**The Story of the Second Ascent**[[1]](#footnote-1)

The Pentateuchal section that relates the children of Israel’s adventures following the exodus from Egypt deserves serious investigation. In this section, legal material is fused with the narrative sequence, so that the fundamental world views of both documents are expressed in a concentrated fashion. In fact, this section carries out one of the Torah’s primary goals: the legitimization of the Israelite’s normative lifestyle, by providing the historical-literary context in which it was formulated. At the heart of this plot sequence is the Divine revelation on the mountain in the desert to the greatest of all prophets and the entire people.

Exodus 34 is the chapter in which the story of that revelation at the mountain concludes, before the construction of the Tabernacle, the acceptance of the commandments, and the continuation of the desert journey are related. According to the canonical Torah, the main event in this chapter is Moses’ second ascent of Mount Sinai, undertaken so that God can once again reveal Himself to Moses.[[2]](#footnote-2) The revelation is repeated so that the words that had been written on the tablets which had been shattered could be written anew on the tablets of the covenant that God had commanded Moses to prepare for this purpose.

However, as early as the end of the nineteenth and the beginning of the twentieth centuries, scholars had already pointed out the chapter’s disunity, proposing that it was composed of several sources. The broad consensus was that most of the chapter belonged to J, excepting the ending (vv. 29-35) which was identified as a segment belonging to P.[[3]](#footnote-3) This narrative is presumed to be a brief, condensed parallel belonging to J, recounting the stories about Moses’ ascent of the mountain to experience Divine revelation and receive the precepts, as had previously been recorded in the Elohist and the Priestly documents.[[4]](#footnote-4) Furthermore, since in the Jehovist passage Moses had been commanded to transcribe God’s words (v. 27), and, indeed, did so (v. 28), it was clear that the tablets (mentioned in vv. 1, 4, 28) were an inseparable part of it. This led scholars to the obvious conclusion that the few lone references in this chapter to the earlier tablets that had been shattered (24:1**b**, and the word כראשונים in v. 1 and v. 4) could not be part of J, for therein the event is told as if it is happening for the first time, and, of course, no reference is made to either this covenant being a recontracted one or to the laws having been given previously.[[5]](#footnote-5) Therefore, these words were attributed to E,[[6]](#footnote-6) even though, in and of themselves, they do not belong to any running plot. Or, alternatively, they were identified as an addition that was interpolated in order to integrate J’s plot with E’s account of the shattered tablets.[[7]](#footnote-7)

The fundamental conclusion scholars reached, in light of this analysis, was that each of the documents tells the tale of Moses’ ascent of the mountain to experience God’s foundational revelation in its own way. However, in E another ascent—a second ascent—is mentioned because the shattering of the first tablets required God’s words be rewritten on another set of tablets. This narrative, so it was asserted, was excluded when J was combined with the other documents. Ultimately, only a few lone bits and pieces of the second ascent remained in Scriptures as the complex, canonical version came into form.[[8]](#footnote-8)

However, this proposed reconstruction of the documents and their integration process raises several questions that prevent us from accepting it without question. First of all, it is difficult to accept the argument that the original story in E about a second ascent was abandoned so completely that only bits and pieces remained. This seems unlikely because many other composite biblical stories preserve the plotline in its entirety, interweaving the two documents, whether the two are quite similar or exceedingly different;[[9]](#footnote-9) whether they are compatible with one another, or whether they are in undeniable conflict. This was the redactor’s standard methodology throughout the Torah and nothing indicates he would have acted differently in this case.

Secondly, the redactorial activity that we have assumed the chapter underwent is both incoherent and self-contradictory. On the one hand, the assumption that E was truncated rests upon the perception that a redactor joined these scriptures together with the J sequence, thus establishing a version in which J is consonant with the earlier scriptures in which the story of the written tablets was recounted. That is to say, the redactor’s goal was harmonization. On the other hand, the redactorial activity is presented as tampering with scriptural unity, that is to say, as being responsible for several fundamental contradictions in the canonical version. A classic example of this phenomenon is the number of explanations given for how עשרת הדברים (v. 28) was integrated: If we perceive this segment to belong to J, a dissonance is created by the fact that the preceding scriptures are not divided into ten segments;[[10]](#footnote-10) if we presume it belongs to E’s, it is not clear how they are connected and why it remained a fragment; if we view it as an addition made by the redactor to create consonance between J and E, it is this very addition that creates dissonance in the chapter, as it attributes the writing of the words on the tablets to Moses, in contrast to E (v. 1), which attests that God Himself said that He would write them.[[11]](#footnote-11) We may conclude from all this that the explanations given for this chapter’s problems not only fail to resolve the multiple problems they sought to resolve but also create their own problems. Furthermore, and most importantly, they fail to provide a sufficient explanation for how the chapter’s canonical version was compiled from its sources.

This example perfectly illustrates the fate of classical documentary scholarship. Even though most of the analysis is correct, well-founded, and precise—as will be demonstrated below—a number of minute errors, attributable to faulty foundational assumptions, led to a situation in which the final reading contained imprecisions impossible to overlook that threw the entire picture into disrepute. The existence of many such cases throughout the critical literature on the Torah not only resulted in many unconvincing readings but also provided certain scholars (particularly those working in the last five decades) with the ammunition to argue that the entire edifice of the Documentary Hypothesis was on shaky grounds, not too mention, that it had no foundations whatsoever.

Later, more precise critical scholarship aspires to identify and preserve the correct analysis, revealing the erroneous foundational bases, correcting the mistaken conclusions drawn from them—even if they are few and far between—and offering tighter and more elegant solutions that include the bigger picture, both of the sources and of how they provide a comprehensive picture of the creation of the canonical version. Finally, it enables us to determine whether in light of this new approach the Documentary Hypothesis is strengthened or weakened.

Therefore, in order to devise a solution to Exodus 34’s problems, we must carefully examine its problematicities, determine which verses create internal friction, attempt to construct sequences out of those verses that logically belong together and complete one another, and finally analyze the sequences we have formulated and come to the appropriate conclusions. In doing so, we must valorously minimize our reliance on assumptions and, in each investigation, consciously present those assumptions upon which our arguments rest, as we simultaneously investigate those self-same assumptions’ validity. The following review will follow the order of the verses in canonical Exodus 34 as it takes into account all the points raised so far.

**A Source Analysis of Exodus 34**

**Verse One:**

The very beginning of the chapter demonstrates how a critical scholarly assumption can lead scholars to discover a complexity that does not exist. The verse corresponds precisely with the preceding story in E about receiving the tablets from God (the Elohistic part of 31:18[[12]](#footnote-12)) and Moses’ shattering them (32:19). This verse mentions the two tablets using the very same formulation found in the first story, makes the connection to the earlier tablets by using the word **כָּרִאשֹׁנִים**, references the content inscribed in the first tablets, and mentions their impending reconstruction. The connection between this verse and the story told in E is so compelling and strong that one would need to provide a very good reason and exceedingly strong evidence to propose that it is not part of the source. This notwithstanding, most of the classical, critical scholars asserted, as mentioned above, that this is the beginning of J’s narrative. This solution, as mentioned above, creates just as many problems as it solves because it leaves a verse fragment without any context and without any satisfactory explanation for how it arrived in its current location. The only reason for presenting such a division is the pre-assumption that the J narrative had to have been parallel to E; therefore, if God’s words were written in J, clearly they would also have been written on the two tablets, as written in the first part of the verse. Such an assumption becomes the unassailed basis for analyzing the chapter and, therefore, even though it led to rough and truncated results, these readings remained regnant, and the explanation given about their assumptions was dubbed sufficiently persuasive. Over the course of the twentieth century, efforts to resolve the problems caused by this solution led to the evolution of evermore convoluted layers, strata, and additions.[[13]](#footnote-13) By contrast, the opportunity to read this verse as an original sentence that belongs, heart and soul, to E’s narrative sequences fits in with its contents and deserves to be examined as part of the overarching context.

**Verse Two:**

This verse seems to be the natural continuation of the first verse, primarily because of the conjunctive *vav* it begins with. However, its contents seem to belie this, for, in fact, the most significant detail in the verse—the phrase הר סיני—is alien to E.[[14]](#footnote-14) Therefore, it seems that verse two is the continuation of another segment—not of verse one—probably of the dialogue between God and Moses which belongs to J that appears in chapter 33, whose theme, indeed, is an intimate revelation.[[15]](#footnote-15) The verse’s continuation is difficult to ascribe to a particular source, both because its contents are consonant with both openings and because the root יצ"ב which is identified with the theophany of God in E is also found in J’s plots. By contrast, the ending **עַל-רֹאשׁ הָהָר** seems tobelong to J in light of its comparison with Exod 19:20,[[16]](#footnote-16) which is part of J’s plotline.[[17]](#footnote-17) Along with the five first words in Exod 19:16, which also belong to J,[[18]](#footnote-18) there seems to be a literary and conceptual match:

Exod 19:16\*, 20:

**וַיְהִי בַיּוֹם הַשְּׁלִישִׁי בִּהְיֹת הַבֹּקֶר** ✂[[19]](#footnote-19) **וַיֵּרֶד יהוה עַל הַר סִינַי אֶל רֹאשׁ הָהָר וַיִּקְרָא יהוה לְמשֶׁה אֶל רֹאשׁ הָהָר**

Exod 34:2: **וֶהְיֵה נָכוֹן לַבֹּקֶר וְעָלִיתָ בַבֹּקֶר אֶל-הַר סִינַי וְנִצַּבְתָּ לִי שָׁם עַל-רֹאשׁ הָהָר**

Thus, this verse’s enveloping framework belongs to J, while the phrase וְנִצַּבְתָּ לִי שָׁם remains unascribed in the meantime.

**Verse 3:**

In verse three as well, the conjunctive *vav* at the beginning of the verse requires us to figure out whether there is a connection between this verse and the preceding one. However, in contrast to the previous verse, in this instance, the contents also support the argument for continuity, as the prohibitions about ascending the mountain (without accompaniment, and without distant onlookers, neither human being nor beast), in fact, are a continuation of the command that started in the previous verse. From a conceptual perspective, the restriction about ascending the mountain is a major motif in J, and it gains expression at the beginning of the Mount Sinai narrative in that document.[[20]](#footnote-21) The demonstrative pronoun in **הָהָר הַהוּא** refers back to the antecedent **הַר סִינַי** which appears in the command given in verse two, thus proving that the entire third verse is a continuation of the previous one.

**Verse Four:**

In this verse, Moses fulfills the divine commandments he was given. He carves the two stone tablets so that they are exactly like the first ones, as recounted in verse one. And he arises in the morning and goes up to Mount Sinai, as instructed in verse two. At the verse’s conclusion, we are told that Moses took the two stone tablets in his hands.Thus, this verse is complex: the segments referring to the tablets (the first and the last five words) belong to E (since they refer to the story of the first tablets mentioned in E); and the depiction of the ascent in the morning to Mount Sinai belongs to J (since it continues the previous two verses and the Jehovistic narrative in chapter 19).

**Verse Five:**

This verse begins with the words וַיֵּרֶד יהוה בֶּעָנָן. The description of this descent fits in with the description of God’s behavior before the revelation in E.[[21]](#footnote-22) The verse’s continuation, in contrast, is more difficult to source. The phrase **וַיִּתְיַצֵּב עִמּוֹ שָׁם** describes the fulfillment of the command given in verse two, וְנִצַּבְתָּ לִי שָׁם, and as mentioned above, the root יצ"ב repeats many times in E within the context of divine revelation. As in verse two, this sentence may be part of one of two plotlines, E or J. This notwithstanding, in both cases the formulation is alien to E. The words לִי andעִמּוֹ occur nowhere else in E’s description of the command given to Moses or in his fulfillment of it, as in E, the presenting of one’s self always occurs before God descends in the cloud and arrives at the location of the theophany (Exod 33:9; Num 11:16-17; 12: 4-5; Deut 31:14-15). Furthermore, if the component of presenting one’s self was part of E’s sequence the result would create an inconsistency in the plotline. In verse two, God commands Moses to present himself on Mount Sinai, while in verse five the text recounts that God descends in a cloud and presents Himself to Moses. In the previous chapter, as part of the detailed conversation between God and Moses (33:12-23) that belongs to J’s plotline, Moses is called upon to present himself before God, and not the reverse.[[22]](#footnote-23) There, God instructs Moses to present himself (Ibid., 21), and here Moses presents himself and calls God by His name.

A careful reading of the previous stories reveals that the motif of the command to present one’s self in the morning only appears in J–in the stories about the plague of the frogs (Exod 7:15), the plague of the wild beasts (Ibid., 8:16), and the plague of pestilence (9:13). In the latter two cases, the word הַשְׁכֵּם even occurs:[[23]](#footnote-24)

Exod 34:4-5

Exod 8:16, 9:13: **וַיֹּאמֶר ה' אֶל משֶׁה הַשְׁכֵּם בַּבֹּקֶר וְהִתְיַצֵּב לִפְנֵי פַרְעֹה**

This evidence allows us to conclude that both the commandment concerning Moses presenting himself in verse two and his fulfillment of the command in verse four both belong to J.

