

Robert Vannoy, Deuteronomy, Lecture 2

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JEDP Theory and Deuteronomy Continued

C. Importance of the Dating of Deuteronomy for the JEDP Theory

1. Review

All right, if you look at the outline for class lectures, we started with Roman I, and we did A and B, “Some General Comments on the Book of Deuteronomy” and “The Present Consensus Concerning the Origin of the Pentateuch,” and we were in the middle of C, “The Importance of the Dating of Deuteronomy for the JEDP Theory.” Now, just to get back into that a bit, by way of just a little bit of review, I mentioned to you one of the results of Wellhausen’s analysis of the Pentateuch was he isolated number of law codes, and then he associated those law codes with the different documents so that he had a Covenant Code from Exodus 20-23, which he associated with JE. And then he had the Deuteronomic Code which is, of course, associated with the source document D. There was a Holiness Code [H] and a Priestly Code [P]. The Priestly Code was associated with the source document P; this Holiness Code moved in somewhere around the same time as D. But the point is, you got that JEDP progression and in connection with it, the progression of law codes. We discussed that last week. The D code is the one code that has a chronological hook at 621 B.C. because the assumption was that the law book found in the temple in the times of Josiah was the book of Deuteronomy, and written about 621 B.C. Its great idea was the centralization of worship. Wellhausen said then this Deuteronomic Code requires centralization, whereas the Covenant Code in Exodus allows for multiplicity of altars and worship centers.

2. Driver’s Approach: D as an Expansion of JE and Parallels to Holiness Code

I think I read to you, right at the end of the last hour, from Driver’s Deuteronomy commentary. Driver is a follower of Wellhausen. He said, “The different relation in

which Deuteronomy thus stands to the three codes of J, E, H, and P, may be described generally as follows.” He sees the relation in which Deuteronomy stands to the three codes as an expansion of the laws JE. So D is an expansion of JE. “It is in several features parallel to the law of holiness.” Sort of a parallel to the Holiness Code. “It contains allusions to laws not indeed always the same as, but similar to, the ceremonial institutions and observances codified in the rest of P.” So he says it has allusions to stuff that gets codified in P, but wasn’t codified until much later.

Now that’s the general thesis that was developed by Wellhausen and followed by many ever since that time. The theory is based on the assumption that there is an evolutionary development of Israel’s religious ideas. That’s the assumption behind the theory. It’s really the starting point. You assume that Israel’s religious institutions, practices, and ideas, developed in an evolutionary pattern, and then you arrange the material in a way that reflects that assumed growth or development. That’s really behind the whole structure. We’ll come back to this later, particularly when we get to Deuteronomy and centralization of worship. But for the present, the thing I want you to notice is that in that whole JEDP structure, Deuteronomy is the cornerstone. So that’s the only fixed point, 621 B.C.

3. Wellhausen Dt. Is second period, Dependent on J Laws

Wellhausen really says that himself, that Deuteronomy is the cornerstone, in his volume *The Prolegomena to the History of Ancient Israel*, which was the volume that really changed the whole course of Old Testament study. On page 32 and 33, he says, “As the book of the covenant,” which would be that covenant code, “and the whole Jehovistic writing,” J document in general, “reflect the first pre-prophetic period in the history of the cultus. So Deuteronomy is the legal expression of the second period of struggle and transition.” So you see, you move from Covenant Code and the J document into the second period of Deuteronomy. He says, “The historical order is all the more certain because of the literary dependence of Deuteronomy on the J laws,” Thus D is dependent on J, “and narratives can be demonstrated independently and is an admitted

fact.

