ARTICLE VIII.

CRITICAL NOTES.

HOW WAS JESUS LIMITED IN KNOWLEDGE AND POWER?

THE thoughtful discussion of "How Was Our Lord Limited as a Man?" in the *Sunday School Times* several months ago, suggests the presentation of a few thoughts, which the writer has found helpful to himself in comprehending the subject. The point therein urged, that Paul maintained the continuity of the personality of Jesus, when he "emptied himself, taking the form of a servant" (Phil. ii. 7), is of prime importance. John also expresses himself in a similar way (John i. 1, 14). Both are difficult to harmonize with the conception of two natures, as stated by the Chalcedon creed.

The Scriptural passages just referred to seem to suggest that the limitations of the Divine soul were rather the natural effects of the body, as may be learned from modern psychology. The limitations of the soul by the body are real, and often are just as manifest and potent in the sage and the seer as in the dullard or dolt. Brilliancy of intellect, or power of soul, seems to make no difference, and no reason readily appears why a divine spirit might not, or indeed would not naturally, be similarly limited, if incarnate.

1. Perhaps the most evident limitation is that consciousness, without which there can be no mental activity, is dependent on the conditions of the body. Sleep, a blow on the head, or a nervous shock may temporarily, or even permanently, destroy consciousness, and the spirit is helpless and inert. If the divine "was manifest in the flesh," why should it not have been similarly affected?

2. The activities and experiences of consciousness are just as truly affected by our physical conditions and spiritual en-

vironment. Whether a great truth thrills us, or is forgotten for the time, often depends upon the course of the blood in the brain, the prominence of an appetite, a chance glimpse of some object, a spoken word, or some casual suggestion. And the success or defeat in the crisis of a lifetime may depend upon the scope and vividness of consciousness in such a crisis.

Omniscience cannot feel the force of temptation, because it knows the effect of every act and the folly of every sin; but if omniscience could forget, or see only one side of a question at a time, as under bodily limitations, we can understand how Jesus could have been truly tempted, how prayer could strengthen him, familiarity with Scripture could bring timely help, and his experiences in such circumstances be a real model for us.

And so, also, physical exhaustion and nervous collapse might temporarily eclipse his faith, so that he cried, "My God, my God, why hast thou forsaken me?" Intense sympathy with sinful man, and horror at the blackness of selfishness and of willful rejection of Divine love, might have caused the agony in the Garden, with its attendant fear of failure. Nor may it seem inconceivable that the keenness of Divine love for the sinner, with the vision of the fate of unrepentant sinners in outer darkness, should have been too much for bodily endurance.

3. The human soul has three sources of knowledge: experience, revelation, and instinct or intuition. The first is fundamental in man, and is directly dependent on bodily senses and sensations. Revelation comes from other spiritual beings who communicate with us. The third speaks to us in our inner consciousness. It is sometimes spoken of as inherited experience, and such a phrase may suggest its probable origin. In this resides the difference between the great man and the ordinary, between the brilliant and the dull. The consciousness of this inner revelation of one's self often comes suddenly. It is like a new birth. We say the man has

found himself, or has seen the vision of his life. To man it is the full revelation of his humanity, or race life; to Jesus it was the awakening to his divinity.

Therefore, we may hold logically that Jesus learned by experience and revelation, or as is recorded, "advanced in wisdom and stature;" and that in time, certainly when he announced his Messiahship, he had become conscious of his Divine nature. Perhaps, it was by glimpses at first of his prenatal existence with its omniscience and omnipotence which became more and more habitual with him, less and less frequently eclipsed.

When we speak of the knowledge of a man, we mean the full scope of his information at its best or fullest, not that of which he is conscious at an ordinary time, or perhaps at any one moment, and when he forgets, he knows that he has forgotten and to a degree what he has forgotten. Is it not, therefore, conceivable that Jesus might have had omniscience, and yet may have become conscious, in a similar way, at certain times, that much of its scope was out of, or beyond, his consciousness? By some such conception, we may believe that his utterances concerning religious truth were Divinely spoken, with the full authority of God.

This has particular bearing on the conclusion of those who press the doctrine of Kenosis, or "emptying," until it destroys his Divinity, and renders his recognition of the authority of the Old Testament scriptures as the word of God of no more value than of a man of his time, not to be compared in critical importance with that of a scholar of the twentieth century.

