

[p.112]

6. THE QUESTION OF LITERARY CRITICISM

I. DOCUMENTARY HYPOTHESES

(a) *Some Basic Criticisms*

Brief reference has already been made to the physiognomy of Old Testament studies (pp. 17-20, above). Based ultimately on the dilettante speculations of the eighteenth century (e.g., on the supposed significance of variant names of deity), the literary-critical theories of the composition of the Pentateuch in particular (and in some measure, of the Old Testament generally) which were elaborated in detail in the late nineteenth and early twentieth centuries are still dominant in Old Testament studies today.¹ In their classical form, these theories rest on three main grounds.

1. Supposed doublets (two versions of a story or event, usually held to be incompatible) are explained as the result of the conflation of differing original accounts into the present books.
2. The evolutionary theories of development of religion (drawn from philosophical premises, not facts) required a unilinear development of concepts from 'primitive' to 'advanced'; therefore, the Old Testament writings (especially the Pentateuch) *had* to be split up and the resulting fragments rearranged in a sequence to fit this theoretical scheme.
3. The various source-documents posited have been marked off by various criteria: *lexical* (double names for deity, for per-

[p.113]

sons,² groups,³ places,⁴ *etc.*⁵), and stylistic (distinction between narrative, ritual, poetry, law, *etc.*), besides the doublets referred to, and the 'theological' criterion (late dating of so-called 'advanced' concepts, *i.e.*, the unilinear theory of development mentioned above).

Usually, both the source-documents and the conflated books based on them are alike dated differently from (and later than) the dates indicated by statements and other explicit evidence

¹ Cf. J. Bright, *History of Israel*, 1960, p. 62 ('still commands general acceptance'); H. H. Rowley, *The Growth of the Old Testament*, 1950 (repr. to 1964), p. 10 ('...necessary still to present "critical orthodoxy" to the reader'); O. Eissfeldt, *The OT, An Introduction*, 1965, p. 241 ('Modern' Pentateuchal criticism, now more than 200 years old).

² E.g., S. R. Driver, *Genesis*¹², 1926 (Westminster Commentaries), p. xiii; A. Bentzen, *Introduction to the Old Testament*, II, 1952, pp. 27-28, 47.

³ E.g., S. R. Driver, *Introduction to the Literature of the Old Testament*⁹, 1913, p. 119; C. R. North in H. H. Rowley (ed.), *The Old Testament and Modern Study*, 1951, p. 80; O. Eissfeldt, *The OT, An Introduction*, 1965, p. 183.

⁴ Driver, *Genesis*, p. xiii; Bentzen, *op. cit.*, II, p. 47; Eissfeldt, *loc. cit.*

⁵ Various elements of ordinary vocabulary; cf. (e.g.) G. W. Anderson, *A Critical introduction to the OT*, 1959, pp. 25-26, 46.

in the biblical books themselves. Of course, every piece of literature has sources of inspiration or information, whether these are acknowledged (as in Kings and Chronicles) or not, but it is an entirely different matter to take a piece of literature and profess to divide up its text physically among various ‘hands’ or authors, so as to recover the supposed constituent parts or documents. This distinction must always be borne in mind.

It is my duty in all conscience to level some very serious basic criticisms against these superficially imposing theories on all three grounds.

First, unilinear evolution is a fallacy. It is valid only within a small field of reference for a limited segment of time, and not for whole cultures over long periods of time. One thinks of Egypt’s thrice repeated rise and fall in and after the Old, Middle and New Kingdoms respectively,⁶ or of the successive flowerings of Sumerian civilization, Old Babylonian culture and the Assyro-Babylonian kingdoms in Mesopotamia.⁷ This

[p.114]

oscillation and mutation applies to all aspects of civilization: artistic standards, literary output and abilities, political institutions, the state of society, economics, and not least religious belief and practice. Intertwined with the multicoloured fabric of change are lines of continuity in usage that show remarkable consistency from early epochs. As extended unilinear development is, therefore, an invalid assumption, there is no reason whatever to date supposed literary fragments or sources by the imaginary level of their concepts on a scale from ‘primitive’ to ‘advanced’. To this extent, at least, Kaufmann is absolutely justified in making the supposed Priestly source earlier than both the Babylonian Exile and Deuteronomy.⁸

Secondly, the supposed doublets or ‘contradictions’ which these theories were partly elaborated to explain can usually be accounted for by use of much simpler means; such extravagantly elaborate theories are then superfluous. Furthermore, some of the alleged difficulties are merely the illegitimate product of the literary theory itself. Theories which artificially *create* difficulties that were previously non-existent are obviously wrong and should therefore be discarded.

Thirdly, the stylistic criteria and assumed mode of composition-by-conflation are illusory. For, worst of all, the documentary theory in its many variations has throughout been

⁶ Cf. standard histories of Egypt: J. A. Wilson, *The Burden of Egypt*, 1951 (paperback as *The Culture of Ancient Egypt*, 1956 and repr.); Sir A. H. Gardiner, *Egypt of the Pharaohs*, 1961 (paperback, 1964); the Egyptian chapters by E. J. Baumgartel, I. E. S. Edwards, W. S. Smith, W. C. Hayes, H. W. Fairman, J. Černý *et al.*, in *CAH*², I-II, 1961 ff.; É. Drioton and J. Vandier, *L’Égypte*, 1962 (Coll. ‘Clio’).

⁷ Cf. surveys by H. W. F. Saggs, *The Greatness that was Babylon*, 1962; H. A. L. Oppenheim, *Ancient Mesopotamia*, 1964; the Mesopotamian chapters by C. J. Gadd, J.-R. Kupper, D. J. Wiseman *et al.*, in *CAH*², I-II, 1961 ff.; H. Schmökel, *HdO*, II: 3, *Keilschriftforschung und Alte Geschichte Vorderasiens*, 1957.

⁸ And earlier than the writing prophets, or at least independent of them. See Y. Kaufmann, transl. by M. Greenberg, *The Religion of Israel*, 1961, chapter V, esp. pp. 157-166 (on pre-prophetic pentateuchal matter), 169-170 (P before D, not dependent on it) and esp. pp. 175-200, 205 and n. 16, 206-207. Hence, works that adhere to the conventional sequence and dating of J, E, D, P and exilic/post-exilic P must be considered as obsolete in their consequent presentation of Hebrew history and the history of Hebrew religion and literature. This includes works that have appeared since the English version of Kaufmann’s book (1960-1) and have paid no attention to the facts marshalled by Kaufmann.

elaborated *in a vacuum*, without any proper reference to other Ancient Oriental literatures to find out whether they had been created

[p.115]

in this singular manner. In the eighteenth and earlier part of the nineteenth centuries, of course, no comparative data were available from the Ancient Near East; but from the late nineteenth century onward, Egyptian, Mesopotamian and even West-Semitic material became increasingly available, and the failure of Wellhausen and almost all of his earlier and later contemporaries to heed this material is inexcusable. It is a most serious omission, because - in the forms actually preserved to us in the extant Old Testament - Hebrew literature shows very close external stylistic similarities to the other Ancient Oriental literatures among which (and as part of which) it grew up. Now, nowhere in the Ancient Orient is there anything which is definitely known to parallel the elaborate history of fragmentary composition and conflation of Hebrew literature (or marked by just such criteria) as the documentary hypotheses would postulate. And conversely, any attempt to apply the criteria of the documentary theorists to Ancient Oriental compositions that have known histories but exhibit the same literary phenomena results in manifest absurdities.

It is sometimes suggested that it is not so much the particular criteria in themselves that are significant, as the alleged recurrence of the same stylistic criteria over a large body of literature, apparently showing a large measure of consistency and conforming in some measure to a 'historical pattern'. However, this approach betrays an inadequate grasp of the real nature of the problems involved.

First, if one is not prepared to produce and use definite and tangible criteria, then there can be no question of isolating definite, individual documents. Mere 'feelings' about passages or supposed styles are of no evidential value.

Secondly, if the chosen criteria prove to be inherently *false*, then they will be false regardless of whether one applies them to whole books or to half-verses, or to anything in between.

Thirdly, the supposed consistency of criteria over a large body of writing is contrived and deceptive (especially on vocabulary, for example)⁹, and will hold for 'style' only if one in the

[p.116]

first place picks out everything of a particular kind, then proclaims it as all belonging to one document separate from the rest, and finally appeals to its remarkable consistency - a consistency obtained by deliberate selection in the first place, and hence attained by circular reasoning. 'P' owes its existence mainly to this kind of procedure, and was not even recognized to have existed for the one hundred years from Astruc in 1753 until Hupfeld in 1853.

