

ARTICLE V.

CONTRIBUTIONS TO A NEW THEORY OF THE
COMPOSITION OF THE PENTATEUCH.

BY HAROLD M. WIENER, M.A., LL.B., OF LINCOLN'S INN,
BARRISTER-AT-LAW.

I.

THE question how the Pentateuch reached its present form has been under debate for centuries. For some time it looked as if the line of inquiry suggested by Astruc's discrimination between the passages in Genesis which used Elohim and those which were characterized by the presence of the Tetragrammaton had opened up a possibility of solution. For a century and a half theories were elaborated which culminated in the well-known documentary and evolutionary hypotheses. Within the last few years the unsoundness of these hypotheses in all their branches has been successfully demonstrated, and the critics who sought to vindicate them in open controversy have been reduced to silence.¹

The gap left by the destruction of the documentary theory is as yet unfilled. The most complete solution of the Pentateuchal problem which is possible on the materials at present

¹ See *Studies in Biblical Law* (cited as SBL); *Essays in Pentateuchal Criticism* (EPC); *The Origin of the Pentateuch* (OP); *Pentateuchal Studies* (PS); *The International Standard Bible Encyclopaedia* (ISBE); *Bibliotheca Sacra* (BS), especially Jan. 1908 and 1913-17 (inclusive); J. Dahse, *Textkritische Materialien zur Hexateuchfrage*; A. Troelstra, *The Name of God*; B. D. Eerdmans, *Alttestamentliche Studien*. For introductions to the present investigation, see OP and ISBE s.v. "Pentateuch."

known to exist cannot be given in the lifetime of our generation, for too much preliminary work is necessary. Nevertheless, our present knowledge makes it possible to offer certain contributions to the ultimate answer to the question.

I.

All extant copies of the Pentateuch are ultimately derived from one MS. For the sake of convenience the last common ancestor of our existing texts will be called the archetype. The present section will aim at making out a *prima facie* case for holding that the form of the Pentateuch is partially due to pre-archetypal or archetypal damage. For the sake of simplicity this matter will be as far as possible isolated: no distinction will be made between injuries that may be supposed to have occurred at an earlier date and those that may have happened later; and the question of the original form of the autograph will be reserved.

It is obvious that editors confronted with a damaged MS. might adopt various methods of dealing with their difficulties. They might simply leave matters alone as far as possible. If they found portions of it in fragments, they might merely transcribe the fragments in any casual order. A modern scholar finding an old damaged MS. would endeavor to note the precise order in which the material was discovered, but that will scarcely have been the method of an uncritical age. In the first examination of the fragments — nay, in taking them up from the place in which they were deposited — the original order will have been lost. Hence its preservation by the editors is scarcely a possibility.

Another method available for ancient editors was to try to arrange the material on some intelligible principle. This might make matters better or worse according to the clues

followed. They might light on the intention of the author, or they might get further away from his arrangement with each attempt at improvement.

Again, they might leave the defective material untouched or they might seek to restore it from parallel passages. Or, lastly, they might rewrite it.

These processes would not necessarily be performed once for all. They might be carried on continuously by generations of scholars commenting on and editing a text that was known to have suffered in transmission. If it were common knowledge that a book was not in its original order, successive attempts might be made to improve the arrangement; and if they were based on erroneous principles the confusion would grow worse with every endeavor to lessen it.

The foregoing paragraphs show at a glance that the potentialities of such a theory as has been suggested are very considerable. It is now necessary to point to some of the evidence that renders the hypothesis probable. In considering it the reader should in each case ask himself the question, whether the particular phenomenon under discussion could possibly be due to intelligent design. The issue between the hypothesis under consideration and the documentary theory is this: The documentary theorists claim that in each case the phenomena have been produced by the action of one or more editors deliberately framing a book from continuous, coherent, pre-existing documents. The present writer, on the other hand, contends that it is impossible to account for many facts otherwise than by an hypothesis of accident coupled with editorial attempts to remedy the resulting injury.

The first line of evidence will be furnished by passages where either the fragmentary nature of the text or the incoherence of the order forbids any hypothesis of intentional

selection or arrangement. The argument will be that in each case accident is the only possible explanation, and the admissions of the documentary theorists will be utilized.

