

Fundamental Issues in the Study of *Tanakh*
By Rav Amnon Bazak

Shiur #4b: Duplication and Contradiction (continued)

C. Historical focus of the documentary hypothesis

Our discussion of the historical aspect^[1] of the documentary hypothesis will begin with the main arguments for the dating of the Deuteronomist source, which serves as the basis for the dating of the other documents. The prevalent view in academic circles, since the time of de Wette, has been that the major part of the Book of *Devarim* was written in the 7th century B.C.E., as part of the battle waged by Chizkiyahu and Yoshiyahu for centralized ritual worship, and that there is a connection between this source and the discovery of the Book of the Torah by Chilkiyahu the Kohen in the Temple, in the days of Yoshiyahu (*Melakhim* II 22).^[2] This assertion is based mainly on the argument that *Devarim* is the only Book of the Torah which speaks of the selection of a single location for Divine service, and rejects worship outside of this location, as emphasized over and over in chapter 12. For instance, we read:

"Guard yourself lest you offer up your burnt offerings in every place which you see; but only in the place which God will choose, among one of your tribes – there shall you offer up your burnt offerings." (12:13-14)

Practical expression of the war on multiple places of Divine worship in the land appears for the first time in the days of Chizkiyahu (*Melakhim* II 18:4, 22), and especially in the words of his great-grandson, Yoshiyahu (*Melakhim* II 23), immediately after the discovery of the Book of the Torah. This led to the hypothesis that the Book in question was composed during this period, as a means of reinforcing the struggle for the designation of a single location for Divine worship, and as part of the war on idolatry around Jerusalem and in general. For this reason it is only in the Book of *Melakhim*, which was obviously composed after the period of Yoshiyahu, that mention is made of the fact that the people offer sacrifices on '*bamot*' (altars other than the one in the Temple).

As noted, the dating of the Deuteronomist source served as the cornerstone for the dating of the other documents, for this was the only instance where the proposed period of authorship rested upon a specific historical event, while the dating of the other documents was based more on literary and philosophical analysis, rather than on actual history. Specifically, it was proposed that the verses attributed to the "Elohists" ('E') source seem to indicate that sacrifice is possible anywhere, and there is no obligation that they be limited to a single location:

"You shall make for Me an altar of earth, and you shall offer upon it your burnt offerings and your peace offerings and your sheep and your oxen; in every place

where I cause My Name to be uttered, I shall come to you and I shall bless you."
([Shemot 20:20](#))

The argument runs that this source must have preceded the Deuteronomist source, and that it was only at a later stage of history that the idea of centralization of worship in a single location arose, necessitating the composition of a book which would make that argument – i.e. the Book of *Devarim*.

However, this claim – central to the documentary hypothesis – raises several difficulties. We shall address some of them.^[3]

1. As we know, *Devarim* makes no mention of the name of Jerusalem; rather, it speaks (more than twenty times!) of "the place which God will choose." Had *Devarim* indeed been written only towards the end of the First Temple Period, why would the selection of Jerusalem not be mentioned explicitly?
2. De Wette's hypothesis grants disproportional weight to the opposition to Divine worship outside of the location designated by God, when one takes into account its rather minor place in Yoshiyahu's revolution, on the one hand, and in *Devarim*, on the other. The crux of Yoshiyahu's battle was against idolatry, which as we know, features throughout the Torah.^[4] The *Tanakh* devotes 21 verses to its description of Yoshiyahu's actions in the wake of the discovery of the Book of the Torah, and the great majority of these describe explicitly the extermination of the various types of idolatry: the *ba'al* and the *asherah* (verses 4-7); worship of Molekh (verse 10); sun-worship (verse 11); the altars built for idolatrous purposes by the kings of Yehuda, from the time of Shlomo until the days of Achaz and Menashe (verses 12-14); worship of the calves by Yerav'am ben Nevat (verses 15-18), etc. Only a single verse discusses Divine worship outside of the Temple (verse 8). The argument that *Devarim* was composed for the purpose of reinforcing such a relatively minor issue as the centralization of Divine worship in *Melakhim*, seems questionable.
At the same time, even in *Devarim* itself, this prohibition is mentioned in chapter 12, but cannot be regarded as a central motif of the book as a whole, in comparison with its multiplicity of *mitzvot* and other subjects.
3. *Melakhim* recalls, throughout, the problem that "the people were still sacrificing and offering incense on the *bamot*" (*Melakhim* I 22:44; *Melakhim* II 12:4, and elsewhere), and the word "*bamot*" appears dozens of times. If *Devarim* was composed for the sake of the Book of *Melakhim*'s struggle against Divine worship outside of the Temple, we would expect *Devarim* to make explicit mention of the '*bamot*.' In practice, however, the word does not appear in *Devarim* at all.
4. Opposition to the centralization of Divine worship in *Melakhim* appears when such worship takes place for the first time, early on in the book, following the construction of the altar in Beit El, by Yerav'am (*Melakhim* I 12:32-33). Concerning this, the 'man of God' who comes from Yehuda chastises Yerav'am, and foretells a gruesome end for the altar:

