

## **Robert Vannoy, Deuteronomy, Lecture 5A**

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### Various Writers and Positions on the Date of Deuteronomy

#### a. Tennant & Deut. 17 Stipulations for a Future King – Deut. 500 BC

In Deuteronomy 17:14 and following it says, “When you enter the land the Lord your God is giving you and have taken possession of it and settled in it, and you say, ‘Let us set a king over us like all the nations around us,’ be sure to appoint over you the king the Lord your God chooses. He must be from among your own brothers”... The king, moreover, must not acquire great numbers of horses”... verse 16. Verse 17: “He must not multiply wives.” Verse 18: “He will make a copy of the law for himself.” i.e., learn the law and live by it.

H. Tennant says, “Chapter 17 could not have been written when there was a king on the throne. But only when there was the probability that one would be elected and it was necessary to insist that certain things must be adhered to.” Someone wouldn’t write something like chapter 17 if the king was already there. So, he says, you have to get a time when there is no king but there is a probability that one is going to be elected or selected. Interestingly enough, one of the qualifications of the king is that he must be an Israelite. Verse 15: “Be sure to appoint over you the king the Lord your God chooses. He must be from among your own brothers. Do not place a foreigner over you, one who is not a brother Israelite.” Well, when would such a situation be in existence when there would even be the thought of setting a king over the people of Israel who might not have been a native born Israelite. You have to think of a time or one situation that accounts for that. Of course, I think the question can immediately be raised: Why not go to the pre-monarchic time shortly after the Exodus out of Egypt when they had a mixed multitude? But in any case, here’s a man in 1920 who is trying to push Deuteronomy, instead of back to Moses, in the other direction. And he writes a book and develops a theory to support that.

b. Holscher – Deut. Written ca. 500 BC

Another name, Holscher, in 1922 had similar ideas to Tennant. He set out to prove the book the Deuteronomy had no relation to the law book of Josiah but was at least 100 years after the time of Josiah. So again, you're down into the 500's. He says, "To demand a single sanctuary in pre-exilic times would have been a piece of impractical idealism." Now he is assuming that Deuteronomy demands a central sanctuary and that to do such would have been "impractical idealism" in pre-exilic times. He says, "How could the entire population of the country journey to Jerusalem for a whole week at festival time leaving farm animals to fend for themselves?" It was very impractical to demand centralization of worship and then to place Deuteronomy chapter 12 in a pre-exilic time is just impractical. He says that "Deuteronomy was not a program for reform, but the wishful thinking of unrealistic post-exilic dreamers." It is not something that ever was or ever could be. So he felt that it was written sometime probably around 500 B.C. by priests in Jerusalem. This is quite a different background than Wellhausen because, interestingly enough, Wellhausen felt there was a prophetic background to the book of Deuteronomy, not priestly, and that the motifs and ideas that you find in Deuteronomy are a result of prophetic influence, not priestly influence. So Holscher places it in post-exilic times claiming it was impractical for earlier times and was developed by priestly influence.

2. Challenges to the Classic Wellhausen Position: Advocates of a Date Earlier than 621 BC but Later than the Beginning of the Monarchy

Alright, secondly: Challenges to the classic Wellhausen Position: "Advocates of a Date Earlier than 621 B.C. but Later than the Beginning of the Monarchy." In other words, earlier than 621 but not going back to Moses. There are several names here: H. Ewald died in 1876. He argued Deuteronomy was written in the reign of Manasseh. Now Manasseh was followed by Amon, and Amon by Josiah. So you move back not significantly, but three kings earlier in the time of the reign of Manasseh. G. Westphal in 1910 in his *Law and the Prophets* argued that Deuteronomy inspired the reformation like

that outlined by Hezekiah. Now Hezekiah was the king before Manasseh, so you move back another king. What was behind Hezekiah's reformation? Well, Deuteronomy must have been present in the time of Hezekiah.