Fourthly, appeal to 'some' conformity to a possible historical pattern proves nothing of itself. 'Internal agreement' of rearranged literary material is readily achieved if contrary data are

⁹ Cf. the kind of material critically reviewed by (e.g.) Allis, *Five Books of Moses*, chapter II.

emended away,¹⁰ and agreement with the 'history' is equally easily attained if data in the historical books have also been duly 'adjusted' to fit in with views of what Israel's history ought to have been.¹¹ Hence, this kind of general approach has no scientific basis and is for that reason unacceptable.

(b) Basic Criticisms Applied

The first criticism (of an historically unrealistic unilinearity) has already been covered by reference to the examples of Egypt and Mesopotamia; Asia Minor, pre-Israelite Syria-Palestine and other regions would yield the same result if space permitted an exposition in detail. Likewise, the second and third basic criticisms could be illustrated at great length, but only the merest handful of material can be briefly presented here.

1. *Supposed Doublets*. It was suggested that these could more easily be solved by other means. It is often claimed¹² that Genesis 1 and 2 contain two different creation-narratives. In point of fact, however, the strictly *complementary* nature of the 'two' accounts is plain enough: Genesis I mentions the creation of

[p.117]

man as the last of a series, and without any details, whereas in Genesis 2 man is the centre of interest and more specific details are given about him and his setting. There is no incompatible duplication here at all. Failure to recognize the complementary nature of the subject-distinction between a skeleton outline of all creation on the one hand, and the concentration in detail on man and his immediate environment on the other, borders on obscurantism.

Precisely this relationship of a general summary-outline plus a more detailed account of one (or more) major aspect(s) - with differing styles for the two accounts - is commonplace enough in Ancient Oriental texts. From Egypt we may compare the following. On the Karnak Poetical Stela Amun addresses King Tuthmosis III, first expressing his supremacy generally (lines 1 to 12, diversified style - J?), then with more precision in a stately poem more rigid in form than Genesis I (lines 13 to 22 - 'I?'), and a more varied finale (23 to 25).¹³ On the Gebel Barkal stela one also finds royal supremacy in general terms (lines 3 to 9), then a narrative of specific triumphs in Syria-Palestine (lines 9 to 27) and then of tribute (27 ff.).¹⁴ Do these stelae not show 'duplicate accounts'? Many royal inscriptions from Urartu show an initial paragraph ascribing defeat of such-and-such lands to the chariot of the god Haldi, and then repeat the same victories in detail as achieved by the king.¹⁵ We have a 'H'(aldi) source (brief, fixed style, Haldi the victor) and 'K'(ing) source (detailed; varying formulae, king as

¹⁰ Many examples exist; cf. at random, Rapaport on Alt, *PEQ*, 1941) pp. 165, 166.

¹¹ A procedure long ago unmasked by (e.g.) A. H. Finn, *Unity of the Pentateuch*, chapters 23-25.

¹² E.g., A. T. Chapman, *An Introduction to the Pentateuch*, 1911, pp. 60-61; S. R. Driver, *Literature of the OT*⁹, 1913, pp. 8-9, and *Genesis*¹², 1926, p. 35; G. W. Anderson, *A Critical Introduction to the OT*, 1959, pp. 23, 25; H. H. Rowley, *Growth of the Old Testament*, 1964, pp. 18, 21, 24; and many more.

¹³ Partly visible in translation, A. Erman and A. M. Blackman, *Literature of the Ancient Egyptians*, 1927, pp. 254-258 (text, Urk. IV, pp. 611-619).

¹⁴ Translation, G. A. and M. B. Reisner, *ZÄS* 69 (1933), pp. 24-39.

¹⁵ Texts, cf. (e.g.) F. W. König, *Handbuch der Chaldäischen Inschriften*, 1955/57, Nos. 21, 23, 80, 103, 104, etc. Alternative 'analyses', cf. pp. 125 f. below.

victor), if conventional literary criticism be applied. What is absurd when applied to monumental Near Eastern texts that had *no* prehistory of hands and redactors should not be imposed on Genesis 1 and 2, as is done by uncritical perpetuation of a nineteenth-century systematization of speculations by eighteenth-century dilettantes lacking, as they did, all knowledge of the forms and usages of Ancient Oriental literature.

[p.118]

Only two lines of evidence have been urged in favour of a double narrative: a differing style and theological conception in Genesis 1 and 2, and a supposedly different order of creation in each narrative. The stylistic differences are meaningless, and reflect the differences in detailed subject-matter,¹⁶ while the supposed contrast of a transcendent God in Genesis 1 with, naive anthropomorphisms in Genesis 2¹⁷ is vastly overdrawn and, frankly, illusory.¹⁸ The same may be said of the order of events. In Genesis 2:19, there is no explicit warrant in the text for assuming that the creation of animals here happened immediately before their naming (*i.e.*, after man's creation); this is eisegesis, not exegesis. The proper equivalent in English for the first verb in Genesis 2:19 is the pluperfect ('...had formed...'). Thus the artificial difficulty over the order of events disappears.¹⁹

¹⁶ Besides the preceding paragraph and notes, see below, p. 125, *Stylistic' Criteria*, §ii. As indicated by U. Cassuto, *The Documentary Hypothesis*, 1961, p. 54, the P-source is characterized by an arid, precise style *solely* because just, this kind of material was arbitrarily assigned to a hypothetical P in the first place (*i.e.*, circular reasoning); lists in J are like those of P, and the rare narrations allowed to P are as good as J or E, which simply cancels the supposed factor of style.

¹⁷ Cf., for example, S. R. Driver, *Genesis*, 1926, p. 35; Rowley, *op. cit.*, p. 21; Chapman, *op. cit.*, pp. 59-60.

¹⁸ This 'contrast' blandly ignores the anthropomorphisms to be found in P; any reader can see in Gn. 1 that God 'called', 'saw', 'blessed', 'rested' (cf. E. J. Young, *Introduction to the OT*^b, 1964, p. 51). For 'naïve' P-anthropomorphisms elsewhere in Gn., cf. Gn. 17:1, 22, and 35:9, 13 - God appears to, speaks to, and goes up from, man; very 'local', hardly transcendent! (Cf. Y. Kaufmann, *Religion of Israel*, 1961, p. 207.) The supposed restriction; of *bāra'*, 'create', to P rests solely on the illegitimate division of Gn. 2:4 into two parts; this verse is the proper heading to what follows, and should not be arbitrarily divided to justify illusory criteria.

¹⁹ Driver, *Literature of the OT*, p. 8, note, objected (rather too dogmatically) that this rendering would be 'contrary to idiom', referring to his *Treatise on Use of the Tenses in Hebrew*, 1892, §76, obs., in which he endeavoured to explain other possible examples. In translating any ancient text, the first assumption is that the writer intended it to make sense; a rendering or exegesis that imports a contradiction is unsatisfactory. The meaning of any Waw-Consecutive-Imperfective must be settled on context, not by appeal to abstract principles. Although in form and origin this construction is continuative, yet (as often in languages) this was early and easily lost sight of, so that it could serve instead of a perfective form. Thus, in Lv. 1:1 ('Now, the Lord called...') and Nu. 1:1 ('Now, the Lord spoke...'), there is no immediate continuity with the directly-preceding book or verse in either case. As pluperfect meaning is included in the Perfective, we cannot *a priori* deny it to contextual equivalents of the Perfective. Hebraists and others should also remember that no special pluperfect tenses exist in the Ancient Semitic languages (or in Egyptian), this nuance being covered by perfective forms and equivalents interpreted on context as here in Hebrew. For Hebrew Waw-Consecutive-Imperfectives that require a pluperfect standpoint in English, cf.: Ex. 4:19 (picking up 4:12, not 18); Ex. 19:2 ('having departed... and come..., they pitched ...; picks up 17:1, not 19:1; these examples, courtesy Dr. W. J. Martin). Perhaps more striking, Jos. 2:22 ('now the pursuers had sought them...' does *not* continue immediately preceding verbs), 1 Ki. 13:12 ('Now his sons had seen' does *not* continue or follow from 'their father said'), and Is. 37:5 (the servants' coming must have *preceded* their addressing Isaiah, just as Gn. 2:19 is to be understood in line with Gn. 1); these examples were pointed out long since by W. H. Green, *Unity of the Book of Genesis*, 1895, p. 28. Driver, *Treatise....* p. 87, can only dispose of 1 Ki. 13:12 by appealing to the versions; reference of Is. 37:5 to his §75 β does not alter the fact that there is there *no* sequence; Jdg. 1:8 depends on ambiguity of pronouns in 1:7, and is irrelevant to Gn. 2:19.

