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1899 George Foot Moore confronted the charge that the documentary hypothesis had turned the Torah into a "crazy patchwork," unparalleled in literature.3 The hypothesis had left itself open to such a charge because it was

1. The Search for Comparative Models

In 1899 George Foot Moore confronted the charge that the documentary hypothesis had turned the Torah into a "crazy patchwork," unparalleled in literature. The hypothesis had left itself open to such a charge because it was


4 Ibid., 11.


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for example, dismissed the analogy \^{a} and criticized the literary-critical approach to the Pentateuch as "a modern, anachronistic book view..., an interpretatio europaica moderna." Such reasoning persists down to the present. Recently, K. A. Kitchen argued that

\[ \ldots \text{the documentary theory has been elaborated without reference to other Ancient Oriental literatures to find out whether they had been created in this singular manner. Now, nowhere in the Ancient Orient is there anything which is definitely known to parallel the elaborate history of fragmentary compositions and confusion of Hebrew literature (or marked by just such criteria) as the documentary hypotheses would postulate.} \]

One is tempted to dismiss such an argument because of its reluctance to contemplate the unique. Nevertheless, one's confidence in the documentary hypothesis would surely be increased by other, unimpeachable examples of the assumed method of composition in the milieu which produced the Torah. Such examples would enable the literary critic to base his work on something more than hypotheses about ancient literary techniques. Concrete examples would provide the critic with first-hand experience of compilers' and redactors' techniques, lending to his observations a refinement they could never have so long as they were based entirely on hypotheses devoid of external controls. Can such examples be found?

Although the Diatessaron has been ruled out of court because of its lateness, Moore's method in analyzing it was exemplary. He was able to demonstrate its literary background empirically because he had its sources as well as its final form before him. When earlier and later forms of the same literary composition are available, comparison of the two facilitates empirical literary history. In the fields of cuneiform literature and early Arabic prose narratives, such procedures are common.\(^b\) But they are not entirely absent in the study of ancient Hebrew literature. Certain biblical texts are also preserved in duplicate, such as doubly transmitted psalms and the revision of Samuel-Kings in 1-2 Chronicles. K. Koch, in his The Growth of the Biblical Tradition,\(^b\) begins a section entitled "The First Steps in an Investigation into the Background of a Text" with the observation that "a study of material with a double transmission will provide the

\(^{a}\) A Rigid Scrutiny (Nashville: Vanderbilt University, 1969) 11.

\(^{b}\) Ibid, 33.


experience necessary to deal with" other texts transmitted only singly. The relationships between such doubly transmitted texts may serve as specimens of the character of the transmission through which biblical books went.\(^1\)

For this purpose we are not limited to texts preserved in the canonical Hebrew Bible, but may also employ non-canonical texts and the non-Masoretic biblical texts from Qumran and elsewhere. Much of this material comes from (or shortly after) the time in which many of the biblical books attained their present form, so that chronologically as well as geographically and culturally they are free of the impediment attached to the Diatessaron and many other non-Israelite models.

2. Expansive, Synthesizing Biblical Manuscripts

The most important texts for our purposes are a group of expansive, synthesizing MSS classified by P. Kahle and others as vulgar or popular,\(^1\) and by F. M. Cross as Palestinian.\(^2\) These MSS, well attested in Qumran scrolls and not least exemplified in the Samaritan Pentateuch, are characterized by an expansion of the basic text with variant readings or with material imported from related pas-


sages elsewhere in Scripture.\textsuperscript{14} Such "conflate" or "double" readings, when they involve single words and phrases, are well known in textual history.\textsuperscript{15} In principle, the "scribal" preservation of double readings does not differ from the "redactional" practice of juxtaposing two variant accounts of the same theme or event.\textsuperscript{16}

