

The Formation of the Pentateuch

Bridging the Academic Cultures of
Europe, Israel, and North America

Edited by

Jan C. Gertz, Bernard M. Levinson,
Dalit Rom-Shiloni, and Konrad Schmid

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How to Date Pentateuchal Texts

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Thomas Römer

What Facts Do We Have?

If you asked the date of the Hebrew Bible in its present Masoretic form, the answer would be quite simple. The Hebrew Bible as we have it was edited in the Middle Ages – the St. Petersburg Codex in the eleventh century, the mutilated Aleppo Codex somewhat earlier, and the *textus receptus* some centuries later. This does not answer the question, of course, but shows us that we start with a very late form of the Biblical text when we work with the BHS or BHQ.

Thanks to the discovery of the Qumran fragments, we have factual evidence for the existence of almost all biblical books in or around the second or first century BCE, although most of them are attested only in a very fragmentary form. The divergences among manuscripts of the same book – for instance, Jeremiah or Isaiah – also make it clear that these books could not have been written for the first time in this period and must be older. But how much older? One can try, for the Torah/Pentateuch, to go one step backward and refer to the Greek translation. According to the Letter of Aristeas, written about 150–100 BCE, the Greek translation of the Torah took place under Ptolemy II in Alexandria in the third century BCE. Although the story is legendary, it is quite plausible that there were Greek translations of the Pentateuch beginning in the third century. This is confirmed in the work of Demetrius the Chronographer (221–204), who comments on difficult texts of the Torah by apparently using a Greek translation. Aristobulos of Paneas (around 160 BCE) also attests the idea that the Pentateuch was translated in Greek under Ptolemy Philadelphus (fragment 3).¹ In contrast, the fragments of Hecataeus of Abdera's *Aegyptiaca* (commonly dated around 320 BCE) show that the author knew traditions about Moses – for example, that he led the Hebrews out of Egypt and into the land, built Jerusalem, and issued laws – some of which are quite different from what can be found in the Pentateuch.²

¹ For an English translation, see C. R. HOLLADAY (ed.), *Aristobulus*, vol. 3 of *Fragments from Hellenistic Jewish Authors* (Atlanta: Scholars Press, 1995).

² For more details, see C. ZAMAGNI, “La tradition sur Moïse d’Hécatee d’Abdère d’après Diodore et Photius,” in *Interprétations de Moïse: Égypte, Judée, Grèce et Rome*

It appears reasonable, therefore, to date the beginning of the Greek translation of the Torah, which took place over several decades, around 270 BCE.³ This presupposes an authoritative Hebrew Pentateuch at least at the end of the fourth century. After this date, we are on quite secure ground. Before this date, however, things become more complicated.

A Short Overview of the History of Research

The traditional way to date the Torah was to start with the *terminus a quo* and, since the last event narrated is the death of Moses, the rabbi, who claimed that Moses was the author of the Torah, admitted that it was completed by Joshua, who added the last verses of the Pentateuch. Of course, they were not interested in a precise historical date of the Torah. Their aim was to affirm the Mosaic authority of the Law, but they also admitted some diachronic or logical considerations. One may also mention the “postmosaica” identified by Abraham Ibn Ezra (1089–1164), who pointed discretely to verses in the Pentateuch that presuppose a time much later than the time of Moses. In the seventeenth century, Spinoza also used the *terminus a quo* argument, although in a different way. He pointed out the existence of an Enneateuch by arguing that the books from Genesis to Kings “were written by a single historian, who wished to relate the antiquities of the Jews from their first beginning down to the first destruction of the city.”⁴ Thus, the Pentateuch cannot have been written before the destruction of Jerusalem and the Babylonian exile, and the best candidate for the redaction of these books Spinoza can think of is Ezra.

Spinoza’s emphasis on a single historian responsible for the Enneateuch was given up when stylistic and theological differences or contradictions in the literature came to the forefront. When de Wette wrote his *Dissertatio Critica* on the book of Deuteronomy in 1805, he was mainly interested in demonstrating how the book of Deuteronomy is different from the books of Genesis to Numbers.⁵ Since Lev 26 constitutes a clear conclusion to the Mosaic Law, and since Deut 28

(ed. P. Borgeaud et al.; Jerusalem Studies in Religion and Culture 10; Leiden: Brill, 2010), 133–169.

³ See E. TOV, *Textual Criticism of the Hebrew Bible* (3rd ed.; Minneapolis: Fortress, 2012), 131; M. TILLY, *Einführung in die Septuaginta* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2005), 26–37; T. H. LIM, *The Formation of the Jewish Canon* (AYBRL; New Haven, CT: Yale University Press, 2013), 74–88.

⁴ B. DE SPINOZA, *A Theologico-Political Treatise and a Political Treatise* (trans. R. H. M. Elwes; New York: Dover Publications, 1951; repr., 2004), 128.

