DAVID M. CARR

From Sources to Scrolls and Beyond

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177



David M. Carr

From Sources to Scrolls and Beyond

Essays on the Study of the Pentateuch

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To Konrad Schmid, Jan Christian Gertz, Thomas Römer and many other Pentateuchal specialists from whom I have learned so much

Table of Contents

	st of Charts IX
	st of Figures X
Lis	ste of Tables
Int	troduction
	Part One: Background, Aims and Methodology of Diachronic Analysis of the Pentateuch
1.	Changes in Pentateuchal Criticism
2.	On the Meaning and Uses of the Category of 'Diachrony' in Exegesis 49
3.	Data to Inform Ongoing Debates About the Formation of the Pentateuch: From Documented Cases of Transmission History to a Survey of Rabbinic Exegesis
4.	Looking at Historical Background, Redaction, and Possible Bad
	Writing in Gen 6,1–4: A Synchronic and Diachronic Analysis 109
	Part Two:
	Studies in Relations Between Texts
5.	Method in Determination of Direction of Dependence: An Empirical Test of Criteria Applied to Exodus 34,11–26
	and its Parallels
6.	Method in Determining the Dependence of Biblical on Non-Biblical Texts
_	
7.	The Many Uses of Intertextuality in Biblical Studies

Part Three: The Broader Pentateuch and a Scroll Approach

8.	writing That Dares Not Speak Its Name: Writing About Orality and Inscribed Amulet Practice in Ancient Israelite Educational Texts 201			
9.	Joseph Between Ancestors and Exodus: A Gradual Process of Connection			
10.	The Formation of the Moses Story: Literary-Historical Reflections 245 $$			
11. Background and Aims of a Scroll Approach to the Formation of the Hebrew Bible				
	Part Four: Building Beyond Study of the Formation of the Pentateuch			
12.	Rereading Anonymous Oral-written Pentateuchal Prose in a Post-author 21 st Century Context: Strategies and Goals for Historically-oriented Interpretation			
13.	Competing Construals of Human Relations with "Animal" Others in the Primeval History (Genesis 1–11)			
Lis	et of Original Publications			
Bib	oliography			
Inc	dex of Select Topics and Texts			

List of Charts

7.1.	Summary of Differences: Influence and Intertextuality	184
11.1	Column Proportions of Pre-Hellenistic and Demotic Egyptian Literary Scrolls	297
11.2	Line Counts Old Egyptian and Demotic Literary Scrolls	299

List of Figures

7.1	The binary nature and canonical focus of influence studies	179
7.2.	The non-canonical focus of intertextuality	180
7.3.	Elements Considered in an Influence-Studies Perspective on Hardy's <i>Tess</i>	182
7.4.	Elements Considered in an Intertextual Perspective on Hardy's $\mathit{Tess}\ldots$	183
7.5.	The Hebrew Bible and Paucity of Existing Intertexts (local)	188
7.6.	Imagined Untraced/Untraceable Intertexts for Genesis 2–3	189
11.1	(scaled comparison) Berlin P. 3022 Sinuhe (14 cm column height, 12 lines) compared to Leiden P. 384 Myth of the Sun's Eye (20.5 column height, 32 lines)	294
11.2	Illustration of Contrasting Carrying Capacity Per (linear)	
	Centimeter	305

List of Tables

Table 2.1	Outline of Existing Chronology in Gen 6: 5–9:17	53
Table 2.2	Overview of the (partially preserved) non-P dating system	67
Table 13.1	Three main non-P narratives on the dyads of a nuclear family	351

Introduction

This volume brings together and provides background on my main treatments of the history and methodology of study of the Pentateuch. In response to the gracious invitation to contribute a volume to this series, I have assembled my earlier work in a way that traces an arc from an initial history of the last fifty years of developments in Pentateuchal theory to twelve article-length proposals about its future unfolding. I did not include essays that overlap heavily in content with my published books, nor have I included earlier essays that anticipate topics treated in more updated form by later ones.