[p.119]

It is also often asserted²⁰ that Genesis 37 contains parts of two irreconcilable accounts of how Joseph was sold into Egypt: (a) by his brothers to the Ishmaelites and so into Egypt (Gn. 37:25, 28b; cf. 45:4, 5), and (b) by the Midianites who took him from the pit (Gn. 37:28, 36; cf. 40:14, 15). The truth is much simpler.

First, the terms 'Ishmaelites/Midianites' overlap,²¹ and refer to the same group in whole or in part (cf. Jdg. 8:24).

Secondly, the pronoun 'they' in Genesis 37:28 refers back to Joseph's brothers, not to the Midianites. In Hebrew, the antecedent of a pronoun is not always the last preceding noun. If this were not so the phrase 'he has brought an evil name...' in Deuteronomy 22:19 would refer to the innocent father; likewise the pronouns 'his' and 'he' in Deuteronomy 22:29 go

[p.120]

back to an erring other man; and so elsewhere in Hebrew; In Egypt, after talking of Tuthmosis II, Ineni mentions the accession of 'his (Tuthmosis II's) son', Tuthmosis III, and theft the real rule of 'his sister.... Hatshepsut'. But 'his' here refers back to Tuthmosis II, not to his son.²²

Thirdly, in private conversation Joseph could be blunt with his own brothers (Gn. 45:4, 5, 'you sold...'), but in seeking a favour from the royal butler, an alien, he could not very well reveal the humiliating fact that his own blood brothers wanted! to be rid of him (Gn. 40:14, 15) - however unjustly, what kind of impression would that admission have made on the butler? Exegesis, not surgery, is the answer to such 'difficulties', together with the use of relevant Ancient Oriental comparative data.

2. *Difficulties illegitimately created by the theory.* It has often been claimed, for example, that Genesis 7 to 8 gives two different estimates for the duration of the Flood, but in fact these are purely the invention of the theory. The biblical text as it stands is wholly consistent in giving a year and ten days (eleven, if first and last are both counted) as the total duration of the Flood episode, as clearly pointed out by Aalders,²³ Heidel²⁴ and others long ago. Likewise, the supposed clash between Genesis 6:19, 20 (cf. Gn. 7:8, 9) and Genesis 7:2, 3 over 'two by two' or 'seven pairs' is imaginary. In Genesis 6:20, *shenayim*, 'pair', is probably being used as a collective for 'pairs', seeing that one cannot form a plural of a dual word in Hebrew (no **shenayimim!*); Genesis 6:19, 20 and 7:8, 9 are general statements, while Genesis 7:2, 3 (clearly twos and sevens) is specific.²⁵

²⁰ For example, Driver, *Genesis*, 1926, pp. 321, 332; Eissfeldt, *The OT, an Introduction*, pp. 186-187, among many others.

²¹ In fact, there are not two but three terms in this narrative: in Gn. 37:36 the Hebrew word is Medanites (cf. Gn. 25:2, where Medan and Midian are related), but no-one posits *three* sources on this evidence; see also Kitchen, *NBD*, p. 657.

²² *Urk. IV*, pp. 59-60 following 58-59; cf. S. Schott, *Zum Krönungstag der Königin Hatshepsut*, 1955, p. 197 and n. 9.

²³ G. C. Aalders, *A Short Introduction to the Pentateuch*, 1949, p. 46; or cf. E. J. Young, *Introduction to the OT*³, 1964, pp. 54-55.

²⁴ A. Heidel, *The Gilgamesh Epic and Old Testament Parallels*², 1954, pp. 245-247.

²⁵ See W. J. Martin, *Stylistic Criteria and the Analysis of the Pentateuch*, 1955, pp. 15-16; cf. Aalders, *op. cit.*, pp. 45-46.

The various other examples of supposed ‘doublets’ are no

[p.121]

more convincing or soundly based than those considered here.²⁶

3. *Artificiality of Stylistic Criteria*. This is readily illustrated from Ancient Near Eastern literature.

(i) *Lexical criteria*. For multiple terms for deity,²⁷ compare the use of three names, a fixed epithet, and common noun ‘god’ for the god Osiris on the Berlin stela of Ikhnofret:²⁸ Osiris, Wennofer, Khent-amentiu, ‘Lord of Abydos’ (*Neb-’Abdju*), and *nuter*, ‘god’ (cf. ‘*Elohim*’ in Hebrew). But no Egyptologist bothers to invent ‘Osirist’, ‘Wennofrist’, ‘Khentamentist’, Neb-’Abdjuist and Nuterist sources to match the Yahwist and Elohist of Old Testament studies. Ikhnofret shows what could be taken as ‘prolixity’ of expression, but it is certain that this commemorative inscription was composed (as one unit), carved and set up within weeks, or possibly even days, of the events to which it chiefly relates, and has no literary ‘prehistory’ of several centuries of ‘hands’, redactors and conflation. This applies to other texts, a few cited here and many more not. Alongside Egypt, multiple divine names occur in Mesopotamia. We might cite Enlil also called Nunamnir in the prologue to the Lipit-Ishtar laws,²⁹ and in the prologue to Hammurapi’s laws we have Inanna/Ishtar/Telitum, and Nintu/Mama.³⁰

[p.122]

Three deities bear double names in the so-called Babylonian; creation-epic (*Enuma elish*).³¹ The same phenomenon may be observed in Canaan,³² Old South Arabia,³³ and among Hurrians and Hittites.³⁴

²⁶ Space-limits preclude any more extended treatment here. On the supposed double naming of Beersheba (mistranslation), for example, cf. W. J. Martin, *NBD*, p. 138. The alleged triplicate story afforded by Abraham’s treatment of Sarah in Egypt and at Gerar (Gn. 12; 20) and Isaac’s of Rebecca at Gerar (Gn. 26) is sheer invention. Abraham’s regular subterfuge is defined in Gn. 20:13; attribution of this verse to a redactor must be proved and not just assumed to serve *a priori* theory. Isaac is ‘like father, like son’. Or, in Egypt, shall we assume that the Euphrates campaigns of Tuthmosis I and III are mere ‘doublets’, because both kings erected stelae there on similar campaigns and both hunted elephants near Niy? (References in Gardiner, *Egypt of the Pharaohs*, 1961, pp. 178-179 and 194-195.)

²⁷ Like YHWH and Elohim; e.g., Chapman, *Introduction to the Pentateuch*, pp. 29, 52-53; Bentzen, *Intr. to the OT*, II, pp. 27-29; Eissfeldt, *The OT, an Introduction*, pp. 182-183.

²⁸ Text, K. Sethe, *Aegyptische Lesestücke*, 1928, pp. 70-71; translation, Wilson in *ANET*, pp. 329-330 (rendering Khent-amentiu by ‘Foremost of the Westerners’); study by H. Schäfer, *Untersuchungen*, IV: 2, 1904.

²⁹ E.g., *ANET*, p. 159.

³⁰ E.g., *ANET*, pp. 164-165.

³¹ Ea is also Nudimmud (tablets I, IV); Tiamat is also ‘Mother Khubur’ (tablets I-III); Marduk is also Bel (tablet IV). This is visible in translation, e.g. in Heidel, *Babylonian Genesis*, and Speiser in *ANET*.

³² In the Ugaritic texts, the artificer-god Kothar-wa-Khasis is also ‘Hayyin’ (e.g., Ginsberg, *ANET*, p. 151); and Baal is also Hadad and bears’, multiple fixed epithets (Aliyan Baal, Dagon’s Son, Rider of Clouds, etc.) in numerous passages. Note the reactions of C. H. Gordon, *Ugaritic Literature*, 1949, p. 6; A. S. Kapelrud, *Baal in the Ras Shamra Texts*, 1952, p. 46.