⁵ W. M. L. DE WETTE, *Opuscula theologica* (Berlin: G. Reimer, 1830), 149–168. The Latin original has been translated into German and is easily accessible in H.-P. MATHYS, “Wilhelm Martin Leberecht de Wettes *Dissertatio critico-exegetica* von 1805,” in *Biblische Theologie und historisches Denken, Wissenschaftsgeschichtliche Studien: Aus Anlass der 50. Wiederkehr*

repeats this chapter in a different style, de Wette draws the conclusion that Deuteronomy stems from a different author. The fact that Deuteronomy also contains parallels to the laws and narratives of the preceding books shows that its author was familiar with those traditions and that his work must therefore date from a later period. De Wette further observes that the main focus of the Deuteronomic law lies on the idea of a centralization of the cult, which, according to him, can refer only to the Jerusalem temple. He therefore suggests in a lengthy footnote that (the first edition of) Deuteronomy is the book of Josiah's reform. Though the identification of Deuteronomy with Josiah's law book was nothing new, the possibility that Deuteronomy could stem from the time of Josiah was, and it would allow a precise date for the book of Deuteronomy. With this claim, de Wette provided (as O. Eissfeldt put it) "Pentateuchal criticism with a 'point of Archimedes' to which it could attach itself in order to deliver it from the bonds of church and synagogue tradition, and put in its place an alternative dating of the Pentateuch."⁶ In his *Beiträge zur Einleitung in das Alte Testament*, de Wette demonstrates that the narrative of 2 Kgs 22 itself proves that the book was formerly unknown and probably hidden in the temple by the priest Hilkiah,⁷ thus supporting the idea of a seventh-century BCE origin of the first edition of Deuteronomy. The seventh-century date of Deuteronomy then allowed dating the older sources in the books of Genesis to Numbers (J/E) between the tenth and eighth centuries. Since the 1830s, several scholars (Vatke, Popper, Reuss, et al.) observed that the Priestly law or parts of it was later than Deuteronomy and the older sources and unknown by the preexilic prophets.⁸ Graf built on these observations by claiming that the Priestly laws had been inserted into the Hexateuch only in the Persian period.⁹

De Wette thus provided the foundation for the late date of the P source on which the elaboration of the Documentary Hypothesis by Kuenen and Wellhau-

der Basler Promotion von Rudolf Smend (ed. M. Kessler and M. Walraff; Studien zur Geschichte der Wissenschaften in Basel, Neue Folge 5; Basel: Schwabe, 2008), 171–211.

⁶ O. EISSFELDT, *The Old Testament: An Introduction* (Oxford: Basil Blackwell, 1965), 171.

⁷ W. M. L. DE WETTE, *Beiträge zur Einleitung in das Alte Testament* (2 vols.; Halle: Schimmelpennig und Compagnie, 1806), 1:170. But here he remains cautious: "Doch bin ich weit davon entfernt, diese Vermuthung zur Gewißheit erheben zu wollen. [. . .] Woher das Buch gekommen sey, darüber zieht die Geschichte ihren Vorhang und es würde vermessen seyn, ihn wegziehen zu wollen." His doctoral dissertation, recently edited anew, puts it more assertively; see MATHYS, "Wilhelm Martin Leberecht de Wette" (see n. 5).

⁸ For details, see T. RÖMER, "'Higher Criticism': The Historical and Literary-Critical Approach – with Special Reference to the Pentateuch," in *Hebrew Bible/Old Testament, The History of Its Interpretation* (ed. M. Sæbø; Göttingen: Vandenhoeck & Ruprecht, 2013), 3.1:393–423.

⁹ K. H. GRAF, "Die sogenannte Grundschrift des Pentateuch," *Archiv für die wissenschaftliche Erforschung des Alten Testaments* 1 (1869), 466–477.

sen was built.¹⁰ (Note, however, that the Kaufmann school did and still does not accept the late date of P.¹¹) In the context of the Documentary Hypothesis, dating the Pentateuch thus became an easy – and circular – task. Once a passage was attributed to J, E, D, or P, its date was secured by the global theory underlying the sources of the Documentary Hypothesis. But the Wellhausenian framing of the Documentary Hypothesis came under increased criticism beginning in the 1970s, and it is no longer possible to take it for granted, at least in Europe.¹² So the question of dating becomes crucial again. It is indeed fascinating to see how a passage like Gen 12:1–4a, used by G. von Rad and H. W. Wolff as the summary of the kerygma of a Yahwist dated to the reign of Solomon,¹³ can now be dated to the Persian period, as it is, for instance, in a fine article by J. L. Ska, who considers the passage to be postexilic, as it mixes Dtr and Priestly style and themes in order to integrate the Abraham traditions into the Pentateuch.¹⁴ The “democratization” of royal ideology and its application to Abraham (see the parallels in 2 Sam 7:9 and Ps 72:17), who is in several regards constructed as a predecessor not only of Moses but also of David, is possible only after the end of the Judean monarchy.¹⁵ I find myself sympathetic to this option, but I also recognize that our dating of pentateuchal texts is intimately linked to a global view about the formation of the Torah. So, before I address some possibilities for dating those texts, I would like to briefly address some ideological questions.

¹⁰ J. WELLHAUSEN, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments* (1899) (Berlin: de Gruyter, 1963); A. KUENEN, *A Historical-Critical Inquiry into the Origin and Composition of the Hexateuch* (London: Macmillan, 1886).

¹¹ Y. KAUFMANN, *The Religion of Israel: From Its Beginnings to the Babylonian Exile* (Chicago: University of Chicago Press, 1960). Among his most famous disciples, see especially J. MILGROM, “The Antiquity of the Priestly Source: A Reply to Joseph Blenkinsopp,” *ZAW* 111 (1999), 10–22, and A. HURVITZ, “Once Again: The Linguistic Profile of the Priestly Material in the Pentateuch and Its Historical Age: A Response to J. Blenkinsopp,” *ZAW* 112 (2000), 180–191. For a critical reassessment, see S. MEYER, “Dating the Priestly Text in the Pre-Exilic Period: Some Remarks about Anachronistic Slips and Other Obstacles,” *Verbum et Ecclesia* 31 (2010), 6, <http://www.ve.org.za/index.php/VE/article/view/423/475> (accessed 02/03/2015).