Oestreicher

Then Th. Oestreicher in 1923 in his *Das Deuteronomische Grundgesetz* argued for a date earlier than Hezekiah, perhaps as early as the tenth century or sometime in the 900's. We're getting back close to the beginning of the divided kingdom period. Oestreicher rejected the idea that either the reformation of Josiah or the book of Deuteronomy demanded centralization of worship. Now that was the basic thesis of Wellhausen who said both Josiah's reformation and the book of Deuteronomy demanded centralization of worship. Oestreicher rejects that idea. Two terms that Oestreicher used have become rather well-known in discussions around Deuteronomy. In his view, the reform of Josiah was confirmed with *cult-reinheit* that's a German word. *Cult* is just like our English word meaning "cult." *Reinheit* is purity. So it is concerned with cultic purity, or purity of worship. Deuteronomy was concerned with *cult-reinheit* not *cult-einheit*. Now *einheit* is unity but not cultic unity in terms of centralization of worship. In other words, his view was that Josiah's reform was more concerned with purity of worship than unity of worship at a central sanctuary. He points out that Josiah had begun his reformation on his own initiative several years before the Law Book was found. So even if you conclude that that Law Book was Deuteronomy, which may well be the case, the finding of that Law Book did not initiate the reform but gave new impetus to a reform that had already begun. So he sort of challenged Wellhausen's view of identifying that Law Book with Deuteronomy, and he challenged Wellhausen's view that the book called for the centralization of worship and taught that Deuteronomy itself came from a much earlier time and that Deuteronomy did not in any conclusive sense demand centralization of worship. He emphasized purity, not unity or centralization of worship.

I think Oestricher is trying to take the reformation of Josiah seriously and works out the implications of that, and he even takes Deuteronomy seriously to a certain extent.

But still he probably feels that the difference between, say, the Covenant Code and the Deuteronomic Code and the Priestly Code needs an explanation other than that it was Mosaic.

### Welch

D. Adam C. Welch has two books, one in 1924 and the other in 1932. The book in 1924 was *The Code of Deuteronomy: A New Theory of its Origin* the 1932 book was entitled, *Deuteronomy: the Framework to the Code*. He came pretty much independently to the same conclusion as Oestreicher concerning centralization of worship. In other words, he did not feel that basic thesis of Deuteronomy was the centralization of worship. However, his reasoning was totally different, even though coming to the same conclusion. He felt that Deuteronomy 12:1-7, which is one of the crucial passages on the centralization, was a later insertion. So we'll have to look at Deuteronomy 12:1-7 eventually to think about this matter. Does it demand centralization of worship or doesn't it demand centralization of worship. On this hinges the Wellhausen theory. Welch says the whole book of Deuteronomy doesn't emphasize that, but perhaps 12:1-7 does; but that was because it was a later insertion, and he thought the emphasis of the book was on the character of the places of worship, not the number. The focus was on cultic purity, not cultic unity. He concluded that the book contains material originating in Northern Israel from the time of Samuel on. So we're getting back earlier; you see, the time of Samuel is pre-monarchical. It contains material that dates back that far, but the present form that we have is no earlier than the eighth century B.C. In other words, he pushes it back another century before Josiah, but no further than that. That was a period of development when the form developed into what we have now.

### Von Rad

Lastly, Gerhard von Rad, who has done an enormous work with Deuteronomy as well as, of course, many other areas of Old Testament studies. Von Rad is one of the most influential contemporary Old Testament scholars. He died just a few years ago, so

he's no longer living, but much of his work is still being read and currently enormously influential. I'll mention three of his works that dealt directly with Deuteronomy. First, an article entitled, "The Problem of the Hexateuch," written in 1938. That is available in English translation in the book, *The Problem of the Hexateuch and other Essays*. His second book, *Studies in Deuteronomy*, is now out in paperback published in English translation in 1963. It was originally published in 1948. And then *Deuteronomy: a Commentary* published in German in 1954 and English translation in 1966. What he tried to do, which is really sort of a distinctive move out of the tradition of literary critical methodology, was to approach the book from the form-critical method, and what attracted his attention as far as Deuteronomy was concerned was its structure--the total structure of the book as a whole. Going way back to his article, "The Problem of the Hexateuch," in 1938, pages 26 and 27, he says this (it's very interesting): "We may leave aside many of the difficulties currently raised by Deuteronomy and confine ourselves to the matter that has barely been touched on by scholars despite all the controversy about the nature of the book. What are we to say about the form of Deuteronomy with its remarkable succession of teachings, laws and so on? Even if we thought Deuteronomy in its present form was straight from the theologian's desk, it would not prevent us from asking what genre it belongs to. [Genre is literary form--the total structure of the book]. This simply drives the question further back and causes us to look into the history and development of the form of the material used by the Deuteronomic theologian. One cannot accept the assumption that these men created an *ad hoc* remarkable literary form."

