The Periodization of Pentateuchal Literature: The Pre-Exilic Strata

Frank H. Polak, *Tel Aviv University*

1. Stratification and Periodization: The Problems

In classical documentary, form, and redaction criticism, the periodization of pentateuchal literature was largely agreed upon. In more recent scholarship, however, only exilic/post-exilic "priestly" texts are generally recognized, in complicated and controversial relationships with non-priestly strata (Ska 2006, 123–161; Römer 2014, 65–89; Albertz 2018), although the existence of preexilic P traditions is often still admitted (Römer 2014). These new models are based on exegetical interpretation (Rendtorff 1990; Römer 1990; Gertz 2000; Schmid 2010) rather than on strict philological data, even though the last seventy-five years have witnessed immense progress in linguistic and literary method and theory, with striking advances in the research of the ancient Near Eastern, Hebrew, Canaanite, and Aramaic language and literature. The present chapter will provide a survey of this evidence, and suggest a more integrative model for the dating of the pentateuchal materials. This model will be based on the *convergence* between the findings in various different fields (Zevit 1982, 510; Schmid 2018, 452-453, 462), in particular regarding *cultural circumstances* and *language usage*, and supported by allusions to pentateuchal texts in other parts of biblical literature, scribal practices, and sociopolitical considerations. This approach envisions a broad (and complex) sociocultural context of pentateuchal literature. Hence the first subject to discuss is the cultural background of this complex corpus.

2. Theological Tendencies and Mythical Residues

As de Wette (1806, 1:275–80) points out, the features that set Deuteronomy apart from other pentateuchal texts concern both cultic practice and religious ideas. Deuteronomy often adopts a more rational tone, while the narratives concerning the patriarchs and Moses may reveal mythical-magic accents that at times are close to the Ugaritic texts. These differences, though often a matter of nuance, are accompanied by contrasting attitudes toward the location of the worship.

2a. *Local Sanctuaries, Altars, and Holy Trees*

The central demand of Deuteronomy, turned into royal policy by Josiah (Albertz 2005), is the centralization of the worship in a single place and the demolition of other shrines (Deut 12:2–3, 11–14), such as Bethel (2 Kings 23:15). A markedly different attitude is implied by the patriarchal narratives: Bethel is the scene of the divine revelation to Jacob, who recognizes its holiness and erects a *maṣṣēbā* (Gen 28:17–18). The *māqôm*, "locus," at Shechem is the first place in Canaan mentioned in the Abraham narrative, and the location of his first altar (Gen 12:6–7; so also at Bethel, 12:8; 13:3–4; the "terebinths of Mamre," 13:18; and the tamarisk at Beer-sheba, 21:33; with Isaac's altar, 26:25). The building of an altar near Shechem is likewise attributed to Jacob (33:20). These descriptions run counter to the Deuteronomic command and the destruction of the peripheral shrines, and specifically of Bethel, ascribed to Josiah. The altar near "the terebinth of Moreh" at Shechem (12:6–7; 35:4; Josh 24:26; contrast Deut 11:30) gives the tree a role in the open-air sanctuary (Keel 1998), in blatant violation of the ban on the planting of "an *'ăšērāh* or any tree" near the altar (Deut 16:21 [continuing the festal calendar in 16:1–17]). A divine meal held under the tree at the "terebinths of Mamre" (Gen 18:1, 8) prefigures a cultic practice that is vehemently criticized in Hos 4:13. The distance between the realities implied by these passages and the Deuteronomic demands is most easily explained by the assumption that these passages reflect the period before the Josianic re-

form, and defies explanation if this assumption is rejected. The thesis that the Deuteronomic command and the Josiah narrative are pseudepigraphic back-projections from the exilic/postexilic period (Hoelscher 1922, 225–255; Pakkala 2009) fails to explain why the late redaction would authorize cult places and practices forbidden by the back projection. Although none of these passages contains a description of actual sacrifices (Edelman 2010, 83), it remains difficult to understand why the invocation of the divine name would necessitate the introduction of a decried meal or a forbidden altar.>

Hence it seems preferable to ground the cultic tales and notes from Abraham to Jacob, although heavily stylized (Stavrakopoulou 2010, 50), in the sociocultural context of pre-Josianic Israel/Judah. Extremely convoluted arguments would be required to explain their function in a society adhering to a cult centralized in Jerusalem (or Shechem).

2b. *Mythical Themes and Their Mitigation*

Biblical poetry contains some rare mythical residues, such as the themes related to the fight between the Storm God (Baal/Addu) and the Sea/Yam (Exod 15:3–11). The Song of Moses (Deut 32:8–9) describes Elyon, known from the Aramaic Sefire treaty (עלין; KAI 222 A 11; ANET 659; Smith 2001, 142–45; Loewenstamm 1992, 345–353) and Philo of Byblos (*Elioum*; Baumgarten 1981: 15, 180–81, 184–85), endowing seventy deities with various population groups, not unlike Nintur/Ninḫursag in the Sumerian flood tale, Marduk in the Enmesharra myth (Civil 1969, 140–41; Jacobsen 1981, 518; *CoS* 514), and Kronos/El in the description of Philo (Lambert 2013, 294–95; Baumgarten 1981, 17–18, 214–221). This passage represents the "deities" as *bĕnê hā'elohîm* (4QDeutj/4Q37 and LXX), an expression comparable to "the sons of Ilu" in Ugaritic; according to Gen 6:1–4, these figures were the progenitors of the heroes of old (Hendel 2004, 17–28; Day 2012). [Here Uffenheimer (1982; 1983; 1986; similarly Hendel 1997, 158–59) senses a 'Monotheistic Myth'.]

Not a few non-Deuteronomic texts describe concrete means of divine intervention in the human world, unlike the more abstract and distant representation in

the Deuteronomic context (de Wette 1806, 1:275–280; Weinfeld 1972, 205–9, 244-45; 1991, 37-39). If myth is involved in the description of the ark journeying before the Israelites (Num 10:33b), and being invoked by Moses to put the enemy to flight (vv. 35–36; 14:44), in the Deuteronomic rationalization the ark is to serve as container for the two tablets of the covenant (Deut 10:2–5) and is to be carried by the Levites (10:8; 31:9, 25; Weinfeld 1972, 208; Weber 1952, 243–45). The description of the divine march (Exod 13:21–22) includes theophanic images and the annihilation of Pharaoh's army (14:24), whereas Deuteronomic references to this theme are devoid of such features (Deut 1:30; 20:4; 23:15; 31:6, 8; but note 1:33, and contrast 2 Sam 5:24). The praise of the "bronze serpent," which served to cure the victims of the "poisonous serpents" (Num 21:9), is annulled by the Deuteronomistic denunciation of its worship as "Nehushtan" (2 Kgs 18:4; Spieckermann 1982: 172–73, n. 33). The tale of Eldad and Medad places the appointment of the elders in the sacral sphere, as they are imbued with divine inspiration that impels them to ecstatic behavior (Num 11:16–17, 25; Levine 1993: 338–41; Blum 1990: 79–80, 194). By contrast, the Deuteronomic version has Moses choose and instruct "wise and reputable individuals" who are to act upon their best judgment (Deut 1:9–18; Weinfeld 1972: 244–45; 1991: 37–39; Exod 18:15–22 replaces the sacral sphere by a moral characterization, v. 21).