**Verses 6-9:**

In these verses, God reveals Himself to Moses, proclaims His name, and lists His divine traits. Moses responds by immediately bowing low to the ground (קד והשתחוה) in recognition of what has just occurred and addresses God with his request. There is no connection between the events just described and God’s words in verse one: the reinscription of God’s words on the tablets. In contrast, it has a close and direct connection with the conversation between Moses and God, mentioned above in our discussion of verse five (33:12-23). There, God informs Moses that **אֲנִי אַעֲבִיר כָּל-טוּבִי עַל-פָּנֶיךָ וְקָרָאתִי בְשֵׁם ה' לְפָנֶיךָ** (33:19), and here this comes to pass. Moses’ words after he bows low to the ground (34:9) continue this same conversation, both in terms of the language Moses employed and in terms of the contents of his request. In Exodus 33 God said to Moses, **וּבַמֶּה יִוָּדַע אֵפוֹא כִּי-מָצָאתִי חֵן בְּעֵינֶיךָ אֲנִי וְעַמֶּךָ, הֲלוֹא בְּלֶכְתְּךָ עִמָּנוּ** (33:16) and here Moses continues with **אִם-נָא מָצָאתִי חֵן בְּעֵינֶיךָ אֲדֹנָי יֵֽלֶךְ נָא אֲדֹנָי בְּקִרְבֵּנוּ.** The lack of a plot connection to E and the direct connection to the Jehovistic story in chapter 33 attest to the fact that this sequence of verses belongs to J.

**Verses 10-16:**

These verses comprise a lengthy, unified sequence detailing God’s words about the covenant that he is contracting with the children of Israel. The act of covenanting with the children of Israel expresses God’s acquiescence to Moses’ request, or, in other words, expresses his willingness to stay completely present among the children of Israel. This presence among them will cause extraordinarily powerful events to transpire that will make God’s greatness clear to the surrounding nations (v. 10). These will include the banishment of all the nations of Canaan from before the children of Israel (v. 11). However, God’s mighty presence in the midst of His nation is also fraught with danger because this power may be turned against the children of Israel themselves if they happen to worship other gods and bring God’s fiery jealousy down upon themselves (v. 14). Therefore, not only are the children of Israel commanded to thoroughly demolish all the cultic places where idol worship took place (v. 13), but even to take extra precautions to avoid bestirring God’s jealousy, by not contracting covenants or intermarrying with these nations, so that no social opportunities arise that might lead the children of Israel to participate in idolatry (vv. 12, 15-16).

The entire passage is conceptually unified, linguistically continuous, and not at all related to the Elohist narrative about the second tablets’ transcription. In fact, the opposite is true, the attention paid to the contracting of the covenant between God and His nation is extraneous from E’s perspective since in E a covenant was founded earlier on (24:4-8, 11 **ב2**). In E, the first tablets were only given after the covenant was established (24:12-15 **א**,18 **ב**; 31:18\*) and, therefore, their shattering (Ibid., 19) did not nullify the covenant, nor was there any need to establish it anew. The story about the founding of the covenant in chapter 34 (and the prohibition against covenanting with the nations of Canaan) is, therefore, a separate story that does not belong to E. On the other hand, it fits in and makes perfect sense as part of the Jehovistic narrative: Moses’ request of God to be completely present in the midst of the children of Israel and God’s acquiescence necessitates the contracting of a covenant to the benefit of all the parties involved.

**Verses 17-26:**

This passage has been given the moniker ‘The Little Book of the Covenant’ and many scholars have addressed the question of its origin and its context. While doubtless there is a direct, literary connection between this grouping of verses and the Book of the Covenant in E, in contrast, to the classical scholarly stance that—since Goethe’s proposal—[[24]](#footnote-26) has perceived the original kernel of ‘The Little Book of the Covenant’ (also named ‘The Ten Ritual Commandments’) to be the earliest historical foundation for E’s later Book of the Covenant (Exod 20:20-23:19). Gesundheit proved that the opposite is true: “The Little Book of the Covenant” (principally, its core, the holiday calendar in verses 18-26) is actually a later reworking of the Book of the Covenant.[[25]](#footnote-27)

Adopting a broader perspective, one may conclude that the editorial work performed on the legal sequence was not conducted on the integrated Torah, since if that were the case, the edit would not have skipped over the Book of the Covenant itself. This is a solid proof that the redacted document did not include the Elohistic document, but belonged exclusively to J. The Jehovistic sequence in this part, thus underwent an edit, and this edit may have very well included the addition of ‘The Little Book of the Covenant,’ as a later stratum interpolated into the orginal scriptures.[[26]](#footnote-28) Only later did the unified document reach the redactor/compiler? who integrated it with the other three sources. Therefore, notwithstanding the possible complexity of these verses, we need not be deterred from concluding that they reached the integrated Torah as part of J.

**Verse 27:**

This verse contains God’s command to Moses to write הַדְּבָרִים הָאֵלֶּה, those words that would be the basis for the contracting of the covenant with Moses and the nation of Israel. These words conclude God’s sequential speech that began above in verse six and contains both the covenant with the people mentioned in verse ten and the instruction to keep the commandments (v. 11). Thus, this verse, successfully brings to a close God’s message spanning verses 10-16, and, therefore, it also belongs to the group of scriptures that are ascribed to J. This conclusion is correct whether ‘The Little Book of the Covenant’ (vv. 17-26 above) is a later addition to this document or not.[[27]](#footnote-29)

**Verse 28:**

In contrast to the sequence of verses from J mentioned above, in this verse, the combination of the amount of time Moses stayed on the mountain אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה, which is familiar to us from E (Exod 31:18 b), combines with the story of the giving of the first tablets in this chapter. Many classical scholars attribute this combination to J, based on the assumption that the documents must be telling different version of the same story, which explains their similar, and even identical, characteristics.[[28]](#footnote-30) The possibility that the identical linguistic and conceptual characteristics were present because both segments belonged to the same document which contained a complex plot in which the motif repeats, and that the motif does not occur in the other document never occurred to them. Simultaneously, this assumption was also used to explain why E was almost entirely excluded when the stories were integrated, and, thus the scholars were not perturbed by the random Elohist indications which were identified in the verses. But if we do not rely on this assumption about parallel versions but rather examine the existing links among the verses themselves, we may conclude that the phrase **אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה** is part of the Elohist narrative.

While the following words, **לֶחֶם לֹא אָכַל וּמַיִם לֹא שָׁתָה** are not familiar to us from the story of the first tablets, there are clues elsewhere in the Bible indicating that they are connected to this story and can bolster the argument that this account belongs to J. First of all, in the book of Deuteronomy, the story belonging to D appears about Moses receiving the tablets at Horeb. This story exhibits the unmistakable influence of E alone, and neither J nor P’s plotlines are mentioned.[[29]](#footnote-31) In the D storyline both the amount of time Moses was on the mountain, forty days and forty nights, and the fact that he neither ate bread nor drank water are mentioned.[[30]](#footnote-32) Indeed, in contrast to the story that appears in Exodus, the abstinence from bread and water appears twice in D—both before the receipt of the first tablets and before the transcription of the second ones. However, the main point is that this attests to E as the source for this motif. The second clue is found in the story of God’s revelation to Elijah in the desert (1 Kngs 19:4-18), which employs Moses’ story on the mountain as background. This narrative relates that by eating a cake baked on the hot stones and drinking a cruse of water that the angel gave him, Elijah walked אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה עַד הַר הָאֱלֹהִים חֹרֵב (Ibid., 8). The story’s unquestionable link to E is indicated by the use of the word Horeb to name the location of the revelation, as well as by the depiction of the time period as forty days and forty nights.[[31]](#footnote-33) The assertion that on the strength of this meal Elijah walked for forty days until he reached Horeb means that during that period of time Elijah neither ate nor drank. This strengthens our argument that abstaining from eating and drinking is also a motif present in E.[[32]](#footnote-34) Thus, it is clear that the first half of verse twenty-eight is suffused with Elohistic signs, so it clearly belongs to E.

The second half of verse twenty-eight, though, is clearly complex. The word ויכתוב in its canonical context seems to be referring to Moses, and, therefore, the text matches the J narrative in which Moses is the one who is commanded to write the words of the covenant (v. 27). Many scholars have noted the dissonance between the Elohistic part in verses 1-4, wherein God explicitly states that He Himself will be the one to write the words on the tablets, and the part that belongs to the J narrative. However, since God is mentioned in the first part of the verse, even though He is not the subject of the sentence, it is possible to read the verb ויכתוב as referring to God. This reading allows us to propose that the story about the writing on the tablets is indeed from E, while the writing of the דברי הברית (words of the covenant) are part of another sentence sourced from J in which Moses wrote, as he was commanded to in the previous verse (v. 27) that also belongs to J. The second half of verse twenty-eight would then be divided as follows:

E: וַיִּכְתֹּב עַל הַלֻּחֹת אֵת עֲשֶׁרֶת הַדְּבָרִים

J: וַיִּכְתֹּב אֵת דִּבְרֵי הַבְּרִית

The Integrated Canonical Version: וַיִּכְתֹּב עַל הַלֻּחֹת אֵת דִּבְרֵי הַבְּרִית עֲשֶׂרֶת הַדְּבָרִים

Throughout the Torah, we often find that the redactor’s integration of two different sentences only requires him to delete their common, overlapping words.[[33]](#footnote-35) The unique situation here, as mentioned above, is that the shared word וַיִּכְתֹּב relates to a different subject in each of the sources—God in E and Moses in J.[[34]](#footnote-36) The result of this fusion in the canonical version refers to Moses, so many scholars were uncomfortable accepting that there might be an Elohistic component here as well.

The divison proposed above proffers an appropriate ending for both documents. In E the writing on the tablets of the covenant that were shattered is restored by being written by God on the new tablets; in J, a link between the contents—הַדְּבָרִים (הָאֵלֶּה)—and the—בְּרִית delineated by God’s words in verse 27 (which God had announced in v.10)—is created by fusing the two words into the דִּבְרֵי הַבְּרִית which Moses had written in fullment of God’s command.

However, the final resolution proposed above also raises problems. The combinatory דִּבְרֵי הַבְּרִית only exists in D (Deut 28:69; 29:8), in Kings (2 Kngs 23:2-3), in Jeremiah’s prophecies (11:2-3, 6, 8; 34:18) and in Chronicles (2 Chr 34:30-31), and it is alien to J. For this reason, many perceive this combination to be a late editorial addition, and Haran even thinks that it must have been created by D (or by an editor under his influence) and then situated in its current position.[[35]](#footnote-37) However, the combination’s repeated use in a specific document, and its transformation into an idiomatic phrase, does not mean that it could not have appeared several times or even once in an other document. The question of whether a specific combination belongs to a document must be determined by its compatibility with the plotline, and in this case the compatibility is clear, as shown above. There is no doubt that the story which began with the proclamation of the covenant (v. 10) and continued with the command to inscribe the words that were to be the basis of the covenant (v. 27), would end with their actual inscription. Even if we could argue that the combination underwent some sort of an edit (for instance, the expansion of the single word דברים ), a proposition for which there is no real evidence, it still reflects whatever words existed independently in J that were fused by the Torah’s redactor with an independent sentence from E to create one integrated sentence.

There is one problem that the combination עשרת הדברים creates. It is difficult to discover any sort of obvious division in the chapter into ten sentences, commandments, or parts, and, therefore, it is unclear what this phrase might be referring to. Goethe, as noted above (in footnote 25), suggests that perhaps the difficulty stems from the reworking this segment from J underwent. Perhaps, these scriptures belonging to J originally contained ten ritual דיברות (not to be confused with, the ten ethical commandments belonging to E that appear in Exod 20:2-13). However, methodologically speaking this causes confusion: Nothing in the verses comprising ‘The Little Book of the Covenant’ suggests ten words, and the only reason the notion of ten words came up was the existence of the combinatory phrase.[[36]](#footnote-38) Since the phrase does exist, the hypothesis that there had originally been some sort of schema involving ten words was proposed, even though in the canonical version the editorial process had made it impossible to identify them. While we cannot definitively dismiss this proposition, it fails to offer any real supporting evidence and it is no better than any other hypothesis proffered.

On the other hand, we can actually propose a basis for the diametrically opposed proposition that the combinatory phrase belongs to E. In this case, as well, a comparison with D is instructive for in D the combination appears twice (just as the phrase ‘forty days and forty nights’ does): both in the story of the first tablets (Deut 4:13) and in the story of the second tablets (Deut 10:4). As in the previous case, the testimony from D indicates that the combination’s source is the Elohist document, which both inspired the combination and was foundational to it. However, even if the combination did not exist in this form in E, at the very least, it reflects the word דברים which was original to that document, for, at the beginning of the story, God explicitly states: וְכָתַבְתִּי על הַלֻּחֹת אֶת הַדְּבָרִים אֲשֶׁר הָיוּ עַל הַלֻּחֹת הָרִאשֹׁנִים אֲשֶׁר שִׁבַּרְתָּ (34:1).