The book is topically organized, moving from broader historical and methodological essays to more focused studies of issues surrounding intertextuality, the material prehistory of the current five-scroll Pentateuchal composition, and other recent issues. Part One contains four essays on the recent history of the study of the formation of the Pentateuch and questions surrounding the rationale for doing such work. Part two gathers three essays discussing one of the most strategic issues in current Pentateuchal study: analysis of potential relations between Pentateuchal and other texts. These essays in parts One and Two largely focus on tradition and source criticism, with a particular emphasis on texts from Genesis that often have been privileged in such study. Part Three then moves to look more broadly at other Pentateuchal texts and at material historical dimensions of the formation of the Pentateuch. The section starts with an essay on texts that are memorized in the brain, worn on the body and inscribed on the home ("Writing that Dares Not Speak Its Name"). It then features two articles looking at broader stretches of the Pentateuch, starting with an article on the formation of the Moses story and then an article providing my most recent treatment of the relation between the Moses story and Genesis materials. This section concludes with an updated version of my proposal for a "scroll approach" to the formation of the Hebrew Bible more generally and the Pentateuch in particular. Part Four wraps up the collection with articles related to literary theory (the question of the "death of the author") and animal studies that combine study of the Pentateuch's formation with non-diachronic issues.

Along the way, I provide introductions to each individual essay, each entitled "Background to the Essay". Many of these essays began as presentations for conferences, and most were published in volumes that put the essays in context by way of the editors' Introductions. My introductions now in this volume provide context for the initial development of each article and how the article fits within the broader trajectory of my work on the Pentateuch. Together, these essays offer

2 Introduction

an abbreviated form of intellectual autobiography, something I do not plan to do in a more extended version anywhere else.

Though I have made a few minor revisions to some essays and revised the first essay to update its history of Pentateuchal scholarship, the articles otherwise closely resemble their original form. In order to publish them here (and lacking funds, as I always have, for editorial assistance): I have worked myself across the last two years (2022–2023) to modify my own computer files to incorporate most of the significant editorial improvements made by my scholarly colleagues, their assistants, and others prior to publication. Except for some conscious deviation in chapter 1 (explained in the introduction to that essay), I have endeavored, as I could, to conform the essays to abbreviations and other conventions in the SBL Handbook of Style, 2nd Edition: For Biblical Studies and Related Disciplines, Billie Jean Collins et al. (Atlanta: SBL Press, 2014). As I have done this work, I am ever more convinced that my attempts to incorporate these changes may be a good case study of the errors that come when a mortal human being attempts detailed redaction. On occasion I have gone back to my original text or added small corrections, including updating citations in some references. Having thus worked in such detail through these essays and edits to them, I am ever more grateful for the opportunities that I have had to learn from my colleagues and the care that they have taken with my work. I am sure the present result is imperfect, even as I hope any remaining problems do not undermine the essays' main contributions. Certainly, the conversations, critiques and corrections received by these scholars and publishing professionals have made these studies far better than they would have been.

In light of this and honoring the relational context of my scholarship, I dedicate this volume with gratitude and appreciation to the brilliant and generous group of Pentateuchal scholars with whom I have had the immense privilege to work and often befriend over the last thirty years. This is, admittedly, a broad and somewhat diffuse group of specialists in the Pentateuch. But I am thinking here in particular of scholars (in addition to Erhard Blum, to whom I dedicated another book) such as Konrad Schmid, Jan Christian Gertz, Thomas Römer, Bernard Levinson, Bernd Janowski, Matthias Köckert, Christophe Nihan, Christoph Levin, Reinhard Kratz, Rainer Albertz, Thomas Dozeman, John Day, Joel Baden, Bernd Schipper, Julia Rhyder and Liane Feldman. This list could include many more dear and respected colleagues in this field. Little did I know as I began my work on the Pentateuch in the 1990's that I was beginning decades long relationships with people who would so deeply shape me.