In pentateuchal MSS a number of the expansions involve material from Deuteronomy, since Deuteronomy contains variant accounts of several early narratives. Because of its full preservation, the Samaritan Torah is the best witness to such synthesis, although the practice is not exclusively Samaritan.\textsuperscript{17} It is already found in the proto-Samaritan MSS from Qumran.\textsuperscript{18} These characteristics are well known, but have not been brought to bear upon the documentary hypothesis.\textsuperscript{19}

\textsuperscript{16} Cf. I. L. Seeligmann, review of K. Eliiger, Studien zum Halakah-Kommentar vom Tosea, in Kiarch-Sephor 50 (1954/55) 39, col. II. I first became aware of this analogy from a lecture on resumptive repetition (see n. 28 below) delivered by S. Talmon at Yale on 1 March 1971.
\textsuperscript{17} P. Kahle, "Untersuchungen," 7-12; G. Geurina, 144-48.
\textsuperscript{18} P. W. Skehan, "The Scrolls," 101-13. These manuscripts include 4QpaleoEzr\textsuperscript{19} (P. W. Skehan, "Exodus in the Samaritan Recension from Qumran," JBL 74 [1955] 182-87); 4Q518, fr. 6 (J. M. Allegro [ed.], Qumran Cave 4: 4Q138-4Q168) Discoveries in the Judean Desert of Jordan, 5; (Oxford: Clarendon, 1968) 3. (The latter is not a paraphrase nor a psephur, but, as recognized by R. Weiss, a fragment of Exod 20:19b in the recension underlying the Samaritan (review of Allegro, Qumran Cave 4: 1, Kiarch-Sephor 45 [1970] 61, col. 1). Weiss notes that frs. 10-12 are also biblical MSS with "Samaritan" readings and that such readings are reflected in 4QpaleoGen too. This type is also reflected in 4Q175 (4QTestimonia; Qumran Cave 4: 1, 57-58; cf. J. M. Allegro, Further Mesianic References in Qumran Literature, JBL 75 [1956] 182-87). See P. W. Skehan, "The Period of the Biblical Text from Khirbet Qumran," CBQ 19 (1957) 435. Cf. 4Q518 frs. 7-8. F. M. Cross informs me that the unpublished 4QExod has all the passages from Deuteronomy that the Samaritan Qumran has, as well as affinities with the LXX (see the fragmentary translator in his The Ancient Library of Qumran, 184-85 n. 31). On 4QQumran, see ibid., 185.

\textsuperscript{19} That a "pleonasm" similar to the Samaritan's may underlie parts of the MT has been alluded to before: E. Konig, "Samaritan Pentateuch," Dictionary of the Bible (ed. J. Hastings; Edinburgh: Clark, 1898-1904), extra vol., 70b; P. W. Skehan, "The Scrolls," 103. Regarding the text of Jeremiah, see F. M. Cross, "The Contribution of the Qumran Discoveries," 82; E. Tov, "L'incidence de la critique textuelle sur la critique littéraire dans le livre de Jérémie," RB 79 (1972) 189-99; Hebrew original in Bath Mikra 50/3 (1972) 279-87. These inferences have not been drawn from these synthetic techniques for the

documentary hypothesis is probably due to preoccupation with the Samaritan and Qumran biblical MSS as aids in textual criticism, which is generally kept separate from literary criticism; see the opening paragraph of B. J. Roberts, The Old Testament Text and Versions (Cardiff: University of Wales, 1951) 1. Contrast the remarks of E. Tov, and the earlier, somewhat different, study of A. T. Olmstead, "Source Study and the Biblical Text," AJS 30 (1913) 1-35. Cf. n. 16.


\textsuperscript{17} Note the remark of P. Kahle, "Untersuchungen," 7 par. 3: The Urext presupposed by the Samaritan is not to be confused with the Jewish textus receptus.

\textsuperscript{18} F. M. Cross, "The Contribution of the Samaritan Discoveries," 86.