From all this, we may conclude that even if one of these problematic combinations—עשרת הדברים or דברי הברית—was originally a different combination, we may still conclude that this verse is composed of two different sentences, derived from two different documents.

**Verse 29:**

Just as in the previous verse, this verse also manifests an undeniable lack of unity. The most egregious contradiction occurs between the phrase ‘the two tablets’ שני הלוחות, which we have only seen in E, and the phrase “the *edot*” העדות which is unique to P. The beginning of the verse is certainly not Elohistic, for the phrase הר סיני is employed, and, therefore, presumably, it joins the word *edot* as part of P. In contrast, the combination ביד משה is difficult to place because from a plot perspective Moses held both the edot and the two tablets in his hands, and, therefore, the combination may have very well existed in both documents simultaneously in identical or similar formulations. The first half of the verse concludes with the words ברדתו מן ההר. In this instance as well we are faced with a unit that at first glance could belong to either P or E’s plots. However, after investigating the context carefully, we will find that while the combination may describe the words ושני הלוחות ביד משה, it does not sit well with the Elohistic sequence in the previous verse. That verse reports that God wrote the words on the tablets, while in our verse the descent is described as an event that has already transpired. In other words, if this phrase belongs to E, there is a gap in the account because the descent itself is not narrated. So positing that this phrase is sourced to E leaves us with an unexplained gap in the account. On the other hand, the phrase fits in well with P. The previous segment from P appears two chapters earlier, in Exodus 32:15, in a verse, that like our own, is part of E’s sequence, but contains both phrases— הר סיני and העדות—belonging to P. In terms of its contents, this verse indeed recounts Moses’ descent from the mountain (after receiving the first tablets), and, therefore, there seems to be a fusion of two recounting of the descent, one belong to P and one to E. A comparison with the formulation found in D (וָאֵפֶן וָאֵרֵד מִן הָהָר וְהָהָר בֹּעֵר בָּאֵשׁ וּשְׁנֵי לוּחֹת הַבְּרִית עַל שְׁתֵּי יָדָי – Deut 9:15) may lead us to think that the Elohistic version before the composer of the Mishneh Torah did not include those priestly words. Thus, we could reconstruct the two different sentences that the redactor integrated when shaping Exodus 32:15 into its current form, as follows:

P: וַיֵּרֶד מֹשֶׁה מֵהַר סִינַי וְהָעֵדֻת בְּיָדוֹ

E: : וַיִּפֶן וַיֵּרֶד מֹשֶׁה מִן הָהָר וּשְׁנֵי (הַ)לֻחֹת בְּיָדוֹ

The Integrated Canonical Version: וַיִּפֶן וַיֵּרֶד משֶׁה מִן הָהָר וּשְׁנֵי לֻחֹת הָעֵדֻת בְּיָדוֹ[[37]](#footnote-39)

Thus, in the aforementioned verse, we find the priestly recounting of the descent from Mount Sinai, and, therefore, the priestly segment in Exod 34:29 seems to be its logical continuation, is part of it, and functions as the beginning of the next priestly narrative. This suggests that we divide the verse in the following manner:

P: וַיְהִי בְּרֶדֶת מֹשֶׁה מֵהַר סִינַי וְהָעֵדֻת בְּיָדוֹ בְּרִדְתּוֹ מִן-הָהָר

E: וּשְׁנֵי הַלֻּחֹת בְּיַד-מֹשֶׁה

The Integrated Canonical Version:

וַיְהִי בְּרֶדֶת משֶׁה מֵהַר סִינַי וּשְׁנֵי לֻחֹת הָעֵדֻת בְּיַד משֶׁה בְּרִדְתּוֹ מִן הָהָר

The second half of the verse, in contradistinction to the first, does not contain signs of complexity. The sentence is unified, formulated in the distant past as background for the upcoming narrative. In terms of its contents, it could belong to either one of the two documents. We will have to wait until our investigation of the following verses is concluded to make a decision.

**Verses 30-35:**

These verses contain a brief and sequential recounting of what happened after Moses returned from his encounter with God. Since the skin on his face was radiating light, the children of Israel were scared to approach him, and so after transmitting God’s words and commandments to the entire children of Israel, Moses covered his face with a veil. Henceforth, he only removed the veil when he met with God in the Tabernacle in order to receive commandments and transmit them to the children of Israel later outside. Clearly, the segment is of priestly origin since this repetitive prophetic routine (described in v. 34) is found exclusively in P.[[38]](#footnote-40) The lexicon, the style, and the formulation also attest to these verses belonging to P: Aharon’s mention (vv. 30-31); recalling הַנְּשִׂאִים בָּעֵדָה (v. 31); the sentence וַיְצַוֵּם אֵת כָּל אֲשֶׁר דִּבֶּר יהוה(v. 32);[[39]](#footnote-41) and mentioning הר סיני (Ibid.) and the combination וְדִבֶּר אֶל בְּנֵי יִשְׂרָאֵל (v. 34).[[40]](#footnote-42)

In light of our analysis of the chapter, we may split chapter 34 into three sources. This enables us to examine the raw source material that comprises the canonical Torah’s recounting of the second ascent.

[שמות לד] [א] וַיֹּאמֶר יי אֶל-מֹשֶׁה פְּסָל-לְךָ שְׁנֵי-לֻחֹת אֲבָנִים כָּרִאשֹׁנִים וְכָתַבְתִּי עַל-הַלֻּחֹת אֶת-הַדְּבָרִים אֲשֶׁר הָיוּ עַל-הַלֻּחֹת הָרִאשֹׁנִים אֲשֶׁר שִׁבַּרְתָּ: [ב] וֶהְיֵה נָכוֹן לַבֹּקֶר וְעָלִיתָ בַבֹּקֶר אֶל-הַר סִינַי וְנִצַּבְתָּ לִי שָׁם עַל-רֹאשׁ הָהָר: [ג] וְאִישׁ לֹא-יַעֲלֶה עִמָּךְ וְגַם-אִישׁ אַל-יֵרָא בְּכָל-הָהָר גַּם-הַצֹּאן וְהַבָּקָר אַל-יִרְעוּ אֶל-מוּל הָהָר הַהוּא: [ד] וַיִּפְסֹל שְׁנֵי-לֻחֹת אֲבָנִים כָּרִאשֹׁנִים וַיַּשְׁכֵּם מֹשֶׁה בַבֹּקֶר וַיַּעַל אֶל-הַר סִינַי כַּאֲשֶׁר צִוָּה יי אֹתוֹ וַיִּקַּח בְּיָדוֹ שְׁנֵי לֻחֹת אֲבָנִים: [ה] וַיֵּרֶד יי בֶּעָנָן וַיִּתְיַצֵּב עִמּוֹ שָׁם וַיִּקְרָא בְשֵׁם יי: [ו] וַיַּעֲבֹר יי עַל-פָּנָיו וַיִּקְרָא יי יי אֵל רַחוּם וְחַנּוּן אֶרֶךְ אַפַּיִם וְרַב-חֶסֶד וֶאֱמֶת: [ז] נֹצֵר חֶסֶד לָאֲלָפִים נֹשֵֹא עָוֹן וָפֶשַׁע וְחַטָּאָה וְנַקֵּה לֹא יְנַקֶּה פֹּקֵד עֲוֹן אָבוֹת עַל-בָּנִים וְעַל-בְּנֵי בָנִים עַל-שִׁלֵּשִׁים וְעַל-רִבֵּעִים: [ח] וַיְמַהֵר מֹשֶׁה וַיִּקֹּד אַרְצָה וַיִּשְׁתָּחוּ: [ט] וַיֹּאמֶר אִם-נָא מָצָאתִי חֵן בְּעֵינֶיךָ אֲ-דֹנָי יֵֽלֶךְ-נָא אֲ-דֹנָי בְּקִרְבֵּנוּ כִּי עַם-קְשֵׁה-עֹרֶף הוּא וְסָלַחְתָּ לַעֲוֹנֵנוּ וּלְחַטָּאתֵנוּ וּנְחַלְתָּנוּ: [י] וַיֹּאמֶר הִנֵּה אָנֹכִי כֹּרֵת בְּרִית נֶגֶד כָּל-עַמְּךָ אֶעֱשֶֹה נִפְלָאֹת אֲשֶׁר לֹא-נִבְרְאוּ בְכָל-הָאָרֶץ וּבְכָל-הַגּוֹיִם וְרָאָה כָל-הָעָם אֲשֶׁר-אַתָּה בְקִרְבּוֹ אֶת-מַעֲשֵֹה יי כִּי-נוֹרָא הוּא אֲשֶׁר אֲנִי עֹשֶֹה עִמָּךְ: [יא] שְׁמָר-לְךָ אֵת אֲשֶׁר אָנֹכִי מְצַוְּךָ הַיּוֹם הִנְנִי גֹרֵשׁ מִפָּנֶיךָ אֶת-הָאֱמֹרִי וְהַכְּנַֽעֲנִי וְהַחִתִּי וְהַפְּרִזִּי וְהַחִוִּי וְהַיְבוּסִי: [יב] הִשָּׁמֶר לְךָ פֶּן-תִּכְרֹת בְּרִית לְיוֹשֵׁב הָאָרֶץ אֲשֶׁר אַתָּה בָּא עָלֶיהָ פֶּן-יִהְיֶה לְמוֹקֵשׁ בְּקִרְבֶּךָ: [יג] כִּי אֶת-מִזְבְּחֹתָם תִּתֹּצוּן וְאֶת-מַצֵּבֹתָם תְּשַׁבֵּרוּן וְאֶת-אֲשֵׁרָיו תִּכְרֹתוּן: [יד] כִּי לֹא תִשְׁתַּחֲוֶה לְאֵל אַחֵר כִּי יי קַנָּא שְׁמוֹ אֵ-ל קַנָּא הוּא: [טו] פֶּן-תִּכְרֹת בְּרִית לְיוֹשֵׁב הָאָרֶץ וְזָנוּ אַֽחֲרֵי אֱלֹהֵיהֶם וְזָבְחוּ לֵאלֹהֵיהֶם וְקָרָא לְךָ וְאָכַלְתָּ מִזִּבְחוֹ: [טז] וְלָקַחְתָּ מִבְּנֹתָיו לְבָנֶיךָ וְזָנוּ בְנֹתָיו אַחֲרֵי אֱלֹהֵיהֶן וְהִזְנוּ אֶת-בָּנֶיךָ אַחֲרֵי אֱלֹהֵיהֶן: [יז] אֱלֹהֵי מַסֵּכָה לֹא תַעֲשֶֹה-לָּךְ: [יח] אֶת-חַג הַמַּצּוֹת תִּשְׁמֹר שִׁבְעַת יָמִים תֹּאכַל מַצּוֹת אֲשֶׁר צִוִּיתִךָ לְמוֹעֵד חֹדֶשׁ הָאָבִיב כִּי בְּחֹדֶשׁ הָאָבִיב יָצָאתָ מִמִּצְרָיִם: [יט] כָּל-פֶּטֶר רֶחֶם לִי וְכָל-מִקְנְךָ תִּזָּכָר פֶּטֶר שׁוֹר וָשֶֹה: [כ] וּפֶטֶר חֲמוֹר תִּפְדֶּה בְשֶֹה וְאִם-לֹא תִפְדֶּה וַעֲרַפְתּוֹ כֹּל בְּכוֹר בָּנֶיךָ תִּפְדֶּה וְלֹא-יֵרָאוּ פָנַי רֵיקָם: [כא] שֵׁשֶׁת יָמִים תַּעֲבֹד וּבַיּוֹם הַשְּׁבִיעִי תִּשְׁבֹּת בֶּחָרִישׁ וּבַקָּצִיר תִּשְׁבֹּת: [כב] וְחַג שָׁבֻעֹת תַּעֲשֶֹה לְךָ בִּכּוּרֵי קְצִיר חִטִּים וְחַג הָאָסִיף תְּקוּפַת הַשָּׁנָה: [כג] שָׁלשׁ פְּעָמִים בַּשָּׁנָה יֵרָאֶה כָּל-זְכוּרְךָ אֶת-פְּנֵי הָאָדֹן יי אֱלֹהֵי יִשְֹרָאֵל: [כד] כִּי-אוֹרִישׁ גּוֹיִם מִפָּנֶיךָ וְהִרְחַבְתִּי אֶת-גְּבֻלֶךָ וְלֹא-יַחְמֹד אִישׁ אֶת-אַרְצְךָ בַּעֲלֹֽתְךָ לֵרָאוֹת אֶת-פְּנֵי יי אֱ-לֹהֶיךָ שָׁלשׁ פְּעָמִים בַּשָּׁנָה: [כה] לֹא-תִשְׁחַט עַל-חָמֵץ דַּם-זִבְחִי וְלֹא-יָלִין לַבֹּקֶר זֶבַח חַג הַפָּסַח: [כו] רֵאשִׁית בִּכּוּרֵי אַדְמָתְךָ תָּבִיא בֵּית יי אֱ-לֹהֶיךָ לֹא-תְבַשֵּׁל גְּדִי בַּחֲלֵב אִמּוֹ: [כז] וַיֹּאמֶר יי אֶל-מֹשֶׁה כְּתָב-לְךָ אֶת-הַדְּבָרִים הָאֵלֶּה כִּי עַל-פִּי הַדְּבָרִים הָאֵלֶּה כָּרַתִּי אִתְּךָ בְּרִית וְאֶת-יִשְֹרָאֵל: [כח] וַיְהִי-שָׁם עִם-יי אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה לֶחֶם לֹא אָכַל וּמַיִם לֹא שָׁתָה

