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# Some Ancient Documents and Some Current Thoughts

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CRITICAL SCHOLARSHIP HAS MADE MANY VALUABLE CONTRIBUTIONS TO OUR knowledge of the Old Testament. A series of examples illustrates this point. We need to be sure that we retain the priority of exegesis over dogmatics.

In its 1969 publication, *A Project in Biblical Hermeneutics*, the Commission on Theology and Church Relations of The Lutheran Church — Missouri Synod issued a series of four essays dealing with Biblical interpretation. One essay concludes with a pessimistic judgment of the value—indeed, of the very legitimacy—of critical methodology in general and form criticism in particular:

The Protestant Reformation restored the *open Bible* to the laity. Now as the result of 200 years of so-called scholarly development in the Biblical field . . . the Bible has once again become a *closed* book for the laity and for most of the average clergymen.<sup>1</sup>

In light of the contributions of recent Biblical scholarship, the statement is sur-

<sup>1</sup> Raymond F. Surburg, "Form Criticism and Its Implications for the Interpretation of the Old Testament," in *A Project in Biblical Hermeneutics*, ed. Richard Jungkuntz ([St. Louis, Mo.]: Commission on Theology and Church Relations of The Lutheran Church — Missouri Synod, 1969), pp. 116—17. In fairness to Surburg it should be noted that he enumerates certain benefits which have accrued to Biblical interpretation as a result of form-critical study: "a better understanding of the historical background of O. T. literature"; "the superiority of many episodes of the O. T. when compared with similar ones in the literatures of Egypt, Mesopotamia, Syria, and Asia Minor"; "the necessity of distinguishing between different literary genres will no longer

prising. If I understand the writer correctly, he is appealing to the doctrine of the perspicuity, or clarity, of Scripture; he is saying that no methodology which is not simple can at the same time be valid. We need to remember that Christian dogma was formulated prior to the modern discoveries which bear so meaningfully on the Biblical record. In the area of theology, study of the text precedes the formulation of doctrine. It seems that we find ourselves bound by a traditional dogma in certain cases, whereas newly available data that was not available for consideration when that dogma was formulated might well have effected some modification of what came to be the prescribed formula. Archaeological science entered late into the history of the church, with the presently embarrassing result that Lutheran dogmatics and the mainstream of current Biblical schol-

be ignored" (p. 114). The issue which I wish to raise, however, concerns his lumping together three methods of research—literary criticism, form criticism, and tradition criticism—in a section labeled "Conclusion," where he summarily devalues these (two with no hearing at all) by asking this rhetorical question, "How can we accept the psalmist's statement: 'Thy Word is a lamp unto my feet and a guide unto my path' when the interpretation of Scripture has been made so difficult of comprehension and involved?" (P. 117)

arship are often in conflict. We have managed to get the theological cart before the exegetical horse.

Religion tends toward conservatism and accordingly tends to resist change. For example, prescriptions for building the altars in both Exodus (20:25) and Deuteronomy (27:5) prohibit the use of *ashlar*, that is, dressed stones, in the construction. Such building techniques, however, had long been current in Egypt, the country the Hebrews had recently left. Even as late as the construction of Solomon's temple conservatism prescribed that the stone, though it could now be *ashlar*, had to be dressed away from the building site at the quarry. The taboo now forbade the free use of a recent technological advance — iron — "so that neither hammer nor axe nor any [other] tool of iron was heard in the temple" (1 Kings 6:7). It is not surprising to find some who are skeptical of current techniques; of this attitude we possess imposing antique examples. Nevertheless it seems fitting also to focus attention on the optimistic side of the issues involved with regard to current methods of interpreting the Old Testament.

In spite of the fact that the prophet Isaiah called the Hebrew language "the language of Canaan," the finest 19th-century conservative scholarship saw in Hebrew a *sacred* language, unique and divinely provided as the medium of the Old Testament message.<sup>2</sup> In 1929 discoveries from Ras Shamra in Syria changed all that. From the work of the spade written documents began to emerge. Deciphered and translated almost immediately, the discov-

eries constituted documents which bore not only astonishingly close linguistic affinities to Biblical Hebrew but amazing literary parallels as well.<sup>3</sup> This material amounted to proof that it was *not* in a unique, so-called sacred language that God had spoken His message; on the contrary, it was the language of Israel's archfoe, the Canaanites, whom God had commanded the Israelites to dispossess. The point is this: 19th-century oversimplification in a well-meaning and pious effort to maintain the uniqueness of the Old Testament record had completely ignored Isaiah's characterization of the language precisely for what it was — "the language of Canaan" — a fact which is now abundantly clear. I suspect that the 19th-century error is symptomatic.