For von Rad the focus is the total structure of the book. He looks at it from the viewpoint of what kind of genre is involved, and what is the origin of that, and what implications does that have for faith. Where does it come from? He says, "One might be forgiven for imagining the Deuteronomic writer coming around with a diversity of forms into which to pour new content and utilizing the most useful combination of various elements that give expression to those special theological emphases. Obviously, from the point of view of form criticism, no one would accept such an argument for Deuteronomy. It is precluded by the recognition of the fact [and this is something totally new in

Deuteronomic studies from a critical position at this point] that Deuteronomy is, in form, an organic whole.” In other words, von Rad starts speaking of the unity of the book—it’s an organic whole. We may distinguish any number of different strata and accretions by literary criteria [in other words, he uses literary criticism to determine levels of material, earlier material, later material], but in the matter of form the various constituents form an indivisible unity. The question is thus inescapably raised concerning the origin and purpose of the form of Deuteronomy as we now have it.” He then says, “The forms give us unity.” This argument was written in 1938.

Von Rad says that Deuteronomy falls into four sections. Let me give his four sections to you: 1. Historical presentation of the events at Sinai and paranetic material connected with that event. Paranetic material connected with the event is the material connected that have the characteristic of exhortation, preaching, or teaching. That’s Deuteronomy 1-11; it is a historical summary of the events at Sinai and paranetic material connected with those events. 2. The reading of the law, Deuteronomy 12-26. This is where you get all the legal material. 3. The sealing of the covenant; Deuteronomy 26:16-19. Then 4, The blessing and cursings, chapters 27 and following. So four separate sections as far as the book is concerned. He does acknowledge the book forms an organic whole.

What he recognizes is its structure and its form. What situation in life may have produced that form? Where does it come from? What is the explanation for this remarkable form found in the book? He says it’s not some *ad hoc* creation of some Deuteronomic sect. There’s got to be something more to it than that. So he wants to press back and find some explanation for this form. In his commentary, which is much later than “The Problem of the Hexateuch” in 1938, his *Studies of Deuteronomy* in the early 1950’s, and his commentary on Deuteronomy in 1964, on page 4 he says this: “Deuteronomy shows a remarkable arrangement. A predominantly hortatory message to the people, [that is the paranetic function] preaching and explication to the people. This law section ends in Deuteronomy 26:16-19 with the formulation of the covenant. Then it is followed by the proclamation of blessing and curse. [That is the four-fold structure.]

This arrangement is not due to literary considerations. To the contrary; we must suppose that Deuteronomy is here following a traditional cultic pattern, probably back to a liturgy of a cultic festival.” Now that is his basic idea. The explanation of the form is to be found in a cultic liturgy that was extant in Israel. The form of that cultic liturgy has been adopted here in the book of Deuteronomy.

So he says, bottom of page 12, “We will content ourselves with the statement that Deuteronomy presents itself to us as a mosaic of innumerable, extremely varied pieces of traditional material. There are all these different kinds of material from all different types of time. But at the same time this is not to deny that the book must have the understated unity of its form.”

Now, von Rad views the book as a final product of a long process of development. He regards its structure as evidence that the origin of this material is to be found in a covenant renewal festival held periodically at Shechem in pre-monarchic times. Now Shechem is a town in the north of Israel at which a covenant renewal ceremony was held. It’s found in Joshua 24 as Israel came into the land under Joshua. So they went to Shechem and pledged their allegiance to the Lord. He calls these covenant elements as having their roots at that site or sanctuary. These elements were preserved there and they were passed down from all the days of Israel’s occupation of the land and enlarged upon, and ultimately you get the material from that Shechem sanctuary preserved for us in the book of Deuteronomy.