The Deuteronomic description of the events at Mount Sinai (Weinfeld 1972: 205–8; 1991: 38–39; Geller 1994; Polak 2003: 71–79) refers to a fiery theophany (4:11; 5:4, 22–24), but highlights the speaking voice, and clarifies that no shape was perceived (4:11, 15; Sommer 1999: 432–435; Krüger 2000: 89–90). This distant reference contrasts sharply with the hefty description of the theophany in Exodus 19–20 featuring a divine thunder, heavy numinous smoke and fire, and the trembling of the mountain (Exod 19:16, 18–19; 20:18). The theme of the shaking of the mountain at the appearance of the deity is matched by Ugaritic and Akkadian texts (for example, Smith 1997, 136–137: 1.4 VII.27–35; Smith and Pitard 2009: 638-651, 672–678; Loewenstamm 1980, 173–189). In strong contrast with the Deuteronomic picture, the seventy elders meeting the deity in his abode (Exod 24:10–11) actually view the divine overlord, eating and drinking in his presence, and perceive the radiation of the floor under his feet (Polak 2004, 132–34;

Smith 2015, 478–479, 484–486; differently Perlitt 1969, 184–190). The flaming theophany is akin to the divine flare in the burning bush (Exod 3:2), the fire accompanying the hail (9:24), and the "pillar of fire" causing "panic" among the Egyptians (14:24; Lewis 2013: 796; Zenger 1996: 277–81; Polak 1996: 119–38). Thus, the Deuteronomic version of the theophany is but a feeble shadow of the powerful mythical picture of the Sinai narrative. The mythical features are largely preserved in the priestly notion of the *kāḇōḏ* covering Mount Sinai as a clouded flame (Exod 24:17; similarly 33:18–20; 40:34–35, 38; Num 9:15–16; and in prophetic vision: Ezek 1:26–28; 8:2–4; 10:4; 43:2; Weinfeld 1972: 201–5; 1995:28–32; Podella 1996: 19–26; 216–32; Sommer 2009: 60–69; Aster 2012).

Still, these mythical residues are characterized by non-explicit representations that facilitate the adjustment of these themes to the Yahwistic worldview. Thus, emergent monotheistic insights prefiguring prophetic and Deuteronomic idea complexes interact with a residual mythical worldview, still harboring polytheistic ideas, in a characteristic cultural hybridity (Ackermann 2012, 8–14). Such cultural hybridity is exemplified by the oath between Laban and Jacob, sworn by "the God of Abraham and the god of Nahor—their ancestral deities" and the "Fear/Thigh/Kin of his father Isaac" (Gen 31:53; Malul 1985).

A characteristic example is the tale of Abraham hosting the three heavenly wayfarers. The tale is located at the terebinths of Mamre, contains reminiscences of tree worship (Genesis 18:8), and centers on the mythic theme of the meal offered to the divine guests. Although Gunkel (1997: 199–200; Römer 2011: 617–620) matched this narrative with a late version of the myth of Hyrieus and Orion (Wehrli 1939: 1065-67; Muth 1968: 1300–3; Ovid Fast. V 495–535), one notes the Ugaritic parallel in the myth of Dan'ilu and 'Aqhat, as the divine craftsman Koṯar wa-Ḫāsis visits Dan'ilu and his wife in order to present the newborn 'Aqhat with a bow and arrows (Parker 1997, 58–59: 1.17 V.2–39). Like the tale of Mamre, this scene is connected to the birth theme and highlights the role of the woman in the preparation of the meal (Avishur 1999: 57–74; Westermann 1980: 167–180). While Sarah and Abraham are rewarded with the promise of a son, in the 'Aqhat tale the son receives a bow and arrows.

Still, the mythic character of the Mamre tale is attenuated by the concealment of the identity of Abraham's guests. Although the deity is indicated as speaker (v. 13), the divine presence is asserted only when "Abraham was still standing before Yahweh" (v. 22). This structuration implies a profoundly hybrid literary culture, also exemplified by, for instance, the tale of the primeval garden in Eden, the flood narrative (Gen 8:21), and the tale of Sodom and Gomorrah.

Of particular importance is the scene of Jacob's struggle with the divine being, perceived, as through Jacob's eyes, as a "man" (32:25), but in the end identified as a "divine being" (v. 29; Geller 1982). Yet his identity is not disclosed: although he is divine, he is not to be invoked. The mythic element is mitigated but not obliterated. The theme of struggle between human and divine being culminates in the tale of the divine attack of Moses and its resolution by magic (Exod 4:24–26; Avishur 1999, 137–58; Embry 2010). It is a common notion in epic literature, from the attack Gilgamesh and Enkidu staged at Ḫuwawa (Al-Rawi and George 2014; ; Hendel 1987, 104–8) to Anat's battling (Smith 1997, 107–108: 1.3 II.3–30; Smith and Pitard 2009: 127–37, 150–64) and the Iliadic fights of Diomedes with Aphrodite and Ares (*Ilias* 5.121–132, 329–351, 825–863). A complex balancing act is achieved in the tale of the "covenant between the pieces" (Gen 15), which minimalizes the mythical connotation of this act of divine self-obligation (neglected by Gertz, 76–77; Köckert 2013, 44) by means of symbols that evoke the theophany without embodying a divine presence.

The hybridity of mythical residues, then, is foundational for Genesis–Numbers. [Since the circles that undertook the determinant stages of the Pentateuch redaction not only stood for 'intolerant monotheism' but also endeavored to turn it into the social norm (Pakkala 1999, 217–23; Römer 2017, 20–24), the notion that they were the ones to give rise to such hybridic themes must be deemed self-contradictory.] Thus the hybridic themes in pentateuchal narrative are best viewed as creations of the early pre-exilic period, received by Deuteronomy and the Pentateuchal redaction as hallowed, cultural and religious patrimony.

More comprehensive indications of pre-Josianic culture are supplied by various features of language usage. This is the subject of the next sections.

3. Classical Hebrew Prose Versus Exilic/Postexilic Language

In general, the language of the Pentateuch largely fits the profile of the texts from Kuntillet 'Ajrud and Judahite administrative texts (Schüle 2000). In spite of some differences in phonology, the syntactical and lexical usage of the Mesha stela (around 830 bce) is very similar to that of biblical narrative (Driver 1913, xciii-xciv, lxxxviii; Eskhult 1990, 45–50).

3a. *The Distinctions between Classical and Late Biblical Hebrew*

For the periodization of biblical texts in general it is important to note characteristic features of the language usage of texts from the Persian era and later (Esther; Ezra-Nehemiah; 1–2 Chronicles; Daniel), setting postexilic Biblical Hebrew apart from the Classical Biblical Hebrew language usage (CBH) found in the main strata of biblical prose/poetry (Driver 1914, 474–76, 484–85, 504–8).

The linguistic picture has been refined by the methodological demand (Hurvitz 1972) that the classification of a text as Late Biblical Hebrew (LBH) is to be based on a trio of factors: namely, the *contrast* between a possible LBH lexical or grammatical item and a classical item with the same meaning; the *correspondence* of a possible LBH feature with features in the Aramaic texts from Elephantine and Biblical or Middle Aramaic (excluding ancient poetic language), Ben Sira, the texts from the Judaean Desert, or rabbinic Hebrew; and the *cumulation* of significant LBH markers. This method enabled Hurvitz to prove the LBH character of Ps 151, and of various biblical Psalms (Hurvitz 1967; 1972; Talshir and Talshir 2002, 18; against Römer 2016, 362). Arguing that the language of Ezekiel represents a transition to LBH, not reflected by the priestly corpus, Hurvitz (1974, 1982, 1988, 2000b) places the latter in the preexilic period. A similar conclusion was reached by the syntactic analysis of Polzin (1976, based on Kropat 1909) regarding the basic stratum of P (P^G), whereas a secondary layer (P^S) contains some LBH elements. [One of the characteristic LBH features is the much-reduced frequency of such

basic verbs as *hālaḵ*, "to go" and *lāqaḥ*, "to take" (Polak 2009, 168–73) [, and of *kī temporale*, only found in Zech 7:5–6; 13:3; Mal 1:4, 8].

Although Driver (1914, 505) places the transition to LBH in the middle of the fifth century, according to recent research, LBH surfaces around 520 B.C.E. with Haggai and Zechariah, and is prefigured in Deutero-Isaiah (Shin 2007; 2016; Paul 2012; Polak, 168–187; 2016b: 425–27, 433–34). The tendency to place the main strata of pentateuchal narrative in the exilic/postexilic period is not confirmed by linguistic analysis (Hurvitz 1997; 2000a; Joosten 2005; 2006; 2012a; 2016a; 2016b; Carr 2016, 89–90; Hendel and Joosten 2018).

