

DEUTERONOMY AND THE DEUTERONOMIC SCHOOL*

By R. P. GORDON

Weinfeld's volume, embodying the results of approximately fifteen years' study of the Deuteronomic literature, admirably combines treatment of the ancient extra-Biblical material with discussion of modern literature on the subject. The *mise en scène* remains more a matter of assumption than of argument: Deuteronomy was composed in the latter half of the seventh century BC; the Deuteronomic history assumed definite shape early in the sixth century; the Deuteronomic prose portions in Jeremiah came later (*pace* Bright), in the second half of the sixth century. There are three main divisions in the book, covering typology (by far the longest section), ideology, and affinities with wisdom literature. Appendices ('Deuteronomic Phraseology' and 'Hosea and Deuteronomy'), glossaries and indexes account for almost a third of the entire work. Weinfeld's thesis is that Deuteronomy originated in the scribal schools of Hezekiah and Josiah but, to quote words more easily transcribed than paraphrased, his major preoccupation is with 'the *Sitz im Leben* of deuteronomic creation rather than its historical setting' (p. viii).

Orations are an important typological element in the Deuteronomic literature. These do not reflect actual cultic situations, but are regarded as 'programmatically compositions drafted by scribes' (p. 8). Four types of oration are distinguished—valedictory, prophetic, liturgical and military. Valedictory addresses normally conclude the biographies of national leaders; where no such opportunity for homiletics existed editorial summaries of significant periods had to suffice. In Deuteronomic hands the prophetic oracle widened its purview to deal with dynastic fortunes and not just the fates of individual kings. Thus two levels are discernible in the prophecies made about Ahab's death (pp. 18ff.); the earlier source was concerned with retribution for the murder of Naboth (1 Ki. 21:17-20a), while the Deuteronomist was more interested in punishment for Ahab on account of cultic sins (verses 10b-26). Also involved

* A review of M. Weinfeld, *Deuteronomy and the Deuteronomic School*, Clarendon Press, Oxford (1972).

here is a new concept of retribution, for the earlier tradition (underlying verses 27-29) spoke of the transference of Ahab's blood-guilt to his son, whereas the Deuteronomic version sees vengeance inflicted upon Ahab in person (ch. 22:35b, 38), with Joram's death the decreed end of an evil dynasty. *MT* presents difficulties and Weinfeld's reconstruction offers a plausible explanation of 1 Kings 22:35b, 38 *vis-à-vis* 2 Kings 9:25, 26. The dynastic sins and retribution for Naboth's death are, however, linked in 2 Kings 9:22-26 and, regardless of the origin of verse 22, this could be significant for the apparent *forma mixta* of 1 Kings 21, 22. As an example of the 'negative prophetic cycle' Weinfeld (p. 24) cites 1 Kings 21:28, 29—introduced to explain the delay in the fulfilment of the threat of verses 10b-26. There seems to be an inconsistency here since it has already been allowed (p. 18) that transference of Ahab's personal guilt to his son was announced in the 'original prophetic narrative'.

The explanation of the editorial comment in 2 Kings 14:26, 27 within the framework of the 'negative prophetic cycle' (p. 25) seems somewhat supererogatory! These verses are taken by Weinfeld as representing the burden of Jonah's message rather than as editorial comment; and the Deuteronomist could not bear to think of Jonah prophesying greatness for Jeroboam son of Joash. A simpler understanding of the passage would be that Jonah prophesied of prosperity under Jeroboam and the editor sought to show things in their true perspective by adding his own observations in verses 26 and 27. He was more concerned that an evil king should have prospered than that a prophet should have predicted the prosperity.

Weinfeld disagrees with von Rad's assessment of Deuteronomy 26:5-9 as an ancient credo. On the contrary, he regards the section as a Deuteronomic liturgical oration, the most pronounced example of which is Solomon's prayer in 1 Kings 8. Here the conception of the temple as a house of prayer, adumbrated in Deuteronomy, replaces the emphasis in that book upon the temple's sacrificial function. Indeed, it was Deuteronomy or the Josianic reform which paved the way for the institution of the synagogue (p. 44).