So, what is the intermediate link from what we have now and the original ceremony? Who preserved and elaborated on this old cultic material? He says that “in its present form Deuteronomy is to be attributed to the Levites, the priests, who taught the law during the monarchical period.” Now, his Levite theory then really connects with this cultic material and liturgy at the Shechem sanctuary and was transmitted and taught to people in Israel. The Levites were responsible for the book of Deuteronomy as we have it. In his commentary his conclusion in regard to dating is on page 26. After discussing the idea of cultic origin and liturgy at Shechem, and transmission and preaching of the Levites through a long complex process, he says, “If these considerations

are both granted, then we shall suppose one of the sanctuaries in Northern Israel, Shechem or Bethel, to be Deuteronomy's place of origin in the centuries before 621. There are no sufficient reasons for going further back." Now, in other words, by saying, "the centuries before 621," he's moved back slightly from the Graf-Wellhausen position as far as the form and time of the book. However, he would trace the antecedent of that final form over a long time of development, way back into the old days of the occupation of Israel; not back to Moses, but back to the early days of the entering into the land of Canaan. He connects it with the Shechem sanctuary.

I've gone into a little more detail with von Rad because we want to come back to von Rad later in connection with some other matters. But for the present I think it is evident that he sees the book as a unity. He saw the structure of the whole in 1938 and in 1964 again, but the conclusion he draws from that form in connection to the date he places with the Levites who are responsible for putting it in its present form. He does not accept the origin of the form of the treaty as important for the early date of the book.

### 3. Pre-Monarchic but Non-Mosaic

Alright, thirdly, obviously von Rad has a date earlier than 621 yet post-monarchical. There is a third category: Pre-monarchic but non-Mosaic. There are two men who espouse this position. First Edward Robertson's 1950 book *The Old Testament Problem*. He says that Hebrews entered Palestine developing a nucleus of laws, comprised of the Ten Commandments and perhaps the Book of the Covenant. Between the settlement and the rise of the monarchy, Israel became decentralized and broke up into a number of different areas and religious associations, each with their own sanctuary. There were a number of sanctuaries scattered around, and at those sanctuaries these developed divergent, although related traditions. In other words, you get a lot of isolated, independent traditions developing at the different sanctuaries subsequent to the conquest and settlement. When the people were reunited under a king, it was necessary to bring about religious unity. You have people then from the conquest around 1400 to 1200 B.C., depending on how you date the Exodus, you have three or four centuries of development.



That is a long period of time.

With the rise of kingship, there was a need for unification. So for that purpose a summary of legislation comprising the codification of the law codes of the sanctuaries was prepared under Samuel's guidance, and that code was the book of Deuteronomy. So in Samuel's day all the diverse materials were fit together in some form, and that would be the standard law book for the centralization under the kingship. Robertson would accept that Deuteronomy 12 calls for the centralization of worship, so unity under a king made centralization possible and desirable. So he posits the origin of Deuteronomy to this kind of a process in the time of Samuel.

One other man was R. Brinker who wrote *The Influence of Sanctuaries in Early Israel* in 1946. He has a position very similar to Robertson. The difference between Brinker and Robertson is he argues that centralization is not the focus; rather than centralization, purification was what was involved. But he still dates it to somewhere prior to the monarchy, probably in the time of Samuel.

#### 4. The Mosaic Date

The fourth point would be "The Mosaic date." I will just give you the names of a few men that maintain an early date. All through history there has never been a time without some representatives of the Mosaic date. That brings us right up to the point of "Advocates for a Mosaic date of Deuteronomy," which is number 4 then under that heading of Mosaic date. Now, all I want to do here--rather than go into any detail or lines of argumentation at this point--is to mention certain people who since the time of Wellhausen, and taking into consideration all his arguments, nevertheless have maintained and held on to the Mosaic origin for the book of Deuteronomy as the Bible represents the book to be. Several men: James Orr, 1906, *The Problem of the Old Testament*. That goes back to the early 1900's. H. M. Weiner, 1920, in *The Main Problem of Deuteronomy* is the title of his study. O. T. Allis, no doubt he is familiar to you, *The Five Books of Moses*, 1943. E. J. Young, *Introduction to the Old Testament*, 1949, second edition 1960. In Holland, a man named J. Ridderbos wrote a two-volume

commentary on Deuteronomy in 1950-51 that's in Dutch. And also G. C. Aalders in his introduction, also in Dutch, that is in 1953.

Then more recently R. K. Harrison's, *Introduction to the Old Testament*. It is a large book that you're familiar with published in 1969. I might emphasize his introduction it is a good survey to the book of Deuteronomy. He comes out in favor of the Mosaic authorship. An introduction treats critical problems: date and authorship that kind of thing.