Part I

Background, Aims and Methodology of Diachronic Analysis of the Pentateuch

1. Changes in Pentateuchal Criticism

BACKGROUND TO THE ESSAY This essay is one of the earliest written ones in the collection, commissioned in March 2008 by Magne Saebo, submitted by its deadline in August 2009, but not published until five years later in 2014. As indicated in note 1 (and some subsequent notes), it builds on extensive email and oral interviews with major figures in Pentateuchal scholarship along with broad reading of their work. The style of this essay diverges particularly from the following ones because I have preserved the bibliographic and author-date format of the original publication (Saebo, History of Old Testament Interpretation, volume 3.1, The Twentieth Century [Göttingen: Vandenhoeck & Ruprecht, 2014]). This is done in the hope that the bibliographies opening each section in this piece will be useful for future students of the Pentateuch, while the authordate references are fitting because of the focus here on history of scholarship. Because the number of works surveyed in the bibliographies of this essentially bibliographic essay is extraordinarily large, I have not overburdened the bibliography concluding this volume with repetition of the bibliographic references that already occur (and only occur) in this essay's section bibliographies.

In my experience, many studies of the Pentateuch, even by scholars specializing in the area, are done with highly varying levels of knowledge of the wide range of diachronic scholarship done on the Pentateuch over the last half century. Scholars entering the field are understandably intimidated when faced with the mass of scholarship in the area, much of it done in unfamiliar languages. Some solve the problem by producing 'synchronic' studies that explicitly bracket out questions of formation. Some have achieved a semblance of consensus within certain schools of scholars that share a common academic genealogy. This essay aims to move beyond common dichotomies of "European" versus "Documentary" scholarship (or the like) to provide a more nuanced account of the breakdown of the past consensus on four sources and the emergence of new trends and fault lines.

The story given here is obviously told from a particular perspective. Yet it is not a story of past mistakes leading up to a grand solution by me or a group with which I might be associated. I myself have never been a part of a particular school of thought on the Pentateuch. Though I have learned immense amounts from Erhard Blum in years of dialogue and friendship with him (starting with a sabbatical in Heidelberg in 1993–1994 hosted by him, Bernd Janowski, and Rolf Rendtorff), I did not study with him and am not his "student" (at least not in the English form of that word). Moreover, even as I have learned an immense

amount from him, I disagree with him on some major points (especially the Pentateuch's Priestly and post-Priestly layers). Overall, I have tended towards a source-critical approach to the P and D sources combined with a non-source approach to the prehistory of non-P Tetrateuchal material.

The initial draft of this essay was completed just as the Neo-Documentarian approach was emerging. I had spent much of my career up to that point trying to build bridges between North American and European scholarship on the Pentateuch. My American colleagues, though generally educated about sourcecritical theories, were not as familiar with the detailed arguments (weak or strong, though they might be) behind such theories. Moreover, they seemed unaware of the diverse set of fundamental questions regarding parts of the sourcecritical model being raised by their European colleagues. The main exposure of my American colleagues to this line of questioning was the translation in 1990 of Rolf Rendtorff's slender 1977 volume that preliminarily questioned the whole documentary model. Given my career-long investment in helping a new generation of North American scholars become full partners in emergent developments in Pentateuchal scholarship, I was dismayed in 2008-2009 to find Neo-Documentarian colleagues developing a narrative rationale for their approach focusing overly much on Rendtorff's preliminary and somewhat problematic formulation of questions about the source-critical approach. This essay was designed to address this problem (and still is). I now judge this it to have been the more appropriate forum to do so than the review that I wrote for *RBL* (2010) of Joel Baden's dissertation, a review whose substance I remain in basic concert with, but whose tone I much regret. As a result of the controversy surrounding that review, since then I have avoided reviewing other works by members of the Neo-Documentarian school. My representation of that school and others in this essay attempts to be as accurate as possible, even as I recognize that my different perspective necessarily means that my formulations may not, despite my best efforts, be fully satisfactory to advocates of that position.

Because I hope that this essay will serve an ongoing role in educating colleagues about scholarship on Pentateuchal formation, I have updated its final sections to reflect developments in such scholarship. Of course, it is impossible to be comprehensive in such an update, and more recent trends can be difficult to identify. Nevertheless, I hope this updated version of the essay can serve as a resource to guide others' direct exploration of areas and studies that I all-too-briefly touch on.