וַיִּכְתֹּב וַיִּכְתֹּב

עַל-הַלֻּחֹת

אֵת דִּבְרֵי הַבְּרִית אֵת עֲשֶׁרֶת הַדְּבָרִים:

[כט] וַיְהִי בְּרֶדֶת מֹשֶׁה מֵהַר סִינַי

וּשְׁנֵי הַלֻּחֹת וְהָעֵדֻת

בְּיַד-מֹשֶׁה {בְּיָדוֹ}

בְּרִדְתּוֹ מִן-הָהָר

וּמֹשֶׁה לֹא-יָדַע כִּי קָרַן עוֹר פָּנָיו בְּדַבְּרוֹ אִתּוֹ: [ל] וַיַּרְא אַהֲרֹן וְכָל-בְּנֵי יִשְֹרָאֵל אֶת-מֹשֶׁה וְהִנֵּה קָרַן עוֹר פָּנָיו וַיִּירְאוּ מִגֶּשֶׁת אֵלָיו: [לא] וַיִּקְרָא אֲלֵהֶם מֹשֶׁה וַיָּשֻׁבוּ אֵלָיו אַהֲרֹן וְכָל-הַנְּשִֹאִים בָּעֵדָה וַיְדַבֵּר מֹשֶׁה אֲלֵהֶם: [לב] וְאַחֲרֵי-כֵן נִגְּשׁוּ כָּל-בְּנֵי יִשְׂרָאֵל וַיְצַוֵּם אֵת כָּל-אֲשֶׁר דִּבֶּר יי אִתּוֹ בְּהַר סִינָי: [לג] וַיְכַל מֹשֶׁה מִדַּבֵּר אִתָּם וַיִּתֵּן עַל-פָּנָיו מַסְוֶה: [לד] וּבְבֹא מֹשֶׁה לִפְנֵי יהוה לְדַבֵּר אִתּוֹ יָסִיר אֶת-הַמַּסְוֶה עַד-צֵאתוֹ וְיָצָא וְדִבֶּר אֶל-בְּנֵי יִשְֹרָאֵל אֵת אֲשֶׁר יְצֻוֶּה: [לה] וְרָאוּ בְנֵי-יִשְֹרָאֵל אֶת-פְּנֵי מֹשֶׁה כִּי קָרַן עוֹר פְּנֵי מֹשֶׁה וְהֵשִׁיב מֹשֶׁה אֶת-הַמַּסְוֶה עַל-פָּנָיו עַד-בֹּאוֹ לְדַבֵּר אִתּוֹ:

In terms of its main divisions into chunks of scripture, this proposition is similar to those offered by classical scholarship at the end of the nineteenth and beginning of the twentieth centuries.[[41]](#footnote-43) However there are a number of significant differences between them and our proposition. First of all, in our proposal not even one word is attributed to the redactor (or to any other hypothetical editor who preceded him) as the consequence of reworking or an editiorial addition. Everyone one of the words is attributed to one of the non-Deuteronomistic documents. Second of all, every one of the scriptures in every one of the documents comes together to form a complete, smoothly flowing narrative sequence. That is to say, there are no hanging pericopes or sentence fragments that were stuck on so that they would fit in with the newly, formulated framing context; rather, we are dealing with parts of the original, sequential text. Thus, the redactor only interwove the documents based on the scriptural sequences in his possession, and he did this without adding or deleting even one word, and while preserving the original order of things. We can only ascribe the following scriptural interventions to him in two verses (28-29) and they both occur for the same reason: the integration of two similar sentences, one from each document, into a single sentence. The only words or letters that were omitted from the final formulation were those that were identical in both sentences[[42]](#footnote-44) since there was no reason to write them twice, and there was no syntactical way to incorporate them. In composing the canonical version, the other words were transcribed and interwoven untouched and in the order they were found in.

**The Contents of the Second Tablets Narrative In And Of Itself**

These minor differences between the division proposed above and those proposed by classical critical scholars can lead to profound differences in the overall picture presented by any one of the documents and subsequently to the conclusions drawn from them.Therefore, in order to understand the precise significance of the second ascent story and of how it is integrated into the canonical Torah, we need to begin by examining the narrative in E, in and of itself, as it reveals itself to us from our analysis of Exodus 34 above:

[שמות לד] [א] וַיֹּאמֶר יי אֶל-מֹשֶׁה פְּסָל-לְךָ שְׁנֵי-לֻחֹת אֲבָנִים כָּרִאשֹׁנִים וְכָתַבְתִּי עַל-הַלֻּחֹת אֶת-הַדְּבָרִים אֲשֶׁר הָיוּ עַל-הַלֻּחֹת הָרִאשֹׁנִים אֲשֶׁר שִׁבַּרְתָּ: ✂ [ד] וַיִּפְסֹל שְׁנֵי-לֻחֹת אֲבָנִים כָּרִאשֹׁנִים ✂וַיִּקַּח בְּיָדוֹ שְׁנֵי לֻחֹת אֲבָנִים[[43]](#footnote-47): [ה] וַיֵּרֶד יי בֶּעָנָן✂[כח] וַיְהִי-שָׁם עִם-יי אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה לֶחֶם לֹא אָכַל וּמַיִם לֹא שָׁתָה וַיִּכְתֹּב עַל-הַלֻּחֹת אֵת עֲשֶׁרֶת הַדְּבָרִים: [כט] וּשְׁנֵי {הַ}לֻּחֹת ✂ בְּיַד-מֹשֶׁה

As we can see, the parts of E in this chapter are neither document fragments nor remnants left over after the scriptures were edited and assimilated into other sources. Rather they comprise a sequential text that smoothly and consistently recounts the entire story of the second tablets. The account is brief and concise and a close reading of this narrative, in and of itself, reveals the following findings:

* Nowhere in E is it mentioned that Moses was commanded to ascend the mountain in Horeb a second time. Indeed, there is a divine command, but it only instructs Moses to carve two tablets like the first ones (34:1).
* Nowhere in E does it mention that Moses ascended the mountain. The segment that recounts his ascent of the mountain in 4:4 belongs to J, as mentioned above.
* Nowhere in E does it mention that Moses stayed on the mountain. The only reference to his location is general in nature: וַיְהִי שָׁם עִם ה' אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה (34:28).
* Nowhere in E does it mention that Moses descended the mountain. The account of the descent in verse 29, as mentioned above, belongs exclusively to P.

It is hard to attribute all this evidence to chance, and it seems to be leading us to a specific conclusion: the account of the second tablets in E did not occur at the mountain at all. This hypothesis gains additional support when we compare this story to the earlier stories of revelation in E, in which the mountain is explicitly mentioned at every stage:

* In the account depicting the preparations for God’s revelation in Horeb, the text explicitly records that Moses ascended Mount Horeb (19:3).
* The story’s continuation explicitly recounts that Moses descended the mountain (19:14a).[[44]](#footnote-48)
* In the story about the reception of the first tablets God explicitly commands Moses to go up to the mountain (24:12).
* A few verses later, the text explicitly relates that Moses went up to the mountain (24:15a).
* Shortly thereafter, the text relates that Moses’ forty days and forty nights sojourn took place on the mountain (24:18[[45]](#footnote-49)).
* During this period of time, the children of Israel wondered why Moses was taking so long to descend the mountain (32:1).
* Afterwards, the text recounts that God explicitly commanded Moses to descend the mountain (32:7).
* Following this, the text relates that Moses, indeed, descended the mountain (32:15[[46]](#footnote-50)).

If in the account of the second tablets the mountain was emphasized in every way possible, the overwhelming silence about the mountain in the account of the second tablets—both in the divine command and in the narrator’s words—strengthens the aforementioned conclusion that this story did not take place at the mountain at all. Another corroborating factor may be found by comparing the ways God arrived at the theophany. In the account, in which the words are proclaimed for all to hear, in whch Moses went up to the mountain, God said הִנֵּה אָנֹכִי בָּא אֵלֶיךָ בְּעַב הֶעָנָן (19:9)— “I will come to you in a thick cloud”(JPS, 2006)—and in the continuation, Moses is the one who approaches the thick cloud (20:18), the very same thick cloud that had been described earlier as being on the mountain (19:16[[47]](#footnote-51)) and as being where God is to be found. In contrast, in the account of the second tablets, in which as we have noted Moses did not go up to the mountain, the verse states, וַיֵּרֶד יהוה בֶּעָנָן (34:5, “God descended in a cloud”). In other words, when Moses goes up to the mountain—God comes; and when Moses does not go up to the mountain—God comes down to him.

Where the Second Tablet Narrative Took Place

So where was this place—שם (Exod 34:5)—that God came down to? Where was this place Moses spent forty days and forty nights while God wrote the words on the tablets (Ibid., 28)? The answer to this question may be found by examining what took place before this account in E. Chapter 33 is mainly sourced from J;[[48]](#footnote-52) however, at its very heart, there is a segment that we deemed alien to its context earlier in our research. It belongs to E and it is the account of Moses’ prophetic routine in the Tent of Meeting, outside the camp.[[49]](#footnote-53)

As everyone knows, the Tent of Meeting’s purpose in E is to function as Moses’ portable place of prophecy after the people depart from the Mountain of God in Horeb. Therefore, many scholars have assumed that this passage was divorced from its context, torn from another plotline, such as the one that recounted when the children of Israel began their continued wandering in the desert and was rammed into its canonical place either for editorial reasons or by mistake. Since there is no segment in the entire E continuum that records the children of Israel’s continuing to wander after encamping at Horeb, it has been suggested that the original context of this segment was lost (perhaps, along with additional segments), and in any event, the account of the second tablets happened prior to it.[[50]](#footnote-54)

However, there is no reason to ignore the possibility that this segment recounting the prophetic routine in the Tent of Meeting is, indeed, in its proper place and that it functions not only as a general introduction to the way in which prophecy transpired during the wandering in the desert but also as fulfilling an important role in the Elohistic plot. As part of this investigation, we need to try and locate where the Elohistic source reporting the children of Israel’s departure from Horeb and its return to wandering in the desert is. Several suggestions have been made about where such an account might appear, and they all ranged between immediately after the second tablets were received until either before or after the narrative about the appointment of the seventy men who prophesy in the Tent of Meeting (the Elohistic part in Num 11[[51]](#footnote-55)).[[52]](#footnote-56) However, it is possible that the account recording the children of Israel’s setting off on their wanderings is somewhere else entirely. Several clues in Scriptures may suggest that the recounting of the departure from Horeb was originally found earlier in E’s plotline—after the account of the golden calf and before the account of the prophetic routine in the Tent of meeting—but it was nowhere to found in the version that reached the Torah redactor’s.[[53]](#footnote-57) First of all, after the sin of the golden calf (Exod 32 and on), the text recounts what happened מִמָּחֳרָת—on the morrow—when Moses went up to God to atone for the sin of the children of Israel. At the end of the dialogue between God and Moses, God commands Moses to go and guide the people to the land of Canaan, even though according to the canonical version it would still be quite a while before the children of Israel continued their journey in the desert. This segment is Elohistic since it refers directly to the story of the sin of the calf which only occurs in E. These instructions indicate that the next meaningful event that is supposed to take place in the Elohistic narrative is, indeed, the children of Israel’s departure on their journey to the land of Canaan.