¹² For an overview of developments in European pentateuchal research, see T. B. DOZEMAN and K. SCHMID (eds.), *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation* (SBL Symposium Series 34; Atlanta: Society of Biblical Literature, 2006), and T. RÖMER, “Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung,” *ZAW* 125 (2013), 2–24.

¹³ G. VON RAD, *The Problem of the Hexateuch and Other Essays* (trans. E. A. Trueman; London: SCM, 1984; German orig., 1938), 1–78, esp. 71–73; H. W. WOLFF, “The Kerygma of the Yahwist,” in *The Vitality of Old Testament Tradition* (ed. W. Brueggemann and H. W. Wolff; Atlanta: John Knox, 1975; German orig., 1964), 41–82, 56.

¹⁴ J. L. SKA, *The Exegesis of the Pentateuch* (FAT 66; Tübingen: Mohr Siebeck, 2009; French orig., 1997), 46–66.

¹⁵ M. KÖCKERT, *Vätergott und Väterverheißungen: Eine Auseinandersetzung mit Albrecht Alt und seinen Erben* (FRLANT 142; Göttingen: Vandenhoeck & Ruprecht, 1988), 276–299.

Why Do We Need to Date the Pentateuch?

Contrary to the books of Kings, where many foreign rulers are named and historical details (coinciding with extrabiblical documents or not) are given, the Pentateuch seems not to be very keen on delivering such historiographical details. The pharaoh of the exodus, often claimed to be Ramses II, bears no name in the exodus story; the same holds true for the Egyptian king in the Abraham and Joseph stories. And if the foreign monarch bears a name like Abimelek, he cannot easily be identified with a historical Philistine ruler, although perhaps there is a link between Abimelek and Abdi-Milki, who is mentioned in an inscription of Esarhaddon from 673/672 as king of Ashdod. An identification of Abimelek with this king would give a *terminus a quo* in the seventh century for Gen 20 and 26.¹⁶ Most pentateuchal narratives seem to construct types or figures through which they want to describe YHWH's intervention in favor of his people. In Exod 1–15, Pharaoh represents Egypt, its gods, and its power, which will be defeated by the God of Israel.¹⁷ The interest in the historicity of the pentateuchal narratives and their date arose with the beginning of historical-critical scholarship of the Hebrew Bible, when historicity became a criterion for the truth of the Bible and when scholars believed that the older a text was, the more credible and valuable. Even today, many biblical scholars come from a religious background and have conscious or subconscious, hidden or open, theological agendas that may depend on certain views about the age of pentateuchal texts or traditions. We should be aware of these when we ask ourselves why it is so important to have “old” pentateuchal texts that come as close as possible to supposedly historical events.

Of course, the question of the date of a text belongs to critical scholarship and should not be neglected because it helps to understand the formation of the Bible in its historical contexts. But we should not transform the question of dating into a question of faith.

Linguistic Evidence?

Can the question of the date of pentateuchal or other biblical texts be resolved by the distinction between Classical Biblical Hebrew and Late Biblical Hebrew,

¹⁶ I. FINKELSTEIN and T. RÖMER, “Comments on the Historical Background of the Abraham Narrative: Between ‘Realia’ and ‘Exegetica,’” *HBAI* 3, no. 1 (2014), 3–23, here 13.

¹⁷ There are, of course, some learned historical comments, as for instance in Num 13:22: “Hebron had been built seven years before Tanis in Egypt.” As B. A. LEVINE, *Numbers 1–20* (AB 4; New York: Doubleday 1993), 354, points out, this information should not be taken in a historical sense: “This statement merely reflects the image of Tanis held in the first millennium B.C.E., when it was thought that this town in the northern delta had served as a capital city during the Ramesside period.”

which would give some allegedly objective criteria for the dating of biblical texts? It is not astonishing that this method has found a significant number of supporters, especially in North America and in Israel; I will not go into details here, as other papers will deal more extensively with this question.¹⁸ I would only like to raise some cautions about use of this tool. First of all, we must ask ourselves, with E. Ullendorf and E. A. Knauf, whether Biblical Hebrew was a spoken language.¹⁹ The evidence for so-called Classical Hebrew²⁰ outside the Bible is limited to a few inscriptions and personal names that do not allow us to claim a unified Classical Hebrew in the monarchic period. We must admit dialectical differences in the spoken and written extrabiblical texts and, more important, differences between literary and spoken forms. Second, there is no doubt that some late books like Qoheleth differ from so-called Classical Biblical Hebrew, but texts that may well be as late as Qoheleth – like Zech 1–8 and the extracanonical Ps 151 – are written in perfect Classical Biblical Hebrew.²¹

Finally, it is also very difficult, if not impossible, to fix a clear line of demarcation between “Classical” and “Late” Biblical Hebrew. As C. Edenburg has recently observed, undisputed late (Persian period) texts share a preference for object suffixes directly affixed to verbs with Hebrew/Moabite inscriptions from the Iron Age.²² That means that we cannot claim a straightforward evolution.²³ “Biblical Hebrew” is above all a literary language that outlived its spoken life (if it had any) and persisted in the scribal milieu. The distinction between Classical

¹⁸ See now on this topic also the very important comments of C. EDENBURG, *Dismembering the Whole: Composition and Purpose of Judges 19–21* (AIL: Atlanta: Society of Biblical Literature, 2016), 115–123.