From this, the step is easy to the belief that the workers' discovery gave occasion to King Josiah to destroy the local sanctuaries, and that was this very book of Deuteronomy, which originally must have had an independent existence in a shorter form than at present. This alone, at least, of all the books of the Pentateuch, gives so imperious an expression to the restriction of the sacrificial worship to one chosen place. Here only does the demand make itself felt in its aggressive novelty and dominate the whole tendency of the law maker." He goes on and he discusses that. But later in his book, after, you see, he sets up that progression, page 368, he refers back to that first chapter, *Prolegomena to the History of Ancient Israel*. I'd say that's a single book that probably caused more change in approach to the study of the Old Testament than any other single book in the last 500 years.

4. Centralization of the Cult

On page 368, he says, "I always go back to the centralization of the cultus and deduce from it the particular divergences." Centralization of 621 B.C. by Josiah, that's his focal point. He says, "I always go back to that and deduce from it the particular divergences. My whole position is contained in my first chapter." His first chapter is where he outlines that progression. "There I have placed in a clear light that which is of such importance for Israelite history, namely, the part taken by the prophetic party in the great metamorphosis of the worship." What he means by that "great metamorphosis of the worship" is this change to a centralized sanctuary. That becomes the keystone to his whole theory. He says, "I always go back to that."

5. Other Scholars Following JEDP: Deut. as Keystone of 621 BC Date

Now, what I want to do is give you a few comments by a few other Old Testament scholars that show how important that is, not only to Wellhausen's system, but to others who have followed him in this. In the volume *The Old Testament and Modern Study*, which is a collection of essays on various aspects of Old Testament study edited by H.H.

Rowley, published in 1951, G.W. Anderson has the article on “The Religion of Israel” in this book. On page 283, in that article, “Hebrew Religion,” he says, “at no point has the conflict been keener than in connection with the date and nature of Deuteronomy, the keystone of the Wellhausen system of chronology.” He speaks of the date of Deuteronomy as the keystone of the Wellhausen system of chronology. He says at no point has the conflict been keener. “If there is serious uncertainty here, the entire structure of the theory is weakened and may collapse.” If you can shake that 621 date through the book of Deuteronomy, what Anderson is saying is, the whole theory’s gonna collapse.

H.H. Rowley, who is the editor of this book, wrote his own little book called, *The Growth of the Old Testament*, published in 1950 and reprinted numerous times. On page 29, he states, “The code of Deuteronomy is therefore of vital importance in Pentateuchal criticism since it is primarily by relation to it that the other documents are dated. Moreover, that code can be more precisely dated with a greater measure of probability than any other, for it is in highest degree probable that the law book on which Josiah’s reform was based was the book of Deuteronomy and that the book first became publically known at that time.” Again, you see, it’s central because the other documents are dated in relation to it.

Otto Eissfeldt, who wrote this *The Old Testament: An Introduction*, pretty standard treatment of Old Testament introduction, published in 1965, on page 171, he says: ‘de Wette, who in his *Dissertatio Critica* of 1805, maintains the thesis that Deuteronomy is a work that differs from the earlier books of the Pentateuch and stems from a later author, thus regarding Deuteronomy as having originated not long before the time of its discovery, namely 621 B.C. By this suggestion, the precise time of origin of Deuteronomy was established, and a fixed point was discovered, by which the age of the other component parts of the Pentateuch could also be determined. De Wette’s thesis thus provided 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.’ What’s that? That’s the Mosaic idea of authorship, “and put in its place an alternative dating of the

Pentateuch and its parts. It is true that the necessary conclusions from de Wette's judgment were only gradually drawn; he himself held to the view that the source we call P was older than D." See, the sequence was something that took quite a while to sort out. Wellhausen put it in the order it's presently in, where P comes later. But that Archimedean point is what Eissfeldt here terms this thesis of the Deuteronomy link with a Josian date 621 B.C. date.