Another clue may be found in the first six verses in chapter 33. In this segment, we are told about God’s declaration to Moses that He will not go up in the midst of the children of Israel as they continue on their way to the land of Canaan and the children of Israel’s reaction to this news. This part of the narrative clearly belongs to J, to whom the question of God’s presence in the midst of the children of Israel is vitally central.[[54]](#footnote-58) The last two words in this sequence of verses are מֵהַר חוֹרֵב and they are not part of the Jehovistic account because the word Horeb never occurs in J and, mainly, because in terms of content and syntax verse six makes no sense when joined with them.[[55]](#footnote-59) The sentence preceding them in this verse וַיִּתְנַצְּלוּ בְנֵי יִשְׂרָאֵל אֶת עֶדְיָם makes sense in terms of the mourning the children of Israel were immersed in due to their receiving the message about God’s impending removal of Himself from among them, but the reference to a mountain, and especially the use of the formative letter מ do not create a connection that makes sense.[[56]](#footnote-60) The separation of these words from the canonical sequence which they belong to allows us to propose that they may be remnants of the account of the children of Israel’s setting off on their wanderings, an account that could be long and detailed (and therefore would be to completely reconstruct), or brief and condensed, such as ואחר נסעו העם מהר חורב.[[57]](#footnote-61)

We have now established the context and location of the account of the second tablets. Apparently the word שם (v. 29), which describes the place it occurred, does not refer to the mountain, as the canonical reading suggests, but to no other localethan that of the Tent of Meeting. Not only does the context point to this reading, but the contents as well: the aforementioned account reports that וַיֵּרֶד יהוה בֶּעָנָן (34:5). This is precisely the way in which God always reveals himself in the Tent of Meeting, as depicted in Exodus 33:9-10 and in other accounts from E about revelation in the tent (Num 11:17, 25; 12:5). It is now clear why the account lacks a command or a record of Moses’ ascent or descent, and why there is no mention of Moses’ remaining on the mountain while the words were being written on the tablets. According to E this theophany did not take place on the mountain but rather שם, there in the Tent of Meeting![[58]](#footnote-62)

The Account of the Second Tablets’ Context in the Elohist Narrative

It makes sense to examine E’s account of Mount Horeb in light of our new understanding. How does this account fit into E’s general narrative continuum? According to the Elohist narrative, read on its own,[[59]](#footnote-78) God revealed Himself to the people who stood at the foot of the mountain (19:16\*, 17-19[[60]](#footnote-79)) and read the commandments (20:1-15), but the people were afraid from the very beginning of the divine theophany (19:16b) and asked that Moses play the role of intermediary, or, in other words, that he alone receive God’s words and only afterward transmit them to the people (20:16). Therefore, Moses calmed the people down and explained that the reasons for God’s mass revelation were to habituate them to prophecy (כִּי לְבַעֲבוּר נַסּוֹת אֶתְכֶם בָּא הָאֱלֹהִים, Ibid., 17) and to embed within them the obligatory nature of His commandments. Immediately afterward, Moses approached the thick cloud by himself leaving the people standing at a distance (Ibid., 18) so that he could receive a personal revelation. In this revelation, after establishing Moses’ exclusivity and delineating the applicable cultic rituals (Ibid., 19-23), God gives him all the laws incumbent upon the people (21:1-23:33). Thereafter, Moses returns to the people and tells them about everything he received from God (24:3). The nation, for its part, committed to obeying (Ibid.) and then Moses wrote all of God’s words (Ibid., 4), so that the public covenant could be contracted (Ibid., 408, 11\*[[61]](#footnote-80)). After the covenant, God calls to Moses commanding him to ascend the mountain to receive the stone tablets upon which the commandment are inscribed (Ibid., 12) and Moses, indeed, goes up to the mountain (Ibid., 13-15a), stays there for forty days and forty nights (Ibid., 18b), and during this period of time, as promised, God gave him the stone tablets that had been inscribed which he had prepared beforehand (Ibid., 18\*[[62]](#footnote-81)). However, simultaneously, the episode of the golden calf took place (32:1-6), and, therefore, God told Moses about this and also told him that he was planning to annihilate the nation of Israel in response (Ibid., 7-10), but Moses managed to calm Him down. However, when Moses, still grasping the tablets in his hands (Ibid., 15-17)[[63]](#footnote-82), descended from the mountain to return to the people, he saw what was happening in the midst of the people (Ibid., 19a), in a fit of anger, he shattered the tablets (Ibid., 19b), destroyed the golden calf (Ibid., 20), rebuked Aharon (Ibid., 21), who explained that he had been forced to do this by the masses of the children of Israel (Ibid., 22-24). The next day, Moses returned to God to atone for the transgression (Ibid., 30-31), thus demonstrating his solidarity with the nation of Israel (Ibid., 32), but God refused to grant atonement and demanded the sinners be punished (Ibid., 33). Or—then God returned Moses to his role as the leader of the nation in its wanderings along with the promise that his angel would go before them and that the sinners would be punished at the appropriate time (Ibid., 34). Immediately following this command, one would expect to read that Moses and the children of Israel, indeed, decamped from the Mountain of God and began their journey, wandering in the desert, or in other words, they left Horeb. It seems that all that remains of this account are the words מֵהַר חוֹרֵב (the final two words in Exod 33:6), as proposed in the reconstruction above. Immediately following this pair of words we find, as we would expect to, a depiction of the Tent of Meeting’s prophetic routine (Ibid., 7-11), for only at this stage, after the departure from the mountain in Horeb is there a need for such an institution. The first plot point that occurs after the depiction of this routine is the account of the second tablets itself (34:1, 4, 5, 28, 29, as reconstructed above on p. ?), and immediately after it follow two more stories about the Tent of Meeting: the appointment of the seventy elders (Num 11:11-12, 14-17, 24b-30) and the story of Miriam’s leprosy (Num 12).

Observing the account of the second tablets within the context of its Elohist narrative’s timeline concretizes the sense that it was, in fact, the first time prophesy occurred in the Tent of Meeting. So, indeed, this account may function as an additional component in E that had not been previously identified—a foundational event that inaugurated the Tent of Meeting as a prophetic center. As mentioned above, the Tent of Meeting was established as a portable alternative to the mountain to facilitate the occasional prophetic encounter and to allow for communication with God during the period of the wandering and afterward; and, now, it has become apparent that this institution was first used to retranscribe the contents of the tablets that had been shattered at the end of the original event—the two stone tablets. Just as the Tent of Meeting functions as a replacement for the mountain, so too the second tablets upon which God transcribed his words are a replacement for the first tablets inscribes and received at the mountain. And, indeed, what founding event could be more fitting to consecrate the Tent of Meeting, the replacement for the mountain, than the repetition of an event that originally took place at the mountain? Therefore, God commanded Moses to carve new stone tablets like the first ones, summoned Moses there (שם), to the Tent of Meeting, descended in a cloud in keeping with the revelatory protocol established previously (Ibid., 9), and wrote the words while the tablets were held by Moses himself (part of E in Exod 34:29). We should pay particular attention to the first and last details—the fact that Moses himself carved the second tablets (34: 1, 4) and the fact that he held them while God wrote the words on them (Ibid., 29). Both of these facts differ from the first account, in which the tablets were the handiwork of God (32:16) and were inscribed before they were given (the Elohist component in Exod 31:18). These differences, along with the different geographical location where the events take place, comprise a story whose purpose is to present the giving of the second tablets as a more earthly event in contrast to the first one—an event that transpired on the ground and not in the clouds above.

Taking an even broader perspective, we may note that just as the aforementioned purpose of the mass revelation on the mountain before the entire nation standing at its feet was intended to habituate the people to the ways of prophecy and impress upon them the obligatory nature of God’s commandments so too the purpose of the giving of the second tablets: the dedication of the Tent of Meeting was supposed to have been performed by Moses in front of the entire nation of Israel,[[64]](#footnote-83) in order to lend credence to this prophetic institution.[[65]](#footnote-84)

Thus, we may conclude, that from a literary perspective, the realization that the tablets in the people of Israel’s hands are not the divine ones, received at God’s official residence on the mountain, but rather their earthly-human replacements is at the same time both a constant reminder of the people’s guilt and also a testament to the sanctity of the Tent of Meeting and the veracity of the prophecy that transpires there. Apparently, if we do not presume that the segment recounting the prophetic routine (33:7-11) is divorced from its context, it fits in well with the Elohist plotline and serves as a vital resource for understanding the story of the second tablets and its meaning.

How Did the Account of the Second Tablets become the Account of the Second Ascent?

However, it is precisely for this reason that we should wonder why the Torah’s redactor interpolated the account of the second tablets into the account of the ascent of the mountain belonging to J and did not place it—along with the story of the erection of the Tent of Meeting preceding it—in the section devoted to the children of Israel’s setting off on their wanderings: at the end of the preparations (in Num 9, between v. 14 and v. 15) or slightly thereafter (before Num 11). Even if the redactor felt that he needed to integrate the account before the stories about the Tabernacle belonging to P (Exod 35-Num 10), it is still surprising that he did not integrate it immediately after the priestly account about Moses’ descent from Mount Sinai, that is to say, after the segments belonging to J and P in Exodus 34. These proposals prove that the canonical integration was not a fait accomplish. Their very existence raises the question of why the redactor did not choose one of them in the first place but rather chose to create the existing version according to which the account of the second tablets is presented as an account of the second ascent of the mountain—a notion that he did not draw from any one of the three documents from which he composed the narrative. I believe that a solution to this question can be found by investigating the fourth document—D.

D’s reliance on E is well-known amongst critical scholars,[[66]](#footnote-85) both conceptually and in terms of its vocabulary and the expressions it uses (oftentimes quoting E precisely). This notwithstanding, even in this regard the two are not completely identical and the differences that exist oftentimes reflect the core differences between the documents. Therefore, a comparison of the tablet story belonging to E and the tablet story in D may teach us a lot about the worldviews expressed in each of the documents and how they were formed. The account of the first and second tablets in D appears in Deut 9:8-21, 25-29; 1-5, 10-11. The resemblance to E, as well as several plot, linguistic, and stylistic differences, is readily apparent. And behold, in this account the fact that Moses ascended to the mountain again to receive the second tablets stands out (Deut 9:1-5) and raises the following question: In contrast to the conclusion we reached above, is it possible that this account attests to the fact that the Elohist source that the Deuteronomistic author of possessed include a similar account about the second ascent? Ultimately, however, it seems that a cautious reading of scriptures will reveal that the opposite is true. In D’s account, not only is the second ascent mentioned, the mountain is mentioned explicitly, both in the command to go up to it (Deut 9:1) and in the depictions of Moses’ ascent itself (Ibid., 3) and of his descent (Ibid., 5); this in contrast to E, where none of this is mentioned at all. The preponderance of the evidence, therefore, indicates that this plot element is not drawn from E, but rather is unique to D. The Deuteronomistic author included this change as part of his process rewriting the original Elohistic source he possessed.

The existence of a second ascent is not the only unique difference in the plot. One of the famous differences between the two accounts of the second tablets in these documents is that in D a wooden ark into which the tablets are placed is mentioned, an ark which is nowhere to be found in E’s account. Like the mountain, the ark is mentioned in every phase of D’s account. It is mentioned in God’s instructions (Deut 10:1, 2) and in Moses’ report—first, regarding his constructing it (Ibid., 3) and later regarding his placing the tablets inside it (Ibid., 5). Furthermore, the ark is mentioned in the immediate continuation of the text in the context of the Levites who carried it (Ibid., 8) and it is also mentioned towards the end of the document when Moses gives them the book of the Torah which he has just written and commands them to place it at the side of the ark they are responsible for (31:9, 25-26). This detail, of course, was not added randomly. The ark has tremendous significance in the Deuteronomistic composition because one of this document’s main purposes is to explain how the book of the Torah came to be in the Temple, and in so doing to conflate the identity of the document discovered during the Temple maintenance undertaken during King Josiah’s reign with that of the book of the Torah. The account of the tablets in D partakes in this goal—the fact that the tablets that Moses carved were placed in the ark and that God Himself had inscribed his words on them, grants it a unique dimension of sanctity.

However, the aforementioned analysis of the account about the second tablets that belongs to E suggests that there is another reason for the presence of the ark in the Deuteronomistic composition. This reason may sharpen one of the primary distinctions between D and the Elohistic narrative. According to D the revelation necessary to give the commandments took place during a one-time event on the mountain in Horeb, and since that time, God has not given commandments in any other way. Therefore, the laws that were given in this framework were inscribed in this book of the Torah, like a codex that had been signed and sealed.