One word concerning a passage to which some will appeal in support of his limited knowledge to the end of his earthly career. Mark xiii. 32 says, "But of that hour knoweth no one, not even the angels in heaven, neither the Son, but the Father." When we remember how Christ at times professed knowledge of the beginning and of the future, which must have assumed omniscience (see John xvii. 5, 24; viii. 58; Matt. xxvi. 64; xvi. 21, 27), we are constrained to consider that

passage as a colloquial expression which is more philosophically stated in Acts i. 7, "It is not for you to know times or seasons, which the Father hath set within his own authority."

4. Emotions of the Infinite as implied in many Scriptural passages may be inconceivable to us, but of Jesus they are expressive. The force of appetite, the play of feeling, the strength of impulse, and other incentives to action are also dependent on bodily conditions. Here again is a field of temptation, whereof it may be said even of an infinite spirit, "one that hath been in all points tempted like as we are."

5. None will question this final statement, which is so obvious. His body localized the manifestations of his power. He could not be in more than one place at a time. Hence one reason, if not the main one, for his telling his disciples, "It is expedient for you that I go away."

His power as a speaker must have been limited by his voice, his manner, and his countenance, and we do not know that they were specially impressive, except when they were illuminated by his perfect soul. There were times when the godlike spirit shone through them with mighty power, as when he drove the money-changers from the temple, and when it struck down the soldiers sent to arrest him.

The prophet said of him, "He hath no form or comeliness, and when we see him, there is no beauty that we should desire him." This could not have been spoken of his character, or soul. It might have been said of his bodily form from a worldly standpoint. May he not have taken not simply a human form, but that of the humblest of men?

If so, these bodily limitations would have had their fullest effect, and he could have prayed most fittingly, "I glorified thee on the earth, having accomplished the work, which thou hast given me to do, and now, Father, glorify thou me with thine own self, with the glory which I had with thee before the world was."

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PROFESSOR WEISMANN ON TALION AND PUBLIC PUNISHMENT IN THE MOSAIC LAW.[1]

THIS book by Professor Weismann calls for something more than a short notice. Its excellence, the fact that it constitutes a definite and valuable contribution to the history and understanding of Hebrew law, and the cases where his views differ from those that an English lawyer would hold, alike impose more detailed consideration than would be possible in small compass. It is marked by an air of modesty and reasonableness which is very grateful after much experience of the dogmatism and stupidity of slipshod theological claimants to infallibility. It is lucid and thorough, and takes account of a wide range of German and French literature; though, of works written in English, only a book of Bissell's and an encyclopedia article have been consulted. In the case of whole sections a reviewer can only express his complete and respectful agreement, with here and there a note of dissent as to some minor detail. Indeed, for one who has been trained on the lines of the English law schools the main feature of interest lies less in the professor's opinions and conclusions than in the fact that he reaches them by rather different paths from those that we should naturally follow. It may be added that the professor is invariably right in cases where he differs from the opinions of theologians, and that he has undoubtedly proved his main contention (of which more hereafter). The volume should be found in every theological library, for it greatly excels many more pretentious works and provides much wholesome doctrine admirably expressed on matters where theologians are invariably very weak. As examples I would cite the first, third, and sixth divisions of the first section, the fourth division of the second section, and, subject to the criticisms which follow, the third and sixth sections. The sections are eight in number and deal with the following topics:—

[1] **Talion und öffentliche Strafe im Mosaischen Rechte. Von Dr. Jakob Weismann, Geheimem Justizrat und Professor in Greifswald. Leipzig: Verlag von Felix Meiner. 1913. M. 3.50.**

To make matters quite clear to non-legal readers a few words of explanation are desirable. A crime (*öffentliches Delikt*) is, for our present purposes, an offense of which the community undertakes the punishment as part of its own duty. When the community lays it down that, as a matter of law, murder is to be punished *by it* with death, *and that this penalty is not to be at the option of any private individual,* it makes murder a crime. On the other hand, a tort (*delict*) is a wrong which is treated as a matter of private law. If I unlawfully trespass on my neighbor's land, he can take action against me if he choose, and recover damages; but *he only* can do so, and if he does not choose, the community as a community will not interfere, and nothing will happen to me. It is a matter of private law, law regulating relations between two individuals in which no public interest is directly concerned. In such a case the community leaves the question of dealing with me to private judgment. Let us apply this to the case of homicide. " He that smiteth a man so that he die shall surely be put to death " is a criminal law. Here the point of view is that of the community's insisting on the punishment. But " thou shalt give life in return for life," coupled with a right to the avenger of blood not to enforce the penalty but to take a ransom with the approval or acquiescence of the community, is private law. Historically these two methods belong to different stages. The treatment of the offense as a tort is historically earlier than its