3b. Linguistic Distinctions and Sociopolitical Conditions

The rise of LBH cannot be separated from the *sociocultural situation* of Judah under Babylonian/Persian predomination (Young 1993, 94–96; Schniedewind 2013, 23–26, 126-163; Hendel and Joosten 2018, 24). Under the Judean monarchy the professional scribe functioned within, or in interaction with, the royal bureaucracy, and received his education within this framework. But after 586 he had to serve an administration that was dominated by official Aramaic, and thus required proficiency in Aramaic rather than in Hebrew (Polak 2006c, 591–600). Consequently, the maintenance of Hebrew suffered a severe setback. The Aramaic prestige language was very much on the mind of the professional scribe (bilingualism/diglossia), as indicated by such LBH administrative terms as אִגֶּרֶת ('letter', together with סֵפֶר, 'document'), and of אֲשֶׁר for כִּי, 'that. [Bilinguality causes a certain simplification of grammatical structure (weakening of the CBH verbal system) and a tendency to use terms and constructions shared by both languages]. The lack of an official Hebrew framework furthered the adoption of colloquial elements (Polak 2006c, 606–14), such as the conjunction -שֶׁ for אֲשֶׁר. [Hebrew was still in use as vernacular around 130 CE, witness the colloquialisms in the Bar-Kochba letters, defying explanation by Aramaic; Kutscher 1961, 18–22; 1982, 117–19; Milik 1961, 70; Nebe 1997, 152-153.]

3c. Criticism of the Linguistic Distinctions

The CBH/LBH distinction has been met by heavy criticism (Young, Rezetko, and Ehrensvärd 2008; Ehrensvärd 2016), since Qumran Hebrew can be as classical as any CBH text (Young 2008; criticized by Rendsburg 2015); classical language features continue to be used in Persian era texts; and late copying and redaction may have led to the introduction of late features (Carr 2011, 126–127). Although these arguments seem strong, they have been criticized severely (Joosten 2012b; Hornkohl 2014, 27–50; 2017; Hendel and Joosten 2018, 135–144) because of vague argumentation in detail, and weak spots in the analysis of classical and Qumran Hebrew (Hurvitz, 2012; Rendsburg 2015; Polak 2016, 432–433).

One often argues that bilingual literati would have no difficulty in writing perfect CBH (Blum 2016, 314, 324). However, linguistic research of bilingualism points to significant difficulty in the mastery and use of a second language, both in lexical choice and in syntactic structure (Bialystock 2009; Odlin 2013 [; against Schmid 2018, 452, who views this argument as "*a priori* and therefore not falsifiable"; see Polak 2006a, 115–128; 2012a, 325–326; 2016a, 449–454, in particular 450, nn. 17–21; 2016b, 433–434]: perfect mastery of CBH is hardly expectable in an environment in which literary Hebrew is not promoted by the authorities [and consequently not part of the basic scribal education] (Polak 2012a, 325–28). The argument that in the Babylonian/Persian era the conservative learned scribe would be immersed in classical Hebrew (Blum 2016, 312) presumes the existence of [extensive schooling, including textbooks, like in late Antiquity, and] a considerable preexilic corpus, contrary to the thesis that the presupposed classical texts are largely exilic/postexilic. These considerations raise the question how to deal with contradictions between the conclusions of linguistic analysis and those of non-linguistic exegetical approaches (Schmid 2018). Actually, this issue is entirely dependent on the nature of the non-linguistic approach at hand. If its rationale is based on solid factual data the question demands careful weighing. But if the non-linguistic argument consists entirely of interpretation, its results cannot hold against serious linguistic analysis. Moreover, purely interpretational reasoning can always be countered by exegetical arguments to the contrary, which often have already been voiced

during the history of exegesis.

The CBH/LBH distinction is continued and refined by an overall analysis of syntactic structure.

4. Syntactic-Stylistic Analysis

4a. *Parameters for a Syntactic-Stylistic Analysis*

Systematic analysis of the syntactic structure of biblical texts points to a distinction between a style that reflects the scribal expertise of the official chancery and a diction that is close to spoken discourse. This analysis is based on three parameters (Polak 2006a, 134–35; 2012a, 305–10):

(1) The number of explicit syntactic constituents that are dependent immediately on the predicate: subject, direct/indirect object(s), modifiers (explicit lexicalized constituent, ELC), such as, for example:

וַיְמַהֵר מֹשֶׁה/ וַיִּקֹּד אַרְצָה/ וַיִּשְׁתָּחוּ

And Moses hastened, bowed toward the earth, and worshiped (Exod 34:6)

This verse includes three clauses, of which the first contains an explicit subject (מֹשֶׁה), and the second an indication of the goal (אַרְצָה), whereas the third consists of predicate only (with implied subject, וַיִּשְׁתָּחוּ).

(2) The number of subordinate clauses:

אַל־תִּשְׁכַּח אֵת -אֲשֶׁר־הִקְצַפְתָּ אֶת־יְהוָה אֱלֹהֶיךָ בַּמִּדְבָּר

Do not forget how you provoked Yahweh your God to wrath in the wilderness (Deut 9:7a).

The clause opening with אֲשֶׁר is an object clause, dependent on אַל־תִּשְׁכַּח.

לְמִן־הַיּוֹם -אֲשֶׁר־יָצָאתָ מֵאֶרֶץ מִצְרַיִם -עַד־בֹּאֲכֶם עַד־הַמָּקוֹם הַזֶּה

מַמְרִים הֱיִיתֶם עִם־יְהוָה

From the day on which you came out of the land of Egypt, until you came to this place, you have been rebellious against Yahweh (9:7b)

The time sequence is indicated by two clauses: the אשר clause, dependent on היום, and an

infinitive clause opened by עד באכם.

(3) The number and length of the noun groups, such as, in 9:7a, יְהוָה אֱלֹהֶיךָ, and, in 9:7b, מֵאֶרֶץ מִצְרַיִם and הַמָּקוֹם הַזֶּה. Noun groups can be extremely long, such as the junction,

עַל־הֶהָרִים הָרָמִים וְעַל־הַגְּבָעוֹת וְתַחַת כָּל־עֵץ רַעֲנָן

on the mountain heights, on the hills, and under every leafy tree" (12:2).

The Quantification of these Parameters

These categories enable us to establish, in every text of at least thirty clauses, the number of:

(1) Short independent clauses, containing predicate only (with implicit subject, and object suffix), or predicate with one additional ELC, as in Exod 34:6; or, e.g. Gen 18:4:

יֻקַּח־נָא מְעַט־מַיִם/ וְרַחֲצוּ רַגְלֵיכֶם/ וְהִשָּׁעֲנוּ תַּחַת הָעֵץ

Let a little water be brought, and wash your feet, and rest yourselves under the tree.

(2) Independent clauses with two, three or more ELCs:

וַיָּמָל אַבְרָהָם אֶת־יִצְחָק בְּנוֹ בֶּן־שְׁמֹנַת יָמִים -כַּאֲשֶׁר צִוָּה אֹתוֹ אֱלֹהִים

And Abraham circumcised his son Isaac (when he was) eight days old, as God had commanded him. (Gen 21:4; four ELCs).

(3) Subordinate clauses, as in the excerpts from Deut 9:7, or, in Gen 21:4, the specification כַּאֲשֶׁר צִוָּה אֹתוֹ אֱלֹהִים ("as God had commanded him").