1. Introduction 7

1. Introduction¹

SELECT BIBLIOGRAPHY OF OVERALL STUDIES: C. Houtman, Der Pentateuch: die Geschichte seiner Erforschung neben einer Auswertung, CBET 9, Kampen: Kok Pharos, 1994; O. Kaiser, "Pentateuch und Deuteronomistisches Geschichtswerk," in idem, Studien zur Literaturgeschichte des Alten Testaments, FB 90, Würzburg: Echter Verlag, 2000, 70-133; E. Nicholson, The Pentateuch in the Twentieth Century: The Legacy of Julius Wellhausen, Oxford: Clarendon, 1998; C. Nihan and T. Römer, "Le débat actuel sur la formation du Pentateuque," in T. Römer, et al. (eds.), Introduction à l'Ancien Testament, Geneva: Labor et Fides, 2004, 85–113; A. de Pury and T. Römer, "Le Pentateuque en question: position du problème et brève histoire de la recherche," in A. de Pury and T. Römer (eds.), Le Pentateuque en Question, Geneva: Labor et Fides, 1989, 9-80; T. Römer, "Le pentateuque toujours en question: bilan et perspectives après un quart de siècle de débat," in A. Lemaire (ed.), Congress Volume: Basel 2001, VTSup 92, Leiden: Brill, 2002, 343-74; L. Schmidt, "Zur Entstehung des Pentateuch: Ein kritischer Literaturbericht," VF 40 (1995): 3–28; J. L. Ska, *Introduction a la lecture du Pentateuque*, Fréderic Vermorel (trans.), Brussels, Editions Lessius, 2000, 182-234 (ET Introduction to Reading the Pentateuch, P. Dominique [trans.], Winona Lake, IN: Eisenbrauns, 2006, 127-64); K. L. Sparks, The Pentateuch: An Annotated Bibliography, Grand Rapids: Baker Books, 2002

Up through the first three-quarters of the twentieth century, historical scholars of the Pentateuch could rely on a consensus about the broad contours of the development of the Pentateuch that originated within Protestant European

¹ I benefited in writing this essay from a discussion of a draft of this paper with nearby colleagues and Ph.D. students at NYU on Nov. 30, 2009 and from prior email correspondence with several scholars involved in pentateuchal research over the last forty years, including John Van Seters, Erhard Blum, Konrad Schmid (who also consulted with his father, Hans Heinrich Schmid), Thomas Romer, Rolf Rendtorff, Israel Knohl, Baruch Schwartz, and Joel Baden and a phone interview with Albert de Pury. My deep thanks go to these colleagues for their help in clarifying and correcting numerous details of the following narrative and for help in improving this essay overall. Where a specific email was important for portions of a given paragraph, I have referred to it by date. I bear full responsibility, of course, for any errors in reporting on these communications and/or overall synthesis. I also acknowledge that, especially in giving history of such recent scholarly debate of which one is a part, it is impossible to achieve perfect balance and the following represents a specific take on a lively discussion still underway. Nevertheless, the aim here was to provide enough indicators of points of debate, names of participants, and initial bibliography for readers to explore further and form their own opinions. I benefited in writing this essay from email correspondence with several scholars involved in pentateuchal research over the last forty years, including John Van Seters, Erhard Blum, Konrad Schmid (who also consulted with his father, Hans Heinrich Schmid), Thomas Römer, Rolf Rendtorff, Israel Knohl, Baruch Schwartz, and Joel Baden and a phone interview with Albert de Pury. My deep thanks go to these colleagues for their help in clarifying and correcting numerous details of the following narrative and for help in improving this essay overall. Where a specific email was important for portions of a given paragraph, I have referred to it by date. I bear full responsibility, of course, for any errors in reporting on these communications and/or overall synthesis. I also acknowledge that, especially in giving history of such recent scholarly debate of which one is a part, it is impossible to achieve perfect balance and the following represents a specific take on a lively discussion still underway. Nevertheless, the aim here was to provide enough indicators of points of debate, names of participants, and initial bibliography for readers to explore further and form their own opinions.

