

SOME ASPECTS OF THE TEXTUAL HISTORY OF THE TORAH*

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1. *Torah as a Unit*

The description of the textual history of the five books of the Torah as one unit is justified because they have been joined together and are considered a single unit for the biblical authors and subsequent generations. As a result, the phrases *sēper ha-tôrâ*, *sēper tôrat mōšeh* and *tôrat mōšeh* are frequently used in Scripture, both in Deuteronomy and in the later books. The fact that most Torah scrolls found in the Judean Desert contain single Torah books and not complete Torah scrolls derives from the technical limitations determined by the maximum size of these scrolls (each of the five books of the Torah is sizable, and together they encompass 22 percent of the Hebrew canon in MT). At the same time, four Qumran scrolls contain two books, and the 4QRP scrolls contain between two and five books (4QGen–Exod^a, 4QpaleoGen–Exodⁱ; 4QRP^a [Gen.–Exod.]; 4QRP^b [Gen., Exod., Num., Deut.]; 4QRP^c [Gen.–Deut.]; 4QExod–Lev^c; 4QRP^d [Exod., Num., Deut.]; 4QLev–Num^a). Murabba'at 1 probably contained Genesis–Numbers as well as Deuteronomy. In later centuries, scrolls containing the complete Torah became the norm, as may be learned from the references to such scrolls in rabbinic literature.

The unity of the Torah is also visible at the scribal-textual level, since the individual books of the Torah underwent several similar textual developments: (1) the orthography of the five Torah books in MT is more conservative than that of most other books, especially in Exodus and Leviticus; (2) the character of the Hebrew and Greek manuscripts of the Torah differs from that of other books; (3) the Samaritan sacred writings are limited to the Torah, although a Samaritan version of Joshua is known as well; and (4) by far the largest number of textual branches is known for the Torah, deriving from its special popularity. For all these, see below.

* Dedicated to Bob Coote, my first friend at Harvard, who, together with Polly, guided us in adjusting to life in the United States.

2. Earliest Textual Evidence

The earliest textual evidence for the Torah, dating to the mid-third century BCE, is among the oldest for Scripture as a whole. It is probably no coincidence that five of the eight oldest paleographically dated scrolls contain segments of the Torah (4QExod–Lev^f, dated to 250 BCE; 4QpaleoDeut^s, dated to 250–200 BCE; 4QExod^d, dated to 225–175 BCE; and 6QpaleoGen and 6QpaleoLev, both dated to 250–150 BCE). This situation probably implies that these scrolls were among the first to be brought to Qumran and among the oldest used in ancient Israel.¹

The earliest evidence of the Old Greek version, usually dated to 285 BCE, is a century later: scrolls and codices dating from the second century BCE onward were discovered in the Judean Desert and Egypt.

Close connections between Torah texts and later books reflect different types of literary links, but little solid evidence is available about possible variants in the later books. This pertains to the relation between Leviticus and Ezekiel and that between Deuteronomy and Jeremiah. In contrast, the Chronicler reflects many textual variants as well as original readings when compared with the Torah, for example in the genealogical lists in the first chapters of 1 Chronicles. However, the date of the variants in Chronicles cannot be determined, as they may derive from any period, either from the time of the Chronicler himself or from a later period.

3. Textual Features Common to the Torah Books

The five books of the Torah share various textual features. Some of them reflect the stage of the combined Torah scrolls, whereas others preceded that stage.

- Orthography. The orthography of MT cannot be presented as consistent or uniform, either in the Torah or in the other books. Nevertheless, the five books of the Torah share certain spelling features that set them apart from the other books. It has been suggested that the Torah and Kings reflect a more conservative (defective) orthography than the rest of the biblical books and that they also contain the greatest degree of internal consistency—in the Torah, this description applies especially to Exodus and Leviticus.²

1. There is no older evidence for the Torah, with the exception of the silver rolls from Ketef Hinnom dating to the seventh or sixth century BCE, which may be disregarded in the present context since they do not contain a biblical text proper. See Tov, *Textual Criticism*, p. 111.