The fourth category of oration, the military, is punctuated by short rallying calls, calculated to boost the popular morale. Ideologically these orations are marked by their emphasis upon

the people's military rôle, to the exclusion of the warrior-God motif (p. 47). A military strain often pervades Deuteronomic accounts where it is absent from the underlying traditions in Numbers. Deuteronomic adaptation of Joshua 1-12 has given these chapters a national outlook in contrast to the tribal interest of chapters 14-19, and the personal role of Joshua is revised accordingly. On the basis of a few parallels with Assyrian royal inscriptions this military element is thought to reflect the military reality of the eighth and seventh centuries (p. 51).

Stressing that the orations in Deuteronomy were the creation of speculative thought and not of cultic reality, Weinfeld notes that the 'Book of the Law' was entrusted to 'the priests the Levites' but was not composed by them (*contra* Bentzen and von Rad). For the Levites to compose Deuteronomy and propagate the doctrine of centralization would be like a man sawing through the branch upon which he is perched. Nor could the Levites have had access to the wealth of literary material which Deuteronomy comprises; only a neutral circle (Weinfeld's 'scribes and wise men') could have drawn upon the various types of literary material which make up Deuteronomy.

Treaty form and phraseology are treated in a second major section on typology. Deuteronomy represents the form of the Hittite treaties of the second millennium to a greater extent than do the covenants of Sinai and Shechem. The seventh-century Assyrian treaties of Esarhaddon, however, continue the tradition of the Hittite treaties; they are contemporary with Deuteronomy and are the prototype of Deuteronomy's covenant form. Deuteronomy's elaborate curse formulae find their closest parallel in the Assyrio-Aramean treaties but the historical prologue, on the other hand, is reminiscent of the Hittite form (p. 67). Weinfeld's special pleading in order to explain the absence of historical prologues in the extant Assyro-Aramean treaty texts ('now you see it, now you don't') does not convince as an impartial handling of the evidence. If the historical prologue 'is not found in treaties of the first millennium' (p. 67) we are entitled to ask how the historical prologue can be taken as an example of the 'formal resemblance between Deuteronomy and *Mesopotamian* (italics mine) and Hittite state treaties' (p. 69).

Frankena had already noted the correspondence between the

curses in Deuteronomy 28:28-34 and those in the Esarhaddon treaties, but Weinfeld's inclusion of verse 27 brings to light a particularly striking agreement (pp. 116ff.). The sequence of curses in the Assyrian treaties is based on the hierarchy within the Assyrian pantheon. Sin, associated with leprosy, and Shamash, who had the power to inflict social darkness (*i.e.* anarchy), almost always appear together and in the order given. Here is the key to the otherwise inexplicable juxtaposition of verses 27 and 28 of Dt. 28. While the same pairing may be seen on Babylonian *kudurru* stones and even in the Code of Hammurabi, Weinfeld considers that the cumulative evidence indicates Deuteronomy's dependence on Assyrian treaty documents (p. 122).

Comparison with the Neo-Assyrian treaties also shows that the imprecations in Deuteronomy 28:48ff. do not necessarily reflect a real situation and therefore need not be regarded as late interpolations. The point has been made before, but bears repetition. The same chapter in Deuteronomy does not impress by its homogeneity and a complicated redactional process has frequently been assumed; a similar lack of integration is apparent in the original copy of the Esarhaddon treaty of the 16th of Ayr, 672 BC. This composite form is, in both instances, to be explained by the scribes' use of a variety of traditional curses (p. 129).