6. 1928 JBL Volume on Deut. & 621 BC Date

Now, that's rather strong terminology. There is a number of articles on this, and I have these on your bibliography. If you look under "Introduction and Criticism," bottom of page 1 of that bibliography, and on over to the following pages, you'll notice there's an article on page 2 by G. Dahl, *The Case for the Currently Accepted Date of Deuteronomy*, in *Journal of Biblical Literature*, volume 47, 1928. There's also one by Julius A. Bewer, *The Case for the Early Date of Deuteronomy*, *JBL* 47, 1928. And then, over on the next page, there's one by Helby Patton, *The Case for the Post-Exilic Origin of Deuteronomy*, *JBL* 47, 1928. In other words, that volume of *JBL*, for that year, 1928, carried three articles on this question on the date of Deuteronomy. And you see with Bewer, you get the case for the early date; with Dahl, the case for the currently accepted date, which would be the Wellhausen date of 621; and then with Patton, the case for the post-exilic, pushing Deuteronomy much later into the post-exilic period. Now, it sounds like, from the titles of those articles, you're having a case argued for an early date, a 621 date, and a late date. That's somewhat deceptive, because all of these guys accept the Wellhausen date of 621. So when they're talking about the case for the early date, they're giving the case and then critiquing it. Or the case for the late date, they're giving that case and then critiquing it and then talking about how they accept the date as being the Wellhausen date. But those articles are pretty good summaries of the debate that was going on about sixty years ago. The debate's still going on, but you can go back and look at those three articles and get a pretty good introduction to some of the issues.

Why I mentioned that is because in one of those articles, the one by Dahl, *The Case for the Currently Accepted Date*, which is really a defense of the Wellhausen viewpoint....He makes some comments, on page 360 of his article, and he says this about this same question. He says, "It is good for the student of Scripture to recapitulate occasionally the reasons for the critical faith that is imminent." Kind of paraphrasing Scripture there. "Most emphatically is this true in the case of Deuteronomy. By unanimous consent, this book is accorded a central, pivotal position in the study of Old Testament history, literature, and religion. The ethical reconstruction of the course of Hebrew history, which has been the supreme service and marriage of critical biblical scholarship to mediate, depends for its validity first of all upon the essential correctness of our dating of Deuteronomy." This critical structure, he says, "depends first of all for its validity upon the essential correctness of our dating of Deuteronomy. In particular, the identification of the so-called fifth book of Moses, with the book of the law mentioned in 2 Kings 22, is generally regarded as the very," and here's another phrase, "keystone of the arch of Old Testament research." Keystone of the arch of Old Testament research is the dating of Deuteronomy. Eissfeldt called it the Archimedean point, and Dahl calls it the "keystone of the arch of Old Testament research." "To abandon, or even seriously question this finding, won by patient and unremitting toil of several generations of scholars, would involve a readjustment of the whole critical position which is nothing short of revolutionary." Now that's coming from somebody that's defending the view but admitting the whole thing hangs on the date of Deuteronomy. And in a footnote on that page, he cites some other people. George Foot Moore, *Literature of the Old Testament*, says, "Deuteronomy is a fixed point, by reference to which the age of other strata in the Pentateuch may be determined, at least relatively." Then we see Graham, in the *Journal of Religion*, 1927, states, "It then becomes a sort of meridian of Greenwich, a fixed point in chronological and psychological relationship to which the other literature can be replaced." So there you get another phrase.

Student: "Is Dahl quoting these?"

Vannoy: “Dahl’s quoting these other guys. So you’ve got this “Archimedean point,” “keystone of the arch of Old Testament research,” and “meridian of Greenwich” in reference to the date of Deuteronomy’s function in relation to the rest of the critical structure, the JEDP structure. Then he quotes a German, but he quotes him here in German, but if you translate that, it’d be, this German fellow says, “With Deuteronomy stands or falls the entire critical structure, which was carefully constructed during the last decades of the 1900s.”