¹⁹ E. ULLENDORF, *Is Biblical Hebrew a Language? Studies in Semitic Languages and Civilizations* (Wiesbaden: Harrassowitz, 1977), 3–17; E. A. KNAUF, “War Biblisch-Hebräisch eine Sprache? Empirische Gesichtspunkte zur linguistischen Annäherung an die Sprache der althebräischen Literatur (1990),” in *Data and Debates: Essays in the History and Culture of Israel and Its Neighbors in Antiquity* (ed. K. Schmid et al.; AOAT 407; Münster: Ugarit-Verlag, 2013), 411–423, esp. 421: “Biblisch-Hebräisch war keine Sprache, die jemals von jemandem gesprochen worden wäre.”

²⁰ KNAUF, “War Biblisch-Hebräisch eine Sprache?” (see n. 19), even challenges the plausibility of such a concept.

²¹ I. YOUNG, “What Is ‘Late Biblical Hebrew’?,” in *A Palimpsest: Rhetoric, Ideology, Stylistics, and Language Relating to Persian Israel* (ed. E. Ben Zvi et al.; PHSC 5; Piscataway: Gorgias Press, 2009), 253–268, here 258–259.

²² EDENBURG, *Dismembering* (see n. 18), 120–121.

²³ See I. YOUNG, “What Do We Actually Know about Ancient Hebrew,” *Australian Journal of Jewish Studies* 27 (2013), 11–31, who challenges the so-called Three Stages Theory (Classical Hebrew, Late Biblical Hebrew, Mishnaic Hebrew). See also the different appreciation of the narrative parts of the book of Job by A. HURVITZ, “The Date of the Prose Tale of Job Linguistically Reconsidered,” *HTR* 67 (1974), 17–34, and I. YOUNG, “Is the Prose Tale of Job in Late Biblical Hebrew?,” *VT* 59 (2009), 606–629.

and Late Biblical Hebrew, especially when applied to a whole book, does not deal with the widely acknowledged fact that the text is the product of a long process of redaction and revision. Thus it appears that scribes can preserve or even partially invent a language that has not been spoken for many centuries. One should therefore be cautious about claiming that the whole Pentateuch was written before the exile because it is mostly written in Classical Biblical Hebrew.²⁴

So, what other possibilities do we have for dating pentateuchal texts? I will start with what I consider to be weaker methods and continue with some more trustworthy ones.

Allegorical Dating

This method is quite commonly used, even though it is never labeled this way. The promise to Abraham in Gen 12:1–4a, mentioned above, was dated by von Rad to the Solomonic period because, so went his argument, the promise of a great nation was fulfilled under his reign. But this argument works only with the assumption that J was written under Solomon. More recently, T. Veijola and K. Schmid have dated (probably rightly) the story of the Akedah in Gen 22 to the early Persian period, arguing that the divine order according to which Abraham should sacrifice his son should be read as reflecting the fear of the early Persian community in Judea about whether there would be any future (descendant) for Israel.²⁵ Again this aspect is not obvious, albeit not excluded. Genesis 22 is first and foremost a divine testing of the patriarch, who passes the exam. The theological interpretation of this text should not, in my view, be used to date it.

Another interesting case is the golden-calf episode in Exod 32 (// Deut 9), where allegorical dating is combined with intertextual arguments. Exodus 32:4 and 1 Kgs 12:28 are clearly related to one another; the question is how to use this parallel for dating the Exodus (or the Kings) account.²⁶

²⁴ M. EHRENSVÄRD, "Once Again: The Problem of Dating Biblical Hebrew," *SJOT* 11 (1997), 29–40.

²⁵ T. VEIJOLA, "Das Opfer des Abraham – Paradigma des Glaubens aus dem nachexilischen Zeitalter," *ZTK* 85 (1988), 129–164; K. SCHMID, "Die Rückgabe der Verheißungsgabe: Der 'heilsgeschichtliche' Sinn von Gen 22 im Horizont innerbiblischer Exegese," in *Gott und Mensch im Dialog: Festschrift für Otto Kaiser zum 80. Geburtstag* (ed. M. Witte; Berlin: de Gruyter, 2004), 271–300.

²⁶ For a history of research until 2000, see K. SCHMID, "Israel am Sinai: Etappen der Forschungsgeschichte zu Ex 32–34 in seinen Kontexten," in *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Dtn 9–10* (ed. M. Köckert and E. Blum; Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie 18; Gütersloh: Kaiser, 2001), 9–39.

Exodus 32:4

אֵלֶּה אֱלֹהֵיֶיךָ יִשְׂרָאֵל אֲשֶׁר הֶעֱלִיד מִאֲרָץ מִצְרַיִם

1 Kings 12:28

הִנֵּה אֱלֹהֵיֶיךָ יִשְׂרָאֵל אֲשֶׁר הֶעֱלִיד מִאֲרָץ מִצְרַיִם

Was Exod 32 (in its original form) written during the existence of the Northern Kingdom in order to criticize the northern sanctuaries of Bethel and Dan?²⁷ Does Exod 32 presuppose the fall of the Northern Kingdom and the reform of Josiah (see the parallels between Moses's destruction of the calf in Exod 32 and Josiah's reform in 2 Kgs 23)?²⁸ Or is Exod 32 an allegory for the fall of Judah?²⁹ Taken alone, allegorical historical settings of pentateuchal narratives are too speculative to convince a majority of scholars. This approach can be used only as a supplement to other arguments.

