

the Church. This last is a matter of great importance. Nothing has done so much to attach the laity to the Church in Ireland as the work which has been given them to do." But if all these gains should be used as an argument for a similar treatment of our own Church, not by a stalwart High Churchman like Mr. Gladstone, but by a Radical and anti-religious Government, we may quote a humorous appendix to the parable of the Good Samaritan, which is attributed to the late Dr. Salmon. The narrative leaves the wounded man at the inn; but the apocryphal story proceeds to tell us that when the patient was convalescent some visitors called to see him. He thought that their faces were familiar, but was not sure of them until they began to speak. Then they proved to be the robbers who had caused his misfortunes. "How are you, my good friend?" they came in with outstretched hands. "We are so glad to see you so much better. Now, did we not really do you a good turn that day when we interrupted your journey and relieved you of your superfluous cash? You were a little hurt for the moment, but it was nothing. We are so glad to see that you have got all that you want for your frugal requirements! Do take care of yourself in future! We shall always be glad to hear of your welfare!" May we not as English Churchmen apply the parable by anticipation to ourselves when threatened with even worse treatment?

"De te fabula narratur."

WILLIAM BURNET.

THE JEWISH ATTITUDE TOWARDS THE HIGHER CRITICISM.

IN his article in the July number of *THE CHURCHMAN* on "Our Position in Reference to Biblical Criticism," the Dean of Canterbury touches on the attitude of the Jews towards the contentions of the Wellhausen school of criticism.¹ No fair-minded Jew could regard Dr. Wace's

¹ No. 226, p. 502: "It is striking to notice the attitude of the Jews themselves towards the critical position represented by the school of Wellhausen. The contentions of that school appear to me to be incompatible with the Christian faith, but they are beyond question absolutely destructive of the Jewish faith; and I ventured to say as much to an eminent Jewish scholar, and to ask him why no great effort appeared to have been made by Jews to reply to the Wellhausen school. He made a gesture of something like impatience, and said that there were some things too absurd to be answered, and that he and his friends were content to wait 'until this tyranny be overpast.'"

references as other than entirely sympathetic, but it may be thought that there is more justification for this attitude than is at once obvious to an outside observer. By the courtesy of the editor, I desire to say a few words in its defence, and also to challenge the central conclusion of the higher critics.

Some of the reasons for the Jewish attitude are so similar to those put forward by Dr. Wace himself that it is not necessary to do more than touch lightly on them. Jew and Christian alike know that the Bible has outlived so many schools of commentators and so many forms of error that it is difficult to feel much anxiety about the temporary dominance of any particular school of criticism. Jew and Christian alike know that the Pentateuch—which, according to the critics, is a very inaccurate record of past events—in many cases foretells the future in a manner that has been wonderfully justified by subsequent history. For the Jew as for the Christian, religion is not something that can be destroyed by counting words. Whatever his creed may be, one who believes that the Pentateuch was given by God will never be greatly affected by any statistics as to the occurrences of any words or phrases in particular portions of the book.

Such reasons are practically common to members of both religions. I propose now to note the difference of attitude induced by the fundamentally different Jewish conception of the Pentateuch. In so doing I shall have to point to a fatal weakness in the critical position, and also show why it is that the orthodox Jews are unable to answer the critics satisfactorily, and yet are so little affected by them.

To the orthodox Jew the Law *is* a law in fact as well as in name. All his actions are regulated by it. His education comprises the study of the vast legal system that has been founded on the Pentateuch, and his mental training and atmosphere are largely those of a lawyer. To that extent he has an advantage over the higher critics, whose main arguments are derived from the laws of the Pentateuch, and who yet have treated those laws in an absolutely unique manner. An English layman knows that he cannot form an opinion on any technicality of the English law of his own day without special training. Still less would he attempt to dogmatize about the technicalities of a strange system of law belonging to a bygone age and written in a dead tongue. But this is just what the critics invariably do. The natural consequence is that they make assertions and draw inferences that immediately break down when tested by a trained lawyer. I shall illustrate this by exposing the foundations of the central Wellhausen theory; but first I would show why it is that the orthodox Jews are not in a position to answer the critical

case by reference to their traditional explanations. So long as a law is anything more than a piece of literature—that is, so long as it is a binding rule of conduct—account must be taken of the ever-changing circumstances of life. New conditions and new cases are perpetually arising, and the law must be interpreted with reference to them. Now, in many cases the traditional explanations represent the views of persons who had to construe rules drafted in the first instance with special reference to the circumstances of one period in the light of the conditions and needs of a widely different age. It is not necessary for the purposes of this paper to consider how far such interpretations should bind the Jew, or whether they are justified by any authority, express or implied, in the Pentateuch itself. Suffice it to say that the orthodox Jews themselves see no difficulties in their position, and could easily defend it in case of need. But undoubtedly these interpretations stand in their way when they desire to answer the critics. Lawyers they are, but their legal methods and interpretations are those of an age far remote from the time of Moses. Hence they are at a disadvantage when the question at issue is not what a particular legal passage has come to mean, but what it originally meant. The critical case on the laws can only be considered by historical lawyers, and here the orthodox Jew necessarily fails.