Deuteronomy does not conform to a rigid treaty pattern, least of all in its emphasis on civil, cultic and criminal law (p. 148). Is it rather to be compared with the law-codes of Ur-Nammu, Lipit-Ishtar and Hammurabi (Weinfeld's use of the term 'Old Babylonian' in reference to the first is unfortunate; incidentally, Ur-Nammu's 'code' belongs to the third millennium—Weinfeld's reference on p. 149, lines 7ff., could be taken to imply otherwise)? While it is true that the structure of the law-codes is similar to that of the treaty the analogy with the political treaty is preferred, 'because of the covenant which lies behind the Exodus and deuteronomistic traditions' (p. 149). In the Deuteronomistic covenant two patterns are combined: the Mosaic covenant of law, basically social in intent and comparable with the Mesopotamian *mēšharum* acts, and the Shechem covenant of vassalship, by which loyalty to God was reaffirmed.

Surprisingly, it is in his use of his proof text for the scribal role in the compilation of Deuteronomy that Weinfeld's thesis.

appears most flimsy. The 'law of the Lord' (Je. 8:8) is taken to refer to Deuteronomy, in embryonic form. Jepsen suggested that Shaphan's scribal family had a part in the writing of the Deuteronomic history; for Weinfeld they were the leading exponents of the Deuteronomic school, an assumption which is supported by the fact of the school's exclusive preoccupation with Jeremiah out of all the prophetic books. Scribes active in the time of Hezekiah are thought to have been responsible for the kernel of Deuteronomy (p. 164). Weinfeld opposes the view that Jeremiah regarded Deuteronomy as a forgery; in Jeremiah 8:8 the charge is that the scribes have composed the law 'to no purpose' (לְשִׁקֵּר), because they ignore their own teachings. Although usage and the Septuagint support this translation of לְשִׁקֵּר, Weinfeld's failure to offer a revised translation of the verse leaves the meaning of עֵט שִׁקֵּר, and the whole point of his argument, in doubt—is it still 'false pen' as on p. 158?

An introduction to the shorter second and third parts of the book discusses the relationship between the priestly and Deuteronomic corpora. The differences which the two works exhibit are measurable in terms of sociology, not chronology. In the absence of evidence for the dependence of 'P' upon 'D' the sensible conclusion is that the compositions are "concurrent rather than successive documents" (p. 180). Any borrowing was, in fact, in the opposite direction, for in its laws and its theology 'P' is demonstrably the more ancient.

The Deuteronomists were not only scribes, they were secularists influenced by the wisdom teaching of the Near East. Pride of place among their acts of demythologization is given to the so-called 'Name Theology'. Here Weinfeld is in agreement with von Rad in seeing a new theological conception of deity (p. 193). The existence of a 'Name Theology' in Deuteronomy was disputed by de Vaux, who argued that the expression 'to cause His name to dwell' meant 'to claim ownership'.¹ Weinfeld would not insist upon an abstract connotation for the expression but does hold that its use indicates a shift from the more primitive notion of 'dwelling in the house' (p. 194). The 'Name Theology' represents the Deuteronomic conception of God just as the priestly (corporeal) conception is reflected in the expression, 'the Glory of God'.

¹ See also G. J. Wenham, *Tyndale Bulletin*, 22 (1971), 112ff.

Deuteronomy's attitude to the ark exemplifies the same understanding of the divine presence. In 10:1-5 the exclusive function of the ark is to hold the tables of the covenant: 'The holiest vessel of the Israelite cult performs . . . nothing more than an educational function' (p. 208). When Weinfeld compared Deuteronomy 1:42-43 and Numbers 14:42-44 it would have been helpful to point out the implied 'corporeality' (in Weinfeld's sense of the word) in the statement, 'I am not in your midst' (Dt. 1:42). It is a pity that Deuteronomy 10:8 was not examined in this context, even if verses 6-9 of that chapter are 'an amalgamation of Priestly traditions' (p. 181n.; Weinfeld committed himself to the view (p. 180) that the Deuteronomic school incorporated the priestly material—it makes a difference who put the 'priestly' material there!). A clear case of 'corporeality' occurs in Deuteronomy 23:14 (Heb. 15): 'the Lord your God walks in the midst of your camp', but Weinfeld was too busy being struck by the absence of a reference to the ark (see pp. 209, 238) to give the point proper attention. Deuteronomy's interpretation of the references to the ark does not, pace Weinfeld, transcend localization in its conception of God; its relationship to the priestly passages is more by way of interpretation than demythologization.