(4) Grouped nouns, counted as noun pairs, as in Gen 21:4, with two noun pairs, יִצְחָק בְּנוֹ; and the triad, בֶּן־שְׁמֹנַת יָמִים, together five grouped nouns, counted as 2.5 "mean noun pairs" (MNP); Deut 9:7 (3 MNP); 12:2 (3.5 MNP). A relative clause is counted as one element in the noun phrase to which it belongs (as in Deut 9:7, הַיּוֹם אֲשֶׁר־יָצָאתָ מֵאֶרֶץ מִצְרַיִם).

By means of this count it is possible to establish the frequency of each class in a given segment. The percentages of classes 1–3 have to add up to 100 percent. The per-

centage for the "mean noun pairs" gives the frequency of noun groups per clause. If every clause includes one noun pair, the frequency of such pairs equals 100 percent. If the quantity of noun pairs per clause exceeds this number, we obtain a ratio higher than 100 percent (for Exod 35:1–36:7, for example, we have 113.44 percent for 108.5 MNP's in ninety-three clauses).

Two categories (subclasses of classes 2 and 3) serve for fine tuning:</PI>

(5) Complex subordination, indicating clauses that are dependent on subordinate clauses, as in Deut 12:6:

הַמָּקוֹם אֲשֶׁר־יִבְחַר יְהוָה אֱלֹהֵיכֶם בּוֹ -לְשַׁכֵּן שְׁמוֹ שָׁם

the place that *Yhwh* your God will choose -to let his name dwell there

The final/infinitive clause לְשַׁכֵּן שְׁמוֹ שָׁם is embedded within the relative אֲשֶׁר clause, in complex subordination. This class also includes subordinate clauses with two ELCs or more, such as כַּאֲשֶׁר צִוָּה אֹתוֹ אֱלֹהִים ("as God had commanded him," Gen 21:4), and subordinate clauses that include a noun pair, such as בְּהִוָּלֶד לוֹ אֵת יִצְחָק בְּנוֹ ("when his son Isaac was born to him," v. 5).

(6) Elaborate clauses with three or more ELCs, such as Gen 21:4, quoted above.

4b. Two Styles in Biblical Prose

Analysis of more than three hundred excerpts, containing at least thirty but mostly around sixty clauses, indicates a distinction between two classes.

The first class is characterized by a strong predominance of extremely short independent, paratactic clauses (predicate only or predicate with one additional constituent, 0–1 ELC), often more than 50 percent of all clauses, a relatively low percentage of subordinate clauses (10–15 percent) and of noun groups (at most around 50 percent of all clauses), with very low figures for elaborate clauses and complex subordination. This is the voiced, lean, brisk style (VoLBS), which shares many features with the cross-cultural and cross-linguistic characteristics of spontaneous spoken discourse (Miller and Weinert 1998, 22–94, 139–49; Biber and Conrad 2009, 230–32, 246, 260–62; Polak 2013), and thus seems close to the visual/aural performance of oral

narrative and poetry. This style is exemplified by the excerpts from Gen 18:4; Exod 34:6 (above, 4.1; further examples: Polak 2010, 39–41, 48–54; 2012a, 308).

A very different picture presents itself in a second group of texts, characterized as it is by far lower figures for short independent clauses (around 30–35 percent 0–1 ELC), accompanied by significantly higher figures for syntactic subordination (around 30 percent) and noun groups (with in the mean a noun group in almost every clause). The figures for elaborate clauses and complex subordination often range from 10 to 20 percent. This is the intricate, elaborate style (IES), illustrated by the excerpts from Gen 21:4; Deut 9:7; 12:2, 6; 34:5 (4.1 above; further examples: Polak 2010, 42–47; 2012a, 309). The intricacies of the sentence structure and the long noun groups dovetail with the cross-cultural, cross-linguistic characteristics of written discourse (Miller and Weinert 1998, 4–21, 80–94, 133–39; Schleppegrell 2008).

4c. *The Sociocultural Background and Socio-Historical Implications of Language Usage*

The massive distinction between the VoLBS and the IES demands explanation. Language usage is conditioned by one's language abilities, is to a large extent dependent on one's education, has a sociocultural context (Coupland 2007), and is related to social status (Bourdieu 1980; 1991; Pollock 2006, 259–265). One notes the classical/neoclassicist snub of the "humble" style of the Christian Bible (Auerbach 1952) and popular ballad poetry (Miles 1964, : 18–19, 103-108).

In this regard the position of the intricate style is unequivocal (Bourdieu 1991: 57–89). This style demands significant scribal skills, and in particular the ability to plan complex sentences, to reread them and to correct them where necessary (Halliday 1989, 73–75, 87), and thus presupposes and requires a scribal education (evidenced in Mesopotamia: George 2001; Robson 2001; 2011; Veldhuis 2011, 68–89). In ancient Israelite context an education of this kind is implied by the scribal norms evidenced by the epigraphic remains of ancient Hebrew (Rollston, 2010: 85–110, 118–135; 2015; 2016; Zevit 1980, 31; Schniedewind 2013, 60–70, 102–22; Faigenbaum 2016). Consequently, the socio-historical context of the IES can be identified as the well-developed royal bureaucracy of the seventh and early sixth century (but one notes the

Kuntillet 'Ajrud texts around 800 bce: Ahituv, Eshel, and Meshel 2012, 108–113). The aniconic seals in vogue in this period (Avigad and Sass 1997, 46) indicate that even low-ranking officials were able to read the names of the principals on the seals on letters.>

By contrast, the syntactic-stylistic profile of the VoLBS is far from the scribal expertise of the chancery. The striking frequency of short, paratactic clauses (including circumstantial and *wayhi* clauses, Joosten 2009; Polak 2014; 2016b, 438–441), and the relatively restricted use of syntactic subordination and long noun groups are close to spontaneous spoken discourse (Miller and Weinert 1998, 22–94). Scribes using this style adhere to the habitus of the oral performance rather than to the norms of the chancery and demonstrate significant expertise in the art of the "Singer of Tales" with all its complexities (Dégh 1989, 165–285; Walker 1996; Finnegan 1970; Henssen 1951). This is hardly a matter of mere taste and rhetorical preference, but of social norm, status (Bourdieu 1991), and social identity construction (Coupland 2007, 18–24, 121–32, 146–63; Auer 2007, 1–16). When orality is considered appropriate for the literary representation of revered ancestors and cultural memory, the narrator associates himself with the oral performer (Miller 2015) rather than with the arts of the chancery, or with their status and the connotation of governmental power. Such a high prestige of, and expertise in, orality points to a period in which the art of complex and sophisticated writing (full-fledged, educated literacy) is not necessarily at the disposal of the leading classes.

In view of these considerations, it seems preferable to attribute the VoLBS to the period preceding the emergence of a well-developed bureaucracy, or, in other words, preceding the closure of the eighth century, the period in which seals are never aniconic and often are constricted to pictorial representation (Reich, Shukron and Lernau 2007, 156–163). The VoLBS dominates the prose tales in Amos 7; Hosea 1–3; Isa 6; in Jeremian prose, by contrast, one encounters traces only (Jer 1:4–19; 13:1–11), with significant IES interference.

Although Mesopotamian culture is dominated by writing (Laessoe, 1953), orality is well attested in Egypt (Redford 2000). The Hittite-Hurrian "Song of Release" reveals an oral context (Neu 1996, 227, 272; Bachvarova 2005, 132–138), and Archi (2007;

2009) detects oral contexts in the Hittite-Hurrian Kumarbi epic. In the Sumerian tale of "Gilgamesh and the Bull of Heaven" a central role is attributed to the singer (Gadotti 2006, 69–73). The Ugaritic epic is characterized by a rich repertoire of epic formulae (del Olmo Lete 1981, 36–39, 54–58; Aitken 1989; Cross 1983, 14-16; 2009) .

Thus, we have seen the sociocultural and socio-historical context of the lean, brisk style and its intricate counterpart. How does this issue affect the periodization of pentateuchal narrative and legislation?