The writer of the essay which we quoted briefly discusses the recently isolated treaty and covenant form which had so thoroughly permeated the Near East during the second millennium B. C. He seems to concur with the conclusion that the treaty form, extended to the whole of Deuteronomy, suggests a date in the second millennium, not the seventh century, B. C. Yet, strangely, he does not credit this as a positive result of critical study — a result which could temper his dim view of current critical methodologies, which are regarded as destructive.

The treaty or covenant form can profitably be discussed at more length here. It was a Hittite expert, V. Korosec, who first noted the juristic analysis of the covenant form (1931); it was an American Ori-

<sup>2</sup> Franz Delitzsch (1813—1889), for example, in the several editions of his celebrated com-

<sup>3</sup> An excellent and readily accessible introduction to the subject is found in A. S. Kapelrud, "Ugarit," *The Interpreter's Dictionary of the Bible, IV* (New York: Abingdon Press, 1962), 724—32.

entalist, George Mendenhall, who later elaborated the form in its Old Testament setting (1954).<sup>4</sup> Following Mendenhall's lead, many, perhaps most, Old Testament scholars saw in Exodus 20 three of the half dozen elements usual to the covenant form: the preamble, the historical prolog, the stipulations. This latter element forms the heart of the treaty.

The basic difference between the suzerainty treaty and the parity treaty lies in the question of which of the two contracting parties becomes bound. In the suzerainty treaty it is the vassal, never the sovereign, who is bound; in the parity treaty both of the contracting parties are bound to each other. Wherever the Old Testament borrowed the treaty or covenant form, monotheism imposed certain obvious limitations.

The preamble of the treaty identified the author by name, title or attribute, and genealogy. In Exodus 20 the preamble consists in the simple affirmation, "I am the Lord your God." The second element, the historical prolog, describes the previous relations between the two contracting parties. In the suzerainty treaty the design of this historical prolog is to establish prior and unmerited benevolence which the sovereign heaped upon his vassal. In Exodus this was succinctly formulated: "who brought you out of the land of Egypt." Herein lies the truly distinctive nature of

the suzerainty treaty: the vassal is bound in perpetual gratitude to his sovereign, who extended his good will to the underling. The third element in the treaty form, the stipulations, constitutes the very heart of the treaty. In a suzerainty treaty the stipulations serve (1) to define the interests of the suzerain which the vassal binds himself to protect, and (2) to define those elements which otherwise concern the preservation of peace within the suzerain's domain. Accordingly the so-called Ten Commandments involve, first, total allegiance to Yahweh; and second, concern for sources of internal conflict: honor of parents, murder, adultery, stealing, false witness, coveting (house, wife, servants, animals).

For the sovereign to have bound himself would have involved a contradiction of the very concept of sovereignty; but suzerainty did not preclude the sovereign's promise of help and support. From the point of view of the vassal, preclusion of the sovereign's self-binding forced the vassal to trust in the benevolence of the sovereign. On the other hand, the first stipulation (Ex. 20:3) prohibited covenanting with any other god—or in the vein of extra-Biblical treaties, other foreign relations. Israel bound itself to trust wholly in its sovereign, Yahweh. Thus the results of form criticism add a new dimension to our understanding of the covenant. Against this background of understanding it is no wonder that throughout the Old Testament the Exodus is mentioned over and over again, for it reminded the pious Israelite of his perpetual obligation to his God.

But the terms of the covenant did not preclude *cultural* diffusion. Accordingly

<sup>4</sup> George E. Mendenhall, "Law and Covenant in Israel and the Ancient Near East," *The Biblical Archaeologist*, XVII (May 1954), 26—46, and (September 1954), 49—76. My discussion simply follows that of Mendenhall either in his paper in *The Biblical Archaeologist* or in his article "Covenant," *The Interpreter's Dictionary of the Bible*, I (New York: Abingdon Press, 1962), 714—23.