Arguments from Silence

This method, which is also used in other fields of classical studies, is based on the assumption that a tradition must be new if it is not mentioned in older texts. H. Vorländer's work about the formation of the "Yehowistic history" was based mainly on the argument that J/E needs to be dated to the exilic period because its traditions are not attested in the preexilic texts of the Former and Latter Prophets.³⁰ This method is problematic not only because it is difficult to date many prophetic texts but also because of its reliance on quotation of or allusions to pentateuchal traditions outside the Torah. That said, an inquiry about the presence or absence of pentateuchal traditions outside the Pentateuch can sometimes be helpful, as is the case for references to Abraham compared to the much more frequent references to Jacob. The datable texts that mention Abraham outside the Torah probably belong to the Babylonian or early Persian period (Ezek 33:24).³¹

²⁷ G.N. KNOPPERS, "Aaron's Calf and Jeroboam's Calves," in *Fortunate the Eyes That See: Essays in Honor of David Noel Freedman in Celebration of His Seventieth Birthday* (ed. A.B. Beck et al.; Grand Rapids, MI: Eerdmans, 1995), 92–104.

²⁸ T. RÖMER, "Le jugement de Dieu et la chute d'Israël selon Exode 32," *Foi et Vie* 91 (Cahier biblique 31) (1992), 3–14.

²⁹ T.B. DOZEMAN, *Exodus* (ECC; Grand Rapids, MI: Eerdmans, 2009), 700. See also T.B. DOZEMAN, "The Composition of Ex 32 within the Context of the Enneateuch," in *Auf dem Weg zur Endgestalt von Genesis bis II Regum: Festschrift für Hans-Christoph Schmitt zu seinem 65. Geburtstag* (ed. M. Beck and U. Schorn; BZAW 370; Berlin: de Gruyter, 2006), 175–189.

³⁰ H. VORLÄNDER, *Die Entstehungszeit des jehowistischen Geschichtswerkes* (Europäische Hochschulschriften: Theologie 32/109; Bern: Lang, 1978).

³¹ For more details, see T. RÖMER, "Abraham Traditions in the Hebrew Bible outside the Book of Genesis," in *The Book of Genesis: Composition, Reception, and Interpretation* (ed. C.A. Evans et al.; Leiden: Brill, 2012), 159–180.

This could foster the theory, quite common now in German scholarship, that the *literary* formation of the Abraham tradition did not start much earlier than the sixth century BCE.

A more intriguing case is the figure of Joseph. Even if the name Joseph occurs in several prophetic books as a reference to the Northern Kingdom, no clear allusions to the Joseph story (Gen 37–50) are to be found outside the Hexateuch, besides Ps 105, a text that is commonly considered to presuppose the whole Torah.³² Combined with observations made by the Egyptologist Donald Redford, who noted that allusions to Egyptian customs and names fit best in the Saite and later periods,³³ this would support a late date for the Joseph story, which, in combination with an “allegorical” interpretation, could be understood as a diaspora novella written (in Egypt?) during the Persian period.³⁴

Terminus a quo and *terminus ad quem*

We have already mentioned that the *terminus a quo* criterion is not very useful for the dating of the Pentateuch. But the criterion must also be handled with care when applied to other texts. As is well-known, M. Noth used 2 Kgs 25:27–30 to date the so-called Deuteronomistic History around 560 BCE. Interestingly, Noth here arrived at this identification of a *terminus a quo* and *terminus ad quem* based on the idea that the Deuteronomist (Dtr) was an “honest broker” who transmitted all the information and sources that were available to him³⁵ – in other words, Noth assumed that if Dtr had known of events from the Persian

³² See, recently, S. RAMOND, *Les leçons et les énigmes du passé: Une exégèse intra-biblique des psaumes historiques* (BZAW 459; Berlin: de Gruyter, 2014), 154–159.

³³ D. B. REDFORD, *A Study of the Biblical Story of Joseph (Genesis 37–50)* (VTSup 20; Leiden: Brill, 1970).

³⁴ This date for the Joseph story is becoming increasingly common in European scholarship; see T. RÖMER, “Joseph approché: Source du cycle, corpus, unité,” in *Le livre de traverse: De l'exégèse biblique à l'anthropologie* (ed. O. Abel and F. Smyth; Patrimoines; Paris: Cerf, 1992), 73–85; A. CATASTINI, *Storia di Giuseppe (Genesi 37–50)* (Venice: Marsilio, 1994); J.-M. HUSSER, “L'histoire de Joseph,” in *La Bible et sa culture: Ancien Testament* (ed. M. Quesnel and P. Gruson; Paris: Desclée, 2000), 112–122; C. UEHLINGER, “Fratricide, filiations et paternités dans l'histoire de Joseph (Genèse 37–50*),” in *Jacob: Commentaire à plusieurs voix de Gen. 25–36: Mélanges offerts à Albert de Pury* (ed. J.-D. Macchi and T. Römer; *MdB* 44; Genève: Labor et Fides, 2001), 303–328; M. FIEGER and S. HODEL-HOENES, *Der Einzug in Ägypten: Ein Beitrag zur alttestamentlichen Josefsgeschichte* (Das Alte Testament im Dialog 1; Bern: Lang, 2007), 375–376; J. EBACH, *Genesis 37–50* (HThKAT; Freiburg im Breisgau: Herder, 2007), 693; D. NOCQUET, “L'Égypte, une autre terre de salut? Une lecture de Gn 45,1–46,7,” *ETR* 84 (2009), 461–480; H. C. P. KIM, “Reading the Joseph Story (Genesis 37–50) as a Diaspora Narrative,” *CBQ* 75 (2013), 219–238.

