen 1 & 2 have any real validity. But as this occurs in a whole series of texts, each one a literary unit, any such allegation of sources and 'rival' accounts is in fact absurd. (See texts in F W König, Handbuch der Chaldischen Inschriften, 1955/57, Nos 21, 23, 80, 103, 104, etc.) The conventional theories on Gen 1 & 2 can only be retained if one is prepared to perpetrate absurdities throughout the biblical Near East on a grand scale.

(b) Alleged duplicates, recorded as separate events, but treated as variant versions of the same incident by the theorists. In particular, the sistor/wife subterfuge by Abraham and Isaac. Gen 20.13 makes it absolutely plain that these are to be taken as separate occasions of a related nature. There are plenty of such examples attested historically. (i) Tuthmosos I of Egypt campaigned up into North Syria, left a victory-stela by the Euphrates, and hunted elephants at Niy - and so did his grandson, Tuthmosis III; but these are not variants of a single event. (ii) Or, 400 years earlier, in the 20th-19th centuries BC, note that Khnumhotep II, also a governor of Menat-Khufu, had the same privilege under king Amenomhet II, and his great-grandson Nakht II in the Jackal province under Sesostri II. Here, if anywhere, is repetition, even to the names of the governors and kings (two each of Khnumhoteps and Amenemhets) in corresponding generations. And yet we know that these are all real and separate people and events from first-hand texts and monuments. References for (i) in Gardiner, Egypt of the Pharaohs, 1961, pp 178-179, 194-195; for (ii) ageing translation in Breasted, Ancient Records of Egypt, I, 1905, paras 619ff. (iii) In the Amarna tablets (14th century BC), within perhaps a couple of years, Abdiashirta of Amurru captured Sumur, only for it to be lost at his death. So his son and successor Aziru of Amurru had to capture Sumur again (Kitchen, Suppiluliuma and the Amarna Pharaohs, 1962, pp 28-29 (EA 138), 41, 44). There is nothing in Gen 12, 20, 26 (Sarah, Rebecca) or 16, 21 (Hagar) anything like so closely 'repetitive' as in the three Egyptian instances of 'history repeating itself' just given (to which more could be added); so why should they be mere 'variants' any more than the latter - just to prop up an obsolete theory?

(c) Supposedly repetitious narratives, whose diction is then split up to make 'parallel' accounts by the theorists. (Flood, Joseph, etc.). The supposed prolixity of (eg) Gen 7.18-20 (in each verse 'the waters prevailed', but each time accompanied by different information) is no different from that observable in other ANE texts where fusion of parallel accounts is excluded by their known origins. Thus, the commemorative stela erected by the official Ikhernofret c 1870 BC fairly booms with 'prolixities' in its account of the mysteries of Osiris and work done for that god. In the king's address to the official, note: (1) 'My Majesty has commanded . . . to make monuments for my father Osiris . . . / to beautify the paraphernalia of his mysteries . . .' (2) 'My Majesty sends thee . . . since thou hast been trained up as a pupil of My Majesty. / Thou, indeed hast grown up as a ward of My majesty, as a unique pupil of my palace.' (Triple prolixity, there!). (3) 'My Majesty sends thee, confident of thy doing all satisfactorily . . . / So now My Majesty sends thee . . . as . . . none can perform it all besides thee.'

(4) Ikhernofret then records that: 'I did according to all that His Majesty commanded, / in fulfilling what my lord had commanded, . . . for Osiris . . .' (5) 'I refurbished his great barque of eternity . . . / I directed work on the Neshmet barque . . .' (Both are the same barque). (6) 'I clothed the god<sup>+</sup>. . . in my offico of chief of Mysteries, / in my duty as Sma-priest.' (7) 'I was one pure of hands in adorning the god,<sup>+</sup> / a Sem-priest with clean fingers.' Note also (8) the phrases followed by a (+).

This series of quotations from one modest inscription does not exhaust its 'prolixity' of the same type as in Gen 7 or anywhere else in the Pentateuch and beyond. Would that Astruc could have seen it! (Recent translation of Ikhernofret, differing slightly from above, in Pritchard (ed), Ancient Near Eastern Texts, 1955, pp 329-330).

There are similar prolixities in the great text of Khnumhotep II used in (b) above; and cf a remark like that of Tuthmosis III about cowed Syrian foes: 'so that they shall not repeat<sup>+</sup> rebellion another time<sup>+</sup>' - quite tautologous by our standards.

Constructions showing chiasmus (a-b-c/c-b-a) like Gen 2.4 are very common. From the so-called Instruction of Sehetepibre in Egypt. c 1840 BC, cf: 'Noses go cold, when he (the king) turns to wrath; when he is at peace, one breathes air (freely)'; other examples occur in the same text (partial translation, Pritchard, op cit, p 431) and elsewhere.

##### 5 'Anti-chronismes'

The text of Khnumhotep II already twice used goes back and forth between generations in its recital of events; and so, commonly. For a Pluperfect in Neferty, cf Posener, op cit, 148.

## 6 Differing Theological Concepts

In OT studies this argument has been much overdrawn. But it should be noted that ancient writers were perfectly capable of emphasizing different aspects of deity within a single work without developing split personalities.

In the Leiden Hymns to Amun, for example, chapters 40 and 50 stress the mysterious nature of Amun - hidden origin and power, supreme Power over or behind all others - transcendent if you will. But chapter 60 shows him as king, ruler of the gods and of Egypt, august and exalted but active in the world (midway between what precedes in 40 and 50 and what follows in 70). Then chapter 70 shows him as a god who cares for people, with anthropomorphic expressions ('coming from a distance to him who calls on him', 'heeding whom he loves', 'hearing supplication'). These reflect three aspects of the deity concerned - and not three separate writers. (Ageing translation, incomplete, in Erman and Blackman, Literature of the Ancient Egyptians, 1927, pp 296-297).

In the story of Sinuhe, the writer has deliberately given two conceptions of the Pharaoh - the august, divine being ruling from the throne, and a person also gracious, kind and even homely; cf Posener, Litterature et Politique . . ., 1956, esp p 98.

## 7 Unilinear Evolution

The basic postulate of the development theory. Completely erroneous historically over any long period of time. Compare the rise and fall of Egypt not once, but at least three times in and after the Old, Middle and New Kingdoms; or the successive flowerings of Sumerian, Old Babylonian, and later Assyrian and Babylonian civilization in Mesopotamia, and so on. That ancient religion began with 'natural', joyous worship, with rituals and a sense of sin being 'late' is utter rubbish. We have evidence of rituals as far back as records go from the Pyramid Texts in Egypt, for example (3rd Millenium BC). The sense of personal guilt can be observed in Egypt (a culture not noted for admission of sin) among the workmen of Deir el Medineh at Thebes in the 13th century BC - as early as Moses (a classic example in Pritchard, Ancient Near Eastern Texts, p 381; cf 380) and even in the words of a king to his heir Merikare, c 2200 BC - long before Abraham (and thus not exactly post-exilic!), see in Pritchard, op cit, p 416 (70) & n 17; 417 & n 44. The correlation of theological concepts as 'primitive/early' and 'advanced/late' cannot be safely used from c 2500 BC onwards, on the Near Eastern data available today.