³³ Examples in G. Ryckmans, *Les Religions Arabes Préislamiques*, 1951, pp. 42 (‘Almagah or ‘Ilumquh has epithets Thahwan, Thwr-Ba’lm), 43 (‘Amm is also ‘Anbay), 44-45 (solar deities); ‘Athtar/6 other names and epithets, p. 41. Further examples, A. Grohmann, *Arabien*, 1963, pp. 244-245; in texts in

There is no real warrant for attributing any greater significance to YHWH/Elohim as literary markers. It is generally agreed; that YHWH and Elohim (one a proper name; the other a term for 'God') are not inherently pure synonyms, and are *not* always and everywhere used as such, either. In some passages, it is clear that each term is used because appropriate, not as a free variant.³⁵ In such cases, therefore, the term concerned is in I' character with a given context, and not the mark of a writer; such cases are not evidence of a 'J' or 'E'. Furthermore, YHWH and Elohim can be found in the 'wrong' documents, as pointed out long ago.³⁶ The supposed consistency between the divine

[p.123]

names as markers and other lexical criteria is in large measure the inevitable result of first drawing lines to delimit what is considered proper to 'P' or 'J' or 'E', and then proclaiming the resultant lexical lists as 'characteristic' of this or that source; in 'P' in particular, it merely reflects the peculiar subject-matter collected under that cipher.³⁷

In Egypt, many people had double names like the Israel Jacob or Jethro/Reuel of the Old Testament,³⁸ e.g., Sebek-khu called Djaa whose stela in Manchester University Museum³⁹ exemplifies the use of three names for one Palestinian populace: Mentiu-Setht ('Asiatic Beduin'), Retenu ('Syrians') and 'Amu ('Asiatics') - just like the Ishmaelites/Midianites or Canaanites/Amorites of the Old Testament. For personal and group names elsewhere, cf. in Mesopotamia the sage Ahiqar (or Ahuqar) who is Aba'-enlil-dari⁴⁰ (not to mention Tiglathpileser III = Pul, and Shalmaneser V = Ululai). In the Hittite Empire, a series of kings had double names,⁴¹ while 'Mitanni' and 'Hanigalbat' and 'Mitanni' and 'Hurrians' occur as double designations of the state and people of Mitanni.⁴²

English, cf. Jamme, *ANET*², pp. 509, No. 10 ('Athtar/'Athtar: Sharqan), 511, No. 14 (Dhat-Şantum/Dhat-Zahran/Dhat-Rahban) and No. 15 ('Anbay Shayman/Rub' Shahaar, both the moon-god).

³⁴ For example, the Hurrian 'Song of Ullikummi' in a Hittite version; Ullikummi is referred to not only by this name but as (the) Kunkunuzzi-Stone (Goetze's 'diorite-man') and a further fixed epithet (*nuttarias siunas*; Goetze, 'that vigorous (?) god'; Güterbock, 'this swift(?) god'). Translations, A. Goetze in *ANET*, pp. 121-125, esp. 124-125; H. G. Güterbock, *The Song of Ullikummi*, 1952 (repr. from *JCS* 5 (1951) and 6 (1952)).

³⁵ The essential fact is admitted by Chapman, *Intr. Pentateuch*, p. 53, and S. R. Driver, *Literature of the OT*, p. 13, note.

³⁶ E.g. by Green, *Unity of Genesis*, pp. 539-541, and latterly by Segal, pp. 78-9 (work cited just below). The 'flat contradiction' between Ex. 6:2f., and Genesis alleged by Rowley (*Growth of the OT*, pp. 20-21) misleadingly ignores various facts, and is best viewed in the light of: W. J. Martin, *Stylistic Criteria and the Analysis of the Pentateuch*, 1955, pp. 16-19; J. A. Motyer, *The Revelation of the Divine Name*, 1959, pp. 11-17; M. H. Segal, *Scripta Hierosolymitana*, VIII, 1961, pp. 74-76; and S. Mowinckel (1937), see North in Rowley, *OT and Modern Study*, p. 54.

³⁷ The facts noted by, e.g., O. T. Allis, *The Five Books of Moses*², 1949, pp. 40/46-60, are damning.

³⁸ On double names in Egyptian, cf. H. Ranke, *Die ägyptischen Personennamen*, II, 1952, pp. 6-8.

³⁹ K. Sethe, *Aegyptische Leseshicke*, pp. 82-83; translated in T. E. Peet, *Sebekku*, 1914, and by Wilson, *ANET*, p. 230 (but rendering both 'Amu and Mentiu-Setht merely as 'Asiatics').

⁴⁰ List of kings and their sages from Uruk; cf. J. van Dijk in H. Lenzen, XVIII. *Uruk Vorläufiger Bericht*, 1962, pp. 45, 51/52.

⁴¹ See H. G. Güterbock, *JCS* 10 (1956), pp. 120-122, for the double names of Piyassilis, Muwatallis, Mursil III, Tudkhalia IV; apparently Suppiluliuma I; and also Mattiwaza of Mitanni as Kili-Teshup. Cf. E. Laroche, *Les Noms des Hittites*, 1966, pp. 358-362.

⁴² See I. J. Gelb, *Hurrians and Subarians*, 1944, pp. 72-74, for the kingdom of Tushratta as Mitanni and Hanigalbat in Amarna Letters 20 and 29, for Tushratta as 'king of Mitanni' and 'Hurrian king' in Letter 24, and for the interchange Mitanni/Hurri-land and combination of Mitanni and the Hurrians.

[p.124]

For place-names like Sinai/Horeb, compare in the text of Merenptah's 'Israel Stela' two names for Egypt (Kemit, Tameri) and five names and variants for Memphis (Mennefer; Ineb-hedj, Inbu, Ineb-hega; Hatkuptah).⁴³ Similarly, examples can be found elsewhere.⁴⁴

For common nouns which are synonyms or para-synonyms like Hebrew 'amā/shiphā, 'bondmaid'/handmaid',⁴⁵ one may compare in Egypt the use of five different words for boats on the historical stela of King Kamose, c. 1560 BC;⁴⁶ or in Mesopotamia, the Assyrian King Assurbanipal's free use of the practically synonymous terms *rakbu* and *mar-shipri*, 'envoy' and 'messenger', in a prism-inscription about Gyges of Lydia.⁴⁷ Even the varying use of two forms of personal pronoun (in Hebrew, first person singular, 'ani/'anōki)⁴⁸ can be compared in Egyptian with the mixture of Middle and Late Egyptian forms in the Contendings of Horus and Seth,⁴⁹ and within West

[p.125]

Semitic itself with the occurrence of *both* first person singular forms in one text on three tablets from Ugarit, just as in Hebrews.⁵⁰ 'Criteria' of this kind, separately or in conjunction,⁵¹ are worthless. This fact must inevitably raise the most serious doubts about the validity of using such artificial methods on ancient literature.⁵²

⁴³ Obvious in the original text, W. M. F. Petrie, *Six Temples at Thebes in 1896, 1897*, plates 13, 14, but hidden by the blanket terms 'Egypt' and 'Memphis' in translation either wholly (as in *ANET*, pp. 376-378) or partly (as by Spiegelberg in Petrie, *op. cit.*, pp. 26-28, and by Erman and Blackman, *Literature of the Ancient Egyptians*, 1927 (repr. 1966), pp. 274-278).

⁴⁴ E.g., Nippur also called Dur-an-ki, in prologue to Hammurapi's laws (*ANET*, p. 164).

⁴⁵ Used as a criterion (with other words, similarly) by Driver, *Genesis*, p. xiii; Bentzen, *Intr. to the OT*, II, p. 47; Eissfeldt, *The OT, an Introduction*, p. 183, etc. However, certain differences in meaning of these two words make them entirely unsuitable for use as criteria; cf. A. Jepsen, *VT* 8 (1958) pp. 293-297, 425.

⁴⁶ The words 'aḥa'u, 'imu, ba'u, mik and djat respectively (the vocalizations are an artificial convenience); stela published by L. Habachi, *ASAE* 53 (1955) pp. 195-202, or M. Hammad, *Chronique d'Égypte* 30/fasc. 60 (1955), pp. 198-208.

⁴⁷ Observable (e.g.) in text in A. Ungnad (ed. M. San Nicolo), *Grammatik des Akkadischen*³, 1949, pp. 138-139, or with interlinear translation in L. W. King's venerable *First Steps in Assyrian*, 1898, pp. 81-87. Also, *tamtum\aiabu* for 'sea' in text of Iahdun-Lim of Mari, eighteenth century BC, Malamat, *Studies... Landsberger*, 1965, p. 367.