Israel adopted the Canaanite language, many Canaanite sacrifices,<sup>5</sup> and epithets for Yahweh which had previously been used of Baal or of the older god, El.<sup>6</sup> Furthermore, Israel even attributed to Yahweh feats that had earlier been performed by Baal.<sup>7</sup>

Israel by no means took over Canaanite practices lock, stock, and barrel. One illustration of the point must suffice. The Old Testament prohibits the practice of transvestism, the practice of women dressing like men and men like women (Deut. 22:5). Owing to both a literary and an artistic tradition in antiquity, men are represented as red or ruddy, whereas women appear lighter in color.<sup>8</sup> However,

<sup>5</sup> Several of the Hebrew sacrifices and offerings share at least both a common terminology and a common denotation with Ugaritic analogs. The problem as a whole is fraught with difficulties, as T. H. Gaster's extreme caution in "Sacrifices and Offerings, Old Testament" (*The Interpreter's Dictionary of the Bible*, IV [New York: Abingdon Press, 1962], 147—59) suggests when compared to the usual broad, sweeping, synthetic method which characterizes his *Thespis* (Garden City, N. Y.: Doubleday, 1961).

<sup>6</sup> It is well known that both Baal and Yahweh were called "rider of clouds" (Ugaritic text 51: III: 11, 18, et al., and Ps. 68:4 [Hebrew v. 5]); less well known is the borrowing by the Hebrews of the Ugaritic god El's epithet — "bull" — and its consequent application to the God of Israel in Judges 6:25, "hash-shôr," that is, "the Bull."

<sup>7</sup> Discovery long ago of Baal's vanquishing of the monster of evil, Leviathan (Ugaritic text 67: I: 1 ff., cf. Anat III: 37), provided the background necessary to the proper understanding of the identical feat on the part of Yahweh in Ps. 74:14. Identical epithets enumerated in the two accounts ("the evil serpent," "the crooked serpent," and "Tanin") remove all doubt that this can be anything less than a direct borrowing from Canaan.

<sup>8</sup> Egyptian and later Minoan painting exercise this tradition consistently. Among others in the Old Testament singled out to be ruddy was

on a sarcophagus from Hagia Triada in Crete there appears a painted scene with cultic implications, picturing libations being poured and animal sacrifices being made. In this scene lighter colored figures (normally women) are variously clothed in either feminine or masculine apparel, whereas the darker colored figures (normally men) are variously clothed in either masculine or feminine apparel.<sup>9</sup> It would appear that transvestism was somehow involved in Canaanite ritual. Accordingly, the Mosaic prohibitive legislation on the point seems to state: Don't do as the Canaanites do!<sup>10</sup>

During the 19th century a school of thought whose interest centered in the composition of the Old Testament reached its fullest expression in the efforts of Julius Wellhausen. He developed a methodology that sought to discover the separate and distinct documents that many scholars believed had been combined to form the documents of the Old Testament. They were convinced that these original docu-

David (1 Sam 16:12); in the *Iliad* epithets such as "white-armed" Hera are so common as to warrant no documentation.

<sup>9</sup> Pierre Demargne, *The Birth of Greek Art*, in *The Arts of Mankind*, ed. Andre Malraux and Georges Salles (New York: Golden Press, 1964), plates 191—192 and 194. Until recently Crete has always been considered among the Greek lands. Lately, however, Cyrus H. Gordon has demonstrated that it was within the Semitic sphere before it became Greek. For a general discussion of this development one should consult his *Ugarit and Minoan Crete* (New York: W. W. Norton, 1966).

<sup>10</sup> There is every possibility, in light of this, that those churches which tend toward legalism and which therefore, on the basis of the Old Testament prohibition, frown on women's wearing slacks are creating an issue in a society which is not faced with the basic problem — imitation of the Canaanite ritual practices.

ments often overlapped in their reports and emanated from different periods of time. Four major sources were thought to exist, and scholars argued that each could be identified primarily on the basis of the use of a specific and distinctive divine name, but also by other determinative factors. Out of this procedure the famous JEDP documents emerged. This literary criticism held the field with no convincing refutation until the previously mentioned discoveries of 1929 began to illuminate the problem. Among the gods who appeared in this new polytheistic literature was a god of the craftsmen — the counterpart of Hephaistos in Greece — whose name was Kothar-wa-Hasis. He was variously referred to by one element of his name, Kothar, or by the other, Hasis, or by the combination of the two, which were in that case connected by the Semitic conjunction *w*. In other compound divine names the conjunction is sometimes omitted although this is not common: *ib-nkl*; *qds-amrr*.<sup>11</sup> Here for the first time convincing evidence came to light of the kind of compound divine name that occurs in Hebrew — Yahweh-Elohim. Literary critics had all along been claiming that the two authors, *J* and *E*, so characterized because of the divine name which each had supposedly employed, had later in their literary history been combined by an anonymous redactor so as to create in this newly formed document the compound divine name Yahweh-Elohim. Naturally, to have claimed that the newly discovered Ugaritic documents, which had been buried in the earth for centuries, had been compiled out