treatment as a crime, and we see the transition quite clearly in Num. xxxv. 31–33, where, in the case of criminal homicide, the taking of ransom is forbidden, and a religious sanction is given to the newer conception of the treatment of the offense as a crime. Now in early societies criminal law did not exist at all. In its place was vengeance, tempered sooner or later by composition. "When the society is weak, many injuries lead to vengeance expressed in blood-feud (see especially Gen. xxxiv.) and retribution, seen in talion ('eye for eye,' etc.). This is often disadvantageous to the community which is weakened by private wars and the loss or crippling of fighting men, and everywhere recourse is had to a system of compensation to prevent this. Thus the owner of property is offered manifold restitution from the thief to prevent his taking the law into his own hands and fighting (Ex. xxii. 1 (xxi. 37), etc.; Post, *Grundriss*, ii. 430–432); and in most cases both the blood-feud and talion are regularly succeeded by composition. Gen. xx. 16, where a thousand pieces of silver are given as, 'a covering of the eyes,' is particularly instructive."[1] Writers who have not been conspicuous for competence or training in the comparative and historical methods have laid it down that the vengeful notion of talion is the predominant conception in Mosaic criminal law, and gives it its specific character. Weismann's main thesis (p. 4) is, that this view is wrong. "The principle of talion," he writes, "in the Mosaic law is not a principle of criminal law (*strafrechtliches*) at all — criminal in the sense of being subject to public punishment — but purely one of private law; the idea of public punishment did not develop in Israelitish criminal law out of vengeance (particularly the blood-feud), not out of the conception of retaliation, not out of the idea of talion, but rather arose independently of it and overcame it." That passage in Numbers proves the absolute correctness of his view.[2] Weismann

[1] Murray's Illustrated Bible Dictionary (1908), p. 186b.

[2] I set it out because it so clearly illustrates the conflict between new and old, and explains the viewpoint: "Moreover ye shall take no ransom for the life of a manslayer, which is guilty of death:

has seen that this law and Ex. xxi. 12 f., 15, 16, etc., in which this idea of crime is found, belong to the same historical stage and are from one and the same hand. I can only express my complete agreement. And this leads me to consider the points of difference between us.

In the whole of this book I can find few matters of importance in which on professional grounds I must dissent from Weismann. But he has taken over some errors from the theologians, and in certain matters these have led him astray. I have frequently observed that no competent jurist who examined the Wellhausen theory could fail to reject it on legal grounds. Weismann is in the peculiar position of having taken over the Wellhausen theory first *without independent examination*, and of having then examined a small portion of the jural material and found that in that portion the theory broke down. In consequence he has modified the theory so as to assign to P several parts of JE, although the critical contention was that P could be and had been separated by them with complete certainty: he has had to abandon any attempt to explain phenomena which will fit in with Mosaic authorship, but with nothing else: and he has shown conclusively that a transposition which he has taken over from the critics is untenable. Again, in one connection he relies on Lev. xxvii, to explain the provisions of Exodus, though the former belongs to a late stratum of P according to the critics, and represents the views of a writer who lived many centuries after the lawgiver of the Exodus passage (pp. 50 f.). Accordingly, in dealing with each of the main passages, I shall point to the evidence of Mosaic date. For the rest I may

but he shall surely be put to death. And ye shall take no ransom for him that is fled to his city of refuge, that he should come again to dwell in the land, until the death of the priest. So ye shall not pollute the land wherein ye are: for blood, it polluteth the land: and no expiation can be made for the land for the blood that is shed therein, but by the blood of him that shed it. And thou shalt not defile the land which ye inhabit, in the midst of which I dwell: for I the LORD dwell in the midst of the children of Israel" (Num. xxxv. 31–34).

respectfully refer the learned professor to my various writings in reply to the Wellhausen critics and particularly to the sixth chapter of "Essays in Pentateuchal Criticism" on the alleged centralizing of the cultus, and to pages 596–606 of the BS for October, 1914, as to the judicial law of Deut. xvii.