7. Significance of the Dating of Deut. on 621 BC and other options

So the reason I take time to go through all that is to try to impress on you the importance, the significance, of the date of Deuteronomy. I mean, if dating Deuteronomy in 621 is a mistake, then you’ve undermined, you see, this whole elaborate critical theory, and these people readily admit that. So it seems to me to be of great significance that the question of the date of Deuteronomy is still not a settled question. There’s a lot of debate still going on today and even among critical scholars. As these articles I’ve pointed out to you indicate, some critical scholars say it ought to be moved earlier, some say it ought to be moved later. So even within the academic world of critical scholarship there’s ongoing debate about where Deuteronomy ought to be placed. As far as evangelicals are concerned, it ought to be moved back where it represents itself to be: the Mosaic era. So there’s still a lot of discussion going on. And in the last 50 years or so, the Wellhausen position has been challenged from various directions. Those articles are reflections of that. As Dahl says in that same article, the second page of it, he says, “Critical scholars have been wittily characterized by someone as a band of cannibals who refresh themselves by devouring one another.” That’s not something you often get an idea of in popular treatments of questions like this, where it seems like 621’s an established fact; it’s not debatable. But you look in the journals and the technical articles, you find there’s all this debate going back and forth, even among critical scholars. So there have been advocates of post-exilic dates (we’ll see this later, we’ll go through this); there have been advocates of an earlier date than 621, but later than Moses; in other words, pushing it

back somewhat earlier, but not all the way back to Moses. So there have been all kinds of viewpoints.

Of course, at the same time, there have always been those who have defended a Mosaic date. I mean, all through the course of this discussion, there have been good representations of people who argued for a Mosaic date. At the end of this, about all this debate that goes on, Dahl says, “Here, then, are two definite problems that still wait solutions. They stand as a challenge to Old Testament criticism. If the experience in the past is any criterion, these problems too will, in due time, find their solution.” The words of Isaiah 48:22 (very freely rendered), “There is no peace,” saith Jehovah, “There is no peace for the wicked,” is what it reads in Isaiah 48, but the debate goes on.

II. The Authorship and Date of Deuteronomy

A. Survey of Critical Approaches

All right, that is C under Roman I, “The Importance of the Dating of Deuteronomy to the JEDP Theory.” I don’t think I can emphasize too much how significant that is. Roman II is “The Authorship and Date of Deuteronomy: A Survey of Critical Approaches.” What I’ve done here is simply taken first the theory of the Wellhausen school, which I’ve already alluded to and then B is “Challenges to the Classic Wellhausen Position from Various Directions.” And 1. is post-exilic; 2. is date earlier than 621 but during the monarchal period; 3. pre-monarchal dating but non-Mosaic, just moving back a little bit earlier than J; and 4. advocates of the Mosaic date. So we just sort of get a survey then of these various approaches to the date of Deuteronomy.

A. The Theory of the Wellhausen School

So A, “The Theory of the Wellhausen school: I’ve already summarized the basic features of it and the importance of Deuteronomy being dated in 621 for the JEDP theory in general. But let me just fill in a few more details, perhaps. As I mentioned earlier, Wellhausen considered Deuteronomy to be the law book referred to in 2 Kings 22 and following, which is where we have the story of the time of King Josiah. So that is the law

book found in 2 Kings 22; and then, in addition, he says the book was written in the time of Josiah.

At the time that Wellhausen advanced his theory, the usual view was that the law book found in the temple was the entire Pentateuch, not just Deuteronomy. So at the time Wellhausen advanced his views, the general idea was that it was the entire Pentateuch that was found in Josiah's time. But I don't think that saying it was only Deuteronomy is necessarily something that needs to be argued. It may have been. It's hard to say whether it was the entire Pentateuch or just Deuteronomy. The idea that it was just Deuteronomy was not a new idea; some of the Church Fathers held that the law book was Deuteronomy, among them, Athanasius, Jerome, and Chrysostom. They held that it was Deuteronomy, but they didn't deny Mosaic authorship. That'd be the point of difference.