So what I'm getting at here is that in spite of all this debate trying to push it later or earlier, but all non-Mosaic that has gone on since the time of Wellhausen, there has been a tradition with very responsible representatives all the way through who have argued for the Mosaic origin of the book and who defend that view. Now, of course, more recently, some new lines of approach have developed which, in my opinion, strongly support the traditional position that has been maintained all along.

## II. The Literary Structure and Scope of the Book and Their Historical Implications

### A. The Structural Integrity of the Book Has Often Been Questioned

That brings us to Roman numeral II in our outline. Roman numeral I was "Authorship and Date: a Survey of Critical Sources." Roman numeral II is "The Literary Structure and Scope of the Book and their Historical Implications." A. The Structural Integrity of the Book has often been Questioned." Now, we've already noticed that in our discussion of the critical views. Going back to Wellhausen he found the original core being a unity, but it is late, of course. The core, chapters 12-26, is a unity, but what comes after chapter 26 and what precedes chapter 12 he thought were secondary additions. So, the structural integrity of the book from Wellhausen on has been severely questioned.

### G. E. Wright and M. Noth

One of the problems in relation to structural integrity we'll come back to later but

let me mention at this point. It has often been said there are two introductions to the book: chapters 1-4 being one introduction and chapters 5-11 being a second introduction. G. Ernest Wright has the commentary on “Deuteronomy” in the *Interpreter’s Bible Commentary* series; you’re probably familiar with that. It is a good contemporary, representative of critical Bible commentaries; critical in the sense of negative criticism. Wright says of those two introductions, “Neither needs the other; they seem independent of each other.” So when we look at the structure of the book, it has two introductions that are loosely connected to each other. How do you explain them?

He really adopts the view of Martin Noth who came up with a very complex idea which he called “a Deuteronomistic History Book,” a product of some Deuteronomistic historian of exilic or post-exilic times. Who wrote this Deuteronomistic history work that he said ran from Deuteronomy through 2 Kings. In other words: Deuteronomy, Joshua, Judges, 1 and 2 Samuel, and 1 and 2 Kings. You have a unity there. It is a Deuteronomistic history book. Now notice: If you adopt Noth’s view on this he takes Deuteronomy out of the Pentateuch. So you’re left with four books: Genesis, Exodus, Leviticus and Numbers for a unit. And then the next unit within the Old Testament is the Deuteronomistic history in which Deuteronomy is not considered part of the Pentateuch, the first books of the Bible, but heads this second section into which the Old Testament can be divided. And adopting that as a framework Wright, as well as Noth, then says that chapters 1-4 of Deuteronomy introduce this history work as a whole, while chapters 5-11 introduce the book of Deuteronomy within that larger history “book.” There are two introductions: The first one introduces this whole block of material that Deuteronomy heads [Deuteronomy -2 Kings], and chapters 5-11 introduce Deuteronomy itself, which is the first book of this second block of material. Now, that’s just another illustration of how the structural integrity of Deuteronomy has been attacked. How do you explain the organization of the book? So structure of the integrity of the book has often been questioned.

## B. Gerhard von Rad

“B” under this literary structure of the book is “Gerhard von Rad,” which we already know from the preceding section. He called attention to the structural pattern of Deuteronomy all the way back in 1938. Back in 1938, Gerhard von Rad called attention to the significance of Deuteronomy’s structural pattern. Von Rad said the book is basically a unit. He said there was a structure there which indicated that the book was to be taken as a unity. Now we’re going to come back to that later and we’ve already discussed some of it. It is interesting that someone like von Rad back in 1938 sees a pattern in the book that keeps the structural integrity. Now the reason why I said that will become clear later.

### C. Meredith Kline

C “Meredith Kline making use of what you can rightly call a form critical approach to the book of Deuteronomy that honored the integrity of the book.” He doesn’t hypothetically construct some theory of composition that is in conflict with the statements of the book. He accepts the integrity of the book but approaches it with this form-critical analysis. It opened up a new perspective on the nature and structure of Deuteronomy. I think that, in turn, has implications, as Kline also points out, for its interpretation and for its date. We’ll pick up here next time.

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