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BIBLIOTHECA SACRA

CONTRIBUTIONS TO A NEW THEORY OF THE COMPOSITION OF THE PENTATEUCH (V.)

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XII

IN the foregoing essays we have seen reason to believe that our Pentateuch contains a good deal of commentary, and that many readings are due to theological doctrines of one kind or another. In the BS for April, 1918 (pp. 261 ff.), and April, 1919 (p. 219), short references were made to the subject of mysticism, which was thought to be probably responsible for some readings. This is a topic which would be best handled by professional theologians, but in order to draw attention to it some further discussion seems to be necessary.

There are two great aspects of the Divine nature which here claim our consideration. God is transcendent. He is also immanent. Passage after passage of the Hebrew Bible emphasizes His transcendence:—

“God is in heaven, and thou upon earth” (Eccl v 2).

“The heaven is my throne, and the earth is my footstool: what manner of house will ye build unto me? and what place shall be my rest?” (Isa lxvi 1).

“But will God in very deed dwell on the earth? behold, the heaven and the heaven of heavens cannot contain thee; how much less this house that I have builded” (1 K viii 27).

This idea of His transcendence has affected the text of many Biblical verses, and we have often had occasion to draw attention to readings that are due to it.¹

The doctrine of God's transcendence, if taken by itself

¹ See BS, Jan. 1915, pp. 98 f., 103 f., 144 ff., etc.; Jan. 1916, pp. 140 f.

and pushed to its utmost limits, removes Him altogether from human ken. That can never satisfy the religious soul which pants for communion with Him. And so more advanced theology sets some doctrine of immanence by the side of the conception of His transcendence. In view of later developments of Jewish thought it is natural to expect that if the Pentateuchal text has been affected by mystical doctrines, it is in the passages relating to God's dwelling among His people, the glory and the cloud, that we shall find them. The question raised in the passage cited from Solomon's prayer is answered in 3 Macc ii:—

“9 Thou, O King, when thou didst create the boundless and measureless earth, didst choose this city and sanctify this place for thyself, who hast need of nothing, and didst glorify it by a splendid manifestation, establishing it to the glory of thy great and honourable name.”

“15 For man cannot reach thy dwelling place, the heaven of heavens. But since thy good pleasure was in thy glory amongst thy people Israel, thou didst hallow this place” (C. W. Emmet's translation in R. H. Charles, *The Apocrypha and Pseudepigrapha of the Old Testament in English* [1913]).

Here we have a reply. God is transcendent and dwells in the heaven of heavens. Nevertheless, His glory dwells among His people Israel in the Temple. This conception is in line with the thought of the Bible (see, e.g., Isa vi 1, Ezk xliii 2 ff.).

In later Jewish thought the doctrine of the Shechinah is prominent. Derived from the verb “dwell,” this word means God's dwelling, the visible manifestation of His immanence.

“Wherever it is found in Targumic or Talmudic literature it is always in the sense of God's dwelling-house, the abiding of God in a certain spot. . . . From meaning the abode of God, the Shechinah gradually came to mean God Himself. . . . In Nu v 3 the phrase ‘I dwell among them’ is rendered by Onkelos as ‘My Shechinah dwells among them.’ In Ex xix 18 the Jerusalem Targum translates ‘because there was revealed thereon the Glory of God's Shechinah in a flame of fire.’ . . . That the usage of *σκηνή*

in the New Testament is a reference to the Rabbinic Shechinah, as is often maintained, seems to be true in some cases but not in all . . . the allusion in John i 14, where the Logos is said to have 'dwelt among us' (*ἐσκήνωσεν ἐν ἡμῖν*) seems to be a probable reference to Shechinah ideas" (J. Abelson, *The Immanence of God* [1912], pp. 78-80).

The whole chapter should be read. According to the same authority, "the close association of 'Kabod,' 'Glory,' with 'Shechinah' is of common occurrence. In the Greek they are both often indiscriminately translated by *δόξα*" (*op. cit.*, p. 57; see further pp. 380-382). Consequently we can now grasp the idea contained in the verses cited from 3 Macc. The transcendent God Himself dwells in the heaven of heavens. His Glory, or His Shechinah, — that is, the manifestation of His immanence, which is often indistinguishable from God Himself, — dwells in the Temple.

The Shechinah was sometimes pictured as light or fire. It was also conceived, or at any rate spoken of, as a cloud.

"The next materialised description of Shechinah, is that which depicts it by the figure of a cloud — the cloud of Shechinah. . . . A parallel phrase and one which occurs rather more frequently is 'clouds of glory' — Kabod being often synonymous with Shechinah. . . . Yalkuṭ on Song of Songs, 'His left hand is under my head, and His right hand doth embrace me' (chapter ii verse 6), says 'this alludes to the clouds of Shechinah which surround Israel above and below.' We could not get a more explicit statement of God as being immanent in Israel" (*op. cit.*, p. 93).

My contention here is that these ideas have affected readings of the Pent and editorial matter now embodied in it. For this I rely on two lines of evidence: (1) the inconsistency in the MT's representations of the Mishkan, or Dwelling, and the difficulty of harmonizing its views of the cloud; and (2) variants that are otherwise inexplicable. It is of course realized that Pentateuchal texts would be likely to color and shape Jewish mystical ideas, but it is suggested that these, in turn, have reacted on the form of the texts.

It has never been possible to give a satisfactory account of the relationship of the expressions "dwelling" and "tent of meeting" in the MT. Carpenter on Ex xxv 1 notes, for example, "the curious fact that in xxv-xxvii 19 the sanctuary is always called the Dwelling while in xxviii-xxix this name is replaced by the older term 'Tent of Meeting.'" A full study of all the occurrences of both expressions made some years ago by the present writer entirely failed to yield any intelligible line of usage.¹ As they stand in the Hebrew, the various passages cannot be original in their entirety. It may be conjectured that their present form is due to the mystical conceptions we have considered.

A telltale passage is Lev xxvi 11, "I will set my dwelling among you." The LXX, however, seems to have found "I will place my covenant," *θησα* being read for *σπησα* by all the authorities except bw dpt gn c Arm Eth (*vid.*), and "covenant" for "dwelling" by BAha, gn b, v (mg) Arm. "With you" is read by o for "in you"; "among you," by Eth. That is clearly a case of deliberate alteration. Now to grasp the ideas associated with the Dwelling we cannot do better than turn to such passages as Ex xl 34-38, Nu ix 15-23. What meaning can they bear except that God's presence dwelt among and guided the children of Israel? What is this but the Shechinah idea? And what are the symbols but those in which the Shechinah was materialized—fire and cloud? That the Shechinah idea as an influence on the exegesis of the Pent is as old as the LXX is clearly proved by the Greek renderings of Ex xxv 8, Dt xxxiii 16, to which attention was drawn in the BS for April, 1918 (p. 261). The verb "dwell" is there represented by "be seen," i.e. the translator understood it to refer to the visible manifestation of the Shechinah.

It is noteworthy that both Ex xl and Nu ix 15 ff. are

¹The LXX habitually has *σπησα* for Dwelling; but, as we cannot tell whether this represents a peculiarity of translation or a difference of text in doubtful passages, it gives no help.

suspect for other reasons. The concluding chapters of Ex cannot be original, as was shown in BS, April, 1918 (pp. 262 ff.). This portion of Nu connects with them. It is therefore reasonable to conjecture that both are due to mystical editors, and that this later mysticism is an element that has contributed to the present form of the books of Moses.

In Nu xiv 14, RV has "thou LORD art seen face to face, and thy cloud standeth over them, and thou goest before them, in a pillar of cloud by day, and in a pillar of fire by night." Septuagintal variants are here important. The Old Latin (Lyons Heptateuch) has "qui oculis ad oculos viderint Dñm," and qu omit "and thy cloud standeth over them and." It certainly looks as if the Old Latin had here preserved an earlier form of the text which has been altered in deference to passages denying that God was seen. Further, if we omit the words that are lacking in qu, we obtain a terser and much more forcible text. But those words exactly embody the conception of the cloud of the Shechinah or the cloud of the glory resting over Israel as the representation of God's immanence. This seems to be the work of a glossator, explaining the conception of God's presence, expressed in the simpler language of an early period, by translating it into the theological terminology of a far later age. The cloud of the Divine presence was over them. That is the gloss on the earlier "they saw the Lord [i.e. the symbol of His presence] face to face."

Similarly Nu x 34 is found only in the Hexaplar MSS ck among the Septuagintal authorities collated in the larger Cambridge LXX.

In Dt xxxi 15 the Wurzburg Latin seems to have read "and the Lord appeared in a cloud over the testimony." Objection was taken to this, and our authorities present several alternative texts.

Other passages of the Pent certainly suggest that in the first instance the narratives of the Mosaic age gave rise to this form of mysticism. The religious soul, panting for

constant intimate communion with its Maker, could not but fix on the Tabernacle in the wilderness, and the narratives of visible fire and cloud, as insuring and representing His presence. For what period was there in which God could be conceived as so near to His people as that in which He chose them and gave them His Law? When could His indwelling have been more vividly conspicuous than at the speaking of the Ten Commandments? Or how could His presence become more perceptible than in the clouds and fire of Sinai? The soul that thirsts for the living God must inevitably yearn to appear before Him (see Ps xlii 2) in the earthly Dwelling with which His worship and His manifestations are peculiarly associated. What wonder, then, if mystical thought attached especial importance to all that was connected with the desert sanctuary, and gave particular emphasis to the idea that it was the guarantee of God's immanence, preferring the term "Dwelling" to the name "tent," and writing notes and supplements that meant — and were intended to mean — only that the Shechinah was always with Israel in the wanderings?

It is to these conceptions that we appear to owe the mention of the glory in Ex xxxiii 18 (see BS, Jan. 1915, p. 148, n.). Perhaps the influence on other passages may be more extensive than I have yet realized, but for the present I refrain from further investigation.¹

¹Something was said (BS, April, 1918, pp. 260 f.) about the Judaizing of the text. In such a matter, progress must necessarily be slow, and will depend on the accumulation of minute pieces of research; but it is now possible to make a few further contributions to the subject.

The conception of all Israel or one of its subdivisions as a house appears to be late. The earlier writers spoke of Israel or the children of Israel. In the first seven books of the OT we find a few passages in which MT presents "House of Israel" or "House of Joseph." In Ex xvi 31 (MT, "House": K "18, 84, 129; primo 109 forte 244"; also R "1, 245, primo 18, 443, 479, 699 et ut videtur 404, Syrus" and other authorities, "children"); Lev xvii 3, 8, 10; xxii 18; Jgs i 22 (K "3, 4, 82, 93, 174, 180, 337; primo 77; forte 30, 130"; also R "196 primo 211, 226, 440, 554, 827 ac bini

XIII

Writing on Nu xxii 2-xxiv 25, Holzinger, the most acute of the documentary commentators on the book, observes that "the section is very skilfully edited; with a little good will it can be read as unitary—with the exception of the episode xxii 23-34, for that God first sanctions Balaam's journey and then becomes angry at it is after all impossible for one and the same narrator" (Numeri [1903], p. 104).

With this dictum I entirely concur; only it happens that Jerome's reading in Nu xxii 22 puts a completely different aspect on the matter. Departing from LXX and MT alike, he renders "et iratus est Deus, Stetitque angelus," etc. That would have been impossible if his Hebrew text had contained the Massoretic reason "because he went." The great exponent of the Hebrew verity would not have adopted a reading which is not evidenced by any *alii Graeci interpretes anonymi*, "children"); Josh xvii 17; xxi 43 ("House" omitted by K 100; K 149, 150, 173, 174, R "304, 579, primo 211, 705," "children"), the LXX has "children" for "house"; in Jgs i 23 (K 30 primo "children") the whole LXX (except q) and in 35 glwv Arm Lat omit "house"; in Ex xl 38 (32) the pre-Hexaplar LXX and K 129, 153 omit "house." In Jgs x 9 ("house of Ephraim") the facts are more complicated, and a full consideration would lead us too far; but it may be said that B and its allies have a different reading.

Exodus xix 3 ("house of Jacob") is of course a highly poetical passage and proves nothing for prose usage. In Nu xx 29, F* omits "all the house of Israel," which is a clear gloss; and in xvii 23 (8), the gloss "for the house of Levi" is wanting in F^b. That leaves only Lev x 6, "your brethren the whole house of Israel." Here the Lyons Heptateuch reads "Patris autem vestri omnis domus Istrahel." "Patris" may be a Latin error for "fratres," but it suggests the possibility of an earlier reading, "but your father's house [clan]," which has been corrupted by glossing, etc. That would give an admirable sense. In the later literature, on the other hand, "house of Israel, Jacob," etc., is common. The history of the phrase reveals something of the growth of ideas.

Another word favored in later times was *צֹרֵר*, "rising," to express the East, instead of *קֵרִים*. This is connected with its synagogal use. It appears to have affected our text in some passages, which may, however, be left to the commentators.

of our Septuagintal authorities unless it represented the Hebrew that was before him. With these two alternatives before us—Jerome's reading and the Massoretic—we can see that the latter is derived from the former, which in its turn is the result of a lacuna in the archetype. The reason for the kindling of God's wrath fell out. That left an inexplicable narrative, and a commentator, seeking to understand it, inserted a motive which is clearly wrong. There is a reference in 2 Pet ii 15 to Balaam "who loved the hire of wrongdoing." It would be rash to suggest that the writer of the epistle had a better text before him, yet it is possible that he has penetrated to the thought of the original narrative. It may well be that ver. 21 was immediately preceded by a statement that the princes of Moab offered Balaam a great reward if he would curse the people, and that he consented. If words to that effect have fallen out, the Vulgate text becomes entirely intelligible. That was the cause of the kindling of the anger, and was responsible for the terms on which the seer was ultimately allowed to proceed: "Only the word that I shall speak unto thee, that thou shalt speak" (ver. 35). It may of course be that there is further glossing in our present texts, and that ver. 20 has been amplified from ver. 35, but in the absence of evidence this cannot be assumed. In any case the above disposes of the main difficulty of the Balaam narrative.

In this connection it must be recalled that in ver. 5 Jerome reads: "He sent messengers to Balaam son of Beor, the soothsayer [*not to Pethor*; see BS, April, 1918, p. 254], who dwelt across the river of the land of the children of Ammon [*not his people*]." "Ammon" is supported by 13 MSS, the Samaritan, and the Syriac. Formerly I rejected it, but I now think that it should be accepted with Jerome's other readings in the verse. The designation "river of the children of Ammon" excludes the notion that the river intended was the Euphrates.

Mention must just be made of another factor that is partly responsible for the present form of our Pent, viz.

the transpositions. I have already suggested some from time to time (see, e.g., EPC *passim* and BS, Jan. 1915 and Jan. 1916). It may now be pointed out, that, while Moses says in Ex x 29 that he will no more see Pharaoh's face, we find him again speaking to the king in xi 4-8, *after* an intermediate passage the scene of which is outside the palace. Probably there has been a transposition. Exodus xi 1-3 should presumably stand later, and 4-8 gives us a speech that should follow x 29 immediately.

XIV

The history of the OT book must now be considered. It is submitted that the evidence points to three distinct stages. In the first, the book consists of a short writing or several short writings. In the second, another type, called a book-roll, is found side by side with the short writings. In the third, the book-roll is so firmly established that it is denoted by "book" used absolutely, and no other form is contemplated for a lengthy work.

The word ספר (commonly rendered book) occurs in the following passages of the Hebrew Pent: Gen v 1; Ex xvii 14; xxiv 7; xxxii 32, 33; Nu v 23; xxi 14; Dt xvii 18; xxiv 1, 3; xxviii 58, 61; xxix 19 (20), 20 (21), 26 (27); xxx 10; xxxi 24, 26. Many of these passages have already been discussed in the BS for Jan. 1918, pp. 95-100, and we have seen that the references are usually to short writings that do not in any way suggest a scroll. This applies to Gen v 1; Ex xvii 14; xxiv 7; Dt xxxi 24, 26. Numbers xxi 14 is due to a commentator, but sheds no light whatever on the form of the book mentioned. Of the remaining passages, Ex xxxii 32 f. refers to a writing of God's, and no inference can here be drawn; in Nu v 23 the word is used of the short writing prepared by the priest in the ordeal of jealousy, which was very far from being a book-roll, and in Dt xxiv 1, 3, of the bill of divorce, i.e. another short writing. In all the remaining passages the precise text is more or less uncertain; but none contains any indication of a book-roll, and all

would be satisfied by the hypothesis that a book consisted of one or, if necessary, more skins or other short writings.¹

If, therefore, we look carefully at all the instances, there is not one that supports the idea that the book-roll was early in use. Moreover, no passage proves that the

¹ In Dt xvii 18 we read that the king (if that be the correct text, but see PS, pp. 157 ff.) is to write a copy of this torah on a book. K 6, however, omits "on a book." In Dt xxviii 58 we have "all the words of this law written in this book" presented by MT, LXX, and Vulg. K 9 omits "law," and has the first two letters of ספר (in book) over an erasure. K 252 omits "this." It is of course possible that an earlier text had "all the words written in the law" or "all the words of the law." In 61 Jerome and many Greek authorities have "every plague which is not written in the book of this law." That would imply that the curses of xxviii form part of "the book of this law." But there are Septuagintal variants. "In this book" is read by ha, dp Lat. That leaves a possibility that the book containing the curses was in form a separate writing from the book of the law. When we come to the narrative of the finding of the book in 2 K xxii we shall see reason to hold that the book included xxviii. This, however, does not conclude the question, for it may be said that the speech was too long for a single document, and therefore extended over several which could together be called a book, just as we can apply the English term to a single work in many volumes. Again, K 109 originally read "in this law"; and, according to De Rossi, 16 or 17 Hebrew MSS, the Syriac, and various Targumic authorities have "in this book of the law." In Dt xxix 19 (20) we read in MT and Vulg of "all the curse written in this book." K 2, 111, have "book" over an erasure. The pre-Hexaplar LXX added "of the law," which was obelized by Origen. Here the Hebrew reading would be quite compatible with the view that xxviii was the book meant. In ver. 20 (21) we have in MT "in this book of the law," but K 253 and a, omit "law" and 1 Eth read "in this book"; while K 111 seems to read "in this book this law," which is obviously conflate. As usual a number of authorities have "in the book of this law" (see De Rossi *ad loc.*). In ver. 26 (27) MT and Vulg have "in this book"; the pre-Hexaplar LXX again added "of the law," which was obelized by Origen. K 4, 129, read "in this book of the law." Lastly, in xxx 10 Jerome has "in this law"; MT, "in this book of the law"; K 106 and the Syriac, "in this book"; while the Septuagintal authorities are divided between several readings, of which "in the book of this law" is supported by most, also by R 248, and some other texts (see De Rossi *ad loc.*).

whole of Dt, let alone the whole Pent, was in the form of a single book. If it consisted of a series of writings of which the legal portion of Dt formed one, the language of these texts would be satisfied. On the other hand, it may justly be urged that the legal portion is so much longer than xxviii, or the book of the song, or any of the other books we have met in the Pent, that we can scarcely suppose it to have been a single writing. Moreover, xxviii, which was plainly a separate writing in form, is (as we shall see) included in the book of 2 K xxii f. As already suggested, we may reasonably suppose that where the subject-matter of a single work or section was too long for one document, the word "book" could be used of the two or more writings of which it was comprised. But the textual evidence leaves a doubt whether this was originally done in any passage of the Pent. It may be that "book" was confined to a short writing; that in our texts sometimes "law" alone, and in the other places "book" alone, is the true reading; and that the references to book of the law are due to editorial activity and conflation at a much later period. Be that as it may, no trace of the scroll form can be detected.

Finally, Dt xxvii 3, 8, "all the words of this torah," throws no light on our problem.

The Book of Joshua has been much edited, and it would carry us too far to discuss its present condition. Suffice it to say that the reference to a book in x 13 was unknown to the LXX; that in xxiii 6 the Sahidic read "in the law," thus giving no information as to the external form of the writing; that in xxiv 26 the original LXX obviously read "a book" for "the book of the law of God" (BS, Oct. 1916, p. 612); and that viii 31, 34 (where there are also important variants, see De Rossi *ad loc.*), are part of a passage which appears to be due to a later editor. That leaves only i 8; and, unless it be held that this text is early in its present form, the Book of Joshua provides no evidence in favor of lengthy books.

The conclusions to be drawn from our survey of these

passages appear to be as follows: (1) there is abundant evidence that many books were extremely short writings; (2) there is no evidence at all of the existence of any books in the form of long scrolls in the early period; (3) most passages relating to the book in Dt have been so worked over that it is not easy to reach certainty as to the precise form originally contemplated by the speeches. When we read of "this book" in Dt xxviii 58 we cannot be sure whether the orator indicated one writing or several, and whether it was identical with the MS of the discourse he was then reading or separate from it. But, if the expressions used are ambiguous if taken by themselves, it must be remembered that there are phenomena scattered over all the early portions of the Bible of which this cannot be predicated. We have seen that our Pent refers to, and apparently incorporates, a number of short books, such as the book of the genesis of the heavens, etc., the book of the genesis of man, the books of the covenant and of the song; and that there are numbers of displacements, and even in some sections a general absence of systematic order, which point decisively to a library of short writings as the original cause of many of our troubles. In Dt itself we found two passages which could be explained only as fragments of the earlier narrative that had accidentally lodged between different leaves of the speeches. The numerous colophons of the Pent reinforced this conclusion. Further evidence may be obtained from the condition of other narrative and prophetic books. The fact that the references to Mosaic writings in the Pent contemplate short documents further suggests that the long scroll was not in use.

That the form of writing habitually employed was *not* cuneiform is proved by Ex xxxii 32; Nu v 23; xvii 17 f. (2 f.), all of which rule this out. Further, the expression "book" is an entirely different word from *ṣāḡ* "tablet."

These conclusions are confirmed by archæological information which points to the use of an alphabetical script. While papyrus would, even if obtainable in the desert,

naturally be rejected in favor of skins or some other more durable writing material, its common use in Egypt militates against the cuneiform theory. We happen to have clear evidence that it was also employed in Palestine, though the nature of the climate has made impossible the survival of any papyrus records in that country. One Wenamon was sent by Hrihor, the high priest of Amon, in the fifth year probably of Ramees XII (*circa* 1114 B.C.) to obtain cedar from the Lebanon forests. He made out a long report on his return home, and most of it is still extant. A translation will be found in J. H. Breasted's "Ancient Records," vol. iv. pp. 278 ff. Zakar-Baal, prince of Byblos, during an interview with Wenamon, "had the journal of his fathers brought in and he had them read it before me" (p. 282). Later in the report we read of the arrival of sundry goods from Egypt, including "papyrus 500 rolls" (p. 284). "It is evident, therefore," observes Dr. C. F. Burney, "that this Phoenician king knew and valued a material which could only be employed for writing with pen and ink" (Judges [1918], p. 258). That is, not more than 120 years after the date of the Exodus. A number of scholars are now also of opinion that Sinaitic inscriptions are in an alphabetic Semitic writing. The most recent discussion I have seen is that of Robert Eisler in the *Biblische Zeitschrift*, vol. xv. (1918) pp. 1-8. Following on earlier work of A. H. Gardiner and other scholars, he propounds a decipherment of these inscriptions, which he thinks are probably Kenite. Dr. Gardiner himself, who did the pioneer work with much skill and acumen, says: "Thus we have to face the fact that, at all events not later than 1500 B.C., there existed in Sinai, i.e. on Semitic soil, a form of writing almost certainly alphabetic in character and clearly modelled on the Egyptian hieroglyphs" (*Journal of Egyptian Archæology*, vol. iii. [1916] p. 16). The details of the decipherment must be left to the judgment of those who specialize in the history of the alphabet. But the verdict quoted cannot be upset by any dispute of that character. Whether

the decipherment is correct or not, the *existence* of these alphabetic inscriptions in Sinai is not in doubt, nor is the fact that they date at least some two centuries before the Exodus. It is thus unnecessary to trouble about further evidence.¹

The Hebrew word סֵפֶר, which *does* mean "roll," is found in Jer xxxvi (14 times); Ezk ii 9; iii 1, 2, 3; Zech v 1, 2; Ps xl 8. Now it is very noteworthy that in three out of these four passages the first occurrence is in combination with the word "book," i.e. "a roll of a book," "a book-roll," as if neither term would be sufficient by itself to express the conception to be conveyed. After the initial idea has been given it can be referred to by simpler expressions, like "this roll," but only when its nature has been defined. Nor is this view weakened by Zech v, though that passage is later. There the prophet is asked what he sees, and he replies, "A flying roll." The next verse then adds information as to the nature of the roll. From these facts we may fairly draw the inference that in the age of Jeremiah and Ezekiel neither word alone was sufficient. There were books which were not rolls, just as there were rolls which were not books; and, consequently, the composite phrase "book-roll," or else some description of the nature of the roll, was required to define the meaning. This, again, entirely supports the view taken above as to the nature of the Mosaic books, and also throws light on the probable meaning of the word "book" in a narrative of the age of Jeremiah to which we must now turn, viz. 2 K xxii 8-xxiii 30.

It would be a mistake to essay an exhaustive discussion

¹The following may be quoted from Dr. Burney's discussion of "the use of writing among the Israelites at the time of the Judges": "The alphabetic letters discovered by Schumacher at Megiddo (cf. Tell el-Mutesellim, p. 109) are dated by Kittel (Geschichte des Volkes Israel, 2d ed., i. p. 120) between the sixteenth and thirteenth centuries B.C." (*op. cit.*, p. 261). He also points out that signs on fragments of pottery found by Bliss in strata of the mound at Tell-el-Hesi, dated by him not later than 1600 B.C., bear a remarkable resemblance to West Semitic letters.

of this passage until 4 Kingdoms and 2 Chronicles have appeared in the larger Cambridge LXX, seeing that any work done now would have to be undertaken anew when the fuller Greek materials are available. All that will be attempted is just so much consideration as is necessary to discover what light the passage throws on the problems under discussion.

The Greek of these chapters is not as old as the Septuagintal Pent and is less valuable for taking us behind the MT. Nevertheless, it is sometimes of the greatest utility. One instance of this may be noted. In xxii 20 the Hebrew (supported by 2 Ch xxxiv 28) reads, "Thou shalt be gathered to thy grave *in peace*." This is directly contradicted by xxiii 29 f., where we read that Josiah was killed in the battle of Megiddo. Much is made of this by A. F. Puukko (Das Deuteronomium [1910], pp. 4, 21). But, on turning to Holmes and Parsons and Field, we find the variant reading "in Jerusalem" for "in peace." There is no resemblance between the words in Greek, but in Hebrew the last half of "Jerusalem" is the word for "peace." We see, therefore, that the origin of the trouble lies in a slight lesion to our Hebrew text, which is older than Chronicles, but not than the text from which the pre-Hexaplar LXX was made. The reading "Jerusalem" fits in exactly with the subsequent events.

We read in xxii 8 that Hilkiyah said to Shaphan, "I have found the [or possibly a] book of the torah." The Hebrew would normally mean "the book," but the rendering "a," adopted here by the Greek, is possible though rare (Gesenius, Hebrew Grammar [ed. by E. Kautzsch, 2d Eng. ed.], par. 127 e). The context gives no clue to the shape of the book, and we are therefore thrown back on the actual words employed as interpreted in the light of the linguistic usage of the age.

Prima facie, if a man states that he has found a book he means such an object as his interlocutor would, in the light of contemporary usage, expect him to denote by the expression. Again, if he says he has found an old book,

he would be understood to mean an object of the form and appearance usual to old books. Applying these considerations to this passage, we must conclude that the article found was of the character to be expected in a book of the torah which had disappeared from view for some time, and therefore could not be other than old. Consequently, in the absence of evidence of the early use of book-rolls among the Hebrews, and having regard to the volume of proof that they used short writings, the natural inference is that this book was not in scroll form. We shall see later that this is strongly confirmed by the testimony of the Chronicler, who found that the language used was not apt if applied to the scrolls of the law with which alone his age was familiar, and amended it accordingly. The passages already cited from the prophets support our view. Had this object been a scroll, the appropriate expression would have been not "book of the torah," but either "book-roll of the torah" or else "roll of the torah," which, in view of the further definition conveyed by the genitive, would presumably have been adequate. We are therefore justified in concluding that the book found was not a scroll.

The other references in these chapters add no further information as to the form of the book, but something may be gleaned as to its size and contents. It is called "book of the torah" and "book of the covenant" (xxiii 2, 21). The latter expression could certainly not be applied to the Pent as a whole. Later usage gave the former term to the complete work, but the early information excludes this possibility. Often as the word "torah" occurs in the Pent, the context is always such as to exclude its application to the entire work. Thus nobody could suggest that it means the five books in Ex xxiv 12 or Lev vii 37 or xiii 29, to take but a few representative instances. When we hear of Moses writing in a book it is never suggested that this is the book of the torah. The numerous passages that give particular names, like the book of the genesis of man, the torah of the burnt offering, the commandment which

the Lord commanded Moses for the children of Israel in Mount Sinai, all negative the idea of a comprehensive book of the torah comprising the entire Pent. As a matter of fact, "book of the torah" is not applied to any part of the first four books. A writing containing the torah relating to any particular subject, such as the burnt offering, might be called the torah of the burnt offering, but that is different from terming it the book of the torah without further definition.

Book of the covenant could be applied to three, or at the most four, portions of the Pent, viz. the book of the covenant in Horeb (Ex xxiv 7), the terms of its renewal in Ex xxxiv, perhaps to the terms of the land covenant (cp. Lev xxvi), and certainly to the covenant in the land of Moab (Dt xxviii 69 [xxix 1]). Book of the torah is applied only to Dt or some portions of it.

Further, according to 2 K xxii 8, 10, the book was read twice in a day, which would be impossible of the Pent. The Chronicler, living in an age when the whole work was familiar only in scroll form and was known as it is to-day as the book of the torah, naturally assumes that this expression had the same meaning in this narrative, and, noticing the point, omitted the first reading (2 Ch xxxiv 15), made Shaphan carry the book to the king as a modern synagogue scroll is carried (ver. 16), and amended the statement of the second reading to fit in with the same idea by substituting "read *in* it" (ver. 18) for "read *it*." The changes show the different terminology of his age and the character of its books of the law. As in the case of Ezra's book, of which similar expressions are used, the scroll form is taken for granted. The Chronicler's expressions only emphasize the differences in the earlier period.

For these reasons it cannot be held that the book taken to the king comprised the entire Pent. The terminology fits part of Dt best, and is supported by other considerations. The consolatory prophecy, as we have seen, foretold that the king should be buried in Jerusalem. That

would have been meaningless had the book consisted of the Sinaitic covenant document. But it was very relevant and comforting if Dt xxviii 36 f. had been read: "The Lord shall bring thee, and thy rulers [see PS, pp. 157 ff.] which thou shalt set over thee, unto a nation which thou hast not known, thou nor thy fathers; and there shalt thou serve other gods, wood and stone. And thou shalt become an astonishment, a proverb, and a byword, among all the people whither the Lord shall lead thee." To the monarch who had just heard that, and the terrible forecasts of the siege and the exile in the same chapter, there was much comfort in the message, "As touching the words which thou hast heard, because thine heart was tender, . . . I also have heard thee, saith the Lord. Therefore, behold, I will gather thee to thy fathers, and thou shalt be gathered to thy grave in Jerusalem, neither shall thine eyes see all the evil" (2 K xxii 18 ff.).

This view is confirmed by the character of the reforms undertaken by Josiah. While some of them could be explained from other parts of the Pent, *all* are explicable on the view that his book embraced the Deuteronomic code. Thus the removal of wizards, etc. (2 K xxiii 24), if it stood alone, might be explained from Lev xix f. as well as from Dt xviii 10 ff., but the treatment of the priests of the high places (ver. 10) cannot be due to any enactment but Dt xviii 6 ff. This only deals with the case of Levites who came to the religious capital through religious zeal. It was, therefore, far from applying exactly to the case of the idolatrous priests who lost their living through a reform. There would be natural objections alike from the point of view of their religious antecedents and from the standpoint of protecting the vested interests of the Jerusalem priesthood to admitting them to equality of position. The actual step taken was to apply the law as nearly as might be to a set of circumstances it did not contemplate; and that was the best solution possible till Ezekiel, with the full prophetic authority, propounded a method which combined justice to their claim with suit-

able provision for the proved needs of the ritual (*Ezk* xliiv; see *PS*, pp. 277 ff.; *BS*, April 1916, pp. 214-229).

Our materials do not take us very much further. We cannot definitely say how much of *Dt* was included in the book of the law. We have seen that the colophons are particularly numerous in the *Pent*. There is one in *xxviii* 69, and it is perfectly possible that this formed the end of the book actually handed to Shaphan, but we cannot be sure of this. Similarly with the beginning. *Hilkiah* may have regarded *xii* 1 or an earlier verse as the commencement of the book of the torah. If it came from some receptacle where other books, such as the book of the genesis of man, the torah of leprosy, the book of the song, etc., were also stored, we cannot say with certainty how much would be taken as belonging to the book of the covenant. Two points seem clear. As has been remarked more than once, our *Dt* contains at least two fragments (*iv* 41-43 and *x* 6 f.) which point to its having come from such a store. It may be asked why, if that was so, *Hilkiah* only sent part of its contents. The answer seems to be that for one reason or another the rest were of no particular interest to the king. Rules that were to be administered by the priests or taught by them were no concern of his, nor were historical narratives of immediate practical importance to him. The provisions of the book of the Sinaitic covenant, so far as they affected the relations between men, had long been acted on. The only portion of the law originally intended for public reading was *Dt*; and, consequently, that or so much of it as *Hilkiah* regarded as the book of the covenant was all that would naturally be sent. As it is difficult to suppose, that, after the reformation it had called forth, the book was again relegated to a heap of mouldering documents and not published abroad in numerous copies, it would seem most probable that the fragments had already established themselves in their present positions at the time of the discovery and were sent with it. That would mean that the book contained the first speech and all the intervening

matter that precedes xii 1. Probably Hilkiah found a receptacle containing all the writings of the Pent, then not yet known as the Torah, perhaps damaged as the result of the dilapidations which led to the repairs in connection with which the find appears to have been made. He sent the relevant portion by Shaphan while himself probably setting in motion that process of editing and copying which ultimately gave us our present editions of the Pent.

The other palpable phenomenon is provided by the repeated instructions to Moses in Nu xxvii 12-14 and Dt xxxii 48 ff. These are fundamentally the same passage (BS, Oct. 1915, pp. 603 f.). Now it is clear that the occurrence of these verses at a thoroughly unsuitable point in Nu cannot be due to deliberate design, but only to those accidents which the library theory explains. Further, Dt iii 27 refers to the command as having already been given. It would seem, therefore, that the repetition in Dt is due to an editor, and that this passage certainly did not form part of the book handed to Shaphan.

We can now return to the question raised by the Greek rendering "a book of the law" in xxii 8. From a linguistic standpoint it is extremely improbable. After what we have seen of the way in which the Chronicler altered the text in the light of the conditions prevailing in his own day, it is not difficult to see that they influenced the Greek translator. "The book of the law" is possible of only one book — the autograph. Accustomed to the concurrent existence of numerous copies, it never struck him that the Hebrew narrative referred to the original at a time when no copies existed; and accordingly he rendered it as if the circumstances of his own time applied. Had this been anything but the only existing copy, we should have had some phrase like "a copy of the law."

When we turn to the lawbook of Ezra we find the long book-roll so firmly established that it is called a book without anything more. In Neh viii 2 the torah is carried by Ezra even as the Chronicler had conceived Josiah's law-

book to be. It was long enough for the reading to proceed from day to day, extending on the first from dawn to midday (ver. 3). It is opened (ver. 5). The reading is not a reading *of* the book, but a reading *in* it (ver. 8), even as the Chronicler had supposed in the case of Hilkiah's book. On the second day of this reading they reached Lev xxiii 39-43 (Neh viii 14 ff.). That certainly looks as if they had started at the beginning of Genesis. The references in Neh ix f., xiii 1 ff. make it clear that the book of the Torah included every part of our Pent, though it is manifest that the text was not in all cases the same. For example, Neh ix 18 quotes Ex xxxii 4 as "This is thy god," not "These be thy gods." Here we have the conception of the scroll of the law so firmly established as to make the use of the word "roll" unnecessary.

A few words should be said about Nehemiah's covenant. It was directed to two things: (1) insuring the strict observance of those portions of the Law which there was the greatest temptation to violate; and (2) providing the necessary machinery to carry out its provisions in the changed circumstances of the age. In these matters it adopted certain interpretations which were held to be correct, but are not necessarily the meaning that would have been assigned to its provisions in the Mosaic age. The Pent is silent as to the fund from which the national offerings were ultimately to be defrayed. They would fall on the proceeds of the census ransom in the first instance (Ex xxx 16). When that was exhausted it is natural to suppose that the redemption moneys of the first-born were to be used for the purpose, but this does not appear in the present text of the Pent. Be that as it may, it left a problem for the post-exilic authorities to solve. The endowment of the central sanctuary with slaves to cut wood and draw water solves the difficulty of providing the fuel (see Josh ix 21 ff.), and there were other classes of temple attendants (Nethinim, etc.). Ezekiel, at any rate, conceived of the prince as providing the material for the national offerings (xlv 17). Probably the king had done so from

the time of David or Solomon. These sources of revenue were no longer available, and accordingly we read that a new tax was introduced by covenant. "We made to stand on ourselves commandments to give the third of a shekel yearly for the service of the house of our God," etc. (Neh x 33 ff. [32 ff.]). Observe the language. It is apt for the voluntary introduction of a fresh obligation. It could not be used of mere obedience to an existing duty already imposed by the Law. That would have "stood on" them by virtue of the command of God. Similarly with the wood. Leviticus vi 12 requires the burning of wood upon the altar; but in the absence of the hierodules of the earlier period some machinery was necessary for securing it. This was provided in the manner indicated in 35 (34). As to tithes, see BS, Jan. 1920, pp. 72 ff.

xv

It is desirable to cast a glance at certain poems that are now incorporated in the Pent. From what has been said it is clear that in turning a library of short writings into the contents of a scroll it would be easy enough to include the work of another author. If an anonymous poem was erroneously ascribed to Jacob or Moses it could very easily have become a portion of our present Pent. At the same time the presumption in each case is that the ascription we find is correct, and the onus of proof rests with those who assert that the piece in question is not by the traditional author.

In examining the arguments advanced against the early date of these portions of the Pent, I have been greatly impressed by the fact that all the most important rest on subjective opinions of the most arbitrary kind. The most persistent of these is that nobody could have foretold anything. Now in the view of Ezekiel, who was in a position to know, the exile was predicted in the wilderness (Ezk xx), and consequently this consideration may be ruled out.

The first of these poems is the blessing of Jacob in Gen xlix. I take the leading arguments advanced by Skinner

ad loc., as typical of the contentions put forward. He says truly, "That it was composed from the first in the name of Jacob appears clearly from internal indications (ver. 3f., 9 [18], 26)." Here, therefore, no suggestion of erroneous ascription can be raised. But he thinks its utterance by the patriarch "incredible." "In the first place, the outlook of the poem is bounded (as we shall afterwards see) by a particular historical situation, removed by many centuries from the supposed time of utterance: . . . It is obvious that the document as a whole has historic significance only when regarded as a production of the age to which it refers" (p. 508). But there is no such age! "The decisive consideration, however, is that no single period of history can be found which satisfies all the indications of date drawn from the several oracles" (p. 510). The "particular historical situation" and the "historic significance" are, therefore, non-existent. To meet this difficulty Skinner puts forth a totally different theory:—

"The process of composition must therefore have been a protracted one; the poem may be supposed to have existed as a traditional document whose origin dates from the early days of the Israelite occupation of Palestine, and which underwent successive modifications and expansions before it took final shape in the hands of a Judæan poet of the age of David or Solomon" (p. 509).

Let us test this. Two tribes are included in a single oracle which cannot be rent asunder in such a way as to assign different lots to them. "Simeon and Levi are brethren; weapons of violence are their swords. O my soul, come thou not into their council. Unto their assembly, my glory, be not thou united; For in their anger they slew a man, And in their selfwill they houghed an ox. Cursed be their anger, for it was fierce; And their wrath, for it was cruel: I will divide them in Jacob, And scatter them in Israel" (Gen xlix 5 ff.). Is there any single period at which this characterization will apply to both these tribes? Simeon is not yet "scattered in Israel" when it joins

Judah in the campaign mentioned in Jgs i 3 ff., but by that time Levi had already earned a "blessing" (Ex xxxii 29) that made it a tribe of special privileges. From the days of Moses onwards nobody could have composed a poem speaking in this strain of Levi. Into what council was it more desirable to enter than into theirs. Or to whose assembly had the glory of God Himself united itself in fuller measure? And had not their cruel wrath been blessed? This oracle, therefore, is pre-Mosaic. As it refers to different periods in the history of the two tribes to which it relates — the pre-Sinaitic, in the case of Levi, and some post-conquest time in dealing with Simeon — it is obvious that the whole case collapses. *At any date at which this oracle could have been written as history of Levi it was pure prediction of Simeon.* That, then, proves three points: (1) the pre-Mosaic date of part of the blessing; (2) its predictive character; and (3) its original prophetic references to different periods in the case of different tribes. When to this we add the admitted fact that the blessing professedly comes from Jacob, it is impossible to deny his authorship on any reasonable ground. Skinner cannot understand why "trivial incidents" like the details relating to Zebulun, Asher, and Issachar, "are dwelt upon to the exclusion of events of far greater national and religious importance, such as the Exodus," etc. The answer is, that, in blessing the separate tribes as individual units, matters that were of equal concern to all are out of place. Then he asserts that "the strong national sentiment" could not have existed in the lifetime of Jacob, and contends that there is a "complete absence of the family feeling." Strong national sentiment is inevitable where one race is in contact with another the members of which will not even eat meat with foreigners (Gen xliii 32), and family feeling can only be read out of the poem by the most perverse misinterpretations of such passages as 3 f., 9, 26. Altogether Skinner's arguments are a perfect example of incoherent subjectivity.

König (Die Genesis [1919]) holds that the blessing is

by Jacob, but that it received additions in the time of the Judges. He adduces no evidence of this.

I should be glad to defend the authenticity of the song of Moses in Ex xv 2-18 against the attacks made upon it if I could discover that the documentary critics themselves believed in their arguments. But after carefully studying Carpenter's discussion (*Hexateuch* [1900], vol. i. p. 160) I have come to the conclusion that he himself is, for once, conscious of their weakness, for he winds up with the following remarks: "The evidence is rather general than specific: the place of the poem will be judged rather in connexion with a wide view of Israel's religious and literary development than on the more definite ground of particular historic allusion." I understand this as an admission that the school to which he belongs have no evidence, and proceed on pure subjectivity in dealing with this poem.

The song of Dt xxxii is the next piece. Here we are not dealing with a mere possibility of erroneous ascription, for there is an elaborate narrative in xxxi 16-30, all of which must be a deliberate invention if the poem is not Mosaic. If we ask what reasons are given for denying it to its traditional author, we meet the usual dogmatic subjectivity. Thus König (*Deuteronomium*, pp. 214 f.) relies particularly on its monotheistic tone, exemplified in such expressions as "Beside me there is no other" (ver. 39); but, as Akhnaton could write like that a century and a half *before* the Exodus (see *The Religion of Moses*, BS, July, 1919, or in the pamphlet reprint), the substratum of the argument has been removed. He also asserts that it would have been "unpädagogisch" to have discouraged the religious elevation of the Mosaic age by drawing such a picture of the future. Such a contention deserves no reply. Sir G. A. Smith (*Deuteronomy* [1918], pp. 342 f.) says that "the poem makes no claim to be by Moses, and reflects nothing of his time or circumstances." The introduction is, however, perfectly explicit as to authorship, and it is not usual for poems in any language to incorporate a statement of this as an integral part of the

composition. The failure to reflect the Mosaic age is fully explained by its purpose; and that is why "it is addressed throughout to a generation at a remote distance from Israel's origin in the desert." Moreover, the documentary critics are quite unable to agree on any period whatever as being suitable for its composition (see Smith, *op. cit.*, pp. 342 f.). This is exactly what might be expected if it comes from Moses, but it is the *reductio ad absurdum* of their contention that a poem must necessarily reflect the time in which it was composed. Carried to its logical conclusion, this argument would prove that this poem was never composed at all, since it does not reflect the circumstances of any time. It all comes to this: The members of the documentary school refuse to believe in the early origin of monotheism or the power of Hebrew prophets to foresee and foretell; and what they term their "science" is entirely due to this and similar unhistorical postulates. It is of course possible that this and other poems may have received additions in the course of their long transmission, but the critics have failed to produce any evidence that this is the case.

Lastly, we come to the blessing of Moses in Dt xxxiii. This appears to me to be the one poem that *may* possibly be non-Mosaic, but I have found no certain indication. "Moses commanded *us* a law" (ver. 4) would prove non-Mosaic authorship if the text were unquestionable, but Septuagintal authorities offer alternative readings, "Moses commanded a law" and "Moses commanded you a law"; while Sir G. A. Smith *ad loc.* thinks the whole line a gloss (probably wrongly). Some mention of Simeon might, however, have been appropriate in the lawgiver's mouth, *so far as we know the circumstances*, but the answer is that we do not know them well enough to be at all sure. I find very great difficulty in believing that the author of Dt xii could have written of Zebulun and Issachar, "They shall call the peoples unto the mountain. There shall they offer sacrifices of righteousness." But the Greek knew nothing of "the mountain." All its MSS

read, instead, "they will destroy"; the Armenian has "will be destroyed"; and the Bohairic, "he will destroy." It is clear, therefore, that the text of this verse is too corrupt to permit of any certain inference at present.

"It is not possible to argue for a Mosaic date for the Blessings, except by ignoring the principle on which O. T. prophecy consistently starts from the circumstances of the prophet's own time" (Smith, *op. cit.*, p. 361). If this means what it says, it is compatible with Mosaic date, for the blessing certainly starts (2 ff.) with the Mosaic age. I think, however, that probably the writer means something entirely different, and that he is trying to frame a sentence which shall deny the possibility that Moses could have written a clear prediction of, e.g., the Jerusalem Temple (ver. 12). If that be so, the alleged "principle" is merely a dogma of unhistorical subjectivity which is amply refuted by the facts adduced earlier in the present section.

It must, however, be remembered that nothing attaches this chapter to what precedes, and that it is immediately followed by chap. xxxiv., which is certainly not by Moses. There is nothing intrinsically improbable in the view that in reality this is an anonymous poem, written at a period when Reuben was in danger of disappearing (ver. 6), Simeon had already been merged in other tribes, and the Jerusalem Temple was the religious center.¹ If so, the mention of Moses in ver. 4 might easily have led to its

¹The idea that in ver. 7 Judah is separated from his brethren is not supported by the Septuagintal readings, nor do we know of a time when the tribe prayed for union with others. If it refers to the schism, it is strange that we have no record of any desire to set aside the House of David and join Israel; if to David's monarchy at Hebron, it exactly reverses the course of history. It was Judah that seceded and was ultimately joined by the other tribes. The rest of the Greek verse runs: "Hear, O Lord, the voice of Judah . . . (and) his hands shall contend for him, and thou shalt be a help against his adversaries." That looks as if the poet had in mind a crisis in some war and would require an intervening member somewhat on the lines of "And to his people mayest Thou come."

attribution to the lawgiver. On the other hand, there is no evidence at all of post-Mosaic date, and the delivery of a blessing would have been eminently suitable. This poem *may* be post-Mosaic, but we cannot say that it is. Indeed, if the reading of the LXX, Targum, and Vulgate in ver. 2 ("us" for "him") be adopted (with Sir G. A. Smith), there is evidence of Mosaic date. In the absence of certainty as to the true text of the poem, no concluded opinion as to date is possible.

XVI

It is time to bring this much-interrupted series to a close. The history of the Pent that appears to emerge from the investigation may be sketched somewhat as follows:—

The modern book and the long scroll seem to have been equally foreign to early Hebrew life. It is not until the age of Jeremiah that we have certain evidence of the use of book-rolls, and even then the word "book" was not understood to mean a roll unless appropriate language was added. In the earlier period, literature was habitually written on short documents, probably skins. The word "book" was used of such a document; but it is quite likely that where the material was too long for a single document, two or more might be covered by the term. We find clear indications in Dt that the covenant writing extended over more than one document, but the plural is never used of it. It is always the book of the torah, not the books. Conceivably this is due to a change in transmission, but we have no evidence; and there is no reason to doubt the best text that can be derived from the study of our authorities.

Moses wrote copiously, and his literary work was embodied in large numbers of short writings. Of a scroll containing the entire Law, nobody seems to have thought in the early days. It was transmitted in the form that was usual, and, for those who had to utilize it, convenient.

These writings were preserved at the priestly center (Dt

xvii 18, xxxi 9 ff.). No doubt other writings, such as those of which we read in Josh xxiv 26, 1 S x 25, and historical narratives of the post-Mosaic period were similarly preserved. Inasmuch as Josiah's lawbook was found in the Temple, it cannot be doubted that ultimately this became the principal repository of such literature. It may well be that the priests wrote annotations. Such a passage as the list of kings of Edom in Gen xxxvi cannot be earlier than the establishment of the Israelite monarchy, but its present position is not necessarily much later. Similarly we cannot say at what period such archæological notes as that relating to the bedstead of Og (Dt iii 11) were composed. Deuteronomy xxxiv is clearly post-Mosaic, and ver. 10 requires the lapse of a considerable time from the death of Moses. These requirements would be satisfied by any date in the period of the monarchy or of the late judges.

Meanwhile the Law itself had found its way into the life of the people. A few examples will serve to illustrate this. The right of preëmption of land given by Lev xxv is found in operation in the Book of Ruth, where we also see the Levirate law of Dt xxv 5 ff. applied in a case to which it was not originally expressed to extend.¹ When Naboth is to be done to death (1 K xxi), the judicial murder is governed by the Deuteronomic law of evidence requiring a minimum of two witnesses (Dt xix 15). At Shiloh the complaint is made that the priests wrongfully insisted on having raw meat to roast instead of boiled meat after the burning of the fat. The boiling is in accordance with Lev vi 21 (28), Nu vi 19. Again, non-sacrificial slaughter is the rule as provided by Dt xii (20 ff., etc.). When correctly carried out, an altar of earth or stone is used at the base of which the blood is poured out in accordance with Dt xii 24 (1 S xiv), but there is no burning of the fat or other ceremonial rite. All this, however, does not mean that more than one copy of the law existed. With

¹ Ruth iv 7 is a gloss written long after the events recorded in the book (notice the "formerly") by somebody who no longer understood the ceremony.

one exception the whole Pent is based on the view that its provisions would be made known to the people by oral means. The original was to be with the priests, and the only copy contemplated is that of Dt xvii 18. It is not until the time of Jeremiah that we find any multiplication of copies. This explains the failure of Dt to influence the literary style of the earlier period and its immense effect when the publication of copies enabled writers or editors to familiarize themselves with its phraseology through constant perusal.

While the provisions of the Law so far as they affected certain departments of the ordinary life of the people were in continuous operation, it is quite clear that for various reasons others were rarely if ever carried out. We have a conspicuous instance of this in the law affecting purchased Hebrew slaves (*Ex* xxi 2 ff., *Dt* xv 12 ff.). *Jeremiah* xxxiv 8 ff. shows how far the people were from observing this. *Amos* ii 4 ff. gives another example. Other portions of the Law must rapidly have become obsolete or have been found impracticable for other reasons. No permanent executive could or would abide by *Dt* xx 9, which provides for the appointment of officers to command the armies at the very last moment. If this law was ever carried out (which is very doubtful) it became a dead letter on or before the rise of the monarchy. The law of pilgrimage, though partially observed (*1 S* i, ii, *1 K* xii 27), can at no period have been literally carried out to its full extent; while the distances and the dangers of travel must have rendered it almost wholly impracticable at times like that depicted in *Jgs* v.

In one great matter we find constant oscillations. Was the exclusive worship of the God of Israel to be maintained, and, if so, was it to be maintained in its purity? The Bible representation is quite clear. It declares that the true faith was constantly menaced by heathen influences leading to the worship of other gods and the introduction of false elements into the religious practices that were supposedly in honor of the God of Israel. In dealing

with this matter it is well to clear the ground by pointing to the fact that with the growth of population and territory the original pilgrimage law enacted by Moses became impracticable. It might be feasible for all males to make a journey to the religious capital three times a year with offerings in a small, poor, and concentrated community that was not menaced by hostile invasion. It was utterly impossible when that community numbered hundreds of thousands, had accumulated considerable wealth, occupied an extensive territory, and was surrounded by states that were none too friendly. The Temple simply could not have accommodated all the males of Solomon's age. Any attempt to bring the individual offerings enjoined by the Pent in their full measure would have broken down hopelessly. If the masses of animals and produce could have been got to Jerusalem at all, the Temple staff could not have coped with them. It must be remembered that in the wilderness there can have been no vegetable produce, while the limitations of pasturage must have kept down the number of cattle. The Pent never for a moment contemplates a population so numerous, so wealthy, and so scattered as existed in Solomon's reign. It does, indeed, realize that the distances required six cities of refuge and a scattered priesthood to administer the ritual law; but it never envisages the difficulties that would arise by reason of the numbers and the wealth of the population two or three centuries after the death of Moses. The provisions for the offerings of individual sacrifices in Lev i ff. are ludicrously inadequate for the days of Solomon. We can make heavy reductions from the number of cattle in 1 K viii 63 and yet find the law unworkable. What Moses would have enacted if he could have come to life again in this period and have been asked to deal with the difficulty no man can say. It would, however, seem that in reality the only possible course was to permit a number of subsidiary sanctuaries. If any attempt had been made to escape from this by limiting the number of males who were to make pilgrimages, the net result would have been to de-

prive all the others of any opportunity of being present at a priestly sacrifice. In days when sacrifices at which priests officiated were deemed indispensable for religion, this course was impossible.

It is in the light of these considerations that we must read the narrative of Jeroboam's innovations in 1 K xii 26-33. The complaints made are: (1) idolatry; (2) non-Levitical priesthood; (3) a feast on the 15th of the month, like the feast in Judah, but in the month which he devised of his own heart. That implies: (*a*) that idolatry was illegal; (*b*) that a priesthood in accordance with the law then in force could be composed only of Levites; and (*c*) that there was a feast in Judah on the 15th day of a month fixed by law. That of course was the Feast of Tabernacles, which fell in the seventh month (Lev xxiii 34; 1 K viii 2, 65), i.e. one month earlier than the month chosen by Jeroboam. Here accordingly we have clear evidence of the existence and binding force of important provisions of the Law. It is, however, noteworthy that not much stress is laid on the fact that Jeroboam worshiped at other sanctuaries. The gravamen of the charge lies not in the number or position of the sanctuaries, but in the character of the worship and its personnel. And we may take the leniency with which the mere multiplication of sanctuaries was regarded to be due to the fact that it really met a crying need which could not be satisfied by strict adherence to the letter of the Mosaic law.

It is in the same way that we must regard the acts of other kings. Rehoboam had an Ammonite mother and he introduced various objectionable features (1 K xiv 21-24). Asa, however, removed these, but tolerated high places (1 K xv 10 ff.). We have no means of judging whether this was due to conviction of their necessity or to some other motive, but it is difficult to explain his reforms except on the view that he knew of a law which required them. His action was carried further by his son and successor, Jehoshaphat (1 K xxii 47). Even stronger is the case of Hezekiah, for he removed the high places in addi-

tion to abolishing other abuses (1 K xvii 14 ff.). Throughout the history of Judah we are shown the alternations in the conflict between foreign influences and a religion that was faithful to the teachings of the Law.

The reign of Manasseh was marked by the extreme of infidelity. No king of Judah is so severely condemned for religious malpractices. Amon appears to have been no better, but Josiah returned to the faith of David. And here we read of the finding of the book of the Law.

We have seen the grounds for holding that this was not a scroll but a collection of short writings. We have found reason to believe that the actual book handed to Shaphan consisted of portions of Dt and that it came from a collection of more or less tattered documents, some fragments of which were lodged between the writings that contained the Mosaic speeches. Here attention may be drawn to the way in which this view fits in with the narrative of the repairs to the Temple. Its dilapidations may well have been of such nature as to cause damage to the library; and if, as seems probable, the work was the Mosaic autograph, natural causes may also have been responsible for some injury. That would explain the phenomena which first gave rise to the Pentateuchal problem.

The first efforts to propagate the knowledge of the Law on new lines come from this period. Jeremiah has the command to read it in the cities of Judah and the streets of Jerusalem (Jer xi, esp. 6). There is a curious verse (Jer viii 8) which has been much misunderstood, and has consequently given rise to difficulty. The text is not in order, but those who follow the corrupt Hebrew suppose the prophet to have said as part of his own message that the pen of the scribes had wrought falsely. Some commentators in their anxiety to involve Jeremiah in inconsistency refer this to Dt and assert that the prophet is here denouncing that book. To any person of ordinary sense it must be obvious that if the prophet had regarded Dt as a forgery he could never have composed such passages as chap. xxxiv. The fact of the matter is that the LXX has

preserved a very much better text. While its MSS are divided on minor details, so that it would not be wise to attempt a complete restoration of the text before the appearance of the larger Cambridge edition, there is no divergence as to the main point. It will therefore be sufficient to quote the text of B:—

“8 How shall ye say that we are wise, and the law of the Lord is with us? In vain hath been the false pen of the scribes [lit. “hath there been a false pen to the scribes,” which may also mean the scribes had a false pen].

“9 The wise men are ashamed and dismayed and taken, because they have rejected the law of the Lord; what wisdom is there in them?”

In the Greek the charge of falsehood is preferred against the scribes, not by Jeremiah, but by the wise men who claim that their teachings are the law of God and reject Dt. The prophet answers these by saying that these so-called wise men are coming to grief for their rejection of the Law and are in reality devoid of true wisdom. It will be seen that this is in entire harmony with his general position, and does not involve the absurdity of supposing that Jeremiah here rejects the very Law whose sanctity he constantly urges.

The damaged condition of the Pent made it necessary to incorporate some editorial work; while the form in which it had been preserved, and the injuries sustained, rendered it impossible to arrange the existing material in the correct order. Hence many of our difficulties. Its subsequent history appears to have been responsible for the rest. We have seen that longer commentary of every kind and innumerable glosses were written in the text, and that these processes lasted for generations. There was further the deterioration that is inevitable in a work that is transmitted by scribal effort. And, lastly, there were supposed divine commands, theological and other currents of thought, and priestly interests operating to change the text. In an age in which the scholarly ideals were so divergent from those accepted to-day, the natural result was

that the guardians of the text departed ever more widely from the course that modern science would pursue in the like case. Fortunately materials have reached us that are often sufficient to enable us in large measure to repair the mischief.