"Altar, altar, so says God: behold, a child will be born to the house of David, by the name of Yoshiyahu, and he shall offer upon you the *kohanim* of the *bamot* who burn incense upon you, and they shall burn human bones upon you" (ibid. 13:2).

This tells us that the struggle against altars outside of Jerusalem began immediately after the phenomenon appeared, following the break between the two kingdoms. According to the documentary hypothesis, one would have to conclude that this narrative was composed only after Yoshiyahu's religious revolution, and was deliberately "planted" in the text in order to support his campaign.^[5] However, an approach which accepts the reliability of the biblical narrative in a partial manner that suits its own assumptions seems rather superficial.

5. In Yirmiyahu's prophecy (34:13-14) we read:

"So says the Lord God of Israel: I forged a covenant with your forefathers on the day I brought them out of the land of Egypt, from the house of slavery, saying: At the end of seven years, every man shall release his Hebrew brother who has been sold to you; when he has served you for six years, you shall let him go free from you."

Yirmiyahu refers here to a covenant which had been forged already at the time of the Exodus – and then goes on to cite almost verbatim a verse from [Devarim \(15:12\)](#):

"If your brother, a Hebrew man or a Hebrew woman, is sold to you, when he has served you for six years, then in the seventh year you shall let him go free from you."

Thus, Yirmiyahu clearly testifies that *Devarim* was written during the period of the Exodus, and he makes extensive use of this *Devarim* throughout his prophecies,^[6] to reinforce the messages that he seeks to convey.^[7]

6. The argument that there is an absolute contradiction between the principle of centralization of worship espoused by Yoshiyahu and the book of *Devarim*, and that which we find in *Shemot* – "In every place where I cause My Name to be mentioned, I shall come to you and I shall bless you" – is likewise fairly weak. In fact, one might arrive at the opposite conclusion, since the source in *Shemot* does not offer license to build an altar anywhere, but rather in specific places where God causes His Name to be mentioned. As Ibn Ezra comments:

"In every place where I place awareness of My Name, since My glory dwells there – such as Shilo and Nov, where the Ark stood [at different periods]."

The verse in *Shemot*, according to the plain meaning of the text, refers to different periods, prior to the selection of a single location. This situation lasted for hundreds of years, from the entry into the land until the building of the Temple by Shlomo, and during this time there were different places where God caused His Name to be mentioned. But the verse in no way contradicts the idea that at some stage a single location would be chosen where God will cause His Name to rest. In fact, in *Devarim* itself we find the commandment to build an altar on Mount Eival ([Devarim 27:4-7](#)) and to offer up sacrifices upon it. Hence

we must conclude that there is no problem with building altars and offering sacrifices in various places prior to God's selection of one specific location.^[8]

7. The adherents of de Wette's view saw further proof for their argument in the fact that altars existed in the time of Eliyahu, after the establishment of the Temple and well before the reigns of Chizkiyahu and Yoshiyahu, yet no mention is made of disapproval of Divine worship outside of the Temple in the Books of prophets of this period such as Amos, Hoshea, Mikha, and Yishayahu. This would seem to show that the prohibition of sacrificing outside of the Temple was instituted only in the time of Yoshiyahu.^[9] Concerning the first argument, the establishment of the altars on Mount Carmel by Eliyahu (*Melakhim* I 19) was clearly a one-time event meant to demonstrate and prove faith in God. It could not have taken place in Jerusalem, for two reasons: first, because Eliyahu was active in the kingdom of Israel, whose capital was in Shomron; and second, even if theoretically it might have been possible for him to get to Jerusalem, the "competition" between Eliyahu and the worshippers of Ba'al could obviously not have taken place there.^[10] However, when Eliyahu flees and comes to Mount Chorev, he declares,

"For the Children of Israel have abandoned Your covenant; they have destroyed Your altars and have slain Your prophets by the sword" (*Melakhim* I 19:10).