2. Thus Andersen and Forbes, *Spelling in the Hebrew Bible*, pp. 312–18. Murtonen, ‘Fixation in Writing’, pp. 46–53, notes that the Decalogue and the Book of the Covenant

- Harmonization is a major feature characterizing most Torah texts, especially the Hebrew source of the LXX, the Sam., and the pre-Samaritan Qumran scrolls (see below). Though harmonization occurs in all texts to some degree, noticeably, for example, in the LXX of Canticles, the various texts of Samuel–Kings//Chronicles and the parallel chapters in such books as Psalms, Jeremiah//2 Kings, it features as a major phenomenon in the Torah in the nonlegal sections, probably due to its popularity.
- Large number of textual branches in all books (see below).

As for special features of individual books, Leviticus differs from the other Torah books. Only in this book are there no **large** differences between the textual sources such as are evidenced for the other four Torah books. If we link this situation with the fact that the orthography of this book is among the most conservative in Scripture, we note that this book has been changed very little in the period for which we have textual evidence. This situation derives from the fact that this book contains only legal sections that were not submitted to major rewriting, **either in Leviticus or in Exodus, Numbers and Deuteronomy**. This is not to say that scribes did not rewrite laws, but in the period for which we have textual evidence, only scant textual evidence has been preserved for such rewriting. Some legal rewriting is recognizable in the 4QRP texts and the Hebrew *Vorlage* of the LXX of Exodus 35–40, all of it probably reflecting exegetical texts based on a text like MT.

4. *Literary Variants*

Some of the groups of differences between the textual sources (usually: blocks of variants) reflect different literary stages of the biblical books and hence **belong** to the realm of literary criticism. Two groups of such variants may shed light on the Documentary Hypothesis.

The first two groups of literary differences between MT and the other textual sources received much attention in scholarship, and the other ones less so:

1. *Editorial innovations* of the Sam. group as compared with MT and LXX.
2. *Literary and exegetical innovations* of three manuscripts of 4QRP (4QRP^{c,d,e}).

(Exod. 21–23) are more defective (and hence earlier) than the other segments of the Torah, and by the same token, he found differences between the various pentateuchal sources.

3. Differences between MT, LXX and Sam. in *Genesis 5 and 11* in genealogies. Possible tendencies are recognized in the different texts. It seems that MT is not recensional in chap. 11 but may be so in chap. 5. In contrast, the *Vorlage* of the LXX and Sam. probably revised MT or a similar text in both chapters in a certain direction, in similar yet different ways. I posit two recensions (Sam., LXX) and one text (MT) in chap. 5, and possibly three recensions in chap. 11. The analysis of these chronological systems pertains to the primacy of MT, LXX, the Sam., or another system in these chapters and is irrelevant for source-critical analysis.³
4. *Genesis 31.46-48* appears in the LXX in the sequence 46, 48a, 47. In vv. 45-46, Jacob and his relatives erect a pillar and make a mound. According to the LXX, Laban announces that this mound will be a witness between the two (v. 48a), and afterward they name the place 'Mound of Witness' (v. 47). MT places the Aramaic and Hebrew names (v. 47) before Laban's statements (v. 48a), probably representing a later addition located in different places in MT and LXX.⁴
5. *Numbers 10.34-36*. In the LXX, the order of these verses differs from MT (35, 36, 34). The sequence of the LXX, in which v. 35, referring to the ark, comes immediately after v. 33, where the ark is also mentioned, is possibly more natural, whereas in MT v. 34 comes between the two. The differing sequences were created by the late addition in different places of the 'Song of the Ark' (vv. 35-36), which originally was not included in its present place.
6. *Different literary editions of Numbers in LXX and MT visible in small details?* In LXX Numbers, small pluses appear in 2.7, 14, 20, 22, 29 (same plus in all verses); 3.10; 7.88; 10.6b = 10.6a; 14.23 = Deut. 1.39; 23.3b (= 4QNum^b) = 23.3a; 23.7 = 24.2; 24.23; 32.30 = context; 36.1 = 27.1. In 9.22-23, LXX has a shorter text (MT adds details from 9:21-22; 13.33; 15.35). The two traditions differ twice in important sequence details. In the census in chap. 1, in the *Vorlage* of LXX, Gad (MT vv. 24-26) follows Manasseh (vv. 34-35). The position of Gad in MT is less appropriate, after Reuben (vv. 20-21) and Simeon (vv. 22-23), probably influenced by the sequence in 2.10-16 (Reuben, Simeon, Gad). The same change also took place in chap. 26 LXX, where Gad was removed from the triad Reuben–Simeon–Gad (vv. 5-18) to vv. 24-27, following Issachar.