1. DeWette Contribution

As I mentioned before, Wellhausen's view is that it was Deuteronomy but that it was also written in the time of Josiah. He derived that from Wilhelm H. M. de Wette. De Wette had developed that idea that Deuteronomy was written at about the time of Josiah, and his basic arguments for that were two. The first one was he said in the historical books, with the exception of texts that are clearly from a later date, there is no trace of Deuteronomy before the time of Josiah in the historical books. In other words, Joshua, Judges, Samuel, Kings, up to the time of Josiah, he says there's no trace of any influence of Deuteronomy prior to the time of Josiah. But then, you see, he qualifies that by saying "except from the texts that are clearly from a later date." In other words, you see what he's saying is, you don't find Deuteronomistic influence in the historical books up to the time of Josiah. If you find something that looks like it's Deuteronomistic influence, then you know that's a later insertion that has been inserted back into that text subsequent to the writing of Deuteronomy. He said, "In the historical books, with the exception of texts that are clearly from a later date." Why? Why are they clearly from another date? Because they reflect Deuteronomy. So, he asserts, "There's no trace of Deuteronomy before the time of Josiah." That is his first argument.

Second argument: He says, “The content of 2 Kings 22 confirms that Deuteronomy is in view.” What he means by that is the nature of Josiah’s reform reflects emphases from the book of Deuteronomy. So he says the content of 2 Kings 22 confirms that Deuteronomy is in view. Now, those were the two main arguments. De Wette speculated that perhaps Hilkiyah, Huldah, or Shaphan were involved in the authorship of the book. Now who were Hilkiyah, Huldah, and Shaphan?

Student: A prophet.

Vannoy: Hilkiyah was a priest. Who was Huldah?

Student: Probably a prophet.

Vannoy: She was a prophetess, to whom the book was taken after it was found. Shaphan was the one who read it to King Josiah; he was a scribe in the service of Josiah. There are three individuals’ names linked with, you see, the “finding” of the book of the law in the time of Josiah. So he speculates that Hilkiyah the priest, Huldah the prophetess, and Shaphan the scribe were involved in the authorship of the book. So, you can’t be sure of that, but that’s the suggestion, so that, inseparably related to the finding of the law book in 621 is that it was written about that time of its finding. Hence, it was a deliberate deception, or “pious fraud.” You know, it wasn’t really found, it was just represented as having been found, represented as being Mosaic, in order to give it authenticity and authority. So, we get this pious fraud idea, where the people are deceived into thinking, “Here is the law which God gave to Moses.”

Now that’s a rather radical view, to think that a book with the kind of content the book of Deuteronomy has could be something written by people who are deceitful enough to fraudulently present something like that as authentic when it wasn’t. But some people felt there was a certain problem with that, so there’s a more moderate view, you might say, advanced by some who otherwise agreed with the Wellhausen/de Wette position. And they said that maybe Deuteronomy was written earlier than the time of Josiah, and move it back, say, to the time of Hezekiah or Manasseh, which wouldn’t be moving it back very long, but, they’d say, it was written maybe in the time of Hezekiah or Manasseh and then really lost during the terrible period of apostasy during the time of

Manasseh. Then it could really have been found in Josiah's time. But in all of those views, it's assumed that Deuteronomy was first publicly proclaimed as law under Josiah.

Now, one other comment about this view, which is interesting, I think. Behind this consensus, was the presupposition that the narrative of 2 Kings 22 and 23 is historically reliable. Because, you see, the argument is the account of 2 Kings 22 and 23 and the description there of Josiah's reformation is of such a nature that makes us conclude that Deuteronomy must have been the impetus for that reformation. Well, that assumes, then, that this account is reliable. If you question the historical reliability of 2 Kings 22 and 23, then you lose the linkage for definite historical date for the book of Deuteronomy. Now the interesting irony: Deuteronomy is a pious fraud but Kings must be historically reliable.

Student: "As far as reliability, if this was a deliberate deception, how could it then be reliable? I'm not sure exactly what you mean by reliable. If you had said, 'This was a deliberate deception,' then it wouldn't really be reliable."