If altars were forbidden in any case, why would Eliyahu have been troubled by the fact that they had been destroyed? It seems that after the division of the kingdom, there was indeed a phenomenon of altars to God in the Kingdom of Israel, which was cut off from the Temple at Yeravam's initiative; it was these altars that were destroyed by the worshippers of Ba'al. Although the establishment of these altars was forbidden in the first place, their destruction was seen as a very grave demonstration of idolatrous loyalties. This also helps us understand why this subject does not feature in the prophecies of the prophets of Israel at the time: in their campaign against idolatry, there was no room for speaking out against the worship of God in inappropriate places. Those in the Kingdom of Israel who built altars to God were evidently regarded by the prophets in a positive light, since the obvious alternative was the far greater evil of outright idolatry.

In any event, it should be emphasized that *Melakhim* itself – whose composition, according to these scholars, was inspired by Yoshiyahu's revolution, and was aimed at advancing the idea of the concentration of worship – is the very same source that brings the story of Eliyahu; this proves that this incident is not a contradiction of the principle. Unless we posit that the editor of *Melakhim* did not understand the contradiction between his narratives, the obvious conclusion is that this Book believes that although one single location had been chosen in Jerusalem, there is no contradiction between that and the gravity of the shattering of altars to God outside of Jerusalem.

We therefore conclude that the central argument for the claim of late authorship of *Devarim* has multiple and serious flaws. And since this argument is the basis for the

dating of the other documents, the historical claims of the documentary hypothesis as a whole are without foundation.

(To be continued)

Translated by Kaeren Fish

^[1] Historical questions arose once again in the wake of archaeological discoveries in Israel, on the one hand, and Ancient Near Eastern studies, on the other. These geographical-historical aspects, which arose at a later period than the documentary hypothesis, will be discussed in future chapters.

^[2] De Wette had offered the hypothesis that the Book of the Torah was actually a forgery, and that it was the *kohanim* in the time of Yoshiyahu who had authored it, with the aim of having it viewed as holy in order to gain acceptance by the people, and it was for this reason that they placed it in a concealed place in the Temple. In our first chapter we discussed the possibility that the "Book of the Torah" discovered by Chilkiyahu may well have included only the main parts of *Devarim*, and we noted that the commentary on *Divrei Ha-yamim* attributed to Rashi maintains this view. However, the claim that the work was a forgery that was innocently accepted by the public, gives rise to doubts concerning the practical likelihood of such a conspiracy. Indeed, many scholars today do not accept this theory, arguing instead that the *Sefer* had been written during the time of Chizkiyahu, was hidden during the period of Menashe, and was rediscovered during the reign of Yoshiyahu (see M. Weinfeld, *Mi-Yehoshua ve-ad Yoshiyahu*, Jerusalem 5752, p. 177; Weinfeld himself presents a far more complex view).

^[3] For reviews of the difficulties surrounding the hypotheses of de Wette and Wellhausen, concerning the essence and dating of *Sefer Devarim*, see: M.Z. Segal, *Mavo ha-Mikra*, Jerusalem 5737, pp. 140-142; M.D. Cassuto, "Devarim," *Encyclopedia Mikra'it* II, Jerusalem 5714, column 611; Y.M. Grintz, "Devarim," *Ha-Encyclopedia ha-Ivrit* XI, Jerusalem 5717, columns 887-890. In English, see U. Cassuto, *The Documentary Hypothesis*, Jerusalem 2011.

^[4] In the Ten Commandments we already find, "You shall have no other gods beside Me" ([Shemot 20:2](#)), and further on in *Shemot*, "You shall make no mention of the name of other gods, it shall not be heard from your mouth" (ibid. 23:13). See [Shemot 34:11-16](#); [Vayikra 19:4](#); and elsewhere.