## 8 Late Word Arguments

A word may occur only rarely in the OT, and perhaps in restricted contexts (law, ritual, poetry, etc.) and then not again until post-biblical times (eg, in the Mishna). OT scholars inevitably

regard such a word as 'late', although any one of three principles may apply:

I Common occurrence only late, outside a few apparently 'early' contexts, may indicate a genuinely late word, and indicate that the supposedly 'early' contexts are themselves really 'late'.

This is the approach almost universally adopted in OT studies.

Two more exist:

II The 'early' occurrences of such words (eg, in the Pentateuch) may actually be valuable evidence of how early such words really were used; their late occurrence would merely indicate/illustrate long continuity. Absence of intervening examples is the accidental result of our imperfect knowledge of the ancient biblical East.

III A genuinely 'late' word may occur in a genuinely 'early' context, as substitute for some other word eliminated because its meaning has changed, become offensive, or is lost. Such a word dates only itself and the MSS in which it occurs, not the work in which it is found.

Principles II and III are not some form of special pleading invented to give early dates to late works just to please conservatives.

They are commonplace realities in the ANE. For II, compare the occurrence of certain words in the Egyptian Pyramid Texts of the 6th Dynasty c 2400 BC, words then never found again till they reappear in frequent use in the temple-texts of the Graeco-Roman period. On Principle I (as used by OT scholars) the Pyramids would have to be dated down to the 3rd century BC, and 21 centuries of history telescoped!! Absurd, of course. But this is what conventional theory is almost certainly doing on a smaller scale to the OT. For Principle III, cf MSS of Egyptian works showing occasional substitution of late words - words that date only those MSS, not the whole text. See NBD, p 350 and refs, and AO/AT, pp 59-60 and refs, extended slightly in AO/OT, Pt I, 8, 5 ii) b, Lexical Criteria.

Furthermore, OT scholars too often ignore direct collateral evidence for the early date of much OT vocabulary - if a word occurs in the 18th century BC Mari tablets, or in 14th/13th century Ugarit, or as a loanword in New Kingdom Egypt (1550-1100 BC), then it is not a 'late' word, and cannot be used to down-date OT literature. Besides examples of this in AO/AT, pp 60-61 (and AO/OT), see those quoted by me in Wiseman, Mitchell, Joyce, Martin, Kitchen, Notes on Some Problems in the Book of Daniel, 1965, p 33, n 18.

A word here on Aramaisms. That they are necessarily or always late is a persistent error in OT studies. Historically, one may expect genuine Aramaisms at any time from c 1000 BC onwards (David's conquests onwards, particularly). But most so-called Aramaisms are in fact not Aramaisms at all - they are common West Semitic found in both Hebrew and Aramaic; their relative commonness in Hebrew and Aramaic has no bearing on their date. The evidence for this is twofold: (i) internal phonetic criteria effectively worked

out years ago by R D Wilson, eg, in his A Scientific Investigation of the OT, reprinted in 1959, pp 112-126 (pp 106-112 on late words generally); (ii) when such words turn up in Ugaritic of pre-1200 BC, or as West Semitic loanwords in other early sources (Egyptian, Mesopotamian, etc.), then they are not simply Aramaisms. See AO/AT, pp 60-61; AO/OT, Pt I, B, 5 (ii) b, 3, and cf Notes on . . . Daniel, p 33 etc.

## 9 Composition of Ancient Literary Works

### (i) 'Conventional' theory on OT

1 Documents. It is assumed as axiomatic that alternate sections of roughly parallel documents (the hypothetical J, E, P, etc.) were drawn on in irregular fashion - whole sections and paragraphs, odd sentences and phrases (and occasional tiny bits within continuous passages), and put together with often rough stitching, leading to so-called repetitions, duplications and internal clashes.

2 Books. It is also assumed that, over a long period of time, books 'grew' gradually by accretion over the centuries, with new sections, etc., tacked in or on as people fancied.

### (ii) Ancient Near Eastern Data

1 Documents. There is no clear evidence for a process of conflation by alternate sections of widely irregular and varying length as postulated by the theory. (Not even Chronicles within the OT is a really valid parallel, cf Young, IOI, pp 392-393, on Chronicles' use of the same sources in its own way). There is NO question of being able to use the criteria of conventional theory to separate documents incorporated in ancient works (not even in the Chronicles with Samuel and Kings at hand to check, as far as I know). Such separations into documents can only be done when we actually have the actual documents in separate copies before our eyes alongside the works that have utilized them.

2 Books. ANE books proper were clear and definite units when composed - and did NOT just grow by gradual accretion. Sinuhe, Neferty, the wisdom books of Amenemhet I, etc, were the same in length and content 600 years after their original composition as when newly written, for example. Occasionally a new edition (modernized language) might be produced, and of course the ordinary laws of textual corruption (including minor omissions and additions) operated - but such are the province of normal textual criticism, and have no bearing on a book as a whole.

In fact, the ANE holds no brief for the modes of composition that are fundamental to the conventional theories.

## 10 Cumulative Argument

For those who like to employ this form of reasoning, a rapid re-perusal of the text of this lecture - combined with the negative verdict of Lecture I - should be instructive. At every turn the phenomena of the Hebrew text are those proper to ANE writings to

which the methods of conventional OT criticism can only be applied with manifest absurdity when control is possible. This cumulation is at least worthy of very serious pondering. . . .

### Conclusion

The documentary/development theories cannot be proven on internal evidence, and a good deal of internal evidence suggests that they are unnecessary, misleading, unsoundly based and probably erroneous. The comparative external evidence just surveyed is diametrically opposed to the theories at every point. The answer to the 'Pentateuchal problem', therefore, must surely lie elsewhere. We now turn to two part-answers from others before attempting one ourselves.

## B FORM CRITICISM

### I The Basic Idea

In German, Gattungsforschung or Formgeschichte. Largely initiated by Gunkel. Sought to classify by type and origin the literary units that make up OT books, and to show how such units had been used to build up those books. He did this first with Genesis, and later with the Psalms; others followed. The basic idea of investigating the various literary structures and units in Hebrew literature for exegetical account was a good one; only limited use of ANE.

For outline of Gattungsforschung in OT studies, see H F Hahn, The OT in Modern Research, 1956, pp 119-156; a new standard exposition of the method (OT & NT) is K Koch, Was 1st Formgeschichte? Neue Wege der Bibel-exegese, 1964. For what now follows, cf very brief hints in NBD, p 349b (3), the treatment in my AO/AT, pp 53-55 with refs, and fuller in AO/OT, Pt I, B, 4. ii, Form Criticism.