<sup>11</sup> For the evidence see Cyrus H. Gordon, *Ugaritic Textbook* (Rome: Pontifical Biblical Institute, 1965), 8.61.

of a *K*(othar) document and an *H*(asis) document would have been the height of folly. There is reason, then, for serious questions about the correctness of the very foundation of the so-called documentary hypothesis. Here modern methodology can fetter an older methodology which once prevailed but is patently erroneous. It is regrettable that a greater number of scholars have failed to act accordingly.

In 1925 archaeological work was begun in the ancient town of Nuzi (in northwest Iraq), where hundreds of documents from the 15th century B. C. were discovered. Many of these record the social and business transactions of certain city nobles. It is of special interest to the Biblical student that these people were Hurrians, the long-lost Horites of the Old Testament. Equally interesting are the patterns of social behavior attested by these documents, which are close in time, place, and pattern to those of the patriarchs. At certain points they provide an explanation of phenomena that sometimes seem peculiar in the Old Testament record.<sup>12</sup> Thus Abraham's heir, Eliezer (Gen. 15:2-3), turns out to be a slave, adopted according to standard custom by a childless couple to care for them in their old age on condition that the old folks' estate would go to the adoptee. Sarah's magnanimity in offering her handmaid Hagar to perform the services of a wife for her husband Abraham (Gen.

<sup>12</sup> The following is but a part of the important evidence which long ago Professor Cyrus H. Gordon brought to the attention of the scholarly world in *Biblical Archaeologist*, III (February 1940), 1—12, and has recently been reprinted together with other key articles from that journal in *The Biblical Archaeologist Reader*, 2, ed. David Noel Freedman and Edward F. Campbell Jr. (Garden City, N. Y.: Doubleday Anchor Books, 1964).

16:2) squares with the social custom of the day as evident at Nuzi. It was a condition of the written marriage contract that should a wife fail to bear children, it was incumbent upon her to provide for her husband a stand-in.

Jacob's purchase of Esau's birthright (Gen. 25:31-34) is paralleled at Nuzi by one brother's purchase of another brother's patrimony for the price of three sheep. The dealings between Jacob and Laban (Gen. 29:31) are illuminated by strikingly similar series of parallels current within one family at Nuzi. Laban, at the time without sons, must have adopted Jacob, then given his daughter Rachel in marriage to his adopted son, and in the meantime produced sons of his own (Genesis 31). Subsequently, Rachel and her husband, Jacob, absconded with the teraphim, elsewhere called gods (vv. 30, 32). These were undoubtedly idols, which at Nuzi not only bore religious significance but also indicated leadership of the family and control of the ancestral estate. Apparently Jacob considered himself cheated when Laban's real sons were born and sought to circumvent the loss of his own inheritance rights to the estate by stealing the insignia that would guarantee the right to him personally. These are only a few of the scores of legal documents from family archives found at Nuzi which enable us to read between the lines of many patriarchal accounts.

Considerably more controversial among some Christians is the consensus of many current Biblical scholars that the first eleven chapters of Genesis are mythical in nature. The very word "myth" evokes all kinds of pejorative connotations; for many it is synonymous with "phoney." It is un-

fortunate that the connotation of a legitimate literary designation should degenerate to that. I would suggest that there can be a kind of poetry in prose. The basic characteristic of Semitic poetry is parallelism — not rhyme or rhythm, but parallelism of thought:

The heavens declare the glory of God;  
the firmament showeth his handiwork.