Vannoy: Well, what I mean, and I'm really taking that from some of this debate, is the description of the character of the reformation under Josiah, the way it really happened. If you don't assume that description is reliable, then you don't have a basis for saying Deuteronomy was found, so in that sense.

Dahl says, on page 376, in that same article I read from you before, he says this: "The historicity of these chapters is seriously challenged by a number of scholars," that is, 2 Kings 22 and 23; "The historicity is seriously challenged by a number of scholars. Upon the answer to the question of their historical value depends much, but not all. Whatever doubts may be entertained upon the subject, it simply will not do to isolate the question of the historicity of 2 Kings 22 and following, as though their testimony were alone and unsupported. We have already seen abundant, independent evidence exists for placing Deuteronomy in this particular niche of literary and religious development." Later he says, "But, as a matter of fact, our faith in the essential trustworthiness of the record is abundantly justified by literary criticism. The editor of Kings seems to have used here an older written source, clearly distinguishable in style and thought, from his

own writing. This was probably included in a pre-exilic history of the kings and may well have been written by a contemporary of Josiah, almost certainly, in any case, before the catastrophe of 586. The fact that the book of Kings, in its final form, is of later date does not necessarily stamp the account in these chapters as an invention, nor does the evident working-over of Huldah material overbear the evident soberness of the main story. There is such a thing as over-refined skepticism.”

Now the interesting thing is, here is this critical scholar trying to defend the historicity of 2 Kings 22 and 23 against the very same kind of people who are questioning the historicity of 2 Kings 22 and 23, and says there is such a thing as over-refined skepticism. And he goes on to discuss this for a couple more pages. But he says, “In spite of all this, it would nevertheless seem we must presuppose a historical basis for some, at least, of the tradition. Surely they’re not all manufactured out of whole cloth. The reform of King Josiah seems better attested than most. The balance of probability seems to be decidedly in favor of a general historicity of 2 Kings 22.” It’s really interesting to find a guy like this trying to argue for historicity in 2 Kings 22 and 23 in order to support this theory, when generally the method is quite the reverse. But you see why that relates to the case. And some of those that want to move Deuteronomy to a later date challenge the historicity of 2 Kings 22 and 23.

So that’s the basic Wellhausen position; I think I’ve said enough about the general theory. Dahl argues that abundant independent evidence exists for placing Deuteronomy in this context of Israelite literary/religious development. He tries to convince us that his conclusions are based on historical evidence.

2. History of Religions Contribution

But I don’t think it’s that; I think it’s simply this long standing, now for a century, view that Israel’s religion developed in an evolutionary pattern, like religions are assumed elsewhere to have developed, and that when you look at the Pentateuch and you find these magnificent, sophisticated God concepts, i.e. Genesis 1, “In the beginning, God created heaven and earth,” that couldn’t possibly have existed in the early date of Israel.

Such an elevated God concept that you find there must be late. So Genesis 1 is P; it's written in the exile. And it's that evolutionary scheme of things that is the heart of it, I think. They're looking at it from a "history of religion" standpoint, trying to reconstruct by the historical-critical method, a history of Israel's religious development.

3. Anti-Miracle Bias

That historical-critical method, that they're committed to is a method, that from the outset would exclude divine interventions and miraculous things of that sort. In other words, the historical-critical methods have to look at and be able to explain, via natural cause and effect, everything that happens. You've got to work with the analogy of history. That means that when we read events that are not part of our own experience, those things didn't happen. The analogy of history is sort of a control on whether or not you can accept divine interventions and miraculous things. Here's the way that methodology is set up: anywhere you find divine interventions or the miraculous, the assumption is we know those things don't happen, so if you find them in the text, we know that that's not true and it's likely mythological. So you see it's based on that kind of naturalistic methodology and imposing it on material that by its very nature is alien to this methodology. But that's supposed to be scientific.

I think we better take a 10-minute break. And then we'll go on to "Challenges to the Wellhausen Position from Various Directions." We'll look at that in the second hour.

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