⁴⁸ E.g., Driver, *Genesis*, p. xiii, and *Literature of the OT*, pp. 134-135.

⁴⁹ A. H. Gardiner, *Library of A. Chester Beatty*, 1931, p. 11; Old Testament scholars would profit from reading Gardiner's comments on the inconsistencies of this essentially unitary tale, *ibid.*, pp. 10-13.

⁵⁰ Tablets 49, 51, 67, in the numbering of C. H. Gordon, *UM*, II, and *UT*, II.

⁵¹ It is a waste of time to talk about the 'cumulative force' of arguments that are each invalid; o+o+o+o= o on any reckoning. The supposed concordance of assorted criteria whose independence is more apparent than real has had to be rejected above (p. 122, with notes 36-37) on evidence far too bulky to include in this book.

⁵² Some of the foregoing points I made earlier in *JEA* 47 (1961), pp. 162-164; *F/T91* (1960/61), pp. 188-190; *NBD*, pp. 348-351. Others, too, are sceptical of traditional literary-critical methods (quite apart from Engnell *et al.*). So C. H. Gordon, *Ugaritic Literature*, 1949, pp. 6-7, 132; *Hebrew Union College Annual* 26 (1955), pp. 67, 95-97 (=Homer and Bible); *Christianity Today* 4 (1959) pp. 131-134 using Ancient Oriental evidence; M. H. Segal in *Scripta Hierosolymitana*, VIII, 1961, pp. 68-114, on internal evidence; W. W. Hallo, *IEJ* 12 (1962), pp. 13, 14, 26 end, preferring objective comparative data to unverifiable hypotheses. For a most lively (and cruelly appropriate) treatment of equally useless criteria in the Homeric field (with reference to Milton, Min and Plo), see D. Young, *Greece and Rome* (2nd series) 6 (1959), pp. 96-108.

(ii) *Major Variations in Style*. These are so universal in ancient texts whose literary unity is beyond all doubt, that just one or two brief examples must suffice here. Thus, the biographical inscription of the Egyptian official Uni (c. 2400 BC) includes flowing narrative (like 'E' ?), summary statements ('P' ?), a victory-hymn ('H' ?), and two different refrains ('R₁', 'R₂' ?) repeated at suitable but varying intervals.⁵³ Yet there can in fact be no question at all of disparate sources here, in what is a monumental inscription composed and engraved as a unitary whole at the volition of the man whom it commemorates. Or compare, again, the royal inscriptions of the kings of Urartu. Here, one finds fixed formulae for the going forth of the god Haldi ('P' ?), a triple formula (and variants) for that of

[p.126]

the king ('K₁', 'K₂', 'K₃' ?), compact statements of success ('S' ?) or first personal narrative ('N' ?), and intermittent statistics of Urartian forces or of prisoners and booty ('P' again ?). Again, these are immediate and unitary texts without prehistories and rival proto-authors; and their style lasted through at least four reigns of nearly a century (ninth to eighth centuries BC).⁵⁴

(iii) *'Advanced' theological concepts*. These are often denied to the Israelites until during or after the Babylonian exile (sixth century BC and after). However, this is merely a reflex of the fundamental error of unilinear development (cf. pp. 112-114., above), and in fact many such concepts are explicitly known from written documents to have been the common property of the whole Ancient Near East in the second millennium BC, and even in the third millennium when material is available. With this ubiquitous and inescapable background, there is no reason whatever for denying consciousness of such concepts to the Hebrews at *any* period in their history.⁵⁵ The personification of Wisdom in Proverbs 8 and 9 is a good example. This has nothing whatever to do with Greek influence in the fourth-third century BC (as is often claimed),⁵⁶ but is precisely the same

[p.127]

as the personification of Truth, Justice, Intelligence, Understanding, *etc.*, from the third and second millennia BC in both Egypt and Mesopotamia, and during the second millennium BC

⁵³ Text in K. Sethe, *Urkunden des Alten Reiches*², 1933, pp. 98-110; translations by J. H. Breasted, *Ancient Records of Egypt*, I, 1906, §§306-315, and (second part only) by Wilson in *ANET*, pp. 227-228.

⁵⁴ From Ishpuini to Sardur II (König III), c. 820-730 BC; typical texts are Nos. 6, 6a, b, 7 (Ishpuini and Menua), 21, 23-28 (Menua and son), 80-82, 89 (Argistis I), 102-104 (Sardur II/III), in F. W. König, *Handbuch der Chaldischen Inschriften*, 1955-7 = *AfO*, Beiheft 8.

⁵⁵ This is in parallel with the common but distorted view that (e.g.) 'the Exodus... took place in the morning twilight of the historical era', much being obscure (C. R. North, in Rowley (ed.), *Old Testament and Modern Study*, 1951, p. 76). To talk of events in the Near East in the thirteenth century BC as belonging to a 'morning twilight' is more than faintly ludicrous; a thirteenth-century Moses came after some *seventeen centuries* of literate civilization in Egypt and Mesopotamia since c. 3000 BC (preceded by millennia of pre-literate higher culture), and in the whole Ancient East from c. 2000 BC. While there is plenty of scope for investigation for long enough to come, too much 'obscurity' is merely the product of inherited fashions of dealing with the Old Testament source-material; a good example is early OT chronology, pp. 35-78, above.

⁵⁶ Cf. R. H. Pfeiffer, *Introduction to the Old Testament*, 1941, p. 659; O. Eissfeldt, *The OT, an Introduction*, 1965, p. 473; same dating, Rowley, *Growth of the OT*, p. 140, and G. W. Anderson, *A Critical Introduction to the OT*, 1959, p. 188. The dating-argument from long passages is, bluntly, fatuous - or are the miniature essays and 'long' passages in Egyptian works like Ptahhotep (c. 2300 BC) or Khety son of Duauf (c. 1980 BC) also to be credited to Hellenistic influence? (Impossible, because we have second millennium MSS of these.) These and other matters will be dealt with elsewhere.

among Hittites, Hurrians and Canaanites as well.⁵⁷ Universalism - the rule of God over the known world as well as over one people - was (for example) still dated by Mowinckel in 1955 (referring to Psalm 67)⁵⁸ to 'relatively late times', despite the fact that just such universalism was current throughout the Ancient Near East from the third millennium BC onward on evidence cited back in 1940,⁵⁹ some of the best second-millennium evidence having been available for thirty years in a well-known work designed especially for Old Testament studies.⁶⁰ It is a matter for genuine regret when adherence to longstanding theories prevents scholars from seeing essential primary facts and realizing their direct implications.

(c) An Emergent Tension between Myth and Reality (cf. pp. 25-28, above)

Finally, one may briefly note the repeated clash between the results (as well as procedures) of the conventional hypotheses on the one hand, and the existing Near Eastern literary forms

[p.128]

and other phenomena (agreeing with the *extant* Old Testament text) on the other hand.

1. *Covenant-forms*.⁶¹ It is curious indeed that it is *not* the 'J' or 'E' versions but only the full, unitary text of passages such as Genesis 31; Exodus 19, 20 ff., 34; Joshua 24 that corresponds directly with the forms of actual treaty-documents in the Near East; in each of 'J' and 'E', essential features are mysteriously missing.⁶² And it is the structure of Deuteronomy 1 to 32⁶³ *as it stands* which clearly reproduces that of first-hand covenants or treaties of the late second millennium BC - the 'structures' of the nuclei and strata commonly postulated are wholly imaginary.⁶⁴ In all these cases, we are being asked to believe in a series of separate documents ('J', 'E'; the fragments of 'D'), suspiciously unique in form, that were combined in the course of centuries so that, by some miracle unexplained, each resulting conflated

⁵⁷ Sufficiently comprehensive references in Kitchen, *THB* 5/6 (1960), pp. 4-6. For personification of Magic (*Hikē*), Command (*Hu*) and Understanding (*Sia*) in Egypt, see Gardiner, *PSBA* 37 (1915), pp. 253-262; *ibid.*, 38 (1916), pp. 43-54, 83-95; *ibid.*, 39 (1917), pp. 134-139 also H. Bonnet, *Reallexikon der ägyptischen Religionsgeschichte*, 1952, pp. 586-588. In Near East, cf. (e.g.) Babylonian *Mesharu*, 'Justice', in Hittite prayers, c. 1400 BC (Güterbock, *JAOS* 78 (1958), pp. 241, 242), etc. In general, cf. also H. Ringgren, *Word and Wisdom*, 1947.