Leviticus xxiv. brings out the difference between the case-trained English lawyer and the code-trained German. In dealing with a code it is only necessary to look at the relevant section or sections, discover the true interpretation, and then apply it to the facts in any particular case. This is not so in systems where the law is made by judges in deciding cases. A set of facts crops up which leads to litigation. The court has to decide that set of facts and lay down the law applicable to it. When a new case arises presenting facts that are similar, but not identical with the first, it will be necessary to consider *not merely the earlier judgment, but also the facts on which it was based.* Let me illustrate this: X, a freeman, commits an offense. The court decides that this offense is to be punished in a particular way. Thereafter Y, a slave, commits the same offense. It is not possible just to turn to the judgment in X's case and say without more ado that the treatment of Y must be the same. The facts must also be considered, and the difference of status may cause a difference in the decisions. Hence, to ascertain what the law was as laid down in the case of X, we must have regard to the facts of the case and not go beyond them. Accordingly, in all countries that rely on judge-made law, reports of cases state all the material facts; and when new circumstances arise, the court considers the leading reported cases that bear on the subject, and decides that their judgments *read in the light of the facts on which they were based* do or do not yield a principle that is here applicable. In other words, the earlier decision may be *applied,* or it may be *distinguished.*

Leviticus xxiv. 10–23 is one of the most interesting landmarks in legal history that have come down to us, but it must be read not as a fortuitous and inexplicable congeries of lit-

erary fragments but as a decided case. I have discussed it at some length, giving parallels (which could easily be multiplied indefinitely), in the third chapter of "Studies in Biblical Law." For our present purpose a shorter treatment will be sufficient.

The son of an Egyptian father and an Israelitish mother blasphemed the name of God. Held (1) that blasphemy was a crime punishable by death; and (2) that, in the case of blasphemy and certain other specified heads of law, strangers (*gerim*) were subject to the same law as Israelites. It is the second point that gives the case its extraordinary importance, for it was much more difficult than can easily be realized by those who have not familiarized themselves with either archaic law or the state of affairs in the East to-day. In certain stages of society, law is *personal* not territorial. This is almost always the case where the law is religious. Thus in India, Hindu and Mohammedan, living side by side, will yet be subject to entirely different systems of law in certain matters; in Turkey, Siam, or China, European and native are subject to different laws and different tribunals; in ancient Rome certain legal institutions had to be duplicated, because a plebeian was not a patrician, and later because a stranger was not a Roman. This decision in the case of Shelomith's son was therefore epoch-making, for it settled the question whether there were to be one or two systems of law in Israel dealing with the relevant topics. "Lastly, we come to the question of the date of the passage. On this no two opinions are possible. Such a judgment as this could only have been given at a time when it was uncertain what law should be applied to strangers, and that is a question which is bound to come up for settlement at a very early date in the independent history of any nation. So obvious does this appear that I shall not trouble to cite the evidence of the historical books. But we can of course carry the argument further. Could such a judgment have been forged in any post-Mosaic age? Obviously not; for it would have been utterly meaningless in any period when Israelite law was

applied as a matter of course to a criminal of foreign origin. The thoroughness with which this judgment did its work made it certain that its meaning would soon be forgotten, and the passage must have been as unintelligible in the post-exilic times, to which the critics assign it, as it has proved to all subsequent commentators. It has never been suggested either that the supposititious literary forgers of the critics were capable of manufacturing a system of ancient law which would bear the test of comparison with the genuine systems of early societies, or that they desired to pass off on their contemporaries a body of law which was obsolete and unintelligible, or that their contemporaries would ever have accepted such forgeries as intelligible, useful, or genuine" (Studies in Biblical Law, p. 94).

Turning now to Ex. xxi. 23–25, I am compelled again to differ from the learned professor — this time on other grounds. This passage applies to a pregnant woman who sustains injury to her person when standing by as an onlooker at a fight between men. I have considered certain aspects of this matter on page 119 of "Studies in Biblical Law" and need not repeat myself. Weismann starts by assuming that these verses should be transposed to follow verse 19 (pp. 27–29). They will then apply in the case of two men striving. This view is untenable for two reasons: (*a*) The sentence will then read, "And if men quarrel, and one strike his neighbor with a stone, or with a fist, and *he die not*, . . . if there shall be damage, thou shalt give *life for life*." But, "if he die not" it is impossible to "give life for life." The two things cannot stand together. (*b*) He himself points out (p. 56) that in that case the passage cannot stand with xxi. 12, which treats this form of homicide *as a crime*. We should then have side by side in the same code two incompatible laws, the one treating an offense as a crime, the other as a tort subject to talion, and the two cannot coexist. Accordingly Weismann is reduced to making verse 12 a later addition of P! Clearly the true effect of his logical discussion on page 56 is to show, not that verse 21 is

a later addition, but that the transposition of verses 23–25 is wrong.