5. Language Usage around Deuteronomy and the Priestly Strata

In the textual world of Deuteronomy, literary culture occupies an important place (Sonnet 1997; Schniedewind 2004): witness the writing of the copy of the law by the authority of the "Levitical priests" (Deut 17:18), of Moses's song (Deut 31:19), and of the Torah instructions (Deut 27:3, 8). In the cultic setting, one notes the writing on the doorpost of the house (Deut 11:20), and in legal context the penning of a divorce deed (24:1, 3).

5a. *Deuteronomic and Deuteronomistic Texts*

Like Deuteronomistic historiography (Polak 2010, 42–48, 57–63), Deuteronomy is characterized by the IES. In the narrative sections (thirteen samples) one notes relatively high figures for syntactic subordination, mostly hovering around 32 percent, but at times 50 percent or higher. For noun groups the figures are relatively high, mostly around 60 percent, meaning that in the mean almost two-thirds of the clauses contain a noun pair. The figures for short clauses mostly hover around 30 percent of the text. The figures for complex hypotaxis mostly lie around 20 percent, with extremely high figures for Deut 4:9–20 and 8:2–5, 7–18.

Similar data are found for the law collection, although in some sections the figures for short clauses are slightly higher (for example 13:1–19; 15:1–18; 17:8–20; 19:11–20; 28:15–42). Five sections come close to the VoLBS (21:10–23; 22:1–12, 13–29; 24:1–7,

10–22; 25:1–16), possibly pointing to a pre-Deuteronomic inheritance (Rofé 2002, 7–8, 155–166, 170–191; Otto 2012, 102–105).

5b. The Priestly Work

The cultic prescriptions and narrative sections attributed to the priestly work reveal much variation, but the IES is predominant (Polak 2017). Some of these passages stand out by relatively low figures for syntactic subordination, for instance Lev 1:1–4:21; 8; 16.

P-Narrative

In narrative, in the section of the tabernacle and the ritual/legal collections the dominant style is the IES, with a range of 65–76 percent for noun groups. In many sections, however, the intricate character of the style is far more extreme than in most sections of Deuteronomy, with the figures for short clauses in the 12–19 percent range (Exod 34:29–35; 35:1–36:7), and for noun groups around 115 percent in Exod 35:1–36:7. The figures for hypotaxis mostly hover around 23 percent, with higher data for Exod 34:9–36:7 (41–49 percent).

If the IES is the rule, some sections are close to the VoLBS, with high figures for short clauses and low figures for hypotaxis (Gen 17:1–8, 15–22; Lev 9–10; similarly Gen 1:1–19), but a high percentage of noun phrases (Gen 9; Polak 2017, 356–357, 375–376).

Later Strata

The profile of many of the sections in Numbers resembles that of Leviticus 1–16, but more than a few narratives and ritual/legal sections are characterized by a profile that is very similar to Chronicles and the book of Ezra, with high figures for hypotaxis (35–40 percent) and noun phrases (100–163 percent, including, for example, Num 1–3; 6; 8–9; 15:2–26; 19; 28–29; 31; 36); possibly pointing to exilic or postexilic supplementation (Polak 2017, 356–357).

Two Strata in the "Holiness Code"

The "Holiness Code" includes a series of segments that fit the profile of Leviticus 1–16 (Lev 17; 22; 24; 26:34–45), whereas the festal calendar (Lev 23 in all its sections; similarly, Lev 14) resembles the late class of Numbers. By contrast, a number of units are couched in the VoLBS (Lev 18–21; 25; 26:1–33; 27; similarly 11:2–23; 13), reflecting the early preexilic era (Polak 2017, 359–363).

5c. *Language Usage from the Primeval Garden to the Moses Tales*

Patriarchal Narrative

The narratives of Abraham and Jacob contain a long series of pericopes in the VoLBS. Some examples include Gen 12:1–9, 10–20; 15:1–12, 17–18; 18:1–15, 16–33; 21:7-21; 22; 24:22–67; 25:29–34; 26; 27; 28:10–30:31; 32–33 (Polak 2015, 229–231; 2016b, 414).

Segments in the intricate style are less frequent: Gen 13:1–17; 14; 21:22–32; 23; 24:1-21; 30:32–43; 34:1–31; all representing the chancery hand. The Joseph story is to a large extent dominated by the VoLBS (for instance, in Gen 37–38; 40:1–41:25). Lower figures for short clauses are found in Gen 39; 43:1–23, whereas a full-fledged intricate style is evident in the narratives of Pharaoh's dreams (41:26–57), Joseph's enslavement of the Egyptians (47:13–26), and the narrative of the reconciliation with Joseph and his death and burial (50:1-26).

The basic strata of patriarchal narrative, then, reveal strong versatility in the arts of the oral performance, as "oral derived" narrative (Foley 1995; Niditch 1996). The convergence between the predominance of this style and the cultic/mythic backdrop of, for instance, Gen 12:7; 18:1–15; 28:10–22; 32:25–32, points to their grounding in the early preexilic period. The IES sections in these tales indicate gradual, stage-by-stage supplementation and redaction, mostly in the late Judean monarchy (Gen 13; 24:1–21; 34), although a segment like the tale of Pharaoh's dreams (41:26–57) may reflect the court style, and the tale of Abraham and the four kings (Gen 14), which attributes a

predominant role to the king of Elam/Persia, seems postexilic.

These considerations dovetail with the social focus of the VoLBS sections. Even "international" agreements and marriage contracts remain unwritten (Gen 29:18–27; 31:44–55); and in Exodus, writing is always ascribed to, or inspired by, the deity (Exod 17:14, 16; 24:4; 31:18; 34:27–28; Polak 2012a, 322). The only person with royal capabilities is Esau who is able to raise four hundred followers (Gen 32:7). The narrative focuses on the worries of the commoner's struggle to maintain himself and his household in such adverse circumstances as a famine (Polak 2015, 219–225); hostile threats are met by ruse and diplomacy (Gen 32–33); Joseph is portrayed as a royal official rather than a viceroy (apart from Gen 47:6–26). Thus, the narrator identifies himself with "the man in the field" rather than with the royal officials or the court, much unlike Deut 16–18. The same focus is revealed by the description of the slaves' workload (Exod 1–5), and the dangers of hunger and thirst in the desert.

Exodus, Covenant and Aftermath

The VoLBS is likewise characteristic for the narratives of the exodus and the covenant at Mount Sinai, including the tales about the enslavement (Exod 1:1–22), Moses's birth, flight and call (2:1–3:16; 4:1–23), most sections in the plagues narrative, from the announcement of the blood plague (7:14–18) until the final plague (12:21–23, 25, 29–34), the trek to Mount Sinai (Exodus 14 partly; 15:22–27; 16 partly; 17:1–7, 8–16); and the theophany and conclusion of the covenant (19:3–19; 20:18–21; 24:1–11); parts of the Book of the Covenant (21:1–22:30; 23:20–33); the narrative of the golden calf, Moses' intercession and the second revelation (32–33; 34:5–10; Polak 2016a, 456–458). In the desert tales one notes Num 10:29–12:16; 13:17b–23, 26–33; 20:14–21; 21:21–26 (contrasting with Deut 2:26–3:7).

The IES characterizes, apart from the P sections, the following segments: Exod 12:42–13:22; 18; 19:20–25; 20:23–29; 23:1–19; 34 partly; Num 14 partly; Num 16 partly.

The Primeval History

In the Primeval History the lean, brisk style is found in few samples: Gen 4:1–16; 9:20–27. The tale of the primeval garden manifests a mixture of the intricate style (2:4b–10, 15–25; 3:22–24), and the VoLBS (3:1–21). The flood narrative is couched in the IES in all its segments, including non-P sections.