scholarship of the nineteenth century. With some important exceptions (to be noted below), most agreed that the first written sources of the Pentateuch were a tenth century Judean "Yahwistic" document featuring a Yahwistic decalogue (Exod 34:10-28) on the one hand (J), and a somewhat later (probable early eighth century?) Northern "Elohistic" document featuring an early "covenant code" (Exod 20:22-23:19) on the other (E). These early sources, it was held, were united into a yet later "Yehovist" in the South, perhaps around the time that the Northern kingdom was destroyed (late eighth century). Sometime in the eighth or early seventh century an early form of the book of Deuteronomy was composed, was revised and served as the basis of Josiah's reform, and was eventually united with the Yehovistic composition to form a new whole: JED. Finally, during the exile or post-exile the Priestly document was written separately from these early compositions (built partly around yet another legal code, an exilic "Holiness Code" [H] found largely in Leviticus 17–26) before this Priestly Document too was integrated into the present Pentateuch (JEDP). This basic four source theory for the formation of the Pentateuch could be presupposed as given by most scholars writing on pentateuchal topics for over a hundred years. It held sway over virtually all academic biblical scholarship, particularly in Euro-American contexts more or less linked to Protestant Christianity, from the rise of the Wellhausenian synthesis in the late nineteen hundreds to the later decades of the twentieth century.

This essay traces the collapse of consensus on this model and the emergence of a debate surrounding virtually every aspect in it over the last four decades. This debate no longer is confined to questions of the date of "J" or the existence of "E." It also involves fundamental questions about the scope of "P" and whether there ever was a pre-Priestly document that included materials now found in Genesis and Exodus, Numbers. Many now think that the "H"/Holiness code material is not a building block for P, but part of a broader expansion of Priestly (and possibly non-Priestly) materials. And this is just a sampling of some of the most important questions raised about the basic documentary model that provided the basis for over a century of scholarship on the Pentateuch.

Debate surrounding such questions can easily lead to despair about the possibility of progress, but some trends have emerged in the range of studies offering alternatives to the four source approach to the Pentateuch. After tracing the origins and contours of recent debates about the formation of the Pentateuch, this essay will conclude with an overview of those general trends along with an outline of the chief lines of debate between those advocating a return to the four document approach and those advocating alternatives to that approach.