### II Criticisms of the Method as Practised

Unfortunately, various assumptions and elaborations involved with the method are open to objection on external, factual grounds from the ANE.

- (i) The idea of a unilinear evolution from smaller, 'primitive' literary units to larger, more complex entities (and of growth of a given literary work by accretion) is a fallacy from at least the mid-3rd millenium BC in Ancient Oriental literature as we have it. Accretion and unilinearity have already received some criticism above, to which much could be added if space permitted. Excessive atomization of Hebrew literature (esp the prophets) was effectively criticized by S Smith, Isaiah XL-LV, 1944, pp 6-16.
- (ii) Literary forms do not always retain one fixed function, but

can find secondary uses - ancient authors were not always so hide-bound as is sometimes supposed. The so-called Instruction of Sehetepibre (a wisdom-book) utilizes hymnic structure for its purpose; and was itself adapted by the man Sehetepibre in question to express loyalty to his own sovereign Amenemhet III. (Cf Pritchard, ANE Texts, p 431 and refs, and Posener, Litterature et Politique . . ., 1956, pp 117-124). Still more blatant is Papyrus Sallier I, 8.2-7, in which the epistolary framework of a letter is used for a Hymn to Thoth (cf Pritchard, ANE Texts, p 379), and in Papyrus Bologna 1094, 11.5-9, for some wisdom-maxims (in Caminos, Late-Egyptian Miscellanies, 1954, p 30).

(iii) Literary form has no bearing on the historical worth of a text. See already, J Bright, Early Israel in Recent History Writing, 1956, pp 90-91 on this error as committed by Noth. In the ANE, one may cite for the campaigns in Syria of Tuthmosis III the dry, statistical Karnak Annals, the 'anthologies' of brave exploits on the Arment and Gebel Barkal stelae (extracts from these in Pritchard, op cit), and the Karnak Poetical stelae (Erman and Blackman, Literature . . ., pp 254-258). Those campaigns and exploits in themselves were not more or less real, because recorded in three different classes of literature.

(iv) A word of caution on 'Sitz im Leben', or the supposed setting in life of literary units and forms. This must not be done mechanically. As indicated under (ii) above, secondary use of forms is usual, so that they cannot be automatically assigned to a given niche in life, be it cultic, legal or any other. In the legal sphere much has been made of Alt's distinction between 'casuistic' ('If a man . . .') and 'apodictic' ('Thou shalt/shalt not . . .') laws, the former alleged to be of a Canaanite origin and the latter specifically Israelite, in the Pentateuch. In point of fact we have as yet no Canaanite laws, and the apodictic form is not unique to Israel but is found elsewhere in the ANE. Cf I Rapaport, Palestine Exploration Quarterly, Oct 1941, pp 158-167; and external apodictic material, D J McCarthy, Treaty and Covenant, 1963, pp 36-37 and list, p 49.

Much more fruitful approaches to the pentateuchal laws have been applied by M Greenberg and E A Speiser; see their articles in the Yehezkel Kaufmann Jubilee Volume, 1960, pp 5-28, 29-45, respectively. Thus, Greenberg points out that in the laws of Hammurabi are 'discrepancies' that are 'no less glaring than those which serve as the basis of analyzing strata in the Bible'. But this situation has no bearing on Hammurabi's authorship of his law-collection, vouched-for by the stela of his own time. And in fact use of such 'discrepancies' for unilinear evolution between imaginary constituent 'codes' is no answer to the problems here. In fact what has to be noted is the legal distinctions that are often the explanation of the so-called 'discrepancies'. This has its lesson for the pentateuchal laws - why should the position of a Moses (or a man of the

same name) by any different in this respect from that of Hammurabi? In both collections, pentateuchal and Babylonian, we have a large amount of usage that goes back far beyond either Moses or Hammurabi and was not invented by them. Another important point worked out by Greenberg is the need to observe the different basic values as between cultures, eg, between Hebrew and Babylonian. He illustrates this from criminal law: the Hebrew laws set a supreme value on human life, where the Babylonian sets most store by the sanctity of property. At various points the attempts to establish 'early/late' distinctions either by development theories or by unilinear 'form criticism' simply fall away as meaningless.

Speiser has shown that various items in Leviticus - varying from a single verse to whole passages - are so archaic that a full understanding of them can only be gained by utilizing relevant cuneiform data of the 18th to 15th centuries BC. The distribution of such material callously ignored the imaginary distinction between P and H, and speaks directly against a post-exilic date for either. Much more remains to be done in this field. Finally, not only is the term 'codes' inappropriate for the pentateuchal laws, but it should not be used of the ANE laws either. Cf J J Finkelstein, Journal of Cuneiform Studies 15 (1961), pp 100-104, and D J Wiseman, Journal of Semitic Studies 7 (1962), pp 161-172, and refs.

In short, the enormous amount of guesswork in hunting for Sitz im Leben needs to be ruthlessly pruned, and to be replaced by properly controlled comparisons and contrasts with related external material.

## C ORAL TRADITION

### I The Idea

Also called 'History of tradition' or 'tradition-history'; particularly favoured by Scandinavian scholars. Simple outline in E Neilson, Oral Tradition, 1954. They lay great stress on the supposed leading role of 'oral tradition' (by which they really mean oral transmission), suggesting that much Hebrew literature was written down only quite late, even suggesting that the role of writing was quite secondary in the ANE. ANE data are adduced, but misleadingly.

### II Criticism of Its Use

(i) As hinted, they speak of 'oral tradition' and fail to make proper distinction between oral composition of works, oral dissemination to contemporaries (what I was doing when speaking these lectures), and oral transmission (father-to-son, so to speak) to succeeding generations. Oral dissemination was doubtless very prominent in the ANE - but often from prior, written documents, cf 2 Chron. 17.9 (oral teaching from written law).

For transmission of anything important to posterity, the ANE insistently resorted to written rather than oral transmission. Note the hundred-thousands of clay tablets from Mesopotamia, the acres of hieroglyphic texts and scenes from Egypt, the use of tablet or stela by all classes from king to humblest commoner - no trust, here, in the imaginary supremacy of oral transmission! (ii) It is highly significant that Neilsen, for example, has to draw his real parallels not from the biblical Near East proper but from quite different and (in fact) wholly irrelevant historical periods and cultures - as far afield as Old Iceland, Islam, Persia, Hindu India, the works of Plato, etc. When he does use ANE data, it is often misleadingly used. For oral transmission, he cites the colophon to a Babylonian hymn to Ea - but in fact this colophon does not favour oral tradition, it warns in effect that 'this text is taken only from oral tradition, not copied from a proper written original'. That scribes in Egypt were all recruited from the highest class of the population is just not true for at least the 1000 years from the end of the Old Kingdom to the end of the New Kingdom (say, 2100-1100 BC). One need only cite the humble scribes of Deir el Medineh in W Thebes (1500-1100 BC). And how is writing limited to the specialist in Palestine, with an alphabet of but 26 letters? Most written documents in Syria-Palestine remain to be found (clay tablets, Middle and Late Bronze ages - buried too deep), or have been irrevocably destroyed (at Byblos, c 1100 BC, large archives of timber-accounts (cf Wenamun, Pritchard, ANE Texts, p 27a, (5-10), of which no trace has ever been found in 40 years' digging there).