Numbers vii. 89 furnishes a singularly cogent example in a single verse: "And when Moses went into the tent of meeting to speak with him, then he heard the Voice speaking unto him from above the mercy-seat that was upon the ark of the testimony, from between the two cherubim: and he spake unto him." The versional differences suggest glossing, but nothing that affects our present inquiry. "This verse," writes J. E. Carpenter (*ad loc.*), "is plainly severed from its natural connexion, for there is no proper antecedent to 'him.' It appears to be a fragment of P $\text{\textcircled{E}}$, being closely related to Ex. xxv. 21 f., left stranded like a boulder, amid alien surroundings." Similarly G. B. Gray (*ad loc.*): "An isolated fragment of a narrative which recorded the fulfilment of the promise made in Ex. xxv. 22." A. R. S. Kennedy (*ad loc.*): "A curious fragment having no connexion with what now precedes or follows." Hereafter we shall see what light it throws on the state of the Pentateuch from another point of view. For the present we are concerned merely to insist on its fragmentary character and the impossibility of supposing that either its position or its incomplete condition is due to the design of any responsible author or editor. It points to a tattered MS. every scrap of which was zealously preserved by the guardians of the text, and no other explanation can be suggested that would account for its present state and location.

Exodus xviii. is a misplaced narrative. In xvii. the Israelites are at Rephidim, and they do not leave till xix. 2. But in xviii. 5 Moses is encamped in the wilderness at the Mount of God. Further, the institution of the judicial system in

25 f. is clearly subsequent in date to Ex. xxiv. 12-14. Deuteronomy i. 9-17 places the incident at Horeb; "and this is supported in E by Jethro's reference (23) to their approaching departure. The whole section, therefore, originally fell among the last of the Horeb scenes" (Carpenter on ver. 12). No reason other than accident can be assigned for the displacement.

On Ex. xxx. 17 Carpenter notes that "the opening words of 18 'and thou shalt make,' cp. 1, 3, 5, 25, 35, suggest that it was once continuous with some other passage."

"The most singularly and obviously inappropriate element in chh. xxxiii. f. is xxxiii. 7-11, describing the practise of Moses and Joshua in regard to the 'Tent of Meeting.' . . . Besides the story of the institution of the Tent of Meeting we have in chh. xxxiii. f. the relation of two other incidents, with neither of which the story of the institution of the Tent of Meeting has any real connection; one of which it flagrantly interrupts" (B. W. Bacon, *Triple Tradition of the Exodus* [1898], pp. 139 f.).

On Ex. xxxv. 1 Carpenter writes: "The title . . . suggests a longer series of injunctions than the commands in 2 f.; and of these 2 only is actually contained in xxxi. 15, 3 being entirely independent. It is probable, therefore, that this was the beginning of a more extensive collection, and does not stand in its original place."

The same commentator regards Lev. x. 8 f. as "a fragment, marked by a closing formula 9b, but slenderly connected with the text"; 10a, as "another fragment attached to the preceding without any apparent link"; 12 f., as "also a fragment." On xx. 27 he writes: "This fragment has apparently been detached from its original connexion, and

attached loosely to the close of a section containing cognate material."

In Lev. xxiv. 1-4 we find legislation as to lamps. Carpenter (*ad loc.*), after referring to the parallel passages in Ex. xxvii. 20 f. and Num. viii. 1-4, continues: "The passage in Ex. appeared to be out of place, and this may be the more original. . . . But the context here is not very suitable."

It is immediately followed by verses 5-9, and Carpenter becomes more emphatic. "Another disconnected fragment," he writes (*ad loc.*), "concerning the shewbread. . . . Conjecture is at fault concerning the reasons for incorporating these regulations here, immediately after the calendar of the feasts."

Of Num. vi. 22-27 (the priestly blessing), Kennedy writes (*ad loc.*): "Its position here instead of [? before H. M. W.] Lev. ix. 23 is another, and not the least striking illustration of the lack of systematic arrangement which characterises the legislative portions of the Pentateuch." Gray (*ad loc.*) thinks that "it would have been more in accordance with P's general method if the blessing had been introduced in connection with the first occasion on which Aaron solemnly blessed the people (Lev. ix. 22 f.); possibly it once stood there, for we cannot be sure that its present is its original position."

On Deut. x. 6 f. Carpenter writes: "These verses, though Kuenen declared them inseparable from the rest, certainly seem out of place here. . . . By what editorial process this brief specimen survived among the dislocated fragments of E's list of Israel's journeys and found its way into the historical annotations attached to one of D's homilies, it is not possible to form any definite conception."

These admissions leave nothing to be desired from the

point of view of clearness. Nowhere is there any suggestion that a documentary theory or such redactors as it postulates can explain the facts. "Stranded boulder," "isolated fragment," "singularly and obviously inappropriate element," "disconnected fragment," "conjecture at fault," "striking illustration of the lack of systematic arrangement," admirably express the features to which attention is drawn.

In these cases the documentary theorists are compelled to throw up the sponge. All are explicable on the view of a damaged manuscript the fragments of which were preserved by pious editors, but none are compatible with a theory of a redactor working on documents with the view to an intentional compilation on conscious principles.