⁵⁸ *VT* 5 (1955) p. 29.

⁵⁹ In Albright, *From the Stone Age to Christianity*; = pp. 213-217, etc., in the 1957 edition.

⁶⁰ H. Gressmann (ed.), *Altorientalische Texte zum Alten Testament*², published in 1926 (e.g., Ebeling, pp. 263-265).

⁶¹ Cf. above, p. 101, note 52.

⁶² Cf. references to Thompson, and to McCarthy and Kline, p. 101, notes 52, 53, above.

⁶³ Dt. 33, Blessing of Moses, belongs in the same category as the Blessings of Isaac (Gn. 27), the Blessings of Jacob (Gn. 48, 49), and doubtless the last blessings found elsewhere in the Near East in the second millennium (e.g., Nuzi; C. H. Gordon, *BA* 3 (1940), p. 8); Dt. 34 is simply a supplement to record the end of Moses. As above, my remarks are concerned primarily with the structure, or framework; they do not automatically imply or preclude later additions to (e.g.) legal matter, if factual evidence should require it - but any such additions must be within the total main framework required not by theory but by the tangible comparative data.

⁶⁴ Cf. the able surveys of imaginative but obsolete guesswork on Dt. in Eissfeldt, *The OT, an Introduction*, 1965, pp. 171-176, 219-233; the speculations there on the relation of D and B cannot be taken very seriously; Cf. (e.g.) n. 6, p. 149, below. Here and on P, etc., he inexcusably fails to deal with Kaufmann, *Religion of Israel*, 1961; his remarks on Kline (p. 176) are hardly just, as the correspondence of Dt. to the second-millennium pattern is a matter of observable *fact*, not of mere declaration.

covenant corresponded with real forms (particularly of the long-past late second millennium) quite unknown to the imagined redactors.

2. *Natural Phenomena*. It is also curious that the integral text of

[p.129]

Exodus 7 to 10 fits remarkably well into what is known of the natural phenomena of the Nile Valley and North-East Africa - but not so the 'J' and 'E' versions;⁶⁵ precisely the same is true of Numbers 16.⁶⁶ Perhaps we have here another literary miracle; in each case, original and parallel narratives that do not correspond to any reality are put together and suddenly then correspond to relevant sets of rather special natural conditions. It is difficult to suppress at least a mild scepticism!

3. *Linguistic, Literary and Textual Details*. Certain difficult expressions and passages in Leviticus could be solved only with cuneiform data of the eighteenth to fifteenth centuries BC. As noted by Speiser, these were archaic and obscure by the post-exilic period and by their distribution show a callous disregard for the distinction commonly drawn between 'H'(oliness Code) and 'P', etc. Four swallows do not make a summer - but this is a hint of future trends.⁶⁷ In literary matters, the variation in ancient curse-collections invalidates conventional criteria applied to them;⁶⁸ the variations of grammatical person or number (as in Deuteronomy: 'ye/thou') on Near Eastern comparative evidence are no criterion.⁶⁹ In text-study, adduction of LXX variations can be a hazardous venture.⁷⁰

[p.130]

II. FORM CRITICISM

Form criticism (*Gattungsforschung* or *Formgeschichte*) in relation to the Old Testament was mainly initiated and inspired in modern times by Hermann Gunkel.⁷¹ He sought to examine and classify the forms and units of literary expression used in the Old Testament; to determine the function of each form or unit; and to show how Hebrew literature might

⁶⁵ On the plagues of Egypt; see below, p. 157 and note 20.

⁶⁶ On the twin rebellions of Korah and Dathan and Abiram, and the probable phenomenon (*kewir mudflats*) in the Arabah; see G. Hort, *Australian Biblical Review* 7 (1959), pp. 2-26, esp. 19-26; brief summary, Kitchen, *NBD*, p. 1329.

⁶⁷ E. A. Speiser, 'Leviticus and the Critics', *Yehezkel Kaufmann Jubilee Volume*, 1960, pp. 29-45 (English section); cf. Chapter 8, p. 149, below.

⁶⁸ As clearly shown by Hillers, in relation to typical efforts by Steuernagel, Wright and others; cf. note 52, p. 101, above.

⁶⁹ Cf. K. Baltzer, *Das Bundesformular*, 1960, pp. 29 n. 4; 43 n. 1; 44 n. 3; 49 and n. 2, in every case with appropriate Near Eastern data, to which add W. L. Moran, *Biblica* 43 (1962), p. 103. Analyses that use these variations must be politely but firmly discarded - or else applied to first-hand Near Eastern documents with absurd consequences; in their human aspect, the OT writings cannot be exempted as a special case, merely out of *pietas* for time-worn theory.

⁷⁰ One may mention here the old idea that the LXX order of Ex. 35-40 was more original than that of the Hebrew text, and would possibly support literary dissection of that part of Exodus. However, a close scrutiny of the LXX material shows that its order is derivative and that of the Hebrew, original; see D. W. Gooding, *The Account of the Tabernacle*, 1959 (= *Texts and Studies*, new series, VI). The LXX cannot, therefore, offer any support for dissection of Ex. 35-40.

⁷¹ See the excellent outline in H. F. Hahn, *The Old Testament in Modern Research*, 1956, pp. 119-156, and exposition of the method by K. Koch, *Was ist Formgeschichte?*, *Neue Wege der Bibellexegese*, 1964.

have grown from brief, early forms (originating in oral tradition) to longer compositions and eventually whole books. This he first applied to the narratives of Genesis,⁷² and later to the Psalms.⁷³ Others followed in his steps.⁷⁴ The original idea of investigating the various literary structures and units employed in Hebrew literature (and turning the knowledge gained to exegetical account) was excellent in principle, and added a new dimension to Old Testament studies otherwise dominated by hypotheses of the documentary kind. Some use was made of Ancient Oriental literature, but only to a limited extent.

[p.131]

So far so good; unfortunately, various assumptions and elaborations that underlie or have become attached to the basic idea of literary categories are open to serious objections, especially in the light of the actual history and forms of Ancient Oriental literature.

First, the idea of a unilinear evolution from smaller, 'primitive', literary units to larger, more complex entities (and of growth of a work by gradual accretion) is a fallacy from the mid-third-millennium BC onwards, as far as Ancient Oriental literature is concerned. Albright began to point this out some time ago in relation to form criticism and biblical and Homeric studies.⁷⁵ The truth is that literary works (and units within them) vary considerably in length, even within a given class, at any one period. Thus, among Sumerian literature of c. 1800 BC, Kramer mentions⁷⁶ nine epic tales that vary in length from about 100 up to 600 lines; scores of hymns (of four different types) ranging from less than fifty to over 400 lines in length; several laments for Dumuzi (Tammuz) varying from less than fifty to over 200 lines. In the Sumerian proverb-collections of this time, individual proverbs vary in length from one line to a maximum of ten lines,⁷⁷ and so on. In Egypt, the story of Sinuhe (c. 1900 BC)⁷⁸ is just a little longer than the Tale of the Two Brothers⁷⁹ and the Contendings of Horus and Seth⁸⁰ (both in versions of the thirteenth century BC). These exhibit a constancy of average length over six centuries (alongside

[p.132]

⁷² H. Gunkel, *Die Genesis*, 1901 (repr. 1964); the Introduction was also produced separately as *Die Sagen der Genesis*, 1901. The latter appeared in English as *The Legends of Genesis*, 1901, being reprinted in 1964 (paperbound) with an introduction by W. F. Albright appraising Gunkel's work, with criticisms that are just but inadequate as far as Genesis is concerned.

⁷³ E.g., H. Gunkel, *Die Psalmen*, 1926, and esp. H. Gunkel and J. Begrich, *Einleitung in die Psalmen*, I-II, 1928-33. On this aspect of Gunkel's work (more constructive than on Genesis), see the richly documented surveys by J. Coppens, in R. de Langhe (ed.), *Le Psautier (OBL, IV)*, 1962, pp. 1-71 (esp. 9 ff.), A. Descamps, *ibid.*, pp. 73-88, and E. Lipinski, *ibid.*, pp. 133-272 (esp. 166 ff.). Handy summary by A. R. Johnson in Rowley (ed.), *The OT and Modern Study*, 1951, pp. 162-181.