The second line simply repeats the thought of the first — in parallel but different terminology. But poetic imagery is not confined to poetry. In either prose or poetry the hills could be said to skip, or the trees to clap their hands. One wonders whether the reluctance to interpret Genesis 1 and 2 mythically is due primarily to the fundamental position that an anti-evolutionary theology of creation has held in Christian theology rather than to a belief that the evidence against a literalistic interpretation is unconvincing. Indeed, one respondent cited in *A Project* questions the fairness of the alternatives "straight history" and "unhistorical," asking whether there might not be some middle ground.<sup>13</sup> I am not aware of any special reason why the truth that God created the universe could not have been couched in poetic imagery. Would such a device make the fact any less true? Here, however, discussion would have to focus on the concepts of *Geschichte* and *Heilsgeschichte*, which have aroused some contention among theologians.

The Hebrew creation account has several Near Eastern counterparts. The Babylonians had their account, markedly different from that of the Old Testament in both content and emphasis. The Babylonian

<sup>13</sup> *Project*, p. 121.

version, recited annually at the festival of the New Year,<sup>14</sup> sought to insure the reinvigoration of the cosmic processes by recitation of a liturgy. Marduk, king of the gods in Babylon, had created the gods, had assured their leisure by creating man, their servant, and had defeated the forces of evil in these cosmic beginnings. It is significant and interesting that in this combat one of his weapons was the magical power of the spoken word, the efficacy of which he demonstrated by causing a cloth to disappear and then to reappear simply by speaking.<sup>15</sup> In other words, he spoke, and it came to pass.

Egyptian theology, particularly in Memphis, magnified Ptah, the god of that town, who developed from a previously insignificant, unknown god into the creator of all other gods, small and great, as well as all towns and all civilization.<sup>16</sup> We are told that first the matter was "in his heart," that is, he conceived it; thereafter his tongue and teeth did it, that is, he spoke, and then things happened. We are further told that Ptah was satisfied after he had created everything.

It seems that the basic and distinctive element in the Hebrew account is the simple fact that Yahweh spoke and things happened. Accordingly, it fits into the mythic patterns of Near Eastern cosmologies. Practically all the details differ from

one account to another, but the basic pattern is still there.

As for the creation of man, we are told that God *formed* man — a term taken from the image of a potter. Egyptian art preserves a significant parallel, showing a certain king being turned or formed on the potter's wheel by Khnum, the potter god.<sup>17</sup> This Egyptian imagery is illuminating.

We conclude with one more parallel, from Sumer. Gen. 2:21-22 says that Eve was fashioned from the rib of Adam. Shortly after that she is described as "the mother of all living" (3:20). The name Eve means approximately "she who makes live." The American Sumerologist Samuel N. Kramer has called attention to some important details from a Sumerian myth which may illuminate items in the Genesis story.<sup>18</sup> According to the Sumerian tale, the goddess Ninhursag caused eight plants to sprout. The god Enki tasted these one by one. Ninhursag became angry and pronounced on him the curse of death. At that point eight of his organs began to fail, his rib among them. The remedy for that malady was the creation of a goddess for the healing of the rib, Nin-ti, which means "lady of the rib." In Sumerian *Ti* is a homograph which means not only "rib," but also "to make live." Thus in Sumerian the lady of the rib was identified with the lady who makes to live; the force of the incident is sustained by a play on words. But in Hebrew this pun loses its force, since "rib" and "to make to live" are spelled differently. What is important

<sup>14</sup> As a matter of precision it should be noted that the Babylonian occasion was the *akitu* festival, not *enkitu* as appears on p. 102 of the *Project*.

<sup>15</sup> E. A. Speiser, trans., "The Creation Epic," *Ancient Near Eastern Texts*, ed. James B. Pritchard, second edition (Princeton: Princeton University Press, 1955), pp. 60—72.

<sup>16</sup> John A. Wilson, trans., "The Theology of Memphis," *ibid.*, pp. 4—6.

<sup>17</sup> James B. Pritchard, ed., *The Ancient Near East in Pictures* (Princeton: Princeton University Press, 1954), fig. 569, p. 190.

<sup>18</sup> Samuel Noah Kramer, *History Begins at Sumer* (Garden City: Doubleday Anchor Books, 1959), p. 146.

is that the two *ideas* entered the Biblical tradition. The combination of these two ideas in the Sumerian and in the Biblical texts is surely more than coincidental. The transparent case of Hebrew indebtedness argues strongly for understanding the mythic nature of the event as contrasted to its historical nature.

The point of those who have been pessimistic in their assessment of critical methodology is well taken. Nonetheless, critical methodology has produced some significant contributions for Biblical scholarship — a few of which this essay has pointed out.

Superior, Wis.