The "Masoretic" text of this chapter has Moses institute Israel's judicial administration at Jethro's suggestion, which Genesis (Exod 18:19-24) states that Moses' line, addressed to the people (Deut 1:9-18). The Samaritan Exod resolves this situation by arranging the conflicting details in sequence. First come Jethro's advice and Moses' compliance, from Exodus; then, from Deuteronomy, Moses addresses to the people, the people approve, and Moses appears as the chief and charges them. All of this is absent from the MT of Exodus save the appointment, which comes about halfway through the deuteronomic version; rather than interrupt the insert momentarily for the sake of a variant which offers nothing substantially different from the description in Deuteronomy, the Samaritan text preserves the version of Deuteronomy and drops that of Exodus. The hand of the redactor is visible in the change from the first and second person, which befits the insert's

*home in Deuteronomy, to the third person where necessary, as suits the narrative context of its new home in the Samaritan Exodus, and in the dropping of רֹאֵשׁ בַּלּוֹ (Deuteronomy), which fits Deuteronomy's retrospective stance but not that of Exodus. This illustration of the redactor's procedure supports the following characterization by M. Greenberg of the (Masoretic) pentateuchal redactor's operation:

. . . intent on forging a continuous narrative. He therefore incorporated significant, complementary variants side by side, attempting to elaborate a single, reasonably effusive narrative out of them. At times he may have regarded the result as a restoration of the true complexity of the event—a complexity dissolved into its elements among the various traditions he received.*

The best-known composite periochæ in the Samaritan Torah is the thophonomy at Mt. Sinai in Exodus 20 (see chart II below). In the Samaritan Pentateuch and in the proto-Samaritan biblical fragments and reflexes from Qumran, the variant account of Deuteronomy 5, supplemented by Deuteronomy 18, is fully spliced into the Exodus version.26 The Qumran attestations show that the expansion is not an exclusively Samaritan feature. Only the law of the altar on Mt. Gerizim, imported from Deuteronomy 11 and 27, which the Samaritan Pentateuch treats as the tenth commandment, is absent from the Qumran text and appears to be an exclusively Samaritan item (see chart III below).

Just as we suppose with texts built up from J. E. and P, one finds the Samaritan Exodus flitting back and forth between the "Masoretic" Exodus and Deuteronomy, adding or dropping a phrase or detail here and there, in an attempt to reconcile the conflicting accounts.

Immediately after the "Masoretic" Decalogue27 the Samaritan text adds its own tenth commandment (see chart III below), which we shall return. Following *Understanding Exodus: (New York: Behrman House, 1969) 196; cf. Gesenius, quoted by B. K. Waltke, "The Samaritan Pentateuch," 221-22.

* See n. 18 above. Cf. P. Kahle, Cairo Geniza, 144-45; M. Gaster, The Samaritans, 128.

* P. W. Skehan ("Qumran and the Present State," 22-23) shows that the Samaritan text could not have been present in 4Q560Exod; the same is true of 5Q158, fr. 7, 8.