2. Anticipations of the Later Crisis

Sources: A. Bentzen, Introduction to the Old Testament, Copenhagen, G.E.C. Gad, 1948-1949; U. Cassuto, The Documentary Hypothesis and the Composition of the Pentateuch: Eight Lectures, Jerusalem: Magnes Press, 1961; B. Eerdmans, Die Komposition der Genesis, vol. 1 of Alttestamentliche Studien, Giessen: A. Töpelmann, 1908; K. Galling, Die Erwählungstraditionen Israels, BZAW 48, Giessen: A. Töpelmann, 1928; K. H. Graf, "Die sogenannte Grundschrift des Pentateuchs," in Archiv für die wissenschaftliche Erforschung des Alten Testaments 1 (1869): 466-77; J. Hempel, Die althebräische Literatur und ihr hellenistisch-jüdisches Nachleben, HWL, Wildpark Potsdam, Akademische Verlagsgesellschaft Athenaion, 1930; J. Hoftijzer, Die Verheissungen an die drei Erzväter, Leiden: Brill, 1956; B. Jacob, Das erste Buch der Tora: Genesis, Berlin: Schocken Verlag, 1934 (ET: The First Book of the Bible: Genesis, W. Jacob [trans.], New York: KTAV, 1974); B. Jacob, Das zweite Buch der Tora: Exodus, Berlin: Schocken Verlag, 1945 (ET: The Second Book of the Bible: Exodus, Y. Elman [trans.], Hoboken, NJ: KTAV, 1992); A. Jepsen, "Zur Überlieferungsgeschichte der Vätergestalten," in Wissenschaftliche Zeitschrift der Karl-Marx Universität Leipzig, Gesellschafts- und sprachwissenschaftliche Reihe, 3 (1953-4): 265-81; Y. Kaufmann, The Religion of Israel, from Its Beginnings to the Babylonian Exile (translated and abridged by M. Greenberg), Chicago: University of Chicago Press, 1960; S. Mowinckel, Erwägungen zur Pentateuch Quellenfrage, Oslo: Universitetsforlaget, 1964; B. D. Napier, Song of the Vineyard: A Theological Introduction to the Old Testament, New York: Harper, 1962; R. H. Pfeiffer, Introduction to the Old Testament, New York: Harper, 1941; J. F. Pustkuchen, Historisch-kritische Untersuchung der biblischen Urgeschichte: Nebst Untersuchungen über Alter, Verfasser und Einheit der übrigen Theile des Pentateuch, Halle: Karl Grunert, 1823; W. Rudolph, Der "Elohist" von Exodus bis Josua, BZAW 68, Berlin: A. Töpelmann, 1938; S. Sandmel, "Haggada within Scripture," JBL 80 (1961): 105-22; W. Staerk, Studien zur Religions- und Sprachgeschichte des alten Testaments, Berlin: Reimer, 1899; P. Volz and W. Rudolph, Der Elohist als Erzähler ein Irrweg der Pentateuchkritik? An der Genesis erläutert, BZAW 63, Giessen: A. Töpelmann, 1933; C. Westermann, "Arten der Erzählung in der Genesis," in Forschung am Alten Testament. Ges. Studien, Munich: Kaiser, 1964, 9-91; R. N. Whybray, "The Joseph story and Pentateuchal Criticism," VT 18 (1968): 522-28; F. Winnett, The Mosaic Tradition, Near and Middle East Series, Toronto: University of Toronto Press, 1949; idem, "Re-examining the Foundations," JBL, 84 (1965):1-19.

2.1 Older Questions about the Four Document Approach

There have always been questions about the Newer Documentary Hypothesis, as there have been about the possibility and utility of studying the formation of the Pentateuch at all. Early on, the most substantial critiques came from Jewish scholars such as Jacob, Cassuto, and Kaufman, with Jacob and Cassuto questioning the very differentiation of sources and Kaufman arguing against the late dating of priestly material that was so central to the Wellhausian synthesis. Across the twentieth century isolated scholars raised questions about specific parts of the hypothesis, questions that did not end up being shared by most

of their contemporaries. In 1933 Paul Volz and Wilhelm Rudolph published an extensive critique of the idea that there was an "Elohistic" document in Genesis, followed in 1938 by Rudolph's critique of the same hypothesis for the rest of the Hexateuch. Generally, however, aside from a few publications that advanced a non-source approach to the growth of the non-Priestly Joseph story (e. g. Jepsen in 1953; Sandmel 1961; Mowinckel 1964 and Whybray 1968), most major academic studies up through the nineteen seventies held on to the Elohistic portion of the Newer Documentary hypothesis. Similarly starting with Eerdmans's alternative analysis of P in 1908 and continuing with proposals by Volz (1933) and Pfeiffer (1941), several scholars raised doubts about whether P ever existed as a separate source, but none of their proposals found immediate followers.

Meanwhile, a number of proposals anticipated the later trend toward seeing the origins of the Pentateuch in separate, non-parallel compositions focusing on different parts of the story. Hempel in 1930, Pfeiffer in 1941, Bentzen in 1949, and Napier in 1955 separately raised questions about whether the non-Priestly primeval history was an original part of the hypothesized "J" document, while most of their colleagues still took the non-P primeval history as a reliable source for the "theology" of the J document. Similarly, in 1928 Galling noted the remarkable independence of the ancestral and exodus traditions, but saw them as separated primarily on a preliterary level. In addition, some studies raised early questions about the dating of the theme of the promises to the patriarchs and the extent to which that theme – so important in linking different pentateuchal traditions with each other - was deeply rooted in the stories where it appeared. Already in 1899 Staerk had noted that datable references to Abraham and the covenantal promise of the land to the patriarchs begin with the prophet Ezekiel (though that prophet's audience seems to know it as an established tradition). Moreover, Hoftijzer argued in a monograph in 1956 that the theme of the promise was secondarily added to many of the ancestral narratives of Genesis. Nevertheless, it would be decades before this sort of insight would lead a broader range of scholars to see the promise texts and other pentateuchal cross-references to be among the later connecting layers of the Pentateuch.