3. See Tov, 'Genealogical Lists', and the bibliography mentioned there.

4. The issue is more complex since vv. 46, 48a, 47, 51, 52a, 48b, 49, 50, 52b in the LXX as well as vv. 18, 26-27, 32-35 differ also in other details from MT. Seebass ('LXX und MT in Gen 31, 44-53', p. 36) considers LXX an older 'recension' than MT.

The Documentary Hypothesis. Within the analysis of the relevance of textual sources to the literary history of the Torah, a discussion of their relation to the Documentary Hypothesis is in order. When examining the textual sources on which the Documentary Hypothesis is based, only one is used: the MT. In historical-critical analysis, non-Masoretic sources are taken into consideration all the time, whereas the theory of the Documentary Hypothesis is based exclusively on MT, with one possible exception, the LXX version of Exodus 35–40 (see below). This being the case, we could also say that the Documentary Hypothesis is based on the combined evidence of all the textual sources, including MT.⁵ The literary activity of combining the pentateuchal sources probably took place at an early stage, before the textual evidence branched off in different directions.

If this analysis is correct, the conclusions are intriguing from a textual point of view, since we found virtually no evidence in the non-MT sources relevant to the Documentary Hypothesis. However, we could also claim that we should not even expect significant ancient variants in the non-Masoretic texts because MT is the best witness in the Torah, and most other sources are secondary (see below).

By way of exception to this statement, the following two sets of data could be relevant to the Documentary Hypothesis, although my study ‘Source of Source Criticism’ reached negative conclusions in this regard:

1. The main challenge to the Documentary Hypothesis from textual sources lies in the realm of the *divine names* in the LXX of Genesis 1–11.⁶ However, in my view, the LXX reflects harmonizing renderings that were carried out inconsistently.⁷
2. The LXX version of Exodus 35–40 probably reflects a Hebrew text very different from MT, but the nature of that text is unclear. This widely divergent text of the LXX may reflect original elements, as in the case of the Greek texts of Jeremiah and Ezekiel, or it may display a rewritten Hebrew text like the LXX of 1 Kings, Esther and Daniel. The possibility of a rewritten text is suggested by a midrashic element in the LXX of Exod. 38.22,⁸ parallel to MT 38.1-2. This Greek text contains a midrash-like explanation of the origin of the bronze of the



5. Actually, almost all literary theories are based on MT. The Dtr revisions of Joshua–2 Kings and Jeremiah seemingly reflect earlier, pre-Dtr layers, but this is not the case. See Tov, ‘Source Criticism’.

6. Carr, *Formation of the Hebrew Bible*, p. 106, mentions a mere six differences between MT and the Qumran scrolls, but because they occur in different scrolls, they are of no significance. Equally insignificant are the variations in Sam.

7. For a detailed analysis, see Tov, ‘Source of Source Criticism’.

8. ‘This one made the bronze altar from the bronze fire-pans that belonged to the men who rebelled together with the gathering of Kore’.

altar (MT v. 1) and the laver (v. 8) created from the censers of the followers of Korah. The LXX uses a word, *καταστασιόσασιν* ('to the men who rebelled' = למרדים), not found in the story in Num. 16.36-40 or anywhere else in the LXX. Since Korah is to appear only in Numbers 16, the Greek text of Exodus probably reflects an exegetical addition based on a Hebrew source.