* While the Samaritan text does not combine both motives for the Sabbath (creation and Exodus) in either version of the Decalogue, the Codex Vaticanus of the LXV in Deuteronomy and 4QDeut (previously called 4QDeut!) do (P. W. Skehan, "The Scroll," 102). See A. Rahlfis, Septuaginta (7th ed.; 2 vols.; Stuttgart: Württembergische Bibelanstalt, 1962), 1. 295 last note; Scrolls from the Wilderness of the Dead Sea (Washington: Smithsonian Institution; Cambridge, MA: American Schools of Oriental Research, 1958) pl. 19 (see also pp. 31-32); H. Stegemann, "Weitere Stücke von 4QPsalm 37, von 4Q Patriarchal Blessings und Hinweise auf eine unerdiene Handschrift aus Höhle 4Q mit Exerpen aus dem Deuteronomium," RQ 6 (1967-68): 217-27. The Samaritan expansion of Exodus 20 begins by adding from Deut 5:21 the neighbor's field to the list of items not to be coveted (see chart III; so too the LXV and some Hebrew MSs).
The description of the people’s fright at the theophany in the “Masoretic” Exodus is slightly reworded to avoid the awkward “seeing” of the sounds and perhaps to avoid separating the sounds of the לְגָּפָר from the other sounds. Then the text shifts to Deuteronomy’s version of the people’s plea to Moses, after which it places the shorter Exodus version of the same as its conclusion. The “Masoretic” Exodus is followed through Moses’ response to the people, his approach to God, and the introduction to God’s speech (Exod 20:22a). But before the version of God’s speech in Exodus (vs. 22a–26, concerning the altars, etc.), the text shifts to the very different divine speech of Deuteronomy 5, into which is inserted the promise of a future prophet from Deuteronomy 18, which promise vs. 17 implies was indeed first voiced on this occasion. After this inter-
potion the divine speech of Deuteronomy 5 is concluded from the point of interruption, and the text then returns to where it left off in Exodus 20. The introduction to the divine speech in Exodus (20:22a), is repeated (resumptive repetition), and the speech itself now appears as the conclusion of a long discourse. Some of the verses in the Samaritan text are composed of parts of verses from the separate sources: part of the "Masoretic" Exodus 20:19 is joined with part of Deut 5:24; Deut 5:27 is concluded with part of Exod 20:19; part of Exod 20:22 is joined with part of Deut 5:28 (see chart II); the same is true of the Samaritan's tenth commandment (see chart III), which combines part of Deut 11:29 with parts of Deut 27:2-3, and 4. In sum, as fine an example as one could wish of scissors-and-paste composition, a "patchwork."

But the patchwork is not "crazy." The main task of the redactor in the Jethro and theophany pericopes was to reconcile dissimilar accounts of the same events. By interweaving their details in sequence, he facilitated their harmonious coexistence. He accommodated their differing details by making them refer to different moments of those events. He has also drawn in material (Deut 18:18-22) from outside the parallel accounts, material which purported to be long to the theophany pericope.

As instructive as are his inclusions from Deuteronomy, so are the redactor's omissions, which are minimal and insubstantial. His aim of reconciliation extended to almost every significant detail of his parallel sources. In the Jethro pericope he brought in everything that Deuteronomy had to offer save the phrase "at that time," which would have been inappropriate in Exodus; he preserved everything from the "Masoretic" Exodus but a verse covered by the deuteronomic insert. In the theophany pericope he expanded only the dialogue and did not set about expanding the mise en scène in Exodus 19 with details from Deuteronomy 4 and 5. Once he began to splice in material from Deuteronomy, he preserved almost everything significant. What he dropped from one source was either covered in the parallel source, unnecessary, or out of place in the theophany pericope. A good example is Deut 5:22. The first half of this verse reads: "The Lord spoke those words; those

1 In other words, a composite of Deut 5:28-29 + 18:18-22 + 4:5-30:31 is interpolated into Exod 20:22-26; following the interpolation, Exodus resumes by first repeating the last sentence before the interpolation. The repetition is clearly the interpolator's creation, for the MT (which reads &quot;which the Lord spoke to Moses&quot;) has the sentence only once. For the redactorial technique of resumptive repetition (or Wirterhaltung), see most recently S. Talmon and M. Fishbane, "Aspects of the Literary Structure of the Book of Exekiel," *Targum 42* (1972-73): 35-38. (With an English summary.) For an apparatus of similar examples, see R. Frankena, "The Vavim's Treatises of Ezechiel and the Dating of Deuteronomy," *OTS 14* (1950) 128, 132-33; for this technique as a literary device, cf. the discussions after repetitions in A. Erman, *The Literature of the Ancient Egyptians* (London: Methuen, 1927) 32, 33; cf. p. 29; and Homer, Okt. 19,393:466. See also the loose recapitulations noted by J. Licht in IQS ("An Analysis of the Treatise of the Two Spirits in DSD"). *Aspects of the Dead Sea Scrolls* (Scripta Hierosolymitana, 4; Jerusalem: Magnes, 1958) 92-95.