This is completely different than the concept of constant prophesy that E presents, wherein in Moses, the greatest of the prophets, received the laws and statutes from God, but at the same time was instructed to erect a prophetic institute through which God could transmit additional teachings (תורות) in the future,[[67]](#footnote-86) either to Moses or to other prophets who came after him.[[68]](#footnote-87) This is the reason that in E the Tent of Meeting was erected as a prophetic center. While in D this tent goes unmentioned. In E, the greatest authority is the prophet of the generation, while in D the supreme authority is vested in the words written in the book of the Torah. In E, the Torah is dynamic, in that it is the basis for broadening, developing, and perhaps even changing the law,[[69]](#footnote-88) while in D the Torah is static, and the reader was supposed to, as D explicitly says, cleave to it, a notion that is expressed in many ways throughout the document.[[70]](#footnote-89) Every one of the documents relies upon a certain element that will continue to exist far into the future. In D it is the book, and in E it is prophecy which makes the need to preserve any sort of written document for posterity superfluous.[[71]](#footnote-90)

On this basis, we can understand the Deuteronomic law of the prophet (Deut 15-22). While D does recognize the existence of the prophets, it does not depict them as authorized to introduce additional Torahs via their prophetic talents, but rather depicts them as people in contact with the Divine who should be listened to since (or when) their instructions are in line with the one permanent Torah. This becomes clear from how D defines false prophets (Deut 13:2-6). They are depicted as those who strive to divert you from the one true path לְהַדִּיחֲךָ מִן הַדֶּרֶךְ אֲשֶׁר צִוְּךָ יהוה אֱלֹהֶיךָ לָלֶכֶת בָּהּ (Deut 13:6). Their corollary, true prophets, must therefore be those who instruct you to follow the path that God had originally commanded you to take, the Torah’s. By explaining Deut 13:2-6 this way, we can understand how it explicates the chapter’s opening verse by concretely detailing how to avoid “adding or detracting” from the commandments God has given: "אֵת כָּל הַדָּבָר אֲשֶׁר אָנֹכִי מְצַוֶּה אֶתְכֶם אֹתוֹ תִשְׁמְרוּ לַעֲשׂוֹת לֹא תֹסֵף עָלָיו וְלֹא תִגְרַע מִמֶּנּוּ" (Ibid., 1). This concept of neither adding nor detracting does not manifest itself in any other document and, crucially for D, it upends the notion that new Torahs could be transmitted via prophecy.[[72]](#footnote-91)

In light of these verses, the following question could be asked: Why do prophets even exist in D? It seems like the true purpose of the prophet’s law is to provide an answer to this question. Prophets are sent in every generation because of the children of Israel’s original request not to come into direct communication with God because they are afraid to die (Deut 18:16). This is similar to the people’s request in E during the theophany at Horeb itself (Exod 15-18). However, the prophet’s role will not be to transmit commandments, but to utter words of guidance, that is, to provide general guidance that stays within the Torah’s framework. Thus the law for the prophet does not address giving additional Torahs but rather explains why prophets continue to exist, a question that is of serious weight given the verses in Deuteronomy 13:1-6, as explicated above. The core of the answer is that the prophet’s purpose is to instruct and remind the children of Israel to live according to the book of Torah, and to warn them when they do not do so.

D’s perspective is different than E’s not only for theological reasons but also, mainly, for programmatic ones. Since D’s main purpose was to detail the laws of the comprehensive cultic reform that took place during King Josiah’s reign and provide them with legitimacy and justification, it was crucial to advance the notion that the laws Moses received at Horeb were eternal ones, that would still be valid when they were rediscovered, apparently, two-hundred years later. The concept of Torahs constantly given via prophecy, like the one that appears in E, does not fit in with this program because its readers might propose that the commandments written in the book of the Torah reflect Moses’ time and propose that since then the laws have been changed and modernized by prophets who received prophetic updates. In such a case, they might conclude that there may not be anything wrong with the norms they are familiar with from daily life, which differ from those in the Scriptures. The account of placing the book of the Torah alongside God’s Ark of the Covenant, and the proclamation that one must not add nor detract from what is written in it, were designed to obligate the people to adopt the Scriptures as they were written in their entirety, while simultaneously agreeing to invalidate any other norms. In this cultural milieu, the prevailing norms during Josiah’s reign—even if they only differed slightly from what was written in the document that had been found—were deemed untenable and wholly illegitimate.

This aspect of D may very well explain the colossal difference between the account of the tablets in the Mishneh-Torah and that of its source in E. In the Elohist narrative, presented above, the account of the second tablets took place not on the mountain, where the first tablets were received, but in the Tent of Meeting, and, as mentioned above, this event was in effect the consecration of the Tent of Meeting as a prophetic institution. When the Mishneh Torati scribe wrote his story under the influence of this account, he could not accept the plot verbatim, for the institution of prophecy undermines the very concept of a single, unified, eternal Torah, whose promulgation was the very raison d’être of his work. That having been said, since he accepted the story of the calf and the subsequent shattering of the tablets (Deut 9:12-17), he had to also adopt the account of the second tablets. However, since the notion of institutional prophecy was rejected by D and by those who followed in his footsteps owing to their stubborn insistence that the commandments’ prophetic revelation took place exclusively at Horeb, he had no choice but to ask Moses to ascend the mountain again so that God would write his words on the tablets anew there, and not in the Tent of Meeting.[[73]](#footnote-92) The theological pressure, stemming from the scribe’s programmatic goals, caused—for the first time in Jewish history—the story to be told of Moses’ second ascent of the mountain to experience God’s foundational revelation. The account of the second tablets was transformed at the hands of this scribe into the account of Moses’ second ascent.

The Birth of a Foundational Narrative

The account of the children of Israel’s wandering in the desert is composed of a collection of stories that underwent tremendous development until they crystallized in their current form in the Torah we possess. The biblical testimony indicates that the ancient traditions were not aware of any unique, mass theophany taking place on the mountain in the desert. This is clear from the fact that there is no mention of this event in any of the Psalms;[[74]](#footnote-93) from the fact that in historical passages in the Prophets, no mention whatsoever is made of such an event (thus in Josh 24 and in 1 Sam 12:8); and even from the fact that the Torah itself, in its itinerary of all of the children of Israel’s marches (Num 33:1-37) and in the historical manifesto read at the Offering of the First Fruits (Deut 26:3-10), makes no mention of it. The fact that the only place the theophany is mentioned (aside from in the sequence of stories in the book of Exodus) is in the historical review in the book of Ezra and Nehemiah (Neh 9:13-15)—a book written during the period of the Return to Zion—even more solidly confirms our argument that it is a relatively late tradition.[[75]](#footnote-94) This tradition, once it was created, recounted Moses’ single ascent to the mountain for the foundational revelation,[[76]](#footnote-95) and it made its way into all the other documents. In each document, it was told differently, in keeping with each one’s worldview. When the Mishneh Torah’s scribe began to write D as a reworking of E, which he had in his possession, he edited the contents to reflect his worldview, and thus he transformed the story of the second tablets into one that took place at the only place that it could have from his perspective—the mountain in Horeb. Thus, the narrative containing two foundational ascents, which appears in Deut 9-10 was created. The case of P indicates that even in a period post-dating D’s,[[77]](#footnote-96) the narrative about one foundational ascent, and not two, was still current. This realization should bolster the argument that D did not influence the contents of P, that, in fact, they are two independent documents.[[78]](#footnote-97) In other words, even though D was the first canonical document that circulated among a broader cross-section of the children of Israel,[[79]](#footnote-98) we can be sure that its contents were not necessarily known, assimilated, or reflected on all levels of society.

In fact, D’s decisive influence on how the account of the ascent was perceived was not on the period immediately following its promulgation, but rather in a later period, after the crystallization of all four documents. When the Torah’s redactor, during the fusion of the documents in his possession into one flowing narrative reached the portion in which the account of the giving of the first tablets (Exod 24:12 today) begins, he had several options, several ways to integrate the narratives in which Moses’ ascents and descents from the mountain are recounted. Presumably, he could have chosen any one of them; however, because he possessed a fourth document that explicitly related the story of two ascents, he made the assumption that the other three documents also recorded this event, each one providing a partial account of the two ascents and two of them reporting the transcription of God’s words on the tablets. To sharpen the point, he read E’s account of the second tablets as missing an event that transpired on the mountain according to D! Therefore he chose not to integrate the documents as the account of one comprehensive and tremendous ascent and not as multiple ascents that are followed by another event in which the second tablets are transcribed before the children of Israel set off on their wandering, but as recounting two ascents, in both of which Moses descends with written tablets. In order to accomplish this, the redactor of the Torah joined the account of the single ascent in P with the account of the single ascent in E, and the account of the second tablets belonging to E (which in the original took place ‘there’, in the Tent of Meeting) with the account of the single foundational ascent belonging to J. Thus, the three narrative accounts of a single ascent were transformed into a lengthy sequence containing two ascents whose purpose was the tablets, all the while remaining within D’s narrative framework. From the moment it was created, this canonical version held all the Torah’s readers in thrall over the centuries and transformed the account about the ascent of the mountain to receive the second tablets into one of the biblical oeuvre’s foundational stories.

1. This article began with thoughts and insights that occurred to me as a result of my participation in Professor Baruch Schwartz’s 5764 seminar for Masters students in the Bible Department at The Hebrew University of Jerusalem entitled “The Jehovist Source and the Elohist Source.” This seminar exposed me, for the first time, to a deep understanding of the Documentary Hypothesis, in general, and to its new formulation, in particular. I extend my gratitude to Professor Schwartz for introducing me to the world of biblical beliefs and thoughts and to this fascinating field’s scholarly tradition. Please note that the basis for any biblical translations in this article is The JPS TANAKH: The Holy Scriptures (Nebraska UP, 1985). [↑](#footnote-ref-1)
2. The phrase “the second ascent” requires clarification. In canonical Exodus, during the story of the children of Israel’s encampment at the foot of the mountain in the desert (Exod 18 – Num 10:10), Moses ascends the mountain no less than eight times (as detailed in chapters 19-34) in an intense plot that was created through the combination of the three non-Deuteronomic sources. If we separate these sources, we can demonstrate that in P Moses only ascends the mountain once (24: 15 **b-** 18 **a**; 25-31, 17, 18\*, 32:15\*; 34:29), while in J and E we find several ascents. If we only focus on those revelations that left Moses with some sort of tangible memento of his encounter with God, we find that in P and J Moses himself wrote “the words of the covenant” at the end of his ascent (in P Moses received עדת ]*edut*[ the only time he ascended and in J Moses himself wrote “the words of the covenant” at the end of his last ascent). By contrast, in E, God’s words are written for Moses on the “tablets of stone” because in this narrative the first tablets were shattered by Moses after the sin of the Golden Calf and the words had to be rewritten on new tablets. Thus, in this article, the phrase “second ascent” refers to the story of the additional revelation that took place on the mountain. During this revelation, God’s words were rewritten on the second tablets to replace the first ones that had been shattered. See Baruch, J. Schwartz, “The question of the commandments validity: ‘the basic norm’ in the Torah traditions”, *Annual of the Institution for Research in Jewish Law* 20 (2000), 241–265 (Heb.). [↑](#footnote-ref-2)
3. Samuel R. Driver, *The Book of Exodus* (CBSC 2), (Cambridge: Cambridge University Press, 1911), xviii-xix. [↑](#footnote-ref-3)
4. Driver, 251-352: E – Exod 24:12\*, 13-15**a**,18**b**; 31: 18\*; 32:1-8, 15\*, 16; P – Exod 24: 15 **b-** 18 **a**; 25:1-31, 17, 18\*. [↑](#footnote-ref-4)
5. See Driver, *The Book of Exodus*, 347, 364. [↑](#footnote-ref-5)
6. See Driver, *The Book of Exodus*, 363–366. [↑](#footnote-ref-6)
7. מור, 50. [על-פי הפריט האינטרנטי [הזה](https://www.gutenberg.org/files/40173/40173-h/40173-h.htm" \l "Page_47)] [↑](#footnote-ref-7)
8. Even if we accept the notion that there are no E materials in the chapter, we must still assume that there must have been a source from E concerning Moses’ second ascent of the mountain to write the second tablets because E’s version could not have concluded with the shattered tablets and offered no replacement ones. Almost all scholars have concluded that the segment from E containing Moses’ second ascent was eliminated entirely, or almost entirely, when the canonical Torah was composed. [↑](#footnote-ref-8)
9. For examples of the integration of two similar stories, see Noah (Gen 6-9). For the integration of two dissimilar stories (presumably because the redactor assumed that they contained different details about the same event), see the narrative about the people’s complaints (J) and the story about the inspiration of the seventy elders in the Tent of Meeting with God’s spirit (E). These are interwoven in the canonical Torah (Num 11). In all these cases, the narratives remain in their entirety; they are merely integrated, without any attention paid to the contradictions created by having done so.

   הפנייה למקורות על שני סיפורים אלה – שורץ, ביידן וסטקרט. [↑](#footnote-ref-9)
10. Wellhausen, for instance, (and likewise BH) proposed the following division: 14 **a**, 17, 18 **a,**  19 **a**, 22 **a**, 22**b**, 25 **a**, 25**b**, 26 **a**, 26 **b**; however, many other proposals were also advanced, none of which is sufficiently persuasive, and it is difficult to imagine that these proposals would have been made had there been no mechanical attempt required to divide the verses into ten so they would fit in with the compilation. See Julius Wellhausen. *Die Composition des Hexateuchs und der historichen Bücher des Alten Testaments* (Berlin: G. Reimer, 1899, 3rd edition), 333–334.