What then is his reason for this transposition? Nothing more than the dictum that "it is incredible that the very special case of the injury to a pregnant woman in a quarrel between other persons should have been treated, and all other cases of injury to the person left unpunished" (p. 28). So it would be, but Weismann has here overlooked two facts. He has himself explained very clearly that the Mosaic legislation does not purport to comprise all the law in existence. As he pertinently remarks, "'Laws that live in the conviction and knowledge of all' are easily passed over in writing down national common law" (*Volksrechten,* an expression for which no English equivalent exists) (p. 11). Indeed, one may go further, and remark that the legislation of the Pentateuch belongs to the general type of ancient codes which were framed for the purpose of clearing up disputed points and introducing necessary changes. It is *not* a consolidating code. I have repeatedly adduced evidence of this.[1] Just as in the case of Shelomith's son and some other decisions, so in many of the "dooms" of Exodus the law laid down was really to deal with current emergencies. It must not be forgotten that, from the departure from Egypt onwards, Moses was acting as a judge (see Ex. xxxiii. 7 ff.; xxiv. 14; xviii., etc.). I apprehend that the law of all usual cases of personal injury had long been well settled, and that it was only the question of what was to be done in the case of a pregnant woman bystander that was doubtful. Probably an actual case had recently occurred.

The second point that Weismann has overlooked is that a transposition leaves us with practically the same difficulty — for how explain the fact that injury to bystanders is left unconsidered except in the case of pregnant women, or the absence of any provision for injury to the woman herself apart from her prospects of child-bearing? The one and only ex-

[1] Studies in Biblical Law, *passim;* Murray's Illustrated Bible Dictionary, p. 465, etc.

planation, as it seems to me, is that the law relating to injuries to the person generally (in the case of bystanders and others) was one that "lived in the conviction and knowledge of all," and that consequently it was only in the very exceptional case of pregnant women bystanders and the new case of strangers (*gerim*) that new law of any sort was necessary. Under the old conception of law as personal the tribes in Egypt had developed the elementary rules on their own lines.

Coming now to the law of homicide, it may be said at once that it is intelligible only when viewed in the light of its close connection with the personal experiences of Moses the manslayer. Weismann tries to explain the provisions of Numbers by the theory that the death of the High Priest is regarded as expiation for the homicides committed during his tenure of the dignity, but admits frankly that it is impossible to see what expiatory power lay in it (p. 74). Let me cite what I have written before. "The first stage known to us is presented by the history of Cain. . . . This presents us with an institution found in many ancient societies — the Roman *sacratio capitis,* and see Post, Grundriss, vol. i. pp. 163 ff., 352 ff., on *Friedloslegung*. The offender is expelled from the tribal community, and left to wander over the earth a vagabond liable to death at the hands of any who may meet him. Next comes Genesis ix. 6, laying down the law of blood revenge. But it must be observed that in this passage no distinction is made between various forms of homicide. *All* taking of human life pardonable or unpardonable falls within the terms of the verse. (Cf. Post, Grundriss, vol. i. pp. 237 f.; vol. ii. p. 333.)

"The next stage is one of singular human interest, for it stands in close relation to an incident in the life of the great lawgiver. Moses once slew a man, not in enmity or having lain in wait. God appointed him a place whither he might flee and live, and there he remained until the death of Pharaoh. All this is very vividly mirrored in the Mosaic law of homicide. A distinction is for the first time drawn between wilful murder and manslaughter, and places are appointed

for the protection of those who had committed the latter offense, while the rôle of Pharaoh is assigned to the chief hereditary office-bearer of the Mosaic theocracy — the High Priest. Similar institutions meet us elsewhere, but it would fall beyond the scope of this article to discuss them, or to point out the statesmanship with which the provisions of this law are nicely adjusted to fit in with, and yet neutralize, the prevailing sentiment of blood revenge. But attention must be drawn to the terms in which the distinction is laid down. Being entirely new, the principle of dividing homicide could only be made clear to the people with difficulty. The human mind, especially in early times, apprehends the concrete far more readily than the abstract. Hence, as in other archaic legislations, we find a number of concrete cases laid down: and this has led a comparative jurist like Dareste to express the opinion that Numbers xxxv. is the most *archaic* portion of the Pentateuchal legislation (Études d'Histoire du Droit. pp. 28–29, note; cf. p. 23). To the present writer this view appears to need some qualification. Thus the extraordinary simile in Deuteronomy xxii. 26 (a ravished maiden compared to a murdered man) shows that it was equally difficult for Moses to convey to the mind of his people the idea of compulsion as affecting criminal liability; but undoubtedly Dareste's view of the passage is in the main sound.