See AQ/AT, pp 55-56; and AQ/OT, Pt I, B, 4. iii, Oral Tradition.

## CONCLUSION

The melancholy truth is that all three approaches criticized so far - documentary/development theories, form criticism, oral tradition - rest far too heavily on preconceived theories imposed on the OT, instead of proceeding from an examination of the actual ANE evidence for literary forms, styles, usages and methods in themselves and as relating to the extant text of the OT. None of the criticisms offered rests upon grounds of theological parti-pris; they stand on the evidence quoted, both internal and external. ANE literature was all written long ago by Ancient Orientals and conservatives cannot be blamed for its existence or relevance. Where theories do not fit, they must go.

## LECTURE III

## THE PENTATEUCH IN ITS ANCIENT NEAR EAST CONTEXT

## A INTRODUCTORY

In what follows let me make it bluntly clear that there will be here no emotional rallying-call to defend the figure of Moses as instigator, originator or author of either part or all of the Pentateuch or its constituent books. On the other hand, it is appallingly unscientific to rule out a priori (as is blatantly done by Eissfeldt, OTI, for example) either the existence of a leader Moses or the clear and unambiguous testimony of the entire OT (as relevant) to that leader's role - including the explicit statements in the pentateuchal books themselves. The actual evidence of the Pentateuch must be combined with the positive data from the ANE in order to achieve a realistic picture within certain broad limits, untrammelled by a priori theories inherited from an earlier age, ignorant of proper factual controls and bedevilled by philosophical preconceptions.

Through no fault of mine, this lecture (in both oral and typescript presentations) falls far below what I had planned for originally; it must therefore serve as a makeshift supplement to the germ-ideas in the NBD article 'Moses' (esp pp 848-850) until some day, perhaps, when I have opportunity to do work of this kind properly.

## B THE BOOKS THEMSELVES AND THEIR BACKGROUND

The two clearest units are Genesis and Deuteronomy; we therefore look at each of these first. Then we may turn to Exodus, Leviticus and Numbers, among which Leviticus stands out as the clearest unit. That fact automatically isolates Exodus and Numbers as possible literary units in their turn. By its contents Genesis refers to the time before Moses; the others are not earlier than him (the very end of Deuteronomy (soon?) after his death). Hence in each case we must look briefly at possible post-Mosaic material in each book, as well as seeking the combined internal and ANE evidence of general date.

I Genesis

(i) Post-Mosaica: points for consideration are relatively few.  
 (1) 'The Canaanite was then in the land' (Gen 12.6; 13.7). There is no evidence to show that this is anything more than a possibly emphatic way of saying 'the Canaanite was already in the land' (implying: he still is - true till the United Monarchy at least). Cf (eg) Young, IDI, pp 58-59.

(2) Dan in Gen 14.14. We cannot yet be certain that this is Laish/Dan. If not, then it is irrelevant. If it is, it may be nothing more than a case of Principle III (see Lecture II, A III 8, 'Late Words', above) - substitution early in MS tradition of Dan for Laish. Cf substitution of Qedy for Qedem twice in the 13th century BC MS, Ashmolean Ostrakon (vs 8, 30), or the story of Sinuhe (in B 182, 219) of 20th century BC (J W B Barnes, Ashmolean Ostrakon of Sinuhe, 1952, ad locc).

(3) Isaac's Philistines. That no Philistines are known before c 1190 BC (Rameses III) is purely negative evidence. The term may be one of the 13th/12th centuries BC applied to earlier Aegeans, as there is abundant evidence for Aegean contact and dealings with Palestine, Syria and Egypt in the patriarchal age. Cf my review of J Bright, History of Israel, p ii for refs. (Supplement to TSF Bulletin, No 39 (Summer 1964) and available separately from the TSF office), and AO/OI, pp 34-35 and refs or AO/OI, Pt I, B, 2, a), 2.

(4) Patriarchal Camels - are NOT anachronistic. See NBD, pp 181-183, or AO/AI, p 34, AO/OI, Pt I, B, 2, (a), 1.

(5) Gen 36.31: '(Kings in Edom), 'before the reigning of a king in Israel.' This phrase is the sole possible post-Mosaicum that has any weight in the entire book. Two views are possible:

(a) That this clause was added under the Hebrew monarchy to make clear the pre-monarchic date of the Edomite kings; this could have occurred in a hypothetical recension of the pentateuchal writings under (for example) David or Solomon (going on the analogy of the very occasional editings and modernization to which ANE literature was subject, eg Ptahhotap, NBD, pp 349-350).

(b) That this phrase is of the same date (Mosaic period or earlier) as the rest of the book. One should remember that it was the Hebrews who were the odd people out in not having a king (eg, under Moses) - everyone else in their world did! And NB the concept and expectations in Gen 17.6, 35.11, as well as the future expectations in Num 24.7 and Deut 17.14ff. Either (a) or (b) is feasible. (a) seems simplest, (b) cannot be wholly excluded (curiously, impressively defended by Astruc, Conjectures . . ., 1753, chapter 17, pp 465ff).

(6) Some very minor points, cf Young, IOI, p 59.

(7) Certain names in Table of Nations. In our present state of knowledge, this rests solely on 'negative evidence' (cf Lecture II, A II on this principle). This apart, the table is consistent with the 14th/13th centuries BC.

#### (ii) Positive Indications

The sole really positive clue is in Gen 47.11, where 'the land of Rameses' is mentioned. As this is an explanatory phrase from the narrator and not quoted as words of Joseph or Pharaoh, this is not an anachronism as some allege with incredible stupidity. It simply serves to date the narrator (and therefore his book, but

not the events described) to the 19th-20th Dynasties in Egypt, esp Ramesses II (13th century BC). The phrase is a direct reflex of the Egyptian Per-Ramesses, 'Estate (so, rather than 'House') of Ramesses', term for the Delta capital of (Sethos I and) Ramesses II particularly. (Cf AO/OT, Pt I, B, Chronology, Date of Exodus). As this is the period of Moses, (cf ibid, and more briefly, NBD, pp 214-215; also AO/AT, pp 24 and refs), and he is so prominent in the rest of the Pentateuch (cf below), it is not unreasonable to suggest (pace Eissfeldt and all his inhibitions) that either Moses or a close contemporary was responsible for Genesis, with the possibility of a slight modernization later (eg, in the United Monarchy).