    להפנות לדיון אצל דרייבר [↑](#footnote-ref-10)
11. Driver (p. 364) noted this contradiction in the canonical version; however, he did not deem it disonant with the way he perceived and presented the redactor’s activity, as the latter strove to harmonize Scriptures. [↑](#footnote-ref-11)
12. "וַיִּתֵּן אֶל-מֹשֶׁה ... שְׁנֵי לֻחֹת, לֻחֹת אֶבֶן כְּתֻבִים בְּאֶצְבַּע אֱלֹהִים". על חלוקת פסוק זה למקורות ס"א וס"כ רא'... [↑](#footnote-ref-12)
13. Martin Noth*, Exodus* (OTL 2) (London: SCM Press, 1962) pp. 258–267. [↑](#footnote-ref-13)
14. The contention that the original word in this verse was ההר and a later redactor changed it to the well-known phrase from P and J הר סיני in order to achieve harmony has no supporting evidence.The major problem with such a contention is that there is no sufficient reason to presume editiorial interference since the mountain’s identification is in no doubt within the chapter, and in far more ambiguous cases, we have found no active interference on the part of the redactor. In this case, not only is there no extraordinary problem in the verses that needs to be solved, there is no problem whatsoever. For this very reason, there is also no justification for assuming that explanatory comments in the margins made their way into the text because there would have been no purpose for such marginalia to have been written in the first place. [↑](#footnote-ref-14)
15. Several scholars proposed that the chunks of scriptures from J in chapters 33-34 are out of order, and they proposed reconstructions returning them to their original sequence. See Driver, xxviii. [↑](#footnote-ref-15)
16. The other occurences of the phrase עַל רֹאשׁ הָהָר are also found in J (Num 14:40, 44) or P (Exod 24:17, Num 20:28). [↑](#footnote-ref-16)
17. לדיון בשמות יט וחלוקתו למקורותיו ראו מאמרו של אריאל סרי-לוי בכרך זה. [להפנות גם לחלוקה הקלאסית] [↑](#footnote-ref-17)
18. המשך הפסוק הוא חלק מעלילת ס"א. [↑](#footnote-ref-18)
19. חמש המלים הראשונות בפס' 16 הן משל ס"י, כשהמשכן הישיר הוא פסוק 20. לחלוקה מנומקת של שמות יט למקורותיו, ובעיקר לשיוכו המשכנע של פס' 18 לס"א, רא' מאמרו של אריאל סרי-לוי בכרך זה. [כל שלוש ההערות הללו צריכות להפנות למאמרו של אריאל. איך לעשות זאת?] [↑](#footnote-ref-19)
20. Exod 19: 12-13, 21, 23-24; 24: 1-2. [↑](#footnote-ref-21)
21. The cloud’s descent also occurs elsewhere in E: Exod 19: 9, 16; 33:9-10; Num 11:25; 12: 5, 10; Deut 31:15. In P, the verb used to describe the cloud is never ירד, but יכס or שכן: Exod 16:10; 24:15: 40:34-38; Num 9:15-22; 10:11-12, 34; 17:7; however, the verb עלייה does occur (Exod 40:6-37; Num 9:17, 21-22; 10:11). In J, the cloud appears outside the revelatory framework, as the pillar of cloud before the encampment (Exod 13:21-22; 14:19-20, 24; Num 14:14) and no mention is made of any sort of descent. In D, the cloud appears three times: once in the context of the narrative of the spies, which in that document was inspired by J, so the pillar of cloud mentioned is the one that goes before the children of Israel (Deut 1:33), and twice in the context of the theophany in Horeb—inspired by E—as part of the the mountain’s surroundings (Exod 4:11, 5:19). [↑](#footnote-ref-22)
22. מחקרים המשייכים קטע זה לס"י. [↑](#footnote-ref-23)
23. The combination of arising in the morning and ascending the mountain also appears in Num 14:40, where it also belongs to J. Indeed, in E arising occurs in the narrative about the covenant in Horeb; however, the verse relates that Moses arose to raise an altar below the mountain, and only afterwards is he commanded to ascend the mountain (Exod 24:4, 12) without any mention being made of his presenting himself. [↑](#footnote-ref-24)
24. J. W. Goethe, Zwo wichtige bisher unerörterte biblische Fragen, in: idem, Der junge Goethe 1757–1775, ed. G. Sauder, Sämtliche Werke nach Epochen seines Schaffens, Münchner Ausgabe, 1.2, 1987, 434–440. [↑](#footnote-ref-26)
25. For further on how this part rests on its parallel in E’s Book of the Covenant (Exod 14-19), see S. Bar-On, "The Festival Calendars in Exod XXIII 14-19 and XXXIV 18-26", VT 48 (1998). 161-195. [↑](#footnote-ref-27)
26. Indeed, it seems that J did not originally include any legal component in its plotline, since nowhere else in that document is there a narrative about law-giving. J only imprints obligatory norms of life upon the people of Israel by presenting sample cases, see Shuvi Hoffman ….. ייחודו של ס"י בחוק ובסיפור" (עבודה לקבלת תואר מוסמך, האוניברסיטה העברית), עמ' 64–119. [↑](#footnote-ref-28)
27. להתייחס לתזה של שובי ולמאמר של אריאל. [↑](#footnote-ref-29)
28. Driver claims (p. 374) that the verse originally belonged to J, which was originally part of the story about Moses’ single ascent to receive the tablets—the same story (that began?) in Exod 24:1-2, 9-11. This notwithstanding, earlier (p. 364) Driver proposes the possibility that originally the scriptures from Exod 34:1-5, 10-28 functioned as the direct continuation of Exod 19:20-25. According to this approach, this verse ‘did not fit’ (!) being part of the E sequence (Exod 20:22-23:33, 24:3-8), and, therefore, it was preserved by the redactor and placed by him after the story of the divine foregiveness following the sin of the golden calf, and, therefore, in its current location it creates the impression of being a story about the renewal of the covenant told in the context of Moses’ second ascent of the mountain. [↑](#footnote-ref-30)
29. הדגמה. ואמנם **ידועה במחקר השענותו הספרותית של ס"ד על ס"א** (הפנייה למקורות). [שורץ... הרן, האסופה המקראית] [↑](#footnote-ref-31)
30. Deut 9:9, 18. [↑](#footnote-ref-32)
31. It is no surprise that the cycle of Elijah stories, which for the most part transpires in the northern kingdom and whose provenance is there, makes use of concepts and motifs that can be found in the northern E document. [↑](#footnote-ref-33)
32. There may very well be no influence or direct connection between the cycle of Elijah and Elisha stories and E, but the motifs mentioned above are part of the overarching northern tradition from which both the author of E and the composer of the Elijah and Elisha stories fed. However, this does not undermine the conclusion that these motifs were manifest in E and, therefore, they belong it. [↑](#footnote-ref-34)
33. להדגים יותר. Num. 13:26 – Gili Kugler, When God Wanted to Destroy the Chosen People, p. 84 [↑](#footnote-ref-35)
34. This can be proven by reconstructing J’s version of vv. 27-28: "[27] וַיֹּאמֶר ה' אֶל-מֹשֶׁה כְּתָב-לְךָ אֶת-הַדְּבָרִים הָאֵלֶּה כִּי עַל-פִּי הַדְּבָרִים הָאֵלֶּה כָּרַתִּי אִתְּךָ בְּרִית וְאֶת-יִשְֹרָאֵל: [28\*] וַיִּכְתֹּב אֵת דִּבְרֵי הַבְּרִית" [↑](#footnote-ref-36)
35. למצוא היכן אמר זאת. יכול להיות שבאסופה המקראית 2 הוא מדבר על ההשפעה של ס"א על דברים. [↑](#footnote-ref-37)
36. While Goethe withdrew his assertion later, his original proposition and the work of those who built upon it continued to shape the field for many years, mainly because of its decisive impact on Wellhausen’s thinking. See Levinson (note 25). [↑](#footnote-ref-38)
37. Exod 31:18 was created in a similar fashion:

    P: וַיִּתֵּן אֶל מֹשֶׁה כְּכַלֹּתוֹ לְדַבֵּר אִתּוֹ בְּהַר סִינַי (אֶת הָ)עֵדֻת

    E: וַיִּתֵּן אֶל מֹשֶׁה שְׁנֵי לֻחֹת, לֻחֹת אֶבֶן כְּתֻבִים בְּאֶצְבַּע אֱלֹהִים

    The Integrated, Canonical Version:

    וַיִּתֵּן אֶל משֶׁה כְּכַלֹּתוֹ לְדַבֵּר אִתּוֹ בְּהַר סִינַי שְׁנֵי לֻחֹת הָעֵדֻת לֻחֹת אֶבֶן כְּתֻבִים בְּאֶצְבַּע אֱלֹהִים [↑](#footnote-ref-39)
38. Indeed, this routine is described in Exod 33:7-11 wherein Moses congregates in the Tent of Meeting in order to speak directly with God; however, these encounters occur during a state of emergency when God issues temporary directives, not commandments, since the commandments had been transmitted in their entirety at Horeb. [↑](#footnote-ref-40)
39. A similar formulation may also be found in the first person in D; however, of course, this does detract from the identification we make here. [↑](#footnote-ref-41)
40. Exod 6:9; 14:2; 16:10, and many others (although it also occurs once in E—Exod 19:6—and once in D, Deut 4:45. [↑](#footnote-ref-42)
41. להביא את הדיון של צ'יילדס, ולהפנות גם לדרייבר.

    S. R. Driver, The Book of Exodus (CBSC 2), Cambridge: Cambridge University Press. [↑](#footnote-ref-43)
42. As can be seen in the division above, the reference is to v. twenty-eight’s words וַיִּכְתֹּב and אֵת; to the demonstrative *heh*, the conjunctive *vav*, and the word בְּיָדוֹ in v. 29. The latter was omitted because the redactor thought it was an abbreviated, truncated version of the combinatory phrase, **בְּיַד-מֹשֶׁה** from E. [↑](#footnote-ref-44)
43. [להציע שאולי המשפט במקורו היה 'ויקח **את** שני לוחות **ה**אבנים] [↑](#footnote-ref-47)
44. The account of Moses’ descent can not be part of J’s sequence. There is no evidence whatsoever that the conversation between God and Moses in Exod 19:9 **ב**-13 took place on the mountain, since J never even records Moses’ ascent, and J’s plot also provides no reason for Moses to do so. In fact, the opposite is true. The previous portion of J’s narrative sequence (Exod 17:1-7) takes place on the same plain the people are on, as we may deduce from God’s instructions to Moses to stand on the rock in Horeb, the very same stone that the water came out of right before the eyes of the elders of Israel, לְעֵינֵי זִקְנֵי יִשְׂרָאֵל (Ibid., 6). The aforementioned dialogue in chapter 19 is the direct continuation of this story, both temporally and geographically, and in it God commands Moses to go to the people –לֵךְ אֶל הָעָם –without specifying that he first descend. In E, on the other hand, Moses goes up to the mountain as part of the preparations for the foundational revelation in which he will play the role of mediator (19:3). In vv. 7-8, which also belong to E, Moses transmits God’s words to the elders of the people and brings back their response to God, so whether he descended and re-ascended or whether he stayed in the same location, we may conclude that the conversation in v. 9 between himself and God takes place on the mountain. Therefore, logic dictates that in this verse, the account of the descent from the mountain is from E, while the story of Moses going to the people, sanctifying them and making preparations….is from J, and it was formulated to recount Moses’ meticulous and thorough fuflfillment of God’s command that had been previously given in this document’s narrative (v.10). When the redactor fused these two sentences, he exluded the verb וַיֵּלֶךְ from J, which he took to be an imprecise parallel that was therefore extraneous, when contrasted to E’s more precise formulation, the verb וַיֵּרֶד. In this manner, the canonical version in which Moses descended the mountain to the people came to be. Thus, Exod 19:14 is a complex verse that may be divided as follows:

    E: וַיֵּרֶד משֶׁה מִן הָהָר

    J: וַיֵּלֶךְ משֶׁה אֶל הָעָם וַיְקַדֵּשׁ אֶת הָעָם וַיְכַבְּסוּ שִׂמְלֹתָם

    The Integrated Cannonical Version: וַיֵּרֶד משֶׁה מִן הָהָר אֶל הָעָם וַיְקַדֵּשׁ אֶת הָעָם וַיְכַבְּסוּ שִׂמְלֹתָם [↑](#footnote-ref-48)
45. This verse belongs to E, except for the first four words which belong to P. See… [↑](#footnote-ref-49)
46. זהו פסוק משולב ממשפטים שמוצאם ס"א וס"כ. המשפט הכהני הוא "וַיֵּרֶד מֹשֶׁה מֵהַר סִינַי וְהָעֵדֻת בְּיָדוֹ", בעוד המשפט המשוחזר של ס"א הוא "וַיִּפֶן וַיֵּרֶד מֹשֶׁה מִן-הָהָר וּשְׁנֵי לֻחֹת בְּיָדוֹ". עדות לקיומו של משפט עצמאי משל ס"א ניתן למצוא בקיומן יחד של המלים "שְׁנֵי לֻחֹת", שמוצאן ללא ספק מס"א, כשלפניהן המילה "וַיִּפֶן", באופן דומה לכתוב בס"ד (דברים ט 15): "וָאֵפֶן וָאֵרֵד מִן הָהָר". מכאן שאין מדובר במשפט כהני שאליו הוסף הצרוף "שְׁנֵי לֻחֹת" לצורך הרמוניזציה או באור (או כל סיבה אחרת), אלא בשני משפטים מתעודות שונות שמוזגו יחד, שהרי אחרת אין הסבר לתוספת המילה "וַיִּפֶן" בתחילת המשפט. ואם תימא שאין ראיות לשחזור המלים "מִן הָהָר", הרי שגם במקרה הזה מספיקה רק המילה "וַיִּפֶן" כדי ללמד שמבחינה עלילתית אמנם משה היה על ההר וירד ממנו.