Before passing away from this division of the evidence it is right to say that there are a number of other admittedly fragmentary passages which fit in with an archetypal theory at least as well as with any documentary theory. For instance, on Num. xi. 29-32, Carpenter writes: "The abruptness of both opening and close indicates that it is only a fragment." He proceeds to assign reasons for the conduct of the redactor in dropping the context, but it is at least as probable that the passage has become a fragment through the same causes as those already noticed.

Closely allied with the first division of the evidence are the cases where the present order is such as cannot have been in the mind of either an original author or an editor working on any systematic plan. Thus, on Ex. xxvii. 20, Carpenter writes: "This reference to the provision of oil for the ever-burning lamps breaks the otherwise orderly sequence of xxv.-xxix., cp. xxv. 6. It implies that the Tent of Meeting is ready, and the Aaronic priesthood installed in their sacred charge. Compared with Lev. xxiv. 1-3, Num. viii. 1-4 it

seems to have been inserted later here for completeness." On Lev. i. 1a he notes that "the first legislative group i.-vii. contains a comprehensive account of the offerings to be brought to the Sanctuary. In its present position this section interrupts the connexion, for the consecration of the priests in viii.-ix. should follow Ex. xxxv.-xl. as Ex. xxix. succeeds xxv.-xxviii. To what precise editorial method this is due, whether Ex. xxxv.-xl. and Lev. viii.-ix. were inserted later on either side of the sacrificial code in Lev. i.-vii., or whether the code was subsequently placed in close relation with the account of the completion of the sanctuary, cannot be precisely determined." On 1b he suggests that "the editor who placed the whole section here seems to have attempted by this title to connect it with the situation implied in the erection of the Tent of Meeting." In other words, the documentary theory can offer no plausible explanation of the present location of these chapters as a whole on the hypothesis of intelligent redaction.

The position of Num. xxx. seems to be due to the mention of vows in xxix. 39. No other connection can be traced.

The investigation may now take a wider sweep, and glance at the main outlines of the arrangement of some of the material. Moses comes down from the Mount in Ex. xxxiv. The long passage xxxv. 4-xl. is occupied with the construction of the Tabernacle and sacred *impedimenta*, culminating in the erection on the first day of the first month of the second year. Then

- Lev. i. 1** speaks from the Tent of Meeting, but
vii. 38 speaks from Mount Sinai.
viii. and ix. deal with the consecration of Aaron.
x. is concerned with the subsequent sin of Nadab and Abihu, some consequential matters, and some laws which may be misplaced.

Lev. xi.-xv. contain no clear indication of date or place.

xvi. was delivered "after the death of the two sons of Aaron."

xxvii.-xxiv. 9 contain no indications of date.

xxiv. 10-23. The scene is laid at a time when Moses was in the camp, but

xxv.-xxvii. were given on Mount Sinai.¹

Pausing there for a moment, we may ask whether any sufficient explanation of these phenomena can be found in any theory of conscious redaction. The order is neither chronological nor topical, nor is it based on any other intelligible principle. How explain the position of xxiv. 10-23 except on the hypothesis of accident? Why should such legislation as xxv.-xxvii., given on Mount Sinai, be inserted in the present position of these chapters? If they were taken from a separate document, what reason can be assigned for their incorporation at this point?²

Numbers resumes the narrative at a date which is apparently later than Lev. xvi., but subsequently goes back to an earlier time. Thus

Num. i. 1 refers to the first day of the second month in the second year.

48 ff. The prohibition to number Levi refers to an earlier time than 47.

iii. 1 dates by Mount Sinai, though 4 recognizes the subsequent death of Nadab and Abihu.

14 is dated in the wilderness of Sinai.

v. 1-4. A camp law.

v. 5-vi. 21. No indications of date.

vi. 22-27. The priestly blessing.

vii. returns to the completion of the Tent on the first day of the first month and the following days.

¹In Lev. xxv. 1 the words "in Mount Sinai" are omitted by the Septuagintal t and Cyr-ed and misplaced in a MS. of Cyril. They may be a gloss, but this does not affect the statements of xxvi. 46, xxvii. 34.

²To economize space it may be pointed out here that the theory set forth in the next section solves these difficulties.

Num. viii. is undated.

ix. 1-14. The first month.

15 reverts to the first day of the first month.

x. 1-10. No date.

11. The twentieth day of the second month of the second year.

29-32 } undated, but probably belonging to this period.
33-36 }

xi. 1-3. Taberah, no indication of date.

4-34. Kibroth Hattaavah.

35. Journey to Hazeroth and abiding there.

xii. Events at Hazeroth, journey to Paran.

xiii.-xxi. 11. (See EPC, pp. 114-138.)

12 ff. A passage shown by the geographical data to be out of order.

xxii.-xxiv. Balak and Balaam.

xxv. Baal Peor.

xxvi. The second census.

xxvii. 1-11. The daughters of Zelophehad (part i.).