Deuteronomy minimizes the sacral value of various institutions such as sacrifices, tithes, festivals, the Sabbath, and the Sabbatical year. Holiness is represented as the condition of the people of God by virtue of their election, whereas the priestly school taught that it was the end-point of purification and sanctification. One would have thought that Leviticus 11:44f. comes very close to Weinfeld's representation of the Deuteronomic idea, with its national purview and concept of election ('I am the Lord your God who brought you up out of the land of Egypt to be your God').

The sapiential content and affinities of the Deuteronomic literature are explored at some length in the closing chapters. A strong predilection for wisdom marks the Deuteronomic material. Solomon's first dream at Gibeon (1 Ki. 3:4-15) is reconstructed to agree with the traditions about, for example, Gudea of Lagash, who was commissioned to build a temple to Ningirsu in a divine vision. According to the Deuteronomic tradition (1 Ki. 3:5-14) Solomon's dream was concerned with the bestowal of divine wisdom; originally, however, the refer-

ence was to a prophetic revelation in which permission to build the temple was granted. Because the Deuteronomist disliked incubation theophanies he 'severed the Gibeon dream tradition from its connection with the building of the sanctuary and associated it with Solomon's request for judicial wisdom' (p. 253). The second dream at Gibeon (1 Ki. 9:3-9) also had to do with the building of the temple but was reworked in accordance with Deuteronomic doctrine. Weinfeld does not mention that 1 Kings 3:4 need not refer to one particular offering (*cf.* RSV 'used to offer'), and in any case the offering does not, by itself, suggest a connection with a building oracle. It is a strange argument that the Deuteronomist changed the subject-matter of the dream because of his dislike of incubation dreams, for he has preserved a fair example of such a dream and, according to Weinfeld's scheme, has expressed his dislike by substituting one of his favourite themes for the original material! On p. 247 Weinfeld states that it was the earlier dream material which the Deuteronomist found objectionable (*n.b.*, the building of the temple!), while on p. 253 it is 'theophanies of this type (*i.e.* *incubation* theophanies)' which the editor found exceptionable.

Wisdom was given a new significance by the Deuteronomic school. Previously wisdom was equated with native shrewdness and the like; now it was regarded as synonymous with correct behaviour and morality. The story of the two harlots in I Kings 3:16-27 originally exemplified the older conception of wisdom but was inserted in a wider context describing Solomon's judicial wisdom (3:5-28). This is too fine a distinction for this reader to appreciate. That the Deuteronomist should rework the dream narrative so radically in order to introduce the theme of judicial wisdom and should then select an example of native shrewdness to illustrate judicial wisdom, and at such a key point, seems to indicate that he himself did not appreciate such a nicety.

Finally, Weinfeld presents a detailed examination of the sapiential content in the Deuteronomic literature, with sections on humanism, didacticism, and the doctrine of reward.

Without doubt Weinfeld has made a major contribution to the study of Deuteronomy and the Deuteronomists. It is also thoroughly readable. In spite of his recognition of the errors of the chronological approach to the Pentateuch Weinfeld still

displays a marked tendency to treat Deuteronomy as the fixed point in Pentateuchal studies. This tendency is perhaps most apparent in his discussion of the treaty formulae, issuing in an unseemly haste to align Deuteronomy with the Neo-Assyrian documents. The main features of the Deuteronomic corpus are expounded with much skill, yet for all this the evidence to show that the scribes of the seventh and sixth centuries engaged in the composition, as well as the copying, of law is at best meagre. And idealistic formulations which 'could only have been created at the writing-desk' (p. 167) are not exclusive to the *professional* scribe!