^[5] See, for example, M. Haran, *Ha-Assufa ha-Mikra'it: Tahalikhei ha-Gibbush Ad Sof Yemei Bayyit Sheni ve-Shinuyei ha-Tzura Ad Motza'ei Yemei ha-Benayim*, Jerusalem 5764, pp. 28-32. Haran attempts to prove that the story is chronologically later on the basis of the mention of Yoshiyahu as the one to destroy the altar. However, this hypothesis relies on two prior assumptions. First, Haran rejects outright the existence of the phenomenon of prophecy; if this were true, then even if the words "by the name of Yoshiyahu" did not appear here, there would be no room for a prophet to say anything about the future. Therefore, to his view, any story about a prophecy concerning the future is actually based on later authorship, after that "future" had already come to pass; only then could historical events be presented as having

been prophesied in advance. Obviously, for a person who believes that prophecy did exist, there is no difficulty in accepting the possibility that a prophet would foretell the future. Second, even if we agree that prophets do not usually foretell the names of people who will only be born hundreds of years in the future, it is reasonable to posit that only the words "by the name of Yoshiyahu" are not part of the original narrative, but rather were a later addition introduced by the editor of the Book, who was familiar with the specific fulfillment of this prophecy. This assumption does not rule out the concept of prophecy concerning the future (as noted, for example, by Y. Elitzur, *Yisrael ve-ha-Mikra*, Jerusalem 5760, pp. 19-20).

^[6] For a discussion of the ways in which Yirmiyahu makes use of verses from *Devarim*, see: D. Rom-Shiloni, "*Ha-Torah be-Sefer Yirmiya: ha-Technikot ha-Parshaniot ve-ha-Megamot ha-Ideologiot*," *Shenaton le-Cheker ha-Mikra ve-ha-Mizrach ha-Kadum* 17, 5767, pp. 43-87.

^[7] Many additional arguments in this regard are raised in the sources cited in n. 3 above. Among others, the following difficulties are treated: Had *Devarim* been written in the time of Yoshiyahu, there would be no reason for it to have mentioned the obligation of acting in a positive way towards Edom (see [Devarim 23:4-9](#)), since Edom was an enemy kingdom during this period (see *Melakhim* II 8:22). Furthermore, the text affirms that Amatzia, who reigned before Chizkiyahu and Yoshiyahu, also fulfilled the commandment set forth in *Devarim* not to put children to death for the transgressions of their fathers (see *Melakhim* II 14:6; cf. [Devarim 23:18](#)). In addition, the depiction of the prophet-leader set forth in [Devarim 18:16](#) sits well in relation to such figures as Yehoshua and Shmuel, but not with regard to the prophets at the end of the First Temple Period.

^[8] As Cassuto notes (above, n. 3), the proponents of the Documentary Hypothesis indeed argue that the unit in *Devarim* concerning the altar on Mount Eival does not belong to the Deuteronomist source, but rather represents a later addition. However, this seems like a superficial and *ad hoc* manner of solving textual difficulties, using the theory to shape the evidence rather than the other way round, even when it results in such a forced reading as this.

^[9] Scholars who adopt de Wette's view also base their view on the absence of any negative view regarding the multiplicity of altars from the period of the Judges or from the time of King David; and that in fact, these sources indicate evidence of many altars during the period of the settlement of the land and the period of the Judges (see, for example, A. Rofe [n. 5 in last week's shiur], p. 59). However, these arguments are puzzling: *Devarim* itself emphasizes that the prohibition applies specifically in the context of "the place which God shall choose", and God's choice of Jerusalem became apparent only during the time of Shlomo (see *Melakhim* I 8:12-21). The plain meaning of the text gives no indication of a prohibition on sacrificing at other locations prior to the selection of the site of the Temple. *Chazal* discuss the question of the permissibility of *bamot* and the different periods in which this license was used (for a summary of the discussion, see "*bama*", *Encyclopedia Talmudit* 3, pp. 339-341), but they address mainly the verses in *Sefer Vayikra* [17](#), which are not relevant to our discussion at this stage.

^[10] *Chazal* point out the exceptional nature of the construction of an altar on Mount Carmel, viewing it as an "emergency measure" (see [Yevamot 90b](#) and elsewhere).