Thus we see precursors to later critiques of the documentary hypothesis in a variety of loci in the previous century, but none crystallized into a broader scholarly movement. Instead, North American scholars, particularly those educated at Johns Hopkins or Harvard in the Albrightian tradition broadly construed, ad-

² Eerdmans's proposal was distinguished from most others later on in working with a "P" that was more limited in textual scope than typical definitions. The idea that P was an expansion of earlier materials rather than a separate source was raised already in 1869 by Karl Heinrich Graf ("Die sogenannte Grundschrift des Pentateuchs," *Archiv für die wissenschaftliche Erforschung des Alten Testaments* 1 [1869]: 466–77) and revived by other authors in the late nineteenth and early twentieth centuries. The above, however, covers more recent deviations from the documentary consensus.

Index of Select Topics and Texts

Author and Authorship (concepts of) 329–346	Intertextuality 173–198
(1–2) Chronicles 98–101 (scribal) coordination 91–94, 252–254, 269–270	J/Jahwist (dating, existence) 10–20, 23–29, 250 Jahwistic decalogue (<i>see</i> Exodus, 34:11–26)
D. A	Joshua 24 263
Deuteronomy - (and the development of the Moses story) 256–261 - Deut 6:6–9 (and related texts) 211–222	Linguistic dating (of biblical texts) 90–91, 147
Diachronic 49–51	(biblical) Moses story 245-271
Documented cases of growth 101–104	(biblical) Woses story 243-271
Documented cases of growth 101 101	Orality 189, 202–205
Elohist/E 11-16, 23-31, 45, 248-249	
Empirical biblical study – <i>see</i> Documented cases of growth Ezra-Nehemiah 98–101 Exodus	P (as source) - 9-12, 26-28, 34-35, 56-64, 237-242 - (extent of P source) 36-37 - (hexateuchal scope) 263
- 34:11-26 40-41, 128-151	Partial preservation of earlier traditions
See also "Moses story"	101-104
Genesis Non-Priestly primeval history 351–358 1:1–2:3 359–361 2:4b–3:24 352–354 4:1–24 356, 364 6:1–4 109–123 6:5–9:17 (flood narrative) 52–71, (Non-Priestly flood narrative) 73–86, 357–358, (Priestly flood narrative) 361–364 37:2–50:26 (Joseph story) 223–243 (Scribal) Harmonization (see [scribal]	Post-Priestly dating 39–44 - (of Gen 2:4b–3:24) 186–187 - (of Gen 6:1–4) 118–122 - (of Exod 34:11–26) 128–151, (of links between ancestors and Moses) 261–262 - (of Joshua 24) 44, 97–98 Priestification 95–98 Proto-Samaritan Texts (of the Pentateuch) 136–137 Proverbs - 3:1–3; 6:20–22; 7:1–3 205–211, 220–222
coordination) Holiness School Materials/H 36–38	(use of) Rabbinic interpretation 104–107 (4Q) Reworked Pentateuch (4Q364, 4Q365) 138–140,
Intertextual dependence	
((1 1 () 1 () : 1: (: (C ' D ' 1 127 120

Samaritan Pentateuch 137–138 Scribal supplementation 71–73, 89–94

 (method for) determining direction of dependance 128–151, 161–172 Scroll media (and textual transmission) 242–243, 264–268, 273–325

(Portable) Sitz im Leben 331-337

 tendency toward adding to the ends of scrolls 264–265, 316 Temple scroll (11Q19) 140-144