For the genuine antiquity of the contents of Genesis, pathetically few words must suffice here. (1) The literary scheme of Gen 1-9, with its Mesopotamian background (Flood, and remember, Abraham & co came from Uri), is now paralleled not only implicitly by the 'final' editing of the Sumerian King List (c 1800 BC), but also more explicitly by the reconstructed Atrakhasis Epic of the Old Babylonian period (c 1900-1700 BC) - in both cases; the Patriarchal Age. It is not too bold to suggest that these traditions came from Mesopotamia with Abraham. (Cf AO/AT, pp 18-19; AO/OT, Pt I, B, 1 (i), d). On Gen 10, wholly or mainly 14th-13th centuries BC, cf above, and NBD, pp 865-869, and Wiseman's JTVI paper there mentioned.

(2) The record of the Patriarchs contains so much matter that is either special to, or typical of, or consistent with, the first half of the 2nd millennium BC, that there can now be NO serious doubt that this record is a faithful report of traditions from that period. Very briefly, cf NBD, pp 213-214; much clearer, see AO/AT, pp 21-22 and AO/OT, Pt I, B, 1, ii (both on dating) and my review-article (of Eissfeldt's hopeless Cambridge Ancient History fascicles), to be entitled 'Historical Method and Early Hebrew Tradition', hoping to appear in the Tyndale House Bulletin during 1966.

(3) The story of Joseph is also consistent with Mosaic-age write-up in its present form; cf J Vergote, Joseph en Egypte, 1959, and my review, JEA 47 (1961), pp 158, and esp p 162, nn 1-3. Note also the subtle clues like the change of meaning of saris (JEA 47, p 160; AO/AT, pp 69-70, and AO/OT, Pt II, B, 1, (iv), b), and the rising price of slaves, NBD, p 1196a.

This mass of external comparative material can no longer be ignored in dating Genesis.

## II Deuteronomy

(i) Post-Mosaic: again, very few points are of real importance.

(1) The phrase 'beyond Jordan' (Deut 1.1, etc): more valuable than the brief note in Young, IOT, p 105, is Finn, Unity of the Pentateuch, pp 123-127, who shows evidence for the term being applied to both sides of Jordan (usually with appropriate qualifying words).

It has therefore no bearing on the date of Deuteronomy, as is often thought.

(2) Various minor points are sufficiently covered by Finn, op cit, pp 113-118, 127; Young, IOT, pp 105-106.

(3) The concept of Exile in Deut 28, etc., is NOT a reflection of the Assyrian or Babylonian exiles; the threat was present throughout Hebrew history; cf my review of J Gray, I & II Kings, in ISF Bulletin, No 41 (Spring 1965), pp 11-12, with examples.

(4) Deut 34: the Death of Moses: this is the one absolutely cast-iron post-Mosaicum in the text. Deut 34.1-9 could easily have been written just after Moses' death; verses 10-12 might be later.

(5) The narrative framework running through Deuteronomy with Moses in the third person. Two views are theoretically possible here: (i) That Moses himself wrote of himself in the third person (common, eg, in titles of Near Eastern texts (wisdom, monumental, etc.), and in classics) or dictated in the first person and was written down in the third person. This is possible but not wholly free of difficulty in certain passages (eg, Deut 31.9). (ii) That Moses gave the addresses that the text attributes to him, and the actions likewise (eg, writing out the full matter in Deut 1.1-30.8 except for the third person connecting-headings and narratives of 4.41ff, etc.), and that at his death a contemporary (such as Eleazar the priest?) Cf independently of Manley, M H. Segal, Scripta Hierosolymitana, VIII, 1961, p 113 & n 50 plus ref Num 31.21) wrote out the whole, supplying the third-person record of Moses' activities and the headings as needful. See the attractive and simple presentation by G T Manley, The Book of the Law, 1957, chapter XI, cf XII.

On this basis the whole substance of words and acts actually attributed to Moses in Deuteronomy should be allowed him; also, all the words that are his (plus possibly the heading, 1.1-5) in 1-31.8 were written by him in the first place. Then, after his death, the narrative of his deeds, other words (eg, in 31-33), etc., were combined in the present book.

(ii) Positive Indications (External Data)

Dramatic possibilities for the background of Deuteronomy have appeared in recent years.

(1) The Covenant-Pattern of the Whole Book

The point of the whole book is Moses' renewal of Israel's covenant with God, first given to them at Sinai, now that a new generation has arisen and they stand poised to occupy the promised land. Over the decades, much information on covenants and treaties in the Near East has come to light. From no less than 25 treaties from the archives of the Hittites, Ugarit, etc., it has been possible to establish the clear pattern of such covenants or treaties for the late 2nd millenium BC (14th-13th centuries):

- 1 Preamble or title, author of covenant
- 2 Historical prologue, or retrospect of earlier relations, etc.

- 3 Stipulations, both basic and detailed, laid upon the vassal
- 4 (a) Deposition of copy of covenant in vassal's sanctuary;  
(b) Periodic public reading of covenant-terms to the people
- 5 Witnesses (long list of gods in pagan documents)
- 6 (a) Curses, for disobedience to covenant, and  
(b) Blessings, for faithfulness to covenant

To these elements, found in the written texts of such documents, one may add:

- 7 Formal oath of obedience
- 8 Accompanying solemn ceremony
- 9 Formal-procedure for acting against rebellious vassals.

This was all worked out for the Hittite treaties by V Korosec, Hethitische Staatsverträge, Leipzig, 1931. It was first utilized for OT covenants by G E Mendenhall, The Biblical Archaeologist 17 (1954), pp 26-46, 50-76 (esp 53-70), reprinted as a booklet, Law and Covenant in Israel and the ANE, 1955. However, he applied the data only to Exodus and Josh 24, curiously overlooking Deuteronomy. In 1955 I dealt with Deuteronomy, but was not able to publish it. In 1963 appeared M G Kline's Treaty of the Great King, applying this material to Deuteronomy effectively, though his presentation could be bettered. From my own and esp Kline's work, it is absolutely clear that Deuteronomy mirrors the 14th-13th century pattern (age of Moses). Various other scholars have challenged the dating criterion, pointing to 1st-millennium treaties, but examination of the half dozen available Assyrian and Aramaean treaties shows the following pattern:

- 1 Preamble or title, for author
- 2 ) Stipulations and curses, succeeded or preceded
- 3 ) by the divine witnesses
- 4 )