12 f. Command to Moses to go up to the Mount of the Abarim.

15-23. Appointment of Joshua.

xxviii. f. Table of Statutory Public Offerings.

xxx. Vows and oaths.

xxxi. The war on Midian: "Afterwards shalt thou be gathered unto thy people" (ver. 2).

xxxii. The allotment of the trans-Jordanic territory.

xxxiii. 1-49. The Itinerary.

50-56. Commands as to the occupation of the land given on the east of the Jordan.¹

xxxiv. The boundaries of the land: appointment of a commission to effect the division.

xxxv. 1-8. Law as to Levitical cities given in the plains of Moab.

9-34. Law of cities of refuge given (ver. 10) east of the Jordan.

xxxvi. 1-12. The daughters of Zelophehad (part ii.).

¹ "In the plains of Moab by the Jordan at Jericho" is omitted by the Septuagintal h and misplaced in the original text of B (coming after "saying"). In d after "Moab" we find the words "and the Lord spake unto Moses, saying." These facts make it probable that the words omitted by h are due to a glossator, but the location is guaranteed by verse 51.

Num. xxxvi. 13. Colophon "in the plains of Moab by the Jordan at Jericho."¹

On this, Kennedy remarks: "The *present* arrangement of the whole is, to the western mind at least, confused and illogical. This lack of orderly arrangement is no doubt due *in part* to various amplifications which the original account (P~~ε~~) has received at the hands of later priestly writers" (Leviticus and Numbers, p. 185, my italics H. M. W.).

It will be seen that this claim is limited to partial explanation. It is not suggested that the documentary theory can solve the difficulties.

On the other hand, some rearrangements are obvious. Thus Num. xxxi. should clearly precede xxvii. 15-23: xxvii. 1-11 (and xxxvi.) presuppose xxxii. It is possible, too, that the last-named chapter should occupy a later position than xxxiv. 16-29 (xxxii. 28 presupposing xxxiv. 17, but this consideration is not cogent).

The evidence of Deuteronomy as to the order of the narrative is to the same effect, though caution must be observed in utilizing it.² The following table is given for comparison:—

DEUTERONOMY.		NUMBERS.
ii. 26	Sihon	xxi. 21 ff
iii. 1-11	Og	xxi. 33-35
12-20	Allocation of their territories	xxxii.
21 f.	Exhortation to Joshua	
23-25	Prayer for continued life	
27	Command to ascend Mount Pisgah	xxvii. 12-14
28	Instruction to command Joshua	? 15-23
29	We abode in the valley over against Beth-peor	? xxv. 1
iv. 1 ff.	Exhortation referring to Beth-peor	

The Massoretic text of Num. xxi. 33-35 is clearly a re-

¹The Septuagintal k omits the whole phrase. G originally omitted "at Jericho." HP 16 omits "in the plains of Moab."

²See as to this EPC, pp. 122 f.

writing of Deut. iii. 1 ff. and is in fact wanting in the Old Latin. But xxxii. would naturally follow the narratives of the conquest. Here, then, the archetypal theory exactly explains the phenomena. The original Numbers account of the conquest of Bashan was lost through damage to the MS., and Num. xxxii. lost its original position through the same cause (see further the next section). Subsequently an early post-archetypal editor, noticing the lacuna, supplied xxi. 33–35 from Deuteronomy. Further, as already remarked, the episode of the daughters of Zelophehad of the tribe of Manasseh in Num. xxvii. should follow, and not precede, the assignment of land to that tribe in xxxii.

Here, again, the documentary theory breaks down. If Num. xxxii. originally preceded xxvii., no reason can be suggested for an alteration of the order by the priestly redactor of the Hexateuch.

In a number of passages we can see clearly that there is something wrong, owing to lacunæ or transpositions, though it is usually impossible to say precisely what is missing. Thus, in Ex. xv. 25, we read: "There he made for him a statute and an ordinance, and there he proved him." There is nothing in the context to support the statement, and it would therefore seem that we are confronted with either a lacuna or (less probably) a transposition. Apparently, too, the subject of "he" is here God, but the subject of the last verb that now precedes this statement is Moses.

In Ex. xviii. 2 we read: "After he had sent her away," but we have no account of Zipporah's having been sent away.

Exodus xxxiv. 28 shows the clearest evidence of a lacuna. It is worth dealing with this verse in some detail, as it has occasioned much difficulty.