⁷⁴ E.g., H. Gressmann, *Mose and seine Zeit*, 1913, and the contributors to *Die Schriften des Alten Testaments*, I-III, 2nd ed., 1920-5; A. Alt (e.g., on law) and M. Noth (pentateuchal matters, Jos.); and particularly the Scandinavians, but with special reference to oral tradition (see below).

⁷⁵ In *VTS*, III, 1955, p. 4, and especially in *American Journal of Archaeology* 54 (1950), pp. 162-164.

⁷⁶ In *BANE*, pp. 255, 257, etc.

⁷⁷ Compare statistics in E. I. Gordon, *Sumerian Proverbs*, 1959, pp. 26, 154; *JAOS* 77 (1957), p. 67; *JCS* 12 (1958), p. 3. On this material, cf. E. I. Gordon, *Bibliotheca Orientalis* 17 (1960), pp. 125-134.

⁷⁸ Translations (partial) by Wilson in *ANET*, pp. 18-22, (complete) by G. Lefebvre, *Romans et Contes Égyptiens*, 1949, pp. 1-25, among others.

⁷⁹ Full translations in Lefebvre, *op. cit.*, pp. 137-158, and (ageing) in A. Erman and A. M. Blackman, *Literature of the Ancient Egyptians*, 1927, pp. 150-161; only the first half is given in *ANET*, pp. 23-25.

⁸⁰ Full translations, Lefebvre, *op. cit.*, pp. 178-203, and A. H. Gardiner, *The Library of A. Chester Beatty*, 1931, pp. 13-26; summarizing, Wilson, *ANET*, pp. 14-17.

shorter and longer pieces, both ‘late’ and ‘early’), and they did not grow by gradual accretion. Excessive atomization of Hebrew literature, for example, the prophets, was most effectively criticized by the Assyriologist, Sidney Smith.⁸¹ He was able to show that the smallest units by themselves are incomplete unless understood as parts of an integral whole.

Secondly, while use of varied literary forms for different purposes is a useful distinction, it should not be overpressed in a mechanical way, and one must recognize that ancient writers were not entirely hidebound by customary form. Thus, for example, in Egypt the so-called Instruction of Sehetepibre’, by outward criteria a wisdom-work (like Amenemope or Proverbs), is virtually a loyalist hymn to the king; ‘wisdom’ here is narrowed to loyalty to the Crown, the language is hymnic, and forms and uses no longer correspond neatly.⁸²

Thirdly, the idea that form can determine the historical worth of a tradition is fallacious.⁸³ In Egypt, the warlike exploits of Tuthmosis III (c. 1460 BC) are no less real whether they appear in formal statistical annals, in anthologies of his outstanding deeds, or in victory-hymns.⁸⁴

Fourthly, a word of caution is called for on the search for *Sitz im Leben* (situation in life; or better, cultural context). Besides studying literary forms and units, Gunkel sought also to attribute each form to an appropriate situation in the life of the people.⁸⁵ Again, this has its due place if properly applied. But

[p.133]

too often it has been applied in direct opposition to clear biblical data (and without reference to external controls). And as too often happens in the Old Testament field, some scholars’ imaginations ran riot, examples of cultic *Sitz im Leben* were seen on every side,⁸⁶ and the eager quest for cultural contexts has undoubtedly produced some of the most exotic flights of fancy and conjecture in Old Testament studies.⁸⁷ All manner of ‘lists’, for example, are noted in the Old Testament; but some are characterized as genuine (*i.e.*, historical) and others as mere inventions of late date in flat contradiction of context and on the basis of current theory,

⁸¹ S. Smith, *Isaiah Chapters XL-LV*, 1944, pp. 1-23 (Lecture I).

⁸² For this work (nineteenth century BC), see C. Kuentz in *Studies Presented to F. Ll. Griffith*, 1932, pp. 97-110; evaluation and further references, G. Posener, *Littérature et Politique dans l’Égypte de la XIIIe Dynastie*, 1956, pp. 117-124.

⁸³ Already correctly stated by J. Bright, *Early Israel in Recent History Writing*, 1956, pp. 90-91 (in dealing with Noth). Note also Albright’s remarks on the Patriarchs in his introduction to Gunkel, *The Legends of Genesis*, 1964, pp. viii-xi, modifying Gunkel.

⁸⁴ Parts of the Annals and of the Gebel Barkal and Armant ‘anthology’ stelae are given by Wilson in *ANET*, pp. 234-241; for the Karnak Poetical stela and Gebel Barkal stela, see already p. 117, with notes 13-14, above.

⁸⁵ Effectively exemplified by Koch, *Was ist Formgeschichte?*, 1964, pp. 3 ff., from circulars for weed-killer and then biblical examples. An outline of categories and conventional judgments on them, Eissfeldt, *The OT, an Introduction*, 1965, pp. 9-127.

⁸⁶ ‘There was no portion of the [OT] literature which could escape such an interpretation’ (Hahn, *The OT in Modern Research*, pp. 142-143).

⁸⁷ See, for example, certain Scandinavian experiments quoted by Hahn, *op. cit.*, pp. 145-146, and p. 149 (noting that Mowinkel’s treatment of Ex. 34 for cultural context rested on conjecture [not facts]; ‘freeing the laws... from their literary context’, however, is not a ‘merit’ (to use Hahn’s word) but simply an arbitrary destruction of covenantal context).

not of tangible control.⁸⁸ The renewed emphasis on the connection of the Psalms with religion and cult is fair enough. But in Mowinckel's case this has passed over into a one-sided compulsion of nearly all Psalms into a cultic straitjacket regardless of other aspects.⁸⁹

[p.134]

The question of cultural context is much more complicated than generally realized. The partial fluidity of function with literary forms (*cf.* preceding two paragraphs) forbids a mechanical application of the principle. Furthermore, the interaction with historical event or individual activity should not be obscured or lost sight of. Thus, it is easy to group social laws and cult-regulations into small collections on the basis of their content or form and postulate their gradual accretion in the present books, with practical elimination of Moses. One may do this equally to the Hammurapi laws (on content), and postulate there a hypothetical process of accretion of laws into groups on themes prior to conflation in Hammurapi's so-called 'code'. But this does not eliminate Hammurapi from 'authorship'⁹⁰ of his 'code'. His laws are known from a monument of his own time in his own name; therefore, any accretions of laws in his collection occurred before his work. This could also apply in the Old Testament. Furthermore, there are apparent contradictions or discrepancies in the Hammurapi 'code' that are 'no less glaring than those which serve as the basis of analysing strata in the Bible'.⁹¹ These obviously have no bearing on the historical fact of Hammurapi having incorporated them in his collection. And so the similar phenomena in the Old Testament cannot be used to eliminate Moses at those points where the text (as opposed to any later traditions) assigns him a role

[p.135]

in setting certain laws before the Hebrew tribes. In short, given material may in its ultimate origins have a 'cultural context' and yet subsequently be caught up in particular historical circumstances (Hammurapi, possibly Moses) and even pass from one setting to another within

⁸⁸ *Cf.*, for example, Eissfeldt, *The OT, an Introduction*, pp. 25-26. The high numbers in Nu. 1 and 26 are not a sufficient ground for dismissing these chapters from their explicit contexts; numbers constitute a special class of problem in both OT and Ancient Orient, and there is much archaic matter here (*e.g.*, names of princes in Nu. 1). Rejection to a hypothetical later age and cultural context as 'invention' (also route-lists, Nu. 33) rests wholly upon literary-critical presupposition, not on tangible facts or external control.

⁸⁹ While the hymn of Ex. 15 could well have been used in worship (or, 'cult'), as Mowinckel thinks, yet his further conviction that it is a 'festal hymn... originally no doubt belonging to the cult' (*The Psalms in Israel's Worship*, I, 1962, p. 126) goes against both the context and the external background. This is a triumph-hymn, the Hebrew counterpart of the Egyptian triumph-hymns of Tuthmosis III, Amenophis III, Ramesses II and Merenptah, or even that of Tukulti-Ninurta I of Assyria; its archaic character has been partly brought out by F. M. Cross and D. N. Freedman, *JNES* 14 (1955), pp. 237-250, and N. C. Habel, *Yahweh versus Baal*, 1964, pp. 58-62, 64-66; more could be done. Again, the term *le-Dāwīd*, 'by / for / pertaining to David' cannot be limited in the ways suggested by Mowinckel, *op. cit.*, I, p. 77; II, pp. 98 ff., but because of space-limits, this must be taken up elsewhere.