³⁵ M. NOTH, *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1967;

period he would have included them. But, as Graeme Auld has half-mockingly stated: “The fact that Kings ends with the fate of Judah’s last king tells us no more about the date of composition (generally believed to be exilic) than the fact that the Pentateuch ends with the death of Moses.”³⁶ Despite the exilic perspective of Deuteronomy–Kings, there is evidence that the Deuteronomistic History underwent one or several redactions in the Persian period with which I cannot deal here.

There are, however, some cases in the Torah where a *terminus a quo* argument can be interesting. The expression אֹר כְּשָׂדִים is one such case. It occurs in the Hebrew Bible only in Gen 11:28, 31 (P); Gen 15:7; and Neh 9:7 (which apparently quotes Gen 15:7). The expression כְּשָׂדִים is widely attested, especially in the books of Kings and Jeremiah, where it refers in all cases to the Neo-Babylonians. The expression thus cannot have arisen before the end of the seventh century BCE, and a sixth century (or later) date of the Genesis texts is plausible. If Gen 11:28, 31 belongs to the same literary layer as other P texts, this observation has consequences for the *terminus a quo* of the Priestly writings of the Pentateuch.

A similar approach can be made for the name יִן, which occurs in the Pentateuch in the Priestly table of nations in Gen 10:2, 4 and which may be related to the name Ionian. In the Hebrew Bible it is used in Isa 66:19; Ezek 27:13, 19; Zech 9:13; and Dan 10:20 and 11:2 to designate Greek populations either in Asia Minor or in Greece. All these texts are no earlier than the Persian period, which would then locate P in Gen 10 in the same context.³⁷ The name Ionia (KUR.ia-man) does occur in an inscription of Esarhaddon (60, 10'; RINAP 4) and perhaps under Sennacherib (20, i' 7, RINAP 3/1, although the name is restored here) and possibly in other texts from the Neo-Assyrian period, which suggests the possibility of an earlier *terminus a quo*.³⁸ But in the context of the Hebrew Bible, a sixth-century BCE *terminus a quo* seems more plausible.

1st ed., 1943); English translation, IDEM, *The Deuteronomistic History* (trans. J. Doull et al.; 2nd ed.; JSOTSup 15; Sheffield: Sheffield Academic, 1991), 26, 128.

³⁶ A.G. AULD, *Samuel at the Threshold: Selected Works of Graeme Auld* (Society of Old Testament Studies Monographs; Burlington: Ashgate, 2004), 45–61, esp. 61.

³⁷ Such a date for Gen 10 is proposed by A. DE PURY, “Sem, Cham et Japhet: De la fraternité à l’esclavage,” in *κορυφαίω ἀνδρί: Mélanges offerts à André Hurst* (ed. A. Kolde et al.; Recherches et rencontres; Geneva: Droz, 2005), 495–508, who considers the non-P texts in this chapter to be post-Priestly.

³⁸ C. TUPLIN, *Achaemenid Studies* (Historia Einzelschriften 99; Stuttgart: Steiner, 1996), 27. There may be other texts referring to the Ionians; see A.M. BAGG, *Die Orts- und Gewässernamen der neuassyrischen Zeit, Teil 1: Die Levante* (RGTC 7/1; Wiesbaden: L. Reichert, 2007), 123–124. For the historical context, see R. ROLLINGER, “The Ancient Greeks and the Impact of the Ancient Near East Textual Evidence and Historical Perspective (ca. 750–650 BC),” in *Mythology and Mythologies: Methodological Approaches to Intercultural Influence* (ed. R.M. Whiting; Melammu Symposia II; Helsinki: Neo-Assyrian Text Corpus Project, 2001), 233–264.

The *terminus ad quem* for all major pentateuchal texts should be somewhere around 350–300, which does not mean that revisions were impossible from that time on, as shown by the variety of manuscripts in Qumran and the differences in the chronological framework (life spans, etc.) between the MT and the LXX.

Dating by External Comparisons

Several texts of the Pentateuch relate to extrabiblical texts or names. The most obvious case is the Priestly and non-Priestly accounts of the flood, which have close parallels with the Mesopotamian flood narratives, the closest parallel being tablet 11 of the standard version of the Gilgamesh Epic from the library of Assurbanipal. This version is considered to be a copy of an older version. The question is when Judean scribes got to know this or a similar account. Were such accounts available when Israel and Judah were under Assyrian domination? Or would it be more plausible to think that Judean scribes conceived a Yahwistic version of the flood during the Babylonian exile?³⁹

The original story of the birth of Ishmael could also be dated on the basis of external parallels if one is willing to follow Knauf, according to whom the name Ishmael reflects a federation of Arabic tribes attested during the seventh century in Assyrian documents.⁴⁰ The original account of Gen 16 could therefore have arisen in the seventh century as an etiology of these tribes and an attempt to relate them to Abraham.

The birth story of Moses in Exod 2:1–10 has a close parallel in the birth legend of Sargon,⁴¹ copies of which are attested from the eighth century.⁴² It is therefore plausible that the birth story of Moses was written in the seventh

³⁹ See the discussion in J. C. GERTZ, “Beobachtungen zum literarischen Charakter und zum geistesgeschichtlichen Ort der nichtpriesterlichen Sintfluterzählung,” in *Auf dem Weg zur Endgestalt von Genesis bis II Regum: Festschrift für Hans-Christoph Schmitt zu seinem 65. Geburtstag* (ed. M. Beck and U. Schorn; BZAW 370; Berlin: de Gruyter, 2006), 41–57; T. RÖMER, “The Creation of Humans and Their Multiplication: A Comparative Reading of Athra-Hasis, Gilgamesh XI and Genesis 1, 6–9,” *Indian Theological Studies* 50 (2013), 123–131.