5d. *Epic-Formulaic Language*

The tales of the patriarchs are permeated by epic formulae. These formulae can be defined as frequently repeated, traditional phrases that are matched by, or are cognate with, fixed phrases in Ugaritic/Akkadian poetry, and are related to the prosody of parallelism. Hence such phrases derive from the ancient Northwest Semitic poetic repertoire (Cassuto 1973–5, 2:16–26; Polak 2006b, 286–297; 20016b, 412–423; Avishur 1999, 225–238). A characteristic example is the phrase, וַיִּשָּׂא עֵינָיו וַיַּרְא, "he lifted his eyes and saw," in its various grammatical forms, matched by similar phrases in Akkadian (once) and Ugaritic. In the Abraham tales this phrase occurs with *hinnê* (Gen 18:2; 22:13; 24:63) and a direct object (13:10, 14; 22:4; 24:64). In the chapters in which this formula appears its frequency relative to *rā'â* and *nāśā'* is significant. By the same token one notes the phrase וַתִּשָּׂא אֶת־קֹלָהּ וַתֵּבְךְּ ("she raised her voice and wept," 21:16) with cognates in Ugaritic. This is the only instance of *bākâ* in the Abraham narrative (with six cases of *qôl*). In total, this narrative includes thirteen different types of formulaic phrases with fifty-three instances. The Jacob narrative (Gen 25:29–34; 27:1; 33:17) includes fifteen types of formulaic phrases with forty instances, including, וַיִּשָּׂא עֵינָיו וַיַּרְא, "he lifted his eyes and saw" (31:10. 12; 33:1, 5); וַיִּשָּׂא אֶת־קֹלוֹ וַיֵּבְךְּ, "he raised his voice and wept" (27:38; 29:11), and, for example, וַיַּעַן וַיֹּאמֶר, "he spoke up and said" (27:37, 39; 31:14, 31, 36, 43; cf. 18:27; 24:50; 34:13–14); וַיִּקַּח וַיָּשֶׂם, "he took and placed" (28:11, 18; 31:34; cf. 21:14; 22:6; 24:22 in the SP; see Polak 2016b, 416–423). In a number of passages, formulaic language is highly frequent (Gen 18; 21–22; 24; 27; 33). This diction is rare or unattested in other strata, with secondary echoes in Deuteronomic rhetoric and prophetic poetry (Polak 2016b, 423–428).

6. Ancient Near Eastern Context

Since George Smith's uncovering of the Babylonian flood tale and of the myth of creation, the ancient Near Eastern context has played an increasingly important role in the study of the Bible (Hallo 2003a, 2003b). The discovery of the El Amarna tablets and of the Ugaritic texts has revolutionized our understanding of the history of Hebrew and biblical poetry. Sociocultural aspects of writing and literary composition were placed in context by the discovery of such texts as the Moabite, Phoenician, Aramaic, and Ammonite royal inscriptions (Lemaire 2015; Whisenant 2015; Rollston 2016). The ancient Hebrew ostraca, from Samaria and Jerusalem to Lachish and Arad (Ahituv 2008), shed much light on administrative usage and the spread of literacy in Israel and Judah (Rollston 2016, 28–45; Whisenant 2015, 141–52; Faigenbaum et al. 2016).

6a. Epigraphic Texts

The early alphabetic texts from the southern Levant indicate a certain level of literacy around 1100–900 B.C.E. (Lemaire 2015, 15–23), but their ethnic origins often are unclear. One of the Lachish ostraca contains the reply of a highly placed army commander protesting that he is not unable to read (KAI 193, 4–10; Ahituv 2008, 64–69). This would imply that around 586 B.C.E. an army commander could be considered nonliterate, but also that a reproach of this kind was perceived as an insult (Schniedewind 2013, 105–107).

Biblical passages are partly matched by two silver plates from the burial cave at Ketef Hinnom, the precise date of which is however uncertain and debated (beginning sixth century: Barkay et al. 2004; Barkay 1992; Yardeni 1991; late sixth/fifth century: Berlejung 2008, 208–212; Renz 1995, 1:447–456, refuted by Barkay et al. 2004). These plates contain protective blessings that closely resemble the priestly blessing (Num 6:24–26; Ahituv 2008, 49–56; Yardeni 1991, 181–184 ; cf. Kuntillet 'Ajrud, 3.6, ll. 7–9a, around 800 B.C.E.; Ahituv, Eshel, and Meshel 2012, 127–128); they could therefore have served as amulets. Plate A includes in lines 4–6 an invocation of Yahweh containing

the phrase הברית ו[ה]חסד לאהב[ו; this phrase is reminiscent of the designation of Yahweh as the one who "keeps the covenant faithfully for those who are loyal to him" (שֹׁמֵר הַבְּרִית וְהַחֶסֶד לְאֹהֲבָיו), in Deut 7:9 (further Dan 9:8; Neh 1:5; and see Yardeni 1991, 178). The Metzad Hashavyahu ostracon (KAI 200; Ahituv 2008, 156–163; late seventh century) testifies to the practice of taking a person's garment as security (Exod 22:25–26; Deut 24:17). The epithet קֹנֵה שָׁמַיִם וָאָרֶץ, "creator of heaven and earth" attached to El Elyon (Gen 14:19, 22) is partly paralleled by the phrase קנארץ, "the creator of the earth" in a seventh-century ostracon found in Jerusalem (Ahituv 2008, 40–42; also Phoenician, KAI 26 A III 18, and Neo-Punic, KAI 129:1).

The term ערכך, "equivalent," considered "Priestly" (Holzinger 1893, 348; GKC 434i) has been found in a late seventh-century "payment document" (Eshel 2003; Ahituv 2008, 190–194). The reverse word order of the numerals, by which the "hundreds" precede the "thousands," considered to be characteristic of P (Holzinger 1893; GKC 434i), is found already in the Siloam inscription (KAI 189, 5; Ahituv 2008, 19–25).

6b. The Ancient Near Eastern Environment

It is a truism to state that ancient Israel was part of the ancient Near East (ANE) in all its diversity. Many a biblical passage is matched by an ANE text, or illustrated by iconographic material (Keel 1998), by way of typological similarity in general, by cultural influence (Malul 1990, 1–6, 13–18), or as part of the Levantine cultural heritage, such as the characteristics of the storm-god attributed to Yahweh (Smith 2002, 117–60; Day 2000, 68–121).

For the study of the Pentateuch the comparative research of biblical and ANE culture is as problematic as it is crucial. This approach often leads to new insights into the biblical text, but the founders of 'higher criticism' could not benefit from such knowledge, and hence the basics of this approach are unrelated to the ANE. This situation has lead to many differences of opinion between the 'comparative' school, often associated with Albright, and the 'historical-critical' school which continued to tread in the footsteps of Wellhausen in spite of many changes in nuance and focus, with many

scholars balancing between these poles.

Critics of the comparative approach argue that biblical literature should primarily be studied from within since the culture it represents differs from, for instance, the cultures of Mesopotamia, Anatolia, and the Levant (Talmon 1978; Perlitt 1969, 4–6). However, this thesis disregards the crucial question of how to establish the criteria to be used in such an intracultural discussion (Wright 1987, 7–9). The historical-critical approach proceeds on the basis of aesthetic assumptions that are rooted in Western Neoclassicist conceptions, as exemplified by the understanding of repetition as a literary blemish, and the judgment that the use of two names for one and the same deity is "bizarre" (Astruc 1753, 13, 431). These judgments are invalidated by the widespread use of repetition in Ugaritic, Akkadian, Sumerian, and Hittite literary texts (Cassuto 1973–5, 2:29–33; Westermann 1984, 582–583); as well as by the use of two names/epithets for Ba'al/Hadad (Gordon 1949, 6; Whybray 1987, 65–70; Polak 2012b, 160–61; Westermann 1984, 578–80), Bēl/Marduk, and the moongod Nanna-Suen (double name).

Thus, ANE comparisons are not only helpful but positively of vital importance in order to put the biblical text in its proper context, to indicate its place in ancient Near Eastern culture, and to illuminate specific themes or concerns in a given text. Comparative study often provides evidence that can confirm or challenge the presuppositions involved in scholarly judgment on matters such as basic religious concepts, or the way a text should look.