⁹⁰ This term implying, at minimum, ultimate responsibility for ordering the collection of the laws and their recording on stelae, *etc.*, provided with suitable prologue and epilogue. Hammurapi claims a little more than this, however, even though one does not take his every phrase literally ('my words which I wrote on my stela'); *cf.* M. Greenberg, *Yehezkel Kaufmann Jubilee Volume*, 1960, pp. 9-10 and n. 10 (English section). *Cf. ANET*, p. 178 *passim*

⁹¹ Quoting Greenberg, *op. cit.*, p. 6. Note also his instructive contrast between Koschaker's 'literary-critical' approach to the Hammurapi laws and that of Sir J. C. Miles which seeks for the real legal distinctions that underlie the superficial difficulties (*op. cit.*, p. 7); *e.g.*, in the laws on theft (see G. R. Driver and Sir J. C. Miles, *The Babylonian Laws*, I, 1952, pp. 80-86).

a culture. At all events, the usual guesswork needs to be ruthlessly pruned; much wider and more complex possibilities need to be examined, and external form-critical controls are sorely needed to be used in practice.

III. ORAL TRADITION

In this branch of study, Scandinavian scholars have been particularly prominent,⁹² taking their cue from Nyberg.⁹³ They lay great stress on the alleged primacy of oral tradition (even beyond Gunkel), and would even claim that in the Ancient Orient writing is always secondary.⁹⁴ They suggest also that much Hebrew literature was handed down orally until quite late before being finally fixed in writing. Appeal is made to Ancient Oriental data, but in somewhat superficial (and sometimes misleading) fashion. The positions adopted by this school are open to considerable doubts and qualifications which can find only brief treatment here.

First, the term 'oral tradition' is inadequate and confusing, because it is used for two or three separate processes: oral composition of a work, and more particularly its oral *dissemination* to contemporaries, and oral *transmission* of a work down through time to posterity. Dissemination and transmission must be distinguished. In the Ancient Near East, oral dissemination doubtless was of primary importance except in official and ruling circles. But it was often done from written documents. A classic example is 2 Chronicles 17:9, in which we see King

[p.136]

Jehoshaphat sending out Levites to teach the people orally from a written law. For transmission of anything important to posterity, the Ancient Orient insistently resorted to written rather than oral transmission. This is sufficiently illustrated by the hundreds of thousands of clay tablets from Mesopotamia and the acres of hieroglyphic texts and scenes from Egypt covering all aspects of life. The pompous annals of energetic kings and the cuneiform litigation or humble hieroglyphic stelae of citizens of very modest means alike show that neither national traditions nor the repute of individuals was left to the care of campfire bards in the Ancient Near East.⁹⁵

Secondly, it is significant how often Nielsen, for example, has to draw his parallels not from Ancient Oriental literature proper but from different and thus mainly irrelevant historical periods and cultures: for example, Old Iceland, Islam, Persia, the works of Plato, Hindu India, *etc.*⁹⁶ His use of Ancient Oriental data can be quite misleading. For oral transmission, he cites

⁹² *E.g.*, H. Birkeland, *Zum hebräischen Traditionswesen*, 1938; I. Engnell, *Gamla Testamentet*, I, 1945; and in English, especially E. Nielsen, *Oral Tradition*, 1954 (=SBT, No. 11).

⁹³ H. S. Nyberg, *Studien zum Hoseabuche*, 1935, pp. 1-20; *cf.* also J. Pedersen, *ZAW* 49 (1931), pp. 161-181.

⁹⁴ *E.g.*, Birkeland, cited by Nielsen, *op. cit.*, p. 13; *cf.* Nyberg, *op. cit.*, p. 7 (on primacy; but note his resort to late Arabic, *etc.*, for examples).

⁹⁵ On limits of oral tradition in Mesopotamia, *cf.* recently A. L. Oppenheim, *Ancient Mesopotamia*, 1964, pp. 22-23, 258-259.

⁹⁶ *E.g.*, Nielsen, *op. cit.*, pp. 21-24, 32, 33, 35) 37, *etc.*

the colophon of a Babylonian hymn to Ea.⁹⁷ But this colophon does not place any value on oral transmission. Rather it gives a warning: ‘This text is taken only from oral tradition, it has not been copied from a proper written original!’ And in Egypt, it is simply not true that the scribes were all recruited from the highest class of the population,⁹⁸ at least not for the 1,000 years from the end of the Old Kingdom to the end of the New Kingdom (*i.e.*, *c.* 2100-1100 BC).⁹⁹ The assertion that writing was the affair of the specialist in Palestine¹⁰⁰ is grotesque; an alphabet

[p.137]

of twenty-six letters or so is no strain on anyone’s memory. Furthermore, Engnell’s argument¹⁰¹ that the written literature of Ugarit seems to be unique in Syria-Palestine, and that nothing analogous has been found in this well-explored region, overlooks various facts,¹⁰² most especially the fact that in Syria-Palestine (particularly in the first millennium) papyrus was extensively used, but has nearly all perished. Thus, we know that the princes of Byblos in Phoenicia *c.* 1100 BC had kept rolls of timber-accounts for generations¹⁰³ - but no scrap of these or any other papyri has ever been found by the French excavators at Byblos in what is a very productive site. Still more might be said by way of legitimate criticism and qualification.

The truth is that all three approaches criticized on factual and methodological grounds above rest much too heavily on preconceived theories imposed upon the Old Testament, instead of proceeding from an inductive and exhaustive survey of actual Ancient Oriental evidence for literary forms, methods and usages in the biblical East. For this fundamental reason, the results of these schools are suspect to a very large extent, and ultimately must be discarded in favour of new and properly-based results securely founded on the maximum relevant comparative data¹⁰⁴ with a more intelligent treatment of the Hebrew text in the light of that material. Biblical criticism in the proper sense there must be. We advocate not its abolition, but its radical reconstruction, conditioned by the context of the biblical world instead of by Western philosophical schemes,

[p.138]

⁹⁷ *Ibid.*, pp. 28-29; the colophon reads, ‘written from the scholar’s dictation; the old edition I have not seen’.

⁹⁸ *Ibid.*, pp. 25, 28.

⁹⁹ See H. Brunner, *Altägyptische Erziehung*, 1957, pp. 40-42 and p. 169 (Quellen XXXII and XXXIV). Nor were the scribes at Deir el Medineh in Western Thebes generally of exalted origin; for this community, see J. Černý, *CAH*², II: 35, *Egypt from the Death of Ramesses III to the End of the Twenty first Dynasty*, 1965, pp. 17-23, or more briefly W. Helck and E. Otto, *Kleines Wörterbuch der Aegyptologie*, 1965, pp. 243 f.

¹⁰⁰ Nielsen, *op. cit.*, p. 56.

¹⁰¹ Quoted by Nielsen, *op. cit.*, p. 17.

¹⁰² *E.g.*, the occurrence of documents in Ugaritic script away from Ugarit, at Tell Sukas, Mount Tabor, Beth Shemesh, and Taanach (for Tell Sukas excavations, *cf.* refs. in D. J. Wiseman, T. C. Mitchell, R. Joyce, W. J. Martin, K. A. Kitchen, *Notes on Some Problems in the Book of Daniel*, 1965, p. 45, n. 76; for the others, *cf.* D. R. Hillers and W. F. Albright, *BASOR* 173 (1964) p. 45 n. 2, 45-53); the everyday nature of linear alphabetic epigraphs from Late Bronze Age Palestine. The mounds of Syria-Palestine are still much less well-explored in depth than Engnell seems to have realized.

¹⁰³ From the Travels of Wenamun, *c.* 1090 BC; mostly translated in *ANET*, pp. 25-29 (the ‘journal rolls’, p. 27a bottom).

¹⁰⁴ Note already the remarks in passing by W. W. Hallo, *IEJ* 12 (1962), pp. 13-14, 26 end.

medieval and Western literary categories, particularly of the eighteenth to twentieth centuries AD. The material presented in the foregoing sections is only a tiny fraction of all that is available or that could be done - and that in the future will have to be done.