"We must now turn to another feature of the development. In archaic law many offenses that are treated in a mature system as crimes, i.e. as offenses punishable by the state, are viewed from an entirely different standpoint. The desire of the early legislator is to restrain and regulate the sentiment of revenge, and set bounds to the activities of injured persons who strive to exact reparation in ways that are not beneficial to the community. In the case of homicide we see that in the Mosaic age it was treated as a matter for private feud: but side by side with this there is another idea growing up. In Numbers xxxv. we find it laid down that blood polluteth the land, and the Israelites are commanded not to defile the land which they inhabit, in the midst of

which God dwells. This idea finds further expression in Deuteronomy: "Thou shalt *put away the innocent blood from Israel*, that it may go well with thee" (xix. 13); "Forgive, O LORD, *thy people Israel, . . . and suffer not innocent blood* [to remain] *in the midst of thy people Israel.* And the blood shall be forgiven *them*," etc. (xxi. 8). We have here expressions of the sense that the community in its corporate capacity has some responsibility for the prevention of crime, that murder is no longer merely the affair of the deceased's family. And our materials take us yet one step further. When the monarchy arose we find that the king, as the highest organ of the state, began to feel that it was his duty to punish murderers, and that, if he failed in that, blood-guiltiness would rest on him. This idea finds expression in David's language in 2 Samuel iii. 28 f. (perhaps too, in iv. 11) and xiv. 9, and most clearly in 1 Kings ii. 31–33" (BS, Jan. 1908, pp. 118–121).

Evidence of Mosaic date is here plain enough. It may be reënforced by a reference to the history of such institutions as the *patria potestas*. But a few words must be added on some points on which I cannot quite accept Weismann's views. On page 80 he expresses the opinion that, in Num. xxxv. 16–21, rules providing that a man "shall surely die" could not originally have been combined with rules about the avenger of the blood. With great respect I must dissent from this opinion. The legislation is intended to convert the private wrong into a crime. In order to effect this the blood feud in its old form had to be abolished, and it was essential to the interests of society that this should be done. But the institution was deeply rooted, alike by its appeal to certain human instincts and by custom. The easiest way of effecting the change was by utilizing the old institution as far as possible, and letting the avenger of the blood continue to perform his function, subject to and under the control of the judicial authorities. The fact is that, under cover of the old terminology and with the aid of the religious sanction, the nearest kinsman is here converted from the old-fashioned avenger of the blood into a public executioner, his rights be-

ing limited to the cases specified by the law and the option of composition being taken from him. This was a very statesmanlike way of introducing the necessary change. Hence I do not think the rules necessarily incompatible. On the other hand, in the case of all these laws the full resources of textual criticism should be employed. I well remember that when I first came to Biblical studies I observed that the commentators from time to time quoted the ancient versions, and naturally concluded that they had sifted the evidence and arrived at the best text attainable from our present materials. Unhappily this is not so, and nothing more than the fringe of the problem has yet been touched. Weismann has been misled as I was. Hence we have yet to ascertain as nearly as possible the true texts of all these passages.

In the note on page 83 our author has some observations on Gen. ix. 5 f. which are sound so far as they go, but appear to me to overlook the fact that, as the shedding of blood *by man* is contemplated in verse 6, we must treat the passage as a law, not as a mere promise of Divine protection. On the other hand, I cannot agree with the theory on page 44 that Gen. iv. refers to every Kenite.

By way of general criticism I would venture to suggest that more attention might have been given to the practical reasons for the various laws considered, and to the relationship of the author's theme to the work of the legislator as a whole; but, taken all in all, this book is undoubtedly excellent.

I would express the hope that Weismann will not abandon these researches which he is so well fitted to pursue. If he were to lecture on Biblical law, he could easily make his University the best in the world for Old Testament studies, and a complete modern history of Old Testament law from his pen would be a great boon to all who are interested in the advancement of learning.

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