Yom HaKippurim

A case in point is the interpretation of the *Yom HaKippurim* ceremonies (Lev 16; 23:27–32; Num 29:7–10), which were often regarded as a ritual expression of "the leaden pressure of sin and wrath" of the exilic/postexilic era (Wellhausen 1885, 12; criticized by Elliger 1966, 210; Weinfeld 2004, 34–35). This notion, actually a back projection of the Yom Kippur of Judaism, disregards the role of this ritual as Temple purification before the great autumn festival (Lev 23:39; Num 29:12), as well as the important role of such ceremonies in Hurro-Hittite and Babylonian worship (Weinfeld 2004, 47–54; Wright

1987; Milgrom 1991, 1067–1079; Nihan 2007, 351, 369–73; Hundley 2011: 120–134); it also fails to take into account the biblical meaning of *kippēr*, "purgation" (Akkadian *kuppuru*; Milgrom 1991, 1079–1084; Wright 1987; Hundley 2011, 186–89; criticized by Feder 2010). Thus, the Yom Kippur ritual fits the Temple cult as such, rather than a presumed exilic or postexilic mentality.

The Covenant Metaphor

Another case in point is the notion of covenant. Although this legal metaphor was viewed as a late notion, rooted in the Deuteronomic reform (Wellhausen 1885, 418–419; Perlitt 1969), details of the formulation of this notion in the Pentateuch were found to have an analogy in Hittite international and vassal treaties (Baltzer 1960: 19–51; Weinfeld 1972, 59–157; McCarthy 1978, 144–153, 184–187; Weeks 2004; Hahn 2005). This analogy has drawn heavy criticism, because of a lack of continuity between the Hittite Empire and ancient Israel (McCarthy 1978, 4–6, 286), the tension between the theological concept and the realpolitik, and the lack of formal references to the *bĕrît* in Amos, Hosea, Micah, and Isaiah 1–32 (Perlitt 1969, 2–5, 129–152). However, the post-Hittite kingdoms in north Syria, immediate neighbors of ancient Israel, preserve significant remnants of the Hittite Empire (McCarthy 1978, 153; Bryce 2012; Simon 2013, 29–30; Balza and Mora 2015); the "covenant" idea can be described as a metaphor by which the relationship between God and Israel is conceptualized; and the theological aspects of the Hittite treaty pattern are not to be overlooked (Christiansen and Devecchi 2013). The duality of the legal notions of "agreement," "obligation," or "commitment" is common to Hebrew *bĕrīt* and Hittite *išḫiul* (Taggar-Cohen 2011). The texts of international agreements are well attested from the Old Assyrian and Old Babylonian periods to the Neo-Assyrian period (McCarthy 1978: 6–12, 27–152, 287–8; Eidem 1991; Durand 1991; Lafont 2001; Heintz 2015, 285–334; Charpin 2019), and include the Aramaic eighth-century Sefire treaty (Fitzmyer 1995; Morrow 2001; Ramos 2016). The oaths of absolute, exclusive loyalty to the overlord described in Mari letters form almost exact parallels to the opening commandments of the Decalogue (Exod 20:2–3; Polak 2004, 126–127). The Mari texts

provide us with clear analogies for the ceremonies at Mount Sinai, including the blood rite, the meal, and the dual location (Charpin and Durand 1997, 387–388; Charpin 2010, 107–112), with one ceremony at the "dwelling" of the first party (Exod 24:3–8) and one at the "residence" of the second party (vv. 9–11; Polak 2004, 128–132). The argument that prophetic texts should contain exact terms for this idea complex if the prophet was aware of it (Perlitt 1969, 2–3) seems misguided. Poetry is built upon imagery, connotation, and allusion, rather than upon legal and conceptual exactitude. The threat "there I disown them" (שְׂנֵאתִים, Hos 9:15, continuing the covenantal proclamation of v. 10) is followed by "I will no more be committed to them" (לֹא אוֹסֵף אַהֲבָתָם; Lohfink 1963; Nicholson 1986, 81–82), a phrase in which the verb *'āhaḇ* represents both the personal sentiment and the covenant idea.

The succession treaty of Esarhaddon (Parpola and Watanabe 1988, 18, 28–58) provides legal and terminological analogies for the Deuteronomic legislation (Weinfeld 1972, 114–129; McCarthy 1978, 114–119; Steymans 1995; Radner 2006; Carr 2011, 304–308; Levinson and Stackert 2012 and 2013, dealing with many objections; Morrow, 2019). The discovery of a copy of this treaty in North Syrian Kunalua/Kalnoh (Lauinger 2012) leads to the conclusion that this text was likewise known in Judah (Levinson and Stackert 2012 and 2013; differently Crouch 2014, 162) around 670 bce, fitting Steuernagel's (1899/1900, XI–XII) dating of a *Urdeuteronomium*. In a presumed Babylonian/Persian setting (Pakkala 2009, 389; Koch 2008, 244), the Deuteronomic use of such Neo-Assyrian phraseology would lack a sociopolitical context (Römer 2016, 369). If one ascribes the Deuteronomic legislation to the exilic/postexilic period, this terminology would be comprehensible only as an inner-Judahite inheritance; hence this assumption would imply a Judahite prototype associated with religious values, not unlike *Urdeuteronomium*.

The Covenant Code (Exod 21–22) shares features with the Old Babylonian Eshnunna Code (§53 // Exod 21:35; Roth 1997, 67 ; Wright 2009: 218–22; Wells 2006: 104–6; 2008: 241–42); with Codex Hammurabi (§117 // Exod 21:2–4; Roth 1997, 103; Wright 2009, 127); with the Hittite Laws (§105–6/107 // Exod 22:4–5; Roth 1997, 230; Wright 2009, 240–242; Wells 2006), and with legal deeds from Late Bronze Emar (Wells

2008, 233–35).

[A feature common to CC and Codex Hammurabi is the distinction between main case and subcase (Paul 1970, 116–7; Levinson 2013, 21–26), in CH indicated by the *iprus* preterite in the main case and the *iptaras* perfect for the subcases, and in CC with *kī* for the main case (Exod 21:2), and *'im* for the subcase (21:3–10; 22:6–7).]

Such shared features are probably grounded in the Syro-Canaanite sphere, at the fringes of Mesopotamian and Hittite legal and literary tradition, as indicated by the legal/administrative texts from Ugarit, Alalakh, Emar and Hazor; Paul 1970, 4–5, 105, n. 1; Horowitz and Oshima, 2006, 66–82; Westbrook 2009).

7. Allusive Intertextuality

Intertextuality is a complex notion, implying that a text (A) always is part of, and in dialogue with, an encompassing cultural and literary context. A specific interaction between text A and text B can be signaled by a specific allusion (M) in A, which thus refers A to B, with A being the "alluding" text and B the text alluded to (Ben Porat 1976; Worton and Still 1990; Sommer 1996; Meek 2014). The allusion M suggests that passage A should be read in the light of text B, like for instance the allusion to "the waters of Noah" and the eternal divine promise in Isa 54:9, which alludes to Genesis 9. Allusive intertextuality involves complex interpretation, and thus can hardly be regarded as an objective criterion for the establishment of a literary historical time sequence. The construction of such a dyad, of allusive markers and text alluded to, necessarily involves the question of whether or not the allusion points to a text that is definitely known, such as the manumission laws in Deut 15:12–18 and Exod 21:2–6 (Levinson 2006). The alluding text A can serve as *terminus ad quem* for the evoked text B only when the place of A on the timeline is known. But often there is no certainty whether allusive markers point to a specific biblical text, or to a broader text-base with similar phraseology and structure but different from the text known to us. It is difficult to disprove the possibility that the correspondences shared by Ezekiel 34–37 and Lev

26 (Nihan 2016) reflect common dependence on a third text-base or inherited phraseology.