⁴⁰ E. A. KNAUF, *Ismael: Untersuchungen zur Geschichte Palästinas und Nordarabiens im I. Jahrtausend v. Chr.* (2nd ed.; ADPV; Wiesbaden: Harrassowitz, 1989), 1–16, 25–55; see also FINKELSTEIN and RÖMER, “Comments” (see n. 16), 13–14, and recently E. A. KNAUF, “Ishmael, I: Hebrew Bible/Old Testament,” *EBR* 13 (2016), cols. 352–355, 353–354.

⁴¹ M. GERHARDS, *Die Aussetzungsgeschichte des Mose: Literar- und traditionsgeschichtliche Untersuchungen zu einem Schlüsseltext des nichtpriesterlichen Tetrateuch* (WMANT 109; Neukirchen-Vluyn: Neukirchener Verlag, 2006), 149–259.

⁴² B. LEWIS, *The Sargon Legend: A Study of the Akkadian Text of the Tale and the Tale of the Hero Who Was Exposed at Birth* (ASOR Dissertation Series 4; Cambridge: American Schools of Oriental Research, 1980).

century (under Josiah?)⁴³ in order to demonstrate that Moses was as important as the founder of the Assyrian dynasty.

Another interesting case is the Priestly blessing of Num 6:22–26, which has an extrabiblical parallel in the Ketef Hinnom amulets. The amulets have been dated to the eighth or seventh century BCE,⁴⁴ a date used by some scholars to claim a preexilic date for the Priestly Code, if Num 6 belongs to a “P-document.”⁴⁵ This argument overlooks the possibility that the blessing was an originally independent poetic piece, which could well have been inserted into a more recent book of Numbers. In any case, consensus about the date of the amulets has dissolved.⁴⁶

The first version of the book of Deuteronomy remains a centerpiece of efforts to date based on external comparisons. It has often been observed that the book bears the language and ideology of the Neo-Assyrian vassal treaties – or, better, loyalty oaths. Interestingly, the Neo-Assyrian documents use the *Numeruswechsel*, which occurs frequently in Deuteronomy. H.-U. Steymans has pushed these comparisons further and argued that the oldest edition of Deuteronomy had a specific *Vorlage*: the loyalty oath (*adê*) of Esarhaddon that was written in order to guarantee the succession of his son Assurbanipal. The parallels between the exhortations of loyalty and Deut 6:4–9* as well as Deut 13* and the curses of the *adê* and Deut 28 are too close to be coincidental, and the best solution may indeed be that the author of Deut 6; 12–18*; and 28* did use the Neo-Assyrian text, which can be dated quite precisely to 672.⁴⁷ This would confirm de Wette’s impulse

⁴³ E. OTTO, *Das Gesetz des Mose* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007), 182–185. Sometimes scholars emphasize the parallels between Exod 2 and the birth legend of Cyrus, transmitted by Herodotus, e.g., H. ZLOTNICK-SIVAN, “Moses the Persian? Exodus 2, the ‘Other’ and Biblical ‘Mnemohistory,’” *ZAW* 116 (2004), 189–205, but these parallels are less strong.

⁴⁴ G. BARKAY, “The Priestly Benediction on Silver Plaques from Ketef Hinnom in Jerusalem,” *TA* 19 (1992), 139–192, and G. BARKAY et al., “The Amulets from Ketef Hinnom: A New Edition and Evaluation,” *BASOR* 334 (2004), 41–71.

⁴⁵ E. WAALER, “A Revised Date for Pentateuchal Texts? The Evidence from Ketef Hinnom,” *TB* 53 (2002), 29–55; see also the presentation in J. D. SMOAK, *The Priestly Blessing in Inscription and Scripture: The Early History of Numbers 6:24–26* (New York: Oxford University Press, 2015), 61–88.

⁴⁶ For a sixth- or fifth-century date, see, e.g., A. BERLEJUNG, “Ein Programm fürs Leben: Theologisches Wort und anthropologischer Ort der Silberamulette von Ketef Hinnom,” *ZAW* 120 (2008), 204–230, and N. NA’AMAN, “A New Appraisal of the Silver Amulets from Ketef Hinnom,” *IEJ* 61 (2011), 184–195.

⁴⁷ H. U. STEYMANS, *Deuteronomium 28 und die adê zur Thronfolgeregelung Asarhaddons: Segen und Fluch im Alten Orient und in Israel* (OBO 145; Göttingen: Vandenhoeck & Ruprecht, 1995); H. U. STEYMANS, “Die neuassyrische Vertragsrhetorik der ‘Vassal Treaties of Esarhaddon’ und das Deuteronomium,” in *Das Deuteronomium* (ed. G. Braulik; ÖBS 23; Frankfurt am Main: Lang, 2003), 89–152; E. OTTO, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999).