and no more—to your whole congregation as the mountain, with a mighty voice out of the fire and dense clouds." Since the redactor preserved Exod 20:19, which includes most of this information, the deuteronomistic version could be dispensed with. The second part of Deut 5:22 reads: "He inscribed them on two tablets of stone, which he gave to me." Since this refers to a later event (see Exod 24:12; 18; 32:15-16; Deut 9:9-10), it is out of place in the theophany pericope. This is typical of the redactor's omissions: what he drops is either substantially covered in the parallel material which he preserves, or easily disposed of on other grounds. This procedure agrees with a tendency which has been observed in the redaction of the Pentateuch. Building on an observation of W. F. Albright, M. Greenberg concludes: "What has not been preserved of a given source may the more confidently be supposed to have differed from our text only insubstantially."

In the cases that we have examined, this observation is borne out. The aim of reconciliation was not fully compatible with the aim of maximal preservation. That the aim of maximal preservation was uppermost is shown by the fact that the preservation extended even to conflicting details. The result is a text which displays just such internal discrepancies as are at the core of the documentary hypothesis. In the Jethro pericope, for example, Jethro advises Moses to choose men "from among all the people" (from Exod 18:21); but in complying, Moses chooses "the tribal leaders" (from Deut 1:15). Jethro recommends "capable men who fear God, trustworthy men who spurn ill-gotten gain" (from Exod 18:21), but Moses chooses "wise, discerning and experienced men" (from Deut 1:13,15). Jethro speaks only of "chiefs of thousands, hundreds, fifties and tens" (from Exod 18:21), but Moses appoints these plus 70 elders (from Deut 1:15). The differing vocabulary of the sources is manifest in the alternation between Jethro's remark, "they shall bring" (ybd'em) difficultly
cases (from Exod 18:22; MT ḫṭḥw 적용, Moses’ saying, “you shall bring near” (sagirān, from Deut 1:17), and the summary, “they would bring” (ḵḵāh, from Exod 18:26). Harmonistic exegesis might regard such a variation as an attempt to avoid monotony; the redactor may have told himself the same. But having seen his sources, we know that the variation stems from differences in the sources.

The conflated accounts of the Jethro and theophany episodes are, as mentioned, already present in the proto-Samaritan Exodus MS from Qumran. There is nothing sectarian about these accounts or the redactional techniques by which they were composed. Only the Samaritan tenth commandment and certain related rendentious features are exclusively Samaritan characteristics. The commandment has been shown by Skehan to have been absent in the Qumran MS, since there is insufficient space for it. In other words, the Samaritan tenth commandment represents a rendentious supplement beyond the stage of redaction represented in the proto-Samaritan recension from Qumran.

The techniques employed in creating this supplement are mostly similar to those described above and will not be reviewed here (see chart III). One aspect deserves special mention. Even this rendentious supplement is composed in almost every detail, save the presumed change from Ebal to Gerizim, of elements already present in the “Masoretic” Torah, and thus admittedly divine. Even the interpolation of this commandment at the end of the Decalogue is not without logic, for this law about an altar of uncut stone is thereby brought into the same context as Exodus’ law which includes an altar of uncut stone (Exod 20:25). That the interpolation’s demand for a stone altar conflicts with Exodus’ preference for an earthen altar (vs. 24), where uncut stone is only a concession (vs. 22a), is a price that the Samaritan interpolator was willing to pay, since he was determined to endow his religion’s central dogma with Sinitic Decalogue-authority. In order to accommodate both this interpolation and his dogma, it was necessary to emend vs. 24b. The “Masoretic” phrase, “in every place where I cause my name to be mentioned,” which contemplates several places as yet unnamed, becomes in the Samaritan text, “in the place where I have caused my name to be mentioned [םַעַי], a hybrid form, there I will come and bless you.” It refers to the just-named site of Gerizim (and not the as yet unnamed Jerusalem). Ironically, the allusion to Gerizim thus created remains attached to the injunction to build an earthen altar! What is noteworthy about the interpolator’s technique is that actual changes in substance are remarkably few. On the whole, he accomplished his rendentious purpose with material already present somewhere in his sources.