The exegetical problems are demonstrated by the allusions to the promise to Abraham (Ezek 33:24) and to Sarah (Isaiah 51:1–2). For Van Seters (1992, 215-16, 239-42; similarly Blum 1984: 358-59) these allusions justify the conclusion that the Abraham narrative was created in the exilic period. However, the communicative situation and the nature of the allusion to Sarah's fertility problems imply that the text-base of this narrative was part and parcel of ancient Judahite cultural memory (Polak 2016b, 436–37). By the same token, the allusion to the opening of the Decalogue in Ps 81:10–11 echoes a tradition that is similar to Exodus 20/Deut 5, but does not justify the inference that the poet had knowledge of exactly one of these passages. The poetic version of the plagues in Ps 78:43–49 largely parallels the Exodus narrative/Ps 105, but has the pestilence as seventh plague (Ps 78:50, cf. Exod 9:15), followed immediately by the death of the firstborn (Ps 78:51; Loewenstamm 1974, 376–377; 1992: 56–60, 394). Such allusions imply a complex interplay of traditional narratives rather than precise textual sources.

8. Scribal Practices

It is difficult to assess the way scribal practice affects the dating of a given text. A few of the most ancient biblical manuscripts from the Judean Desert contain lexical and orthographic variants that seem primary vis-à-vis the MT and thus suggest that the transmission process behind the MT includes substitution, expansion, and reduction of certain elements of the hypothetical anterior text state (Polak 2010, 69; Müller, Pakkala, and ter Haar Romeny 2014).

The orthography of epigraphic Hebrew differs from the biblical practice (Tov 2012, 218–222). In the epigraphic texts one finds only few cases of *matres lectionis* within the word: איש (Arad 40:7, 8; Lachish 3:9, as against אש, Siloam 2, 4); [/האוצר פים], Ahituv 2008, 39–40; 2012; Zevit 1980, 24–25, 31–32(. These texts differ from masoretic biblical Hebrew in the use of word dividers, as still found in the Samaritan

Pentateuch and paleo-Hebrew texts such as 4QpaleoExod^{m} (Ulrich 2010, 39–104; Tov 2012, 208–209); the suffix of the third-person masculine singular, "his" or "him," is indicated by the *he*: עבדה/*ʿabdô* "his servant" (Metzad Hashavyahu 2); לקחה/*lĕqāhô* "took him" (KAI 194:6). In biblical Hebrew, this *he* is only rarely preserved (note 4QSam^{b} for 1 Sam 20:38), while the word divider is not in use.

Not less problematic is the issue of writing materials, for ephemeral writing ostraca were much in use. The use of papyrus, like in Egypt, is evidenced by Jer 36; 51:63 (Haran 1982, 163–168). In Egypt leather was likewise used (Lichtheim 1973–80, 1:115, 2:33; Janssen 1962, 44–45); it is not impossible that certain ancient Israelite texts were preserved on leather for durability.

9. Possible Allusions to Sociopolitical Conditions

In literary history the establishment of the historical context in which a text was created is crucial, since this is the only way to assess the complex ways in which the literary text interacts with its social, cultural, and political environment. However, when the context is not known independently, the reconstruction of historical allusion by means of the literary text involves interpretation of the textual allusion, of the supposed historical context, and of their interconnection, and thus always remains extremely problematic (Ritter 1910–23: 1.200–2, 222; Sommer 2011). Descriptions of adverse historical circumstances may refer to different periods: they may indicate the exilic condition or the Babylonian occupation; but they may also point to the assaults of the Neo-Assyrian Empire, beginning with Tiglath-Pileser III (745–727); or even earlier, to the wars with the Arameans under Hazael advancing as far as Tell es-Safi (2 Kings 12:18; 14:25; Maeir 2012). Thus, only the most precise data can serve to date a certain text, such as the passages concerning the fate of the exiles (Lev 26:34–45). Appeal to cultural conditions must be based on explicit statements in the biblical text, such as the Deuteronomic demands and prescriptions.

The geopolitical context of the pentateuchal narrative is mostly vague, but one

notes the passage concerning the border with the Aramean kingdom of Damascus at Mizpeh Gilead (Gen 31:49), in a narrative that reflects the enmity between Israel and Aram (Rom-Shiloni 2012). The other side of this complex relationship is represented by the stipulation of a shared lineage and the friendly tone concerning Aram (Gen 24:4–60; 27:43–44). The use of the term "Aram Naharaim" (24:10) reflects the era or the memory of the Aramaic/post-Hittite independence of Naharina/Bīt Adini (Younger 2016, 318–365) before its conquest by Shalmanasar III (856–855). If one considers a memory of two or three generations (Vansina 1985, 192–93, 197) , this means that the tales at stake are grounded in the reality of the late ninth or early eighth century bce, squaring with the stylistics of the Mesha stele (Driver 1913, xciii-xciv, lxxxviii; Eskhult 1990, 45–50).

10. Concluding Considerations

The aim of this chapter was to indicate the convergence of the linguistic data and the sociocultural background for many segments in the narratives of the patriarchs and the Exodus. I thus noted the cultural hybridity of these narratives and their predominant oral background. Some of the allusions to sociopolitical and geopolitical context dovetail with some of the periods of the Israelite/Judahite monarchy. Against these features I pointed to the congruence of the language use of Deuteronomy and the priestly strata and their place in the royal/temple administration. This dialectic interplay of cultural and linguistic contrasts and convergences indicates four main formative stages/strata for pentateuchal literature:

(1) An oral/written stratum (mostly from the ninth or early eighth century bce), as the continuation or textualization of ancient oral and epic narratives: this stratum includes the main strands of the patriarchal narrative; the Joseph narrative and the exodus–Sinai-desert cycle; as well as some sections of the Primeval History;

(2) the persistence of this stratum in the later Israelite and Judahite kingdoms (eighth–seventh century);

(3) the development of creative/redactional stages during the late Judean monarchy (priestly/Deuteronomic strata);

(4) their continuation in the Babylonian/Persian/early Hellenistic era; a largely stable text is implied by the books of Enoch and Ben Sira even though they represent very different theologies and arose in very different textual communities.

Suggested Reading

The basic problems of pentateuchal theory are discussed by Westermann 1984; Whybray 1987; Albertz 2018; Hendel and Joosten 2018. For epic strata in pentateuchal narrative see Hendel 1987; Polak 2015. For the difference between Deuteronomic and pre-Josianic texts (including the priestly corpus) see Weinfeld 1972, 2004. On the periodization of biblical Hebrew prose see Driver 1914; Hurvitz 1982; 1997; 2000a; Joosten 2012a, 2016; the studies collected by Miller-Naudé and Zevit 2012; and the critical review by Young, Rezetko, and Ehrensvärd 2008, for which see Joosten 2012b. On syntactic-stylistic aspects see Eskhult 1990; Polak 2006ab, 2009, 2012a. On the "social history" of Hebrew see Schniedewind 2013; Polak 2006c. On orality and its afterlife in general see Foley 1995; for biblical orality see Niditch 1996; Polak 2013. For the oral/written distinction/continuum see Niditch 1996; Halliday 1989; Miller and Weinert 1998; Biber and Conrad 2009. On Deuteronomic language usage see Weinfeld 1972; Polak 2010; on the Priestly style see Hurvitz 1982, 200b; Zevit 1982; Milgrom 1991; Polak 2017. On ancient literacy see Rollston 2020, 2016; and the studies collected in Schmidt 2015. For the ancient Near Eastern context see Hallo 2003a,b; Smith 2001, 2002; Milgrom 1991; Weinfeld 2004; Wright 2009; Wells 2006, 2008. For the covenant idea see Weeks 2004; Hahn 2005; Levinson 2010; Levinson and Stackert 2012. On intertextuality see Sommer 1996; Meek 2014. For scribal practice see Rollston 2015; Tov 2012; Ulrich 2010.

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