    [להביא את הפסוק בשלמותו – להפנות לדברים בסוגריים] [↑](#footnote-ref-50)
47. This verse belongs to E, except for the first four words, which belong to J. See…

    J. Hyatt (196–202) ascribes vv. 1–2a to P; vv. 9a, 10–16a to J; in: John I Durham, *Exodus*, WBC 3; Accordance electronic ed. (Nashville: Thomas Nelson, 1987), 260. [↑](#footnote-ref-51)
48. - [↑](#footnote-ref-52)
49. [↑](#footnote-ref-53)
50. Present Stuckart’s proposal. [↑](#footnote-ref-54)
51. [להציג את הסיפור האלוהיסטי ומחקרים שמנתחים אותו (זומר, לדוגמה, ועוד מהביבליוגרפיה של הקורס)]. [↑](#footnote-ref-55)
52. [להציג את הסיפור האלוהיסטי ומחקרים שמנתחים אותו (זומר, לדוגמה, ועוד מהביבליוגרפיה של הקורס)]. [↑](#footnote-ref-56)
53. The notion that the redactor of the Torah excluded this segment because it did not fit in with the narratives in the other documents does not hold up to criticism. Many segments from the documents throughout the Torah cause contradictions in terms of either content or plot among themselves, and most, if not all, were preserved in the Torah verbatim. In some very rare instances, segments were taken out of their contexts, but this was in order to maintain the chronological flow. The impressive continuity usually found in every one of the documents attests to the fact that the Torah’s redactor did not initiate the exclusion of any written segment he had no matter which document it belonged to. [↑](#footnote-ref-57)
54. For an in-depth look at J’s narrative of the events which took place at Mount Sinai with an emphasis placed on God’s presence in the midst of the children of Israel, see Ariel Seri-Levi’s article in this volume. [↑](#footnote-ref-58)
55. On the unity and the continuity of vv. 1–6 (except the last two words) and a discussion on other attempts to address the problems in this passage, see Baden, Joel. (2012), *On Exodus* 33:1–11. Zeitschrift für die Alttestamentliche Wissenschaft. 124. 10.1515/zaw-2012-0023. [↑](#footnote-ref-59)
56. On scholarly attempts to emend מהר חורב, see Baden, *On Exodus* 33:1-11, p. 337, n. 26. [↑](#footnote-ref-60)
57. This idea was already suggested by Procksch, Elohimquelle (p. 97), but without fully discussing its implications for E. Baden mentions this suggestion (*On Exodus*, 33:1-11, pp. 336-339), but rejects it in favour of an explanation that perceives the words "From Mount Horeb" as the beginning of the following passage, hence the tent routine in vv. 7–11, as a temporal description (meaning, “since Mount Horeb”). While this proposal is plausible, and presumably it is preferable to suggesting that this sentence was lost, there is still no other complete parallel example of such a syntactic structure, and it is not even clear whether such a structure is possible. Furthemore, Baden himself admitted (p. 339, n34) that he was not going to get involved in discussing the location and context of vv. 7-11, when, in fact, this question could help us understand the original meaning of the words מהר חורב. [↑](#footnote-ref-61)
58. Presumably there is another possible explanation that bases itself upon a reality in which the Tent of Meeting was already in use at Horeb, and not only after the departure. The notion of the Tent of Meeting being in use before the children of Israel set out on their wanderings also exists in P, as can be seen in the lengthy sequence extending from Exod 34 to Num 10:11. However, in contrast to the priestly version, in E there was no need for the Tent of Meeting while the children of Israel were encamped at the foot of the mountain because at this point in time, God could still speak to Moses directly from the mountain. On this see… This reality is also manifest in the Elohistic narrative recounting Jethro’s advice to Moses about managing the people (Exodus 19), which took place at the foot of the mountain (Ibid., 5). From this account, we we may infer that Moses and God spoke directly even before the theophany begins in E, without the use of the Tent of Meeting. On the significance of this account and on the fact that the account of the second tablets is indeed situated in its appropriate place in the Elohist narrative sequence, see… In any event, as far as the present discussion goes, there is no reason to void the conclusion that the Tent of Meeting was constructed before the events pertaining to the second tablets, and that these events themselves happened in the Tent. [↑](#footnote-ref-62)
59. According to E, the first story that takes place after the children of Israel encamp at Horeb was about the arrival of Jethro, Moses’ father-in-law, and the organizational advice he gives to Moses (Exodus 18). On this, B.J. Schwartz… we should note that Moses’ ability לִדְרשׁ אֱלֹהִים and to transmit to the people אֶת חֻקֵּי הָאֱלֹהִים וְאֶת תּוֹרֹתָיו without the Tent of Meeting is possible because of their presence at the foot of the mountain, the place where God dwells according to E, that is to say, because of the unmediated access to Him. Only after the departure from Horeb, does it become necessary to establish an alternative site for the prophetic encounter. [↑](#footnote-ref-78)
60. The first five words in v. 16 belong to J (see note 19 above). Following them, E opens with the words וַיְהִי קֹלֹת וּבְרָקִים and continues without a break until the end of v. 19. [↑](#footnote-ref-79)
61. The last two words in v. 11, וַיֹּאכְלוּ וַיִּשְׁתּוּ, belong to the Elohist sequence and they signal the conclusion of the depiction of the covenantal process. A similar example of a covenant concluded with eating and drinking can be found in Gen 26:26-31. [↑](#footnote-ref-80)
62. As presented above (?), this sentence is composed of one priestly and one Elohist sentence. [↑](#footnote-ref-81)
63. As mentioned above, there is also a priestly sentence integrated into the first half of v. 15. [↑](#footnote-ref-82)
64. The fact that the event took place in front of all the children of Israel is supported by the depiction of the Tent of Meeting’s prophetic routine, wherein Scriptures explicitly states that every time Moses went to the Tent of Meeting to prophesy before God יָקוּמוּ כָּל-הָעָם וְנִצְּבוּ אִישׁ פֶּתַח אָהֳלוֹ וְהִבִּיטוּ אַחֲרֵי מֹשֶׁה עַד-בֹּאוֹ הָאֹהֱלָה and וְרָאָה כָל-הָעָם אֶת-עַמּוּד הֶעָנָן עֹמֵד פֶּתַח הָאֹהֶל (Ex 33:8, 10), the entire nation looked and saw! [↑](#footnote-ref-83)
65. In terms of functionality, this Elohist narrative seems to parallel the priestly account about the dedication of the Tent of Meeting before the entire multitude that appears in Lev 8-9. Of course, the contents of the stories is entirely different and is in keeping with the basic differences between the documents: in P the dedication of the Tent of Meeting is a ritual affair and the central figures are Aharon the priest and his sons whom Moses is consecration; in E, the consecration of the Tent of Meeting is prophetic and Moses alone is the main character. In both accounts, God descends upon the Tent of Meeting, but in the priestly version this is a permanent descent made in order to dwell permanently in the Tent of Meeting, while in E it is a temporary descent necessary for Moses’ prophesy.

    הפנייה למאמרו של ברוך על ההתגלות בסיני במקור הכהני. [↑](#footnote-ref-84)
66. Haran [↑](#footnote-ref-85)
67. תורות meaning ‘instructions,’ obligatory divine commands. [↑](#footnote-ref-86)
68. The presentation of the concept of many Torahs, the presentation of the concept of continuing prophecy, the presentation of Stackarts sweeping rejection of the institution of prophesy after Moses. [↑](#footnote-ref-87)
69. ביסוס מחקרי. גילי: התייחסות לתורה כקרקע לכתיבה או למידה בדב' יז (בהקשר של השופטים ובהקשר של המלך), ואז במימושו של יהושע א 7- 8, ובדמותו של יאשיהו [↑](#footnote-ref-88)
70. ציטוטי מקור. [↑](#footnote-ref-89)
71. While E records that Moses wrote God’s words in the book of the covenant (Exod 24:4) in order to read them to the people (Ibid., 7), the text never relates that this book was used for anything later on nor does it say that it was preserved for the future. From the context, we may presume that the book was used one-time only at the covenantal ceremony. The book was not even necessary to promulgate the commandments, since Moses had given them orally to the children of Israel one day before (Ibid., 3). [↑](#footnote-ref-90)
72. ביסוס מחקרי. [↑](#footnote-ref-91)
73. It seems as if the notion of cultic centralization, which is foundational to D, is related to this process. E reflects a conceptualization (which was, indeed, present in the north) before cultic centralization. In this school of thought, the Tent of Meeting represents the many prophetic way stations dispersed throughout the land, to which people can go to appeal to God via the prophet. D cannot accept this conceptualization, since he wants his readers to commit exclusively to the book of the Torah. Therefore when he recounts the institution of the Tent of Meeting and emphasizes the book of the Torah that was placed alongside the ark in which the tablets rest, he carefully paints a picture that deliberately forces the people to realize that the Tent of Meeting is the one and only place of its kind since the tablets, which are intrinsic to them, are a unique object that cannot now or ever be replaced. The ark which contains them can therefore only be located in one place, which everyone who reads this passage will understand is the Temple in Jerusalem. It becomes clear that D’s goal in recounting the story the way he does is not just to conflate the book found in the Temple with this book of the Torah (that is, this book of Moses’ speeches that also includes the laws and the commandments) but also to emphasize the source of authority: the one written book and not the many transmitted prophecies.

    This unification of concepts can be found in Deut 17:8-13. Not only is the one place emphasized there (with the standard allusion to the Temple in Jerusalem—וְעָלִיתָ אֶל הַמָּקוֹם אֲשֶׁר יִבְחַר ה' אֱלֹהֶיךָ בּו) but there is also no allusion whatsoever to prophecy! Because of the similarity to E’s formulation (doubtless a result of E’s influence), the text may give the impression of harboring an intent similar to its Elohist source of inspiration; however, a careful reading of the text, clarifies that it completely rejects prophecy. The appellant must ascend to the Temple and appeal to the priests, the Levites, and the judges, and not to some prophet. Indeed, the priests and the Levites are the very people who received “this book of the Torah” to place alongside God’s Ark of the Covenant, after they were commanded to read it in front of Israel, so that the people hear it once every seven years (Deut 31:9-13, 25-26). This indicates that the ascending appellant will receive a legal ruling based on the book of the Torah when he visits the Temple, not the revelation of a divine prophecy, which is the result of the prophetic routine at the Tent of Meeting belonging to E (Exod 33:7-11).

    Another proof of this difference can be teased out by comparing the depiction of the appellant and his purpose in each of the segments. In E the formulation כָּל מְבַקֵּשׁ ה' (Exod 33:7) is used, and clearly, the appellant is requesting (מבקש) the prophetic revelation of God’s word. Similarly, Moses explains to Jethro his father-in-law that the children of Israel come to him to inquire of God: כִּי יָבֹא אֵלַי הָעָם לִדְרשׁ אֱלֹהִים (Exod 18:15). By contrast, in D the term וְדָרַשְׁתָּ (Deut 17:9) is used without designating the object of the request. D’s use of it in the current context is quite cunning. While the word has blatantly prophetic connotations, as evidenced by its use in the story about Jethro, among many others, without the word אלהים, it can also denote any type of request addressed to anyone, not necessarily the request for a divine message from a prophet. Indeed, D appropriates an Elohist word, using it to transform the source of authority from the prophet to the book! [↑](#footnote-ref-92)
74. This is blatantly obvious in the historical psalms (Ps 78, 81, 105, 106, 135, 136), wherein the desert wandering is mentioned without any reference to a theophany on the mountain taking place during that era. [↑](#footnote-ref-93)
75. הפנייה למאמרו של דוד פרנקל מתוך TheTorah.com. [↑](#footnote-ref-94)
76. As mentioned in the analysis above, E and J both recount more than one ascent by Moses; however, only one of the ascents was foundational, in the sense that it included a personal revelation that resulted in Moses descending the mountain with a divine memento. [↑](#footnote-ref-95)
77. If D’s roots are in the First Temple Period (presumably around King Hezekiah’s reign in the 8th century BCE, approximately 200 years before D’s promulgation) then this indicates that this document continued to be shaped during the Babylonian exile and the Return to Zion. מאמרו של בן זומר. [↑](#footnote-ref-96)
78. This, in contradistinction to the classical assumption of critical scholarship that each canonical version was promulgated and well-known from the moment it was written. [↑](#footnote-ref-97)
79. התורה – חמשת חומשיה וארבע תעודותיה... ספרות המקרא: מבואות ומחקרים, א (עורכת: צ' טלשיר), ירושלים תשעא, עמ' 161–226. סביר שגם הרן [↑](#footnote-ref-98)