

Kaufmann, Yehezkel, The Religion of Israel (U. of Chi. Press) 1960 (Tr& Abrdg. M. Greenberg)

p. 165 The preceding paragraphs have shown, then, that

1. in the historical books of the Torah-group, literary prophecy is never mentioned;

2. in none of the books of the Torah-group is there an awareness of the ideas originated by the literary prophets regarding the history of Israel, the relation of morality to cult, and eschatology;

3. the idea of a central chosen sanctuary, one of the prevailing themes of the Torah literature, is absent in pre-Deuteronomic prophecy. The Josianic reform has, therefore, no roots in literary prophecy, though it does in the Torah literature.

Therefore, the literature of the Torah-group and the literary prophets must be regarded as distinct domains. The Torah cannot be understood as a later outgrowth of prophetic faith. Literary prophecy cannot, then, be considered the fountain-head or "ideal source" of Israelite monotheism. The development of Israelite faith was, indeed, more ramified and intricate than either tradition or modern criticism has recognized. A stratum of

p. 116 tradition, independent of literary prophecy, is evident in the literature of the Torah-group. From the viewpoint of the evolution of Israelite religion this stratum belongs not after, but before literary prophecy. It is the literary product of the earliest stage of Israelite religion.

p. 168-9 Has the JE code served as the source of P? Indeed, most of JE's laws are to be found in P, yet here again differences between them - especially those which cannot be explained on the basis of P's peculiar character - preclude the assumption that P has simply incorporated the laws of JE.

p. 169 Thus, notwithstanding points of contact, P cannot have drawn its laws from, nor revised and developed, the laws of JE. When both P and D were being composed, the laws of JE had not yet attained canonical status. The laws found in JE had various formulations, and appeared in various independent crystallizations. Two such crystallizations of ancient Israelite law are the legal corpora of P and D.

*Development* p. 170 P cannot, then, be considered a revision or adaptation of D. Each of the three codes of the Torah is to be regarded as an independent crystallization of Israel's ancient juristic-moral literature. The evolutionary sequence and literary dependence assumed by Wellhausen has no foundation.

It has been shown by D. H. Müller that the advanced state of Hammurabi's laws, relative to those of the Covenant Code, precludes the possibility of the biblical code having borrowed from the Babylonian. The Covenant Code is to be considered rather an early formulation and crystallization of the common Near Eastern law of which Hammurabi's laws are a more advanced development.

IST HOPKIN... 3... 113-114... ASINCOX