Nevertheless, it is also possible that the LXX reflects a stage in the development of the Hebrew text earlier or later than MT.⁹ A central difference between the LXX and MT versions concerns the garments of the priesthood (Exod. 39.1b-31 MT), which in the LXX precede the other items (36.8a-40).¹⁰ The position of the court differs in both texts (MT 38.9-20; LXX 37.7-18). In addition, the LXX lacks and adds sections. Knohl stresses the fact that the LXX lacks the incense altar (MT 35.15; 37.25-28), although the LXX does mention incense in 38.25 = MT 37.29). According to Knohl, the LXX reflects a first compositional layer that mentioned only the 'ōlāh altar, whereas the later MT mentioned two altars.¹¹ Likewise, according to Kuenen, Aejmelaeus, Schenker and Carr,¹² the Hebrew text underlying the LXX preceded the more developed MT. The LXX version of chaps. 35–40 differs more from the instructions in chaps. 25–31 than that of the MT, and for Aejmelaeus this is reason enough to consider the LXX earlier than the somewhat harmonized version of MT.¹³ I delay decision regarding this LXX text, but in the meantime I conclude that the mentioned midrashic elements in this translation may point to its secondary nature.

5. Textual Development

By its very nature, textual criticism deals with the written stage of development. We focus on the textual history of the text starting with the earliest

9. It is less likely that the present LXX text resulted from the Greek translator's manipulations. Finn and Gooding suggested that the translator or a later reviser rearranged the Greek text without regard to the Hebrew (Finn, 'Tabernacle Chapters', pp. 449-82; Gooding, *Account of the Tabernacle*). See further Gooding, 'On the Use of the LXX', pp. 1-11, and Jellicoe, *Septuagint and Modern Study*, pp. 273-76, for a convenient summary. Nelson (*Studies in the Development of the Text of the Tabernacle Account*) appears to reflect a mediating position between the assumption of a Hebrew or Greek source for the different Greek text.

10. For details, see the tables and lists in Kuenen, *Historico-Critical Inquiry*, pp. 76-77; Swete, *Introduction to the Old Testament in Greek*, pp. 231-32, 234-36; *BHS ad Exod.* 36.8. I follow the numbering of the verses of the LXX in Wevers (*Exodus, Septuaginta*).

11. Conversation on May 27, 2013.

12. Kuenen, *Historico-Critical Inquiry*, p. 73; Aejmelaeus, 'Septuagintal Translation Techniques', p. 121; Schenker, 'Der Ursprung des massoretischen Textes', pp. 59-60; Carr, *Formation of the Hebrew Bible*, p. 104.

13. Aejmelaeus, 'Septuagintal Translation Techniques', pp. 128-30.

textual evidence, disregarding oral development. Thus by definition this description does not refer to the comparison or recording of different stories in the Torah.

No solid facts are known about the textual condition of the Torah prior to 250 BCE, the period of the first Qumran fragments, and therefore whatever happened before the third pre-Christian century is mere speculation. Large-scale differences such as in Genesis 5 and 11 (see above) may have been created in these earlier centuries, but it is hard to date these and similar differences.

Written documents must have existed from a very early period, although the date of the beginning of the textual transmission is unknown. It is natural to assume that transmission began when the compositions contained in the biblical books had been completed. However, limited copying had already begun at an earlier stage when segments of the books existed in written form prior to the completion of the composition process. A description of the transmission of the biblical text thus begins with the completion of the literary compositions and, to a certain extent, even beforehand.

It seems that each of the literary genres developed differently at the textual level. Major differences between texts are probably found in all types of literature, in rewritten, added, and omitted units. At the same time, this activity is more frequent in prose than in poetry. It is much easier to rewrite a story or a prose text than to rewrite poetry. However, one rewritten song is known, namely, the Song of Miriam in 4QRP^c (4Q365) 6aⁱⁱ and c. Very little activity of this kind is evidenced for the rewriting of legal sections. Thus there are no cases where a law has been added or omitted in one of the textual witnesses. There are also hardly any instances in which a law has been harmonized to another one when the two differed. Thus, it would have been easy to adapt a law in Deuteronomy to Exodus, Leviticus, or Numbers, or vice versa, but this simply has not happened, with very few exceptions. The editors/scribes knew the limitations of their activities, and had they inserted such changes in legal material, they would have been touching divine utterances and would have obliterated the differences between the various pentateuchal books.

6aⁱⁱ -- correct?

The textual development of the five books of the Torah differed from that of the other books, but this fact has escaped the attention of scholars with the exception of an important study made by Kahle on the basis of the limited evidence that was available to him in 1915.¹⁴ The special position of the Torah becomes clear when these three criteria are reviewed.