Here, no historical prologue, no blessings, no highly-consistent order, as in the late-2nd-millennium documents and in Exodus, Deuteronomy and Joshua! There can be no doubt that, as Mendenhall established for Exodus and Josh 24 and Kline published for Deuteronomy, that the Sinai covenant and its renewals belong to the 2nd-millennium group. For a full outline, with bibliography, see now AO/AT, pp 39-44, and AO/OT, Pt I, B, 3, ii, b, Covenant and parallels. In OTI, p 176, it is Eissfeldt, not Kline, who is crassly guilty of 'a complete ignoring of all historical and critical matters' by his refusal to face up to the external evidence. The one basic difference between Deuteronomy and the treaties is that they are formal treaty - or covenant-documents, whereas Deuteronomy is the record of the actual act of renewing the covenant, not a separate document produced alongside the act. There is also the point that Exodus and Deuteronomy have elements of the law-collections like those of Lipit-Ishter, Bilalama (?) and Hammurabi,

(i) in their subject-matter (law for everyday life) and (ii) in certain formal elements such as the great preponderance in number of curses over blessings (though the latter are presented). These aspects go right back to the early 2nd millennium BC, ie, are as old in the Near East as Abraham, let alone Moses! In fact, in Exodus and Deuteronomy, we have, to some extent, the fusion (in a unique religious context) of two genres: covenant and law, a point not hitherto appreciated in black and white.

Conventional literary critics have not hesitated to split up the text of Deuteronomy into D1, D2, etc. - still pathetically clung-to by Eissfeldt, OTI, pp 220-233, passim, following Steuernagel and other obsolete practitioners. It has never crossed his mind (or theirs) to check on the styling of covenants, blessings, curses, etc.

As far as curses are concerned - eg, Deut 28, Lev 26 - the conventional criteria of division have been ruthlessly exposed as worthless by the occurrence of the identical mode of compilation of treaty-curses in unitary ANE documents, eg, the Esarhaddon treaties published by Wiseman, Iraq 20 (1958), pp 1-99 - by D R Hillers, Treaty-Curses and the OT Prophets, Rome, 1964, pp 30-35, 39-42. Furthermore, it is the entire pattern of Deuteronomy - and not the theoretical documents - that alone corresponds to actual ANE data. And in detail, the variations between 2nd person singular and plural in Deuteronomy are meaningless for literary criticism - just this kind of variation has been observed in first-hand Hittite treaties of late 2nd millennium where fission is impossible (Treaty of Suppiluliuma and Mattiwaza, No 2 in Weidner, Politische Dokumente aus Kleinasien, 1922/23; Treaty of Mursil II and Manapa-Dattas, No 4 in Friedrich, Hethitische Staatsverträge, I, 1926).

'Deuteronomic' traits - eg, confession and repentance of sin - may be considered as genuinely old and original (and not late re-working) - they are attested as early as the Mari texts of the 18th century BC. Cf Speiser in Dorian (ed), The Idea of History in the ANE, 1955, p 57; in later Assyria, cf Hillers, op cit, p 87, n 27. The antiquity of not a few laws is indicated by parallels from the early and middle 2nd-millennium law-collections, Assyrian and Hittite, as well as the Mesopotamian collections already mentioned. On the 'reasonable' quantity of Mosaic law, cf NBD, p 849. The very concept of 'covenant' was arbitrarily late-dated by Wellhausen - a position now impossible on the ANE data; its repetition by Whitley, Journal of N E Studies 22 (1963), pp 37ff, is an evasion of the evidence; cf remarks of Hillers, op cit, p 2, n 4 and p 83. Much more on Deuteronomy and its antiquity is possible; the above sample must suffice.

### III The Other Books (Exodus, Leviticus, Numbers)

In the present Pentateuch, Leviticus is a clear unit by both its form and subject-matter, and thereby gives autonomy to Exodus and Numbers. However, it is also true that Leviticus in some measure

completes the original Sinai covenant, so we take it as continuing Exodus.

- (i) Post-Mosaica in Exodus and Numbers: again, few of any note:
- (1) Ex 6.26.27. Attached to a formal genealogy and so not relevant to 'authorship' in ANE. Cf also Young, IOI, p 72.
  - (2) Ex 16.33-35; 36. See Young, IOI, p 73. These could have been written by Moses after the erection and commissioning of the Tabernacle, or later.
  - (3) Several passages in Numbers are illusory as post-Mosaica; cf Young, IOI, pp 91-92. Num 32.34-38 (Aalders, p 107) is merely the immediate occupation of existing sites (or there would be no name to change), involving immediate reconditioning, not a programme of urbanization a la moderne. Note Moses' role in 32.39-40. The post-Mosaica alleged by Segal, *Scripta Hierosolymitana*, VIII, 1961, pp 106, 109, (other than those already covered) rest on misconceptions, rejection of 'miracle', etc.
  - (4) Moses in third person, in Exodus, Leviticus and Numbers. Here again, as with Deuteronomy, one may choose to consider Moses writing up his final version of the three books in the third person himself. But even on this basis, not a few people would prefer to consider Ex 11.3 and Num 12.3 as from the hand of a writer other than Moses. Insofar as these verses are essential to the full appreciation of their context, it would seem unrealistic to assign them to a theoretical late editing (say, in the United Monarchy or later). If they are so necessary, then it is logical to assume that they got there at an early stage. If this indicates (cf Deuteronomy) someone putting in final form a corpus of Mosaic material, say, at his death, then the use of the third person throughout in the extant form of the narratives in Exodus and Numbers and headings in these and Leviticus (cf also one for Aaron in Lev 10.8, and Moses and Aaron in Lev 11.1, 13.1, 14.33, which sections must all originate before the death of Aaron) could well come from that process (possibly using draft material in the first person; verses like Ex 11.3 and Num 12.3 would be the explanatory comment of the editor). There is certainly room for more than one estimate as to the extent of Moses' own hand in the present narrative in the books. On the other hand, the reported words of Moses - in Song, Covenant & Laws, etc. - and His activities (and those of the rest of the people) must be taken seriously as a reliable record unless factual reasons can be produced and demonstrated.

This on third-person authorship would give nearly all of Exodus-Numbers to Moses with minor addenda at his death; on third-person reportage, he would be the first recorder of the content of Exodus-Numbers, the material being faithfully written out in final form and in the third person (cf Deuteronomy). In Leviticus, where so much consists directly of God's words to Moses, this still gives to him most of the present wording of that book.

(ii) Positive External data. Again, a mere selection of items.

(a) EXODUS

(1) Pithom and Ramases, cf NBD, s v; Helck, Vetus Testamentum 15 (1965), pp 35-48 (refuting the thoroughly erroneous paper by Redford, ibid 13 (1963), pp 401ff); AO/AT, p 24 and nn 132-140; AO/OT.

(2) On names of midwives, cf Kitchen, Faith and Thought 91 (1959/60-61), pp 184-185 & refs.

(3) Serpents (Ex 7.8-13), ibid, p 185; NBD, pp 769-770.