Hitherto I have spoken as if all the difficulties felt by the critics about the laws of the Pentateuch were in connection with the jural laws—that is, the lawyers' laws, as distinct from, say, sacrificial rules. This is far from being so; but even in the case of sacrificial rules the same principle applies. Legal training is necessarily more valuable for the construction of any rules of conduct than a mastery of either philology or theology. Perhaps the most satisfactory way of proving this is to unmask the central errors of the Wellhausen school without further preliminaries. Amazing as it must appear, they are almost entirely due to the ambiguity of a single German word, "Heiligtum," and its English equivalent, "sanctuary," and to the confusion engendered in the minds of the critics by these expressions.

Stripped of details, the central portion of the Wellhausen theory may fairly be summarized as follows: There are three principal codes¹ in the Pentateuch. Of these, Deuteronomy is the middle one in point of time, and demands a single sanctuary. The earliest of the codes (JE) recognises a plurality

¹ The composite character of JE and P is immaterial for the purposes of the present paper.

of sanctuaries as legitimate; the last (P) assumes unity of sanctuary. Corresponding to these three codes three periods of history may be traced—the age of Josiah, when a great centralizing reform was carried out, the time preceding it, and the post-exilic period.

I shall show that the critics, by using the ambiguous word “sanctuary,” have confounded three entirely different things—viz.: (1) An altar of earth or unhewn stone, on which sacrifices of burnt-offerings and peace-offerings, sheep and oxen, might lawfully be offered to the Lord by laymen without the assistance of a priest; (2) the “house of the Lord,” where alone certain sacrifices might be performed, and then only with the assistance of a priest; and (3) a heathen high place, which was generally situate on a high mountain or a hill, or under a green tree. Such high places seem normally to have contained altars, pillars, Asherim, and graven images, sometimes also houses, and the worship was always offered to some god other than the Lord.

As it will doubtless seem incredible to most readers that men who have the reputation of being scholars should be unable to distinguish a house from an altar, and a heathen high place from either, I shall insert references to the Oxford Hexateuch.¹ This will serve a double purpose: first, it will enable my readers to verify my statements; secondly, it will throw the *onus* of putting forward any answers there may be to my charges on certain defined persons. In criticism, as in other things, what is everybody's business is nobody's, and doubtless the members of the Oxford Society of Historical Theology will not lack an advocate if they have a defence.

First, then, I say that by means of the ambiguous word “sanctuary” the critics have confounded an altar of stone or earth with the house of the Lord. The *locus classicus* on which they rely as showing the lawfulness of a plurality of “sanctuaries” is Exod. xx. 24-26 (E): “An altar of earth thou shalt make unto Me, and thou mayest sacrifice thereon thy burnt-offerings and thy peace-offerings, thy sheep and thine oxen: in every (*or* in all the) place where I record My Name (*or* cause My Name to be remembered) I will come unto thee and I will bless thee. And if thou make Me an altar of stone, thou shalt not build it of hewn stones,” etc. It is quite clear that what is here sanctioned is a plurality of *altars* of a particular kind, not a plurality of *houses* of the Lord. An examination of the history fully illustrates this.

¹ “The Hexateuch . . . Arranged in its Constituent Documents by Members of the Society of Historical Theology, Oxford,” edited by J. Estlin Carpenter and G. Harford-Battersby, first edition, 1900.

For instance, we read that after the battle of Michmash the people slew sheep and oxen, and ate them with the blood. Saul, on learning this, ordered a great stone to be rolled to him. Accordingly, the people "brought every man his ox with him that night and slew them there. And Saul built an altar unto the Lord: the same was the first altar that he built unto the Lord."¹ Or, again, if we turn to the Book of Kings, we read how on Mount Carmel Elijah built an altar in the name of the Lord with twelve stones.² In these historical instances, as well as in the law under consideration, we have to do with altars which are in no way covered, and could not by any possibility be regarded as "houses." But the same "code" that contains this rule about altars also contains rules that point with equal clearness to a single religious centre that could be described as a house. "The first of the first-fruits of thy ground thou shalt bring into the house of the LORD thy God" (Exod. xxiii. 19 [E], xxxiv. 26 [J]). Here there can be no mistake, especially when we turn for illustration to the history, for there we find a "house" of the Lord which was something very different from an altar of earth or unhewn stones, and where the ministry was performed by priests.³

¹ 1 Sam. xiv. 32-35.

² 1 Kings xviii. 31-32.