A modern finding a document bearing the legend "A

wrote" would conclude that it narrated scribal action on the part of A. But if between "A" and "wrote" he found a break, or a smear, or an erasure, in the document large enough to allow for the presence of some intermediate words before any damage had been sustained, he would not necessarily arrive at this conclusion. In reproducing the document he would be careful to indicate by some adequate method that "A" and "wrote" were not consecutive words in the original. Ancient Hebrew copyists, however, seem rarely, if ever, to have resorted to such means of avoiding error, and accordingly "A" and "wrote" would be written consecutively and would give rise to inevitable mistake. Now this is exactly what has happened in our verse. "And he wrote on the tables the words of the covenant, the ten words." Who? Grammatically the subject is Moses if the present text be read continuously. But we know that, in fact, the original narrative attributed the writing to God. This is abundantly clear from the parallel passages. In xxxiv. 1 we read: "And I will write on the tables the words which were on the first tables which thou didst break," and in Deut. x. 4: "And he wrote," etc. There can, therefore, be no question as to the original sense of the narrative.¹ But there is equally little as to the grammar of the present text. Here, then, we see that there is a lacuna.

Another obvious case is provided by Num. viii. 2: "When thou lightest the lamps, the seven lamps shall give light in front of the candlestick." This is as pointless as: "When you put your boots on, your boots shall be on your feet." The only suggestion as to a possible text comes from late

¹ As to the attempts to trace ten words in xxxiv. 10-26, they are their own refutation. There can be no doubt that originally this narrative agreed with the national consciousness in recognizing that God wrote the ten commandments on the second pair of tables.

copies of the Vulgate and is of unknown origin. In the Clementine text it reads: "Cum posueris septem lucernas, candelabrum in australi parte erigatur. Hoc igitur præcipe ut lucernæ contra boream e regione respiciant ad mensem panum propositionis, contra eam partem, quam candelabrum respicit, lucere debebunt." C. Vercellone (*Variæ Lectiones*, vol. i. pp. 405 ff.) is certainly successful in proving that this does not belong to Jerome's rendering.¹ If it really preserves some recollection of the archetypal reading, the lacuna is post-archetypal. But we have no ground for assuming that the reading is old.

Numbers xiii. 30: "And Caleb hushed the people to Moses and said [LXX, "Nay, but"] we will surely go up," presupposes some statement as to the attitude of the people which has fallen out.²

The historical retrospects of Deuteronomy also suggest lacunæ in the text of the earlier books. Numbers contains no account of the arrangement with Edom for passage on the northward journey which is narrated in Deut. ii. 1-8. The prayer for Aaron recorded in Deut. ix. 20 is not to be found in Exodus, nor is any statement of the manufacture of the Ark before the second sojourn on Mount Sinai (Deut. x. 3), nor the hostile conduct of Amalek mentioned in xxv. 18. In some of these cases reasons can be suggested which will look plausible at first sight, but the plausibility vanishes on closer study. Thus the Edomite incident might be regarded as incompatible with Num. xx. 14-18, and a redactor might be supposed to have omitted it on that account. But apart from the

¹The same holds good of the addition to the Vulgate text of xx. 6: "Atque dixerunt: Domine Deus audi clamorem hujus populi, et aperí eis thesaurum tuum fontem aquæ vivæ, ut satiati cesset murmuratio eorum" (after "faces"). This looks ecclesiastical.

²See EPC, p. 141.

evidence we have seen of the scrupulous preservation of even unconnected fragments which makes such a theory *a priori* unlikely, it is now certain that these chapters of Numbers have suffered grave derangement (EPC, pp. 114-138). And the omission of any narrative of the Amalekite acts of hostility is extremely puzzling. It must be remembered that the documentary theorists hold that the Deuteronomist had an earlier work (E or JE) before him from which he drew his facts. Accordingly they have to explain the conduct of the redactor in omitting from our present Pentateuch the passage which was known to D. This they fail to do.

The foregoing evidence could be strongly reënforced by following up the clues given by different subjects and showing (1) that matter which in the present arrangement stands later is frequently presupposed by that which stands earlier, and (2) that great improvements can be effected by rearrangements; but such inquiries may be more conveniently undertaken at a later stage.¹ The Samaritan Pentateuch also contributes some testimony in favor of the view taken in these pages. It places Ex. xxx. 1-10 immediately after xxvi. 35, and endeavors to fill in various real or supposed gaps from parallel passages. Possibly these efforts were prompted by a knowledge of what was then relatively recent history, for

¹ Those who hold that Neh. x. 35 (34) means that a command to bring a wood offering was written in the Law would regard this as evidence of another lacuna. Our Pentateuch contains no such command. The real reference, however, appears to be to the command to burn wood on the altar (Lev. vi. 5 [12]) the language of which verse is followed in Nehemiah. This wood was not provided by offerings, but by the exertion of the bondmen who were hewers of wood and drawers of water for the house of God (Josh. ix. 22, 27). The arrangement introduced by Nehemiah was designed to provide adequate up-to-date machinery for procuring the necessary wood to give effect to the words of Leviticus in the changed circumstances of his age.

it must be remembered that, on any theory, the Samaritan Pentateuch broke off from the Jewish tradition at a time when there must have been much knowledge of stages in the transmission of the Law at which we can only guess.

We may sum up the argument thus far by saying, (1) that there is strong evidence favoring some theory of archetypal or pre-archetypal damage, and (2) that the documentary theorists are admittedly unable to explain the facts.

II.

The Old Testament contains two distinct conceptions of the composition of the Pentateuch. According to the later view, there was a single large book of the Law of Moses which was (substantially) our present Pentateuch. This idea has influenced some of the extant texts even of the Law itself.¹ According to the earlier view, which is represented by the earliest readings, Moses was responsible for a library rather than a single book, and the Law, in the forms in which we have it, contains several books or their extant remains. This is so obvious that but for the influence of the later Old Testament theory on the one hand, and the higher critical hypotheses on the other, it could never have escaped notice.

In Gen. ii. 4a we are confronted with two conflicting readings. The Hebrew has: "These are the generations of"; the LXX, "This is the book of generation of." Here the clear issue must be faced. Which text has undergone alteration? Accidental corruption is out of the question. In neither language is there sufficient resemblance between the two phrases to make it a possibility. וְהַסְפָּר has nothing in

¹ See also Kittel's *Biblia Hebraica* on Josh. i. 7 and BS, Oct. 1916, p. 612, on Josh. xxiv. 26, in both of which passages references to the torah have been introduced by glossators. Elsewhere in Joshua the reference is to Deuteronomy or a part of it, not to the Pentateuch as a whole.

common with $\pi\lambda\kappa$, nor can $\alpha\upsilon\tau\eta\ \eta\ \beta\iota\beta\lambda\omicron\varsigma\ \gamma\epsilon\upsilon\epsilon\sigma\epsilon\omega\varsigma$ be a mistake for $\alpha\upsilon\tau\alpha\iota\ \alpha\iota\ \gamma\epsilon\upsilon\epsilon\sigma\epsilon\iota\varsigma$. One of these readings is a substitution. No reason can be suggested for an alteration in the Greek; but it is easy to see that its reading is in conflict with the idea of a single book of the Law, for whether we treat the words as title or colophon they undeniably point to a book. Hence there is a probability in favor of the Greek reading; and, as we observe other changes that have been made, owing to this and other theories, that presumption will be strengthened.

As it stands, the Massoretic text is nonsense. Skinner (*ad loc.*) finds the half verse "in the last degree perplexing." He refers it to what precedes, and proposes to translate: "This is the genealogical register of the heavens and the earth in their creation." He holds that the word "generations" always means "descendants." But what precedes does *not* refer to any descendants or genealogical register of the heavens and the earth, but to their origin. Clearly, then, the LXX is right in its reading, and the singular noun in this colophon has the sense assigned to it in the Greek.¹

In Gen. v. 1 we again find a title or colophon in which all texts agree in mentioning "a book," "This is the book of generation (or generations) of Adam (or man)"; for we can point חִלְדָּה as a plural, with the Massorettes, or (preferably) as a singular, with the LXX and the Vulgate.

It is not surprising to find the commentators in difficulty again. "The verses show signs of editorial manipulation" (Skinner). They certainly do, but the key to the trouble is

¹ Skinner may be right in thinking that, in the formula "these are the generations of," only a genitive of the progenitor is possible; but, in the formula "this is the book of the generation of," the genitive that follows is that of the progeny. It is objective, not subjective.

to be found in the fact that this phrase was originally a colophon, as in ii. 4, and has been mistaken by editors for a title.

Genesis, therefore, professedly comprises the extant remains of two books in addition to other materials. There is no statement as to their authorship.

In Ex. xvii. 14 we read: "And the Lord said unto Moses, Write this as a memorial in a book."¹ What book? We may reasonably infer that it was not in the book of the origin of the heavens and the earth or the book of the origin of man. Thus we have here a third book.

We are better informed as to the next volume mentioned. Moses wrote "all the words of the Lord" (Ex. xxiv. 4), and this writing is specifically termed "the book of the covenant" (ver. 7). It is clearly distinct from any of the three documents mentioned before.

Numbers xxxiii. 2 states that Moses wrote "their goings out." We have no information as to whether this was in the book which dealt with Amalek or in yet a fifth volume.

Before dealing with the Deuteronomic book of the covenant it is desirable to clear the ground by considering Deut. iv. 44 f. According to the Massoretic text we have a double title: "And this is the torah which . . . these are the testimonies." Not so the Vulgate. With the support of the LXX and K 99, 136, Jerome reads: "This is the law," omitting "and." He translates it not as a title, but as a colophon (*Ista est lex*). He begins verse 45, on the other hand, "And these are," etc. In this he has the support of the

¹The variations in the rendering presented by the Greek authorities and the displacement in the Bohairic suggest that "in a book" may be an early post-archetypal gloss. But סֵפֶר, "book," means any document in the Pentateuch. The phrase "in a book," therefore, adds nothing to the meaning, and its removal would subtract nothing.

Septuagintal fi, the Armenian, and the Ethiopic. The latter reading may be wrong, the former appears to be correct. Verse 44 seems originally to have been the colophon to the torah which Moses began to explain in chapter i. (see i. 5). It should apparently stand immediately after iv. 40. Through its displacement by iv. 41 ff. it ceased to be a colophon, and in the course of time the text underwent alterations to make it a title. The three preceding verses (41-43) appear to be a misplaced fragment of the narrative.

The following chapters contemplate a book containing "this torah" (xvii. 18). The colophon in xxviii. 69 carries our information further. "These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab *beside the covenant which he made with them in Horeb.*" A book of this torah, therefore, is additional to the book of the Horeb covenant. It may be a question whether i. 6-iv. 40 was originally in the same book or whether the colophon iv. 44 marked the conclusion of a book; but in any case it is a separate book from the Horeb covenant book.

In Deut. xxxi. 9 we read in the Massoretic text that Moses wrote "this law."¹ In verse 11 the Hebrew speaks of reading "this torah."²

It is, however, in verses 22, 24, and 26 that the greatest surprises await us. In verse 22 Jerome has "scripsit ergo

¹In the ordinary Septuagintal texts he wrote "all [Aya, F M N fir ej a k m q b, Arm Boh Syr Cyr] the words of this law in a book"; in a, he wrote "all these words of the law"; in n and K 5, "the words of the law."

²Jerome, however, has "the words of this law"; most Septuagintal authorities, "this law"; dpt, "the law." "This" is a frequent gloss (omitted by the Vulgate, Georgian, Sahidic, K, 95, HP 30, in Deut. i. 5, by the Vulgate in iv. 8, by K 9 in xxvii. 26, and by n and K 5 in xxxi. 9). In verse 12, for "all the words of this law," n has "all these words."

Moyses canticum et docuit filios Israel.”¹ In omitting “this” he has the support of the Septuagintal F, and, as we have seen, it is a common gloss.

Verse 23 is generally admitted to be misplaced. It should follow verse 15 immediately.

In verse 24 the Hebrew has: “And it came to pass, when Moses had made an end of writing the words of this law in a book until they were finished.” That is obviously wrong, for (1) we have already had a statement of the writing of the torah in verse 9, and (2) the context here relates to the song.² From the subjoined variants it is clear that the verse was originally very much shorter and contained no reference to the law. It has grown partly through what may be called normal glossing, and partly through glossing caused by the displacement of verse 23.

In verse 26 we again find “take this book of the law”; but this is unintelligible. The Ethiopic and Cyril, however, read “this book,” rightly, for the reference is to the song, not the law, which had already been given to the Levites in verse 9. If the whole context be read, there can be no doubt that it

¹ K 15, 104, 110, 190, support him in omitting “on that day.”

² K 18, 155, read “the song” (השירה), for “the torah” (התורה). K 4 omits “words”; K 69, “the torah”; K 196, “this”; and K 110, “on a book.” We are accordingly not surprised to find the Septuagintal authorities wavering between very different readings. For “writing,” dpt have “speaking”; h m omit the word altogether. It is clearly unnecessary if verse 23 is removed to its proper place, but we must then read with an Old Latin copy, “And Moses finished.” Most Septuagintal authorities have “all the words of this law”; f, “these things”; l, “all these words”; b', “all these words of this law”; ð w c Eth, “all these words of the law”; N xa have the $\rho\omicron\mu$ of law over an erasure, and in N the original reading was $\tau\omicron\upsilon\varsigma$, pointing to “these.” The rest of the verse is omitted by HP 71; “until they were finished,” by h u.

was a copy of the song that was to be deposited by the side of the Ark.¹

Looking back at the passages we have considered, we see that at the very lowest possible estimate we have to do with six books, of which four at least were Mosaic: (1) the book of the origin of the heavens and the earth; (2) the book of the origin of man; (3) a book in which Moses wrote about Amalek; (4) a book of the Horeb covenant; (5) a book of the Deuteronomic covenant; (6) a book of the song deposited by the side of the Ark. The itinerary may have been in (3) or may have formed a separate volume. The bulk of the first four chapters of Deuteronomy with their distinct colophon probably formed another.²

These passages are, however, far from exhausting our information, for we know that there were plenty of other Mosaic laws, and that writing was a common practice with Moses (see, in addition to the passages already cited, Num. xi. 26; xvii. 17 f. [EV 2 f.] etc.), and we find several colophons in the Pentateuch. Other considerations combine with these to make it probable that Moses, in fact, wrote many short books. Several of those already noted were short. This applies certainly to the books of the origin of the heavens and the earth and of man, the book of the Horeb covenant, and the book of the song, probably also to the itinerary. That a

¹ Before xxxii. 44 the LXX repeats xxxi. 22, converting the "song" into the "law." Variations in the readings again suggest that the original text was much shorter and that both the Massoretic text and the LXX have been amplified by glossators. Finally, in verse 46 M omits "all the words of this law."

² "The book of the wars of the Lord" mentioned in the Massoretic text of Num. xxi. 14 is not included; first, because the verse is very corrupt and nobody knows what the true reading is; and, secondly, because the whole passage from "for Arnon" in verse 13 to the end of verse 15 appears to be a commentator's addition.

lawgiver who habitually used writing should not have written all his laws in accordance with the universal custom of his age, but should have preferred to rely on the relatively uncertain and perishable method of oral transmission in the case of some (and only some) of them is incredible. That he should have preferred one long scroll to a number of short ones is most improbable. The practical inconvenience would be really portentous: A priest wishing to refresh his memory on some point of leprosy law or oaths would certainly not care to have to unroll the equivalent of some two or three hundred octavo pages in order to find his place. Nor is there any conceivable reason why matter relating to different topics and addressed to different audiences should be included in one long roll. We are expressly told that much of the Pentateuch was to reach the people through priestly teaching.¹ How explain the combination of such legislation in a single roll with the book of the song or the Deuteronomic covenant or the book of the origin of man? Such a course would be unnecessary, unwise, and most unpractical.

In the light of these observations we may consider another passage. Deuteronomy xxiv. 8 expressly refers to the torah of leprosy which will be communicated to the people by the priests. Such a torah is to be found in Lev. xiii. f. These chapters contain several colophons, and in their present form may represent not a single Mosaic "book" but several. Subject to such questions as this and to the ordinary processes of textual criticism, there is no ground whatever for doubting their Mosaic authenticity.

There are many colophons in the Pentateuch, particularly in Leviticus, and their existence is certainly favorable to a theory of many short books.

¹ See Lev. x. 11, Deut. xxiv. 8, xxxiii. 10, etc.; OP, p. 131.

On the view that the autograph of the Pentateuch was constituted by a large number of separate "books," many difficulties vanish, particularly if we suppose: (1) that these "books" were of varying length, so that in many instances a short narrative or enactment that was more or less self-contained had a "book" to itself; and (2) that no single "book" was very long, so that an extensive narrative or work like the Joseph story or the Deuteronomic covenant would occupy more than one volume.

1. Numerous facts point to accidental displacement of these "books." Thus Gen. xxxviii. should stand in or near xxxv. instead of in the middle of the Joseph story, and we have seen that Ex. xviii. is misplaced, and Num. xxv.-xxxvi. are disarranged.

2. The present confusion of groups of laws which in many instances are internally well arranged disappears. It becomes unnecessary to inquire into, say, the order *inter se* of Lev. xiii. and Num. xxx. or their precise positions in the narrative, for there is no reason to suppose that they were originally intended to form constituents of a single large work. Thus much of the present confusion will have arisen from the mere fact that all these "books" were subsequently united in a single scroll.

3. It becomes much easier to understand the process by which fragments reached their present places. Injury to some of these "books" through natural causes would produce such fragments as Deut. iv. 41-43 and x. 6 f. Probably the first of these chanced to be placed between the "book" that ended in iv. 44 and the first volume of the Deuteronomic covenant document. It was accordingly copied in that position on to a scroll. Subsequently iv. 44 was trans-

posed by an editor who mistook it for a title.¹ Again, the Deuteronomic covenant document was too bulky for one "book," and another fragment which had accidentally effected a lodgment between two of its volumes was consequently copied after x. 5.

Provisionally, then, we may regard the autograph of the Pentateuch as a library of different books written on a number of skins or leaves or tablets.² In transmission it suffered damage and derangement. The archetype represented an edition of its remains. Our existing copies represent recensions of the archetype.

¹Facts like this and the displacement of Deut. xxxi. 23, noted above, show that the archetype was not a direct transcript of the remains of the autograph. There were one or more intervening stages.

²Some recent writers claim that the Pentateuch was written in cuneiform, so that we should think of tablets. This would suit the facts we have noted, but is contradicted by some passages. Cuneiform can be written only on wet clay. Hence it cannot be contemplated by such verses as Num. v. 23; xvii. 17 f. (EV2f); Deut. vi. 9. There is no evidence of the use of cuneiform in the Pentateuch, and we know of other forms of writing being used centuries before the Exodus in Sinai (W. M. F. Petrie, *Researches in Sinai* [1906], pp. 130 ff.) and elsewhere (Petrie, *Formation of the Alphabet* [1912], p. 2).