(4) Hebrew oppression, brickmaking, cf ibid, pp 186-187 and NBD, pp 167-168, 846a; AO/AT, pp 63-64, AO/OT, Pt II, 8, 1, b, i.

(5) Against the shibboleth that Moses' birth reflects a legend of Sargon of Akkad, cf Childs, JBL 84 (1965), pp 109-115; his conclusion of 'saga' is contradicted by the material used (from real life).

(6) On the significance of Moses' adoption by a pharaoh's daughter in Ex 2 for his upbringing, see NBD, pp 844-846, plus pp 343-344 (more on Semites in Egypt in Helck, Die Beziehungen Aegyptens zu Vorderasien, 1962, ch 26, lists, pp 369ff) - this background illustrates the realism of Exodus.

(7) On plagues, see NBD, pp 1001-1003 and the articles of Hort cited.

(8) On the reality of an exodus as such, see NBD, pp 402-403 (with cross references for the route of the exodus).

(9) Ex 15, the Songs of Moses and Miriam. Genuinely ancient

(i) linguistically, cf Cross and Freedman, Journal of Near Eastern Studies 14 (1955), pp 237-250; (ii) theologically in opposition to Canaanite belief, cf N C Habel, Yahweh versus B Baal, NY, 1964, ch III, esp pp 58ff; (iii) as a literary type - it is a Hebrew counterpart to the triumph-hymns of the pharaohs, like those of Tuthmosis III (Karnak Poetical Stela (Lecture II, refs)), Amenophis III (Petrie, Six Temples at Thebes in 1896, 1897), Merenptah (the Israel Stela, ibid); all three texts, Pritchard, ANE Texts, pp 373-378.

(10) Route of the exodus in Sinai, cf NBD, pp 1328-1330, with some treatment of phenomena.

(11) The Covenant, Ex 20-31, broken in Ex 32-33, and so had to be renewed, Ex 34; cf already, Mendenhall as cited under Deuteronomy, above. On various aspects of the Sinai covenant and its renewals - and their literary unity, etc. (but not for dating-criteria) see J A Thompson, The ANE Treaties and the OT, IVF, 1964; on dating, AO/AT, AO/OT.

(12) On the background for the antiquity of the Tabernacle, Hebrew artisans on the eve of the Exodus, and agricultural statutes before reaching Canaan, see and note material and considerations in Kitchen, Tyndale House Bulletin, No 5/6 (1960), pp 7-11, 12-13, 13-14.

(b) LEVITICUS

(1) For the antiquity of details in Leviticus, cf for example,

Speiser's paper 'Leviticus and the Critics' in the Kaufmann-volume, mentioned in Lecture II under Form Criticism.

(2) Rituals as such which make up the major part of Leviticus-offerings, feasts, daily service at the tabernacle (a portable temple), installation of priests, etc. - are not a late development, but are well attested in the ANE from the 3rd millenium BC (when written sources become usable) onwards. In the 2nd millenium BC, we have a mass of material, likewise later. Cf in Pritchard (ed), ANE Texts, pp 207-210, for Hittite temple-instructions certainly more elaborate than any in Leviticus - but earlier than 1200 BC; and Egyptian, Mesopotamian, and Hittite rituals, etc., of all dates on pp 325ff (rather miserable extracts), 331ff (NB: mixture of 3rd and 2nd person rituals - so also in next), & 346ff. And these are only a paltry selection. The form of Leviticus in which a series of rituals is collected in one book or document is also readily comparable with ANE data. A good Hittite example is the tablet known as KUB, VII, 1 plus KBo, III, 8; this contains five separate rituals, in immediate succession, Nos I, II and V having named authoresses, and III and IV anonymous; three are to dispel illnesses, one magical, one an offering-ritual. The 'authored' rites have a title-line ('Thus speaks . . ') like Lev 1.1, 4.1, 6.1, etc., while the other two have brief colophons giving their subject (cf Lev 7.35-38; 11.46-47, etc.), and the entire text has a colophon at its close as does Leviticus (26.46) and its supplement (27.34), naming the authors of the rituals where these were known. Like most extant cuneiform Hittite texts, this one dates from the 14th/13th centuries BC (no such texts are later than the fall of the Hittite empire, c 1200 BC or so - a useful chronological limit!). Published by Kronasser, 'Fünf Hethitische Rituale', Die Sprache 7 (1961), pp 140-167, 169, with addenda in ibid 8 (1962), pp 108-113. There is no reason to deny to Moses and the Hebrews the ability to have and to record rites for religious and allied purposes as did the Hittites and other peoples, esp as the Hebrew rituals are often far simpler and less complex than the Hittite ones to mention no others. Not a few concepts and attitudes (on purity, both personal and of proper (not mean or blemished) offerings, set dates of festivals, respect for the sacred precinct, etc) are common to both Leviticus and to 14th-13th century BC Hittite rituals and Instructions like that in Pritchard, ANE Texts, pp 207-210. A large number of Hittite rituals have named authors; the role of anonymity in ANE literature has been overstressed in the past, while pseudepigraphy is very limited indeed. The significance of these facts has yet to be applied to the OT.

Much 'nearer home' to Leviticus are the Canaanite rituals, offering-lists and sacrifices on the alphabetic cuneiform tablets from Ugarit. They include sacrifices and offerings for sins; hence - as this is, again, material of the 14th-13th centuries BC, not later than c 1200 BC - there can be no excuse for considering such parts of Leviticus

as the ritual of the Day of Atonement or the other offerings for sin, as 'late'. If it can be early among the Hittites, among the Canaanites of Ugarit, and in Egypt (sense of sin, Lecture II, ref Pritchard, ANE Texts, pp 380-381, 416 & n 17, etc) as well as Mesopotamia (cf Speiser & Hillers, above, on Deuteronomy), then WHY must it be umpteen centuries later before the Hebrews feel the need to rid themselves of sin? Common sense and the comparative data - not theological parti-pris - dictate a radical rejection of conventional theory in favour of the late-2nd-millennium origin of both the material in Leviticus and Leviticus itself. Ugaritic rituals, cf C H Gordon, Ugaritic Literature, 1949, pp 107-115; ch 17 in id, Ugaritic Manual, Textbook.