to situate the first edition of Deuteronomy in the time of King Josiah. Some of my German and Finnish colleagues may find this naïve and favor a date in the Babylonian or even Persian period,⁴⁸ but I have never been able to understand why somebody at that particular time should construct the core of Deuteronomy according to Neo-Assyrian textual standards. This does not mean that all parts of Deuteronomy can be explained with Neo-Assyrian parallels, since Deuteronomy was newly edited and revised during the sixth and fifth centuries BCE, but the Neo-Assyrian parallels point to a seventh century date for the core of the book.⁴⁹

Relative Dating by Internal Comparison

Finally, the parallel traditions inside the Pentateuch allow a relative dating in many cases. The most obvious case, on which the majority of scholars agree, is the relationship between the Covenant Code in Exod 20–23* and the Deuteronomic Code. If the Deuteronomic Code was intended as a new edition of the Covenant Code, as argued, for instance, by B. M. Levinson,⁵⁰ then it is clear that the Covenant Code must be at least forty or fifty years earlier than the first edition of the Deuteronomic Code. And if Lev 26 depends on Deut 28 and probably also on Priestly texts, it must be a later text,⁵¹ and the same, then,

⁴⁸ R. G. KRATZ, “Der literarische Ort des Deuteronomiums,” in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlitt* (ed. R. G. Kratz and H. Spieckermann; FRLANT 190; Göttingen: Vandenhoeck & Ruprecht, 2000), 101–120; J. PAKKALA, “The Date of the Oldest Edition of Deuteronomy,” *ZAW* 121 (2009), 388–401.

⁴⁹ This date can be supported by the recent discovery of a copy of Esarhaddon’s loyalty oath in the temple of Tayinat. This discovery makes it very plausible that there was also a copy of Esarhaddon’s vassal treaty (VTE) in Jerusalem. See H. U. STEYMANS, “Deuteronomy 28 and Tell Tayinat,” *Verbum et Ecclesia* 34 (2013), 13, <http://www.ve.org.za/index.php/VE/article/view/870> (accessed 02/16/2016). For the text, see J. LAUNGER, “Esarhaddon’s Succession Treaty at Tell Tayinat: Text and Commentary,” *JCS* 64 (2012), 87–123. Of course, one may also point out parallels between Deuteronomy and the Hittite vassal treaties, as has J. BERMAN, “Histories Twice Told: Deuteronomy 1–3 and the Hittite Treaty Prologue Tradition,” *JBL* 132 (2013), 229–250, but these parallels are not as close as those with VTE, and they show only that the Neo-Assyrian vassal rhetoric is probably influenced by Western forerunners, such as the Hittite treaties.

⁵⁰ B. M. LEVINSON, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997). This idea is accepted by the majority of scholars; for different views, see J. VAN SETERS, *A Law Book for the Diaspora: Revision in the Study of the Covenant Code* (Oxford: Oxford University Press, 2003), and, with yet another perspective, W. OSWALD, *Israel am Gottesberg: Eine Untersuchung zur Literaturgeschichte der vorderen Sinaiperikope Ex 19–24 und deren historischem Hintergrund* (OBO 159; Göttingen: Vandenhoeck & Ruprecht, 1998), and J. U. RO, “The Portrayal of Judean Communities in Persian Era Palestine through the Lens of the Covenant Code,” *Semitica* 56 (2014), 249–289.

⁵¹ C. NIHAN, “Heiligkeitgesetz und Pentateuch: Traditions- und kompositionsgeschichtliche Aspekte von Levitikus 26,” in *Abschied von der Priesterschaft? Zum Stand der*

holds true for the so-called Holiness Code (Lev 17–26), of which Lev 26 is the conclusion.⁵² This method can therefore provide important arguments for a relative chronology of pentateuchal texts, which can then tentatively fit into an absolute chronology. This dating of course remains hypothetical until we find documents amenable to radiocarbon dating.

Conclusion

The most secure date for the existence of pentateuchal texts is the Persian period, because this setting can be deduced from hard evidence. The earlier one moves, the more complicated and hypothetical dates become. One should therefore start by considering whether a text fits the Persian period, as well as whether it is composite and what would allow for the identification of older layers. The first edition of Deuteronomy in the seventh century BCE has remained an apparently good point of comparison for the dating of older texts since the time of de Wette. As for P, I still think that a Persian period dating is the best option. But one should not dramatize the divergences. Even scholars who support a postexilic date acknowledge that the rituals and prescriptions in Lev 1–15 may well stem at least partially from the time of the First Temple.⁵³ But it is methodologically more secure to consider the Priestly texts of the Torah first and foremost in the context of the Second Temple.

Pentateuchdebatte (ed. F. Hartenstein and K. Schmid; Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie 40; Leipzig: Evangelische Verlagsanstalt, 2015), 186–218.

⁵² E. OTTO, “Innerbiblische Exegese im Heiligkeitsgesetz: Levitikus 17–26,” in *Levitikus als Buch* (ed. H.-J. Fabry and H.-W. Jüngling; BBB 119; Berlin: Philo, 1999), 125–196; C. NIHAN, “The Holiness Code between D and P: Some Comments on the Function and Significance of Leviticus 17–26 in the Composition of the Torah,” in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk* (ed. E. Otto and R. Achenbach; FRLANT 206; Göttingen: Vandenhoeck & Ruprecht, 2004), 81–122; J. STACKERT, *Rewriting the Torah: Literary Revision in Deuteronomy and the Holiness Legislation* (FAT 52; Tübingen: Mohr Siebeck, 2007). Although these authors have different ideas about the date and the role of the Holiness Code, they agree on the relative chronology.

⁵³ C. NIHAN, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus* (FAT 2/25; Tübingen: Mohr Siebeck, 2007), 198–231.