14. Kahle, 'Untersuchungen zur Geschichte des Pentateuchtextes', pp. 399-439. This study is quoted according to the page numbers of the latter publication. When Kahle wrote his study in 1915, he was familiar with less than half of the Torah texts known today, but even within the triad of witnesses of MT, LXX, and Sam., he sensed that

1. The percentage of copies of the individual Torah books found at Qumran (43 percent) is twice as high as its relative position among the Bible books (22.5 percent) and three times as high (62.5 percent) in the other Judean Desert sites.¹⁵ Genesis and Deuteronomy were especially popular, not only among the Torah books but also among the combined Scripture books, along with Isaiah and Psalms. The popularity of the Torah is also shown by the large number of its Targumim (Onqelos and three different Palestinian Targumim: Pseudo-Jonathan, the Fragmentary Targum and the Targum included in Codex Neophyti). These manifold translations reflect the importance of the Aramaic versions of the Torah for rabbinic Judaism. For all other books, only a single Targum is known, apart from the two Targumim of Esther.
2. Also in the second criterion, that of the number of textual branches in a specific book, the Torah is unique in that its textual branches are much more numerous than those of the other scriptural books. This large number attests to the wide exegetical activity visible in the changes inserted in the Torah, including rewritten segments, in spite of its especially sacred character and, more likely, because of it. These developments attest to the literary development of the Torah in its different texts as described in the next paragraphs.

Thanks to the Qumran discoveries, we now know many textual branches of the Torah, contained in groups of texts and individual texts together constituting some fifteen branches: (1) Proto-MT: all the texts found at the Judean Desert sites except for Qumran are virtually identical to the medieval text of MT. Further, at Qumran we find many scrolls that are close to MT. (2–4) The ‘Sam. group’ has been preserved in three attestations, the ‘pre-Samaritan’ Qumran scrolls that resemble the Sam., 4QNum^b,¹⁶ and the Sam. known from medieval sources. This branch reflects a popularizing offshoot of MT or a similar text, differing from it in textual and literary details. In its present form, Sam. is a sectarian text, but when its slight sectarian layer is peeled off, we find an early text the likes of which was found at Qumran in the form of so-called pre-Samaritan scrolls. (5) The reconstructed Hebrew source of the LXX also reflects a free approach to the text. It has been suggested that this source reflects the largest number of contextual small har-

they reflected a special reality different from that of the other books of Scripture. Some of the major conclusions of that study may not be acceptable, but Kahle opened up the area of the Torah for wide investigation, and he had important insights into the nature of Sam. and the LXX. The time has now arrived for an analysis of the Torah texts based on a reinvestigation of the texts known to Kahle along with additional texts.

15. For the figures, see Tov, *Textual Criticism*, pp. 96-98; Tov, ‘Some Thoughts’, pp. 151-72.

16. 4QNum^b is considered a separate branch as it also often agrees with the LXX.

monizations among the textual witnesses,¹⁷ more than the Sam., which until recently was considered to be the most harmonizing text.¹⁸ This feature is the most prominent among the textual features of the Hebrew source of the LXX. (6–10) Five exegetical Torah scrolls bearing the misleading name of a nonbiblical composition, 4QReworkedPentateuch^{a-c}, display a very free approach to the biblical text.¹⁹ They contain a running biblical text intertwined with small and large exegetical additions, such as an expanded Song of Miriam, not equaled by any other source. (11–14) Four texts are not exclusively close to any of the mentioned texts: 4Q[Gen–]Exod^b, 11Qpaleo-Lev^a, and 4QDeut^{e,h}. It is mainly a sign of our ignorance that we do not know where to place these texts in the stemma. They do not depend on MT, and they do not differ much from that text.

(15–18) In this context, we also mention four sources that do not contain purely biblical texts. These are liturgical texts, two of which carry names of biblical books (4QDeut^{j,k1}). Most of these sources reflect a very free and harmonizing approach to the text: two different textual branches of *tefillin* and *mezuzot* from the Judean Desert, Papyrus Nash of the Decalogue from Egypt, and two liturgical Qumran texts that contain the same pericopes as the *tefillin* (4QDeut^{j,k1}).²⁰ In these texts, harmonization, including the addition of small pericopes, is the main textual-editorial feature.²¹

Owing to several uncertainties,²² no precise number can be given for the textual branches in the Torah, but it is probably around fifteen and much

17. A large number of such harmonizations are also found in the pre-Samaritan texts 4QExod–Lev^f, 4QNum^b, 4QRP^b. Since these texts are fragmentary, we have to be careful in our assessments. See Tov, ‘Samaritan Pentateuch and the Dead Sea Scrolls’, pp. 59–88.

18. See Tov, ‘Textual Harmonizations in the Ancient Texts of Deuteronomy’, pp. 271–82; Tov, ‘Textual Harmonization in the Stories of the Patriarchs’, pp. 19–50; Tov, ‘Harmonizing Character’. The LXX is judged here according to its well-defined harmonizing pluses. In other details, the LXX has no specific features except for the chronologies in Genesis 5 and 11, the different sequence of the verses in Genesis 31, and the greatly deviating version of Exodus 35–40. In Genesis 5 and 11, the LXX has a secondary character, whereas the situation in the other chapters is unclear. See n. 3.

19. See Tov, *Textual Criticism*, p. 323.

20. 4QDeut^j contains sections from Deuteronomy 5, 8, 10, 11, 32 and Exodus 12, 13; 4QDeut^{k1} contains sections from Deuteronomy 5, 11, 32.

21. The liturgical character of 4QDeut^j is the more likely because of its small size. See Tov, *Hebrew Bible, Greek Bible and Qumran*, p. 37. Note further that both 4QDeut^j and 4QDeutⁿ start with Deut. 5.1 and continue until the beginning of chap. 6. Both texts also contain a fragment that covers 8.5–10. See Eshel, ‘4QDeutⁿ’, p. 151.

22. The following uncertainties should be taken into consideration: (1) the Sam. group is counted as three units, see n. 16; (2) the exact number of the liturgical texts is unknown; (3) three ‘nonaligned’ texts were singled out, but their number could have been larger.

add Tov ‘Textual Harmonizations in the Ancient Texts . . .’ to bibliography

larger than the one to three branches in the other books. In any event, the especially sacred nature of the Torah, accepted by all, clearly did not prevent its exegetical-literary and textual development, as reflected in its widely divergent textual branches from the third century BCE onward. In our eyes, probably the opposite was expected, namely, that the special sanctity of the Torah would create a conservative approach of not allowing any changes in the text, as reflected in *Qid.* 30a: ‘The ancients were called *sōpērîm* because they counted every letter in the Torah’. However, this statement reflects a time much later than that of the Qumran scrolls and it pertains only to MT.

3. In the third criterion, that of the nature of the differences between the textual branches, the Torah is likewise unique in that it is the only source in which *textual* features are recognizable, namely, harmonizations and variants replacing problematic readings, all of which reflect a free approach to the text.

These data lead to the central question as to why so many textual branches were created in the Torah and not the other books. In my view, this situation was due to the popularity the Torah enjoyed because of its special sanctity.²³ The very act of inserting changes into each new copy of a Torah scroll,²⁴ often creating a new textual branch, was acceptable in early times. In a way, each scribe created a new version of the composition, which was equally as authoritative as its predecessors. Among the known textual sources, only the MT and a few additional (nonaligned) scrolls (11–14) disallowed such changes, at least after the mid-third century BCE, from which time the oldest scrolls are known.

In conclusion, the description of the textual history of the five books of the Torah as one unit is justified because they have been joined together and are considered a single unit for the biblical authors and subsequent generations. They underwent several similar textual developments. In this study we reviewed textual features common to the Torah books, as well as literary variants that may shed light on the Documentary Hypothesis. Finally, we depicted the textual development of the Torah in general lines.

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23. See Tov, ‘Scribal and Textual Transmission’, pp. 57-72.

24. The textual and exegetical development of the Torah was thus not impeded by its sanctity. In light of this, it is noteworthy that its copying procedures were virtually identical to those of the other biblical books and all the nonbiblical books. See Tov, *Scribal Practices and Approaches*, pp. 99-103, 108-18.

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any of these 'forth-
comings' published
yet?

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