(c) NUMBERS

- (1) The law of census (Ex 30.11-16) and the practice of census in Num 1-4 at Sinai and Num 26 in Moab find not shallow comparisons but close and intimate parallels in the census-practices of the Mari archives as far back as the 18th century BC, associated with an emphasis on written records. See the excellent study of Speiser in Bulletin of American Schools of Oriental Research, No 149 (Feb 1958), pp 17-25. Ugarit in the 14th-13th centuries BC has produced endless lists of people for all sorts of purposes; cf as background, C H Gordon, Ugaritic Literature, Rome, 1949, pp 124-125, 126. Many lists in ch 17 of Gordon's Ugaritic Handbook, 1947, Ugaritic Manual, 1955, or Ugaritic Textbook, 1965; and in Vroilleaud, Palais Royal d'Ugarit, II, 1957, V, 1965; and Herdner, Corpus des Tablettes Alphabetiques (Ras Shamra-Ugarit), I/II, 1963 (the original French publications).
- (2) For background to trumpets, the ox-wagons, etc., cf refs in NBD, p 847a.
- (3) The use of spies (Num 13) was well understood in the time of Moses; cf use of spies or scouts by the Hittites and Ramesses II at the battle of Qadesh (Sir A H Gardiner, The Kadesh Inscriptions of Ramesses II, 1960, frontispiece & pp 28-29).
- (4) On Num 16, see phenomena and Hort - ref summarized in NBD, p 1329.
- (5) The Book of the Wars of the Lord (Num 21.14ff) could have been a record of God's deliverances of Israel from Egypt, the Amalekites, etc; its citation in Numbers is not necessarily a post-Mosaicum, because ancient authors (like modern ones) occasionally cited one recently-written work in a work only slightly later. An example is Khety son of Duauf (c 1900 BC) citing his manual the Book of Kemyt in his Wisdom Book (Satire of the Trades).
- (6) Oracles of Balaam, cf Albright, JBL 63 (1944), pp 207-233, provisionally. On Num 22.5, cf Albright, Bulletin of American Schools of Oriental Research, No 118 (April 1950), n 13 on pp 15-16.
- (7) On large numbers, cf the possibilities and refs, NBD, pp 896-897; a definitive answer is not yet possible.
- (8) For itineraries (cf Num 33), cf Egyptian topographical lists

of Syrian and Palestinian place-names (cf Pritchard, ANE Texts, pp 242-243 and refs), and the Syrian itinerary (satirically set) in Papyrus Anastasi I (ibid, pp 477-478). From Mesopotamia and Asia Minor come itineraries of merchants (almost like bus-routes!) of 19th century BC (cf Goetze et al, Journal of Cuneiform Studies 7 (1953), pp 51-72, and ibid 18 (1964), pp 57-88, 114-119), also among the Hittites, cf Goetze, Kizzuwatna and the Problem of Hittite Geography, 1940, pp 34-35.

(9) For boundaries and apportionment of lands like Num 34 etc (and Joshua), cf Hittite examples in Goetze, Kizzuwatna . . ., pp 48-51 (boundary), and 63-65, 68 (land-grants). And from Ugarit, the boundary between it and neighbouring Mukish, Nougayrol, Palais Royal d'Ugarit, IV, 1956, pp 10-16, 65-70. None of the phenomena in Numbers cited and paralleled above needs be any later than the time of Moses and the 13th centuries BC. All the external data is from the 19th to 13th centuries BC, and could be multiplied. So could the topics dealt with.

#### IV The Role of Moses

It should be evident from the foregoing that a mass of material is available which forms a natural setting for all kinds of data in the pentateuchal books from c 2000 to c 1200 BC, that the exact amount of Moses' literary activity remains to be defined but was probably very considerable (I refer the reader to NBD, p 849b, for Moses as writer in pentateuchal refs, and to Young, IDI, pp 42-46, for other OT & NT refs, etc), and that - independent of any theological prepossession - the role of Moses on the Pentateuch's own evidence should not be underestimated. With the picture derivable from the Pentateuch within certain upper and lower limits agrees a mass of comparative data which could only be sampled here (its full expose would need volumes). I would suggest that soon after the death of Moses, the consonantal text of the present five books (barring limited textual corruptions since, of course) was completed substantially as it is now. At a later date - the United Monarchy would be the most suitable period - minor revision (Gen 36. 31b??; Deut 34. 10-12 ? ?) in the text, and perhaps of orthography (eg, the definite article ?).

Thus the five books of the Pentateuch could have existed from c 1200 BC; just when the concept of the 'Pentateuch' took hold is quite another matter, and possibly later. (No real evidence).

#### CONCLUSION

The substance of these three lectures is NOT just a glorified attempt to 'defend' 'historic Christian tradition' against wicked liberals or the like. The point is this: certain theories, outwardly

plausible in isolation, have in the past been applied to the OT in isolation and have been so long reiterated as to be treated as facts. But there are serious internal objections within the OT itself that weigh heavily against these theories. These objections have too often gone unheeded solely because they were frequently raised by 'conservatives' and associated with a conservative theological position in the minds of non-conservatives who have repeatedly drawn the erroneous conclusion that the objections themselves needed no examination. Those objections stand on their own feet and cannot be ignored. In the last century, and intensively in the last 30 or 40 years, we have seen the dramatic resurrection of millenia of complex civilizations in the ancient biblical Near East - a world of which, humanly, the Hebrews were an integral part, from which they should not (and in fact cannot) be separated. Until the 19th century the OT stood in seeming isolation, and there was no external measure to appreciate the age, formation and reliability of its constituent writings. Now we have that context in increasing measure - and it goes with the OT that we have, and NOT with the theoretical reconstructions of the last century and this. This rests not on any cleverness of mine, but on this vast realm of external, tangible material. Throughout these lectures, I have made no appeal to any theological position - no invocation of 'the Word of God', etc. - because what I have presented is valid in its own account. As an Orientalist, I leave the solid gold of the theological treasure of the OT and the NT to the TSF and to all those theological students whose inestimable privilege it is to study and to use and to proclaim it.

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 ABBREVIATIONS
 

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- Anderson, CIOT: G W Anderson, A Critical Introduction to the Old Testament, 1959.
- AO/AT: Kitchen, Alter Orient und Altes Testament, December 1965
- AO/OT: Kitchen, Ancient Orient and Old Testament, 1967 (a revised English edition of AO/AT).
- CIOT: See Anderson.
- Driver, LOT: S R Driver, An Introduction to the Literature of the Old Testament, 9th edition, 1913.
- Eissfeldt, OIT: O Eissfeldt, The Old Testament, an Introduction, 1965.
- IOT: See Young.
- JEA: Journal of Egyptian Archaeology.
- JBL: Journal of Biblical Literature.
- LOT: See Driver.
- NBD: J D Douglas (organizing editor), New Bible Dictionary, 1962 (Consulting editors: F F Bruce, J I Packer, R V G Tasker, D J Wiseman). (It is my opinion that students make far too little use of the great amount of archaeological and background material tucked away all over this volume).
- OIT: See Eissfeldt.
- OTMS: H H Rowley (ed), The Old Testament and Modern Study, 1950.
- Rowley, Growth: H H Rowley, The Growth of the Old Testament, 1950.
- Young, IOT: E J Young, An Introduction to the Old Testament, third edition, 1964.
- ZAS: Zeitschrift für Aegyptische Sprache.

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Copies of these lectures are available from the Theological Students' Fellowship

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