3. Conclusion

We are thus able to document three stages in the evolution of the Jethro and theophany pericopes: (1) A stage, represented by the Masoretic Torah, in which the Exodus and Deuteronomy versions were separate; (2) a stage, represented by the proto-Samaritan Qumran MS, which combined the two versions;
and (3) a stage, represented by the Samaritan Torah, in which the conflate narrative has been tendentiously interpolated and revised. The second stage, in particular, answers the query which prompted this paper. Obviously, there are differences between the state of the proto-Samaritan redactor's source-material and his freedom of operation and what is presumed in the case of the Pentateuch. The proto-Samaritan redactor encountered variant accounts scattered about the Torah in already fixed places. He could combine a variant from one locus with its counterpart elsewhere in the Torah, but could not then drop it from the former locus to avoid redundancy. As a result, material added to Exodus from Deuteronomy was simultaneously preserved in Deuteronomy. Despite the fact that his sources were continuous documents, the proto-Samaritan redactor appears as an interpolator who supplemented one basic text from another rather than give equal play to both sources or create a totally new account. The compiler of the Pentateuch is credited with greater freedom. It is not in these respects that the redaction of the proto-Samaritan Torah and the composition of the Pentateuch are analogous, but in the very fact of combining and in the techniques and purposes of combining. In the latter respect, we find that the documentary hypothesis presumes a method of composition which is empirically attested in ancient Israel, from a time close to that in which most of the biblical books attained their present form. The evidence here reviewed constitutes a type of documentary composition unfolding before our very eyes.

* See n. 30 above.

WA'OMAR (ZECH 3:5) AND THE GENRE OF ZECHARIAH'S FOURTH VISION

N. L. A. TIDWELL

UNIVERSITY OF THE WITWATERSTAND, JOHANNESBURG, SOUTH AFRICA

The fifth verse of the third chapter of Zechariah¹ presents three minor textual questions: (1) The first person, wa'omar ("and I said"), at the beginning of the verse, without which the "narrative of the vision is self-contained."² (2) The obvious need to insert, but without support from the versions, šörer ("clean") after k' gišir ("garments") (cf. Bfh). (3) The awkwardness of the last three words of the verse in their present form and position, šm'alak Yahveh 'omēd, "and the angel of the Lord was standing by." Clearly, the issue in (2) is of little consequence, and (3) is not by any means impossible, as it stands,³ but (1) is a disruptive element in an otherwise straightforward narrative and invites further investigation. It is not without parallels elsewhere in the OT, e.g., Isa 6:8 and 40:6 (LXX and IQ18a), but these are not normally thought to shed any light on Zech 3:5. A fresh investigation of this question indicates that such an opinion requires radical revision.

Text-critically, the unexpected use of the first person at the beginning of Zech 3:5 does not present a complex problem. The LXX omits wa'omar, continuing the narrative and the sequence of plural imperatives with wšimē, and the deletion of this word is recommended by Bfh and adopted by D. W. Thomas,⁴ while the Vg and Psalms, with a third-person reading, represent most likely "an accommodation to the expected sense."⁵ The MT is favored by the majority of commentators, and the sudden change of person is explained as an impulsive intervention of the prophet at the point of climax in the vision, when he could

¹ RSV: "And I said, 'Let them put a clean turban on his head.' So they put a clean turban on his head and clothed him with garments; and the angel of the Lord was standing by.'

² P. R. Ackroyd, "Zechariah," PGB, 566b.

³"The case for retaining the MT is ably presented by H. G. Mitchell, Haggai and Zechariah (ICC, Edinburgh: Clark, 1912) 153.


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