³ See, for instance, 1 Sam. *passim*. This argument may be further strengthened by three observations:

1. It has been pointed out by Wellhausen himself that the rule sanctioning a plurality of altars contemplates lay sacrifice. Now, if that were the only method of sacrifice in vogue, priests would be entirely superfluous. Nevertheless, we know that priests did exist at the time to which the critics attribute J and E, both from the portions of the Book of Joshua that they assign to those sources, and from the Books of Samuel and Kings. Hence there must have been in use some sacrifices other than those which might be offered by laymen at an altar of earth or unhewn stone.

2. In the passage cited in the text we find an offering of "first-fruits"—that is, an offering which was neither a peace-offering nor a burnt-offering. Now, the law of Exod. xx. only authorizes the sacrifice of peace-offerings, burnt-offerings, oxen and sheep, on an altar of earth or unhewn stone. It does not so authorize an offering of first-fruits. Had the "house of the Lord" been identified with an altar of earth or stone we should here find a rule sanctioning the offering of first-fruits on such an altar.

3. We read in Exod. xxxiv. 23 [J]: "Three times in the year shall all thy males appear before the Lord God, the God of Israel" (*cf.* xxiii. 17 [E]). The following verse provides that no man "shall desire thy land when thou goest up to appear before the LORD thy God three times in the year," and is therefore treated by the critics as a Deuteronomic addition. But a little reflection shows that even without these words the appearance before the Lord cannot mean an appearance at an altar of earth or unhewn stones. Wellhausen has pointed out that these altars were made of materials that could be readily obtained in any field. Their erection would, in ordinary circumstances, be the work of a few minutes. Could

I have now shown that both the laws attributed to J and E and the early history recognise a house of the Lord which cannot be identified with an altar of earth or stones. The next step in the argument is to show that the laws of Deuteronomy also recognise a plurality of altars. For this purpose it is sufficient to refer to Deut. xvi. 21, 22: "Thou shalt not plant thee an Asherah any kind of tree beside the altar of the LORD thy God, which thou shalt make thee. Neither shalt thou set thee up a pillar; which the LORD thy God hateth." This obviously assumes a multiplicity of altars under the control of laymen, and the critics have felt this. Hence we find the annotator in the Oxford Hexateuch alleging that this prohibition of an Asherah beside an altar of the Lord "belongs to the older cultus before the unity of the sanctuary was enforced in xii." That is to say, he does not question the fact that this passage recognises a plurality of altars, but he believes that the twelfth chapter contains a law prohibiting such altars and enforcing a single "sanctuary." Let us, therefore, turn to chap. xii. It contains not a single word prohibiting altars, or high places, of the Lord. To understand the full significance of this fact we must remember, not merely the difference between altars of the Lord and heathen altars, but also the distinction between an altar and a high place. An altar was not synonymous with any kind of high place, though both phrases are sometimes used of the same thing. It is not merely that by no stretch of language could an altar like that erected after Michmash be called a high place. We have clear evidence elsewhere of the distinction between some high places and some altars. Hezekiah "removed the high places, and brake the pillars, and cut down the Asherah,"¹ not, be it observed, the altars; but Rabshakeh speaks of high places and altars.² If the twelfth chapter of Deuteronomy be carefully read as a whole, it will be seen that it is aimed at "the places wherein the nations which ye shall possess served their gods, upon the high mountains, and upon the hills, and under every green tree," which contained altars, pillars, Asherim, and graven images of their gods. Nobody who compared the passages relating to lawful altars and high places with those referring to heathen

anybody speak of attendance at, say, the Michmash altar as an "appearance before the Lord"? Elkanah's pilgrimages show us what was in fact understood by the phrase.

¹ 2 Kings xviii. 4.

² *Ib.* 22. Cf. W. R. Smith's "Religion of the Semites," second edition, p. 490: "A distinction between a high place (*bāma*) and an altar (*mizbeāh*) is acknowledged in the Old Testament down to the close of the kingdom."

high places with care and impartiality could conceive that the two were identical. The former were marked by the worship of the Lord and the absence of any graven image, pillar, or Asherah; the latter by the worship of heathen deities and the presence of the three objectionable symbols.¹

The twelfth chapter of Deuteronomy, in fact, leaves untouched the existing provisions of the Law as to altars. If, for example, an Israelite desired to enter into a covenant for which an altar and the slaughter of peace-offerings and burnt-offerings were essential, there is nothing in this chapter that could be construed as preventing him. The real difficulty arises through our ignorance of the precise meaning of the Hebrew word which in Exod. xx. and elsewhere is translated by "sacrifice," and in Deut. xii. 15 and 21 and some other passages by "kill." At first sight it may appear that eating by the unclean shows that the slaughter must be non-sacrificial, and there seems some plausibility in the hypothesis that the Deuteronomist intended to relax the law by which all slaughter of certain animals was sacrificial, and introduce a purely non-sacrificial form of slaughter. But consideration

¹ The term "high place" has led to confusion. A high place was not *per se* illegal; but it could become illegal in one of many ways, either because the worship was to a false god, or because the altar did not comply with the requirements of the Law, or because of the presence of some heathen symbol, or because sacrifices were offered there that should have been offered at the religious centre. But so long as the essential portion of a high place merely consisted of a lawful altar at which the sacrifices permitted by the Law were offered, it did not become illegal simply because there was accommodation for guests or for the people. Samuel had a high place at Ramah (1 Sam. vii. 17, ix. 12-22), but there is no hint that it was in any respect illegal. W. R. Smith (*loc. cit.*) remarks that "ultimately *bāma* is the name applied to any idolatrous shrine or altar." Perhaps the critics have sometimes been led astray by applying this meaning to high places that were perfectly innocent.

In dealing with passages in the prophets relating to these subjects a further caution is necessary. It was on the altar of a high place that illegal sacrifice was offered, and consequently the prophets frequently mention the altar only. Similarly, modern writers speak of leading a bride to the altar. They do not mean that an altar is erected in the fields for the purposes of the marriage service; but they assume on the part of their contemporary readers such knowledge as is common to all persons of ordinary intelligence. So it was with the prophets. No contemporary could have misunderstood their invectives against altars as referring to lawful altars. This may be very curiously illustrated by a passage of Amos, where the prophet says: "For in the day that I shall visit the transgressions of Israel upon him, I will also visit the altars of Beth-el, and the horns of the altar shall be cut off, and fall to the ground" (iii. 14). It cannot be suggested that the prophet was here inveighing against an altar of earth or unhewn stones, because such a structure could have no horns. We need only remember the scene at Michmash to see that this was the case.

shows that this cannot be correct. In 1 Sam. xxviii. 24 we find the same Hebrew word used to describe the act of a *woman*, which shows that the act described cannot have been sacrificial. Hence in the days of Saul—that is, before any of the dates assigned by the critics to their various sources—a form of non-sacrificial slaughter was already in use.¹ Again, it is improbable that on all the occasions when we read of sudden sacrifices by laymen at improvised altars the persons who ate the flesh were in a state of sacrificial purity. Moreover, there are early passages where we read of the killing of domestic animals for food in which there is not a hint of any altar or sacrificial rite. I need only refer to the case of the kid given by Abraham to the servant to dress (Gen. xviii. 7 [J]). The truth would seem to be that the critics have construed rules relating to clean and unclean, which were perhaps applicable only to sacrifice at the religious centre, as affecting the lay sacrifices recognised by the Law, and have assumed too hastily that all slaughter—at any rate, of domestic animals—was sacrificial in the earlier stages of Biblical history.

One small point in the history of the laws under consideration may be noticed. Exodus apparently authorises the erection of altars only “in all the place where I shall cause My name to be remembered”—that is, in the land of Canaan. It follows that when the Jews went into exile and left that land, they could no longer erect altars. Whatever may have been the case earlier, sacrificial slaughter by laymen for food must then have ceased. A similar remark applies to all lay sacrifices, whether made for the purpose of entering into a covenant or for any other reason. Hence, after the exile, the provisions of the Law had to be interpreted by persons who were no longer accustomed to erecting altars in any circumstances whatever. What wonder if they construed the rules of both Exodus and Deuteronomy in the light of their own habits and of the conditions of their own age? But the meaning so put upon them was not the original meaning. The Law authorizes the erection of altars for sacrifice by laymen in cases where custom prescribed such sacrifice. It prohibits the use of heathen high places, and directs that the Israelitish rites corresponding to those practised at them by the Canaanites should be performed elsewhere—that is, at the house of the sacrificant in the case of rites used simply to obtain the flesh of a domestic animal for food, and at the

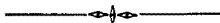
¹ It must be remembered that at Michmash the Ark was in the camp, so that the permission of Deut. xii. 21 would not apply.

central "place," where was the "house of the LORD," in all other cases.

We may now briefly see how the confusion engendered by the ambiguous word "sanctuary" runs through the Oxford Hexateuch. First (i. 50) the law of Exodus is quoted, but on the next page we are told that "D lays down a very different principle. The Deuteronomic code opens in xii. with the demand that all local sanctuaries shall be abolished." We have here a tacit identification of altars with heathen high places. Four pages later (p. 55) an altar of earth or stone, called a "sanctuary," suddenly develops a door, which is "the centre of the administration of justice," and a doorpost, to which is affixed the ear of the slave who desires to remain with his master six years after he has been purchased. Finally, in a note on page 241, the "house of the Lord" is identified with the "local sanctuary." No wonder that in a note on page 247 we are told that "the laws as to the site of the sanctuary present perhaps the clearest instance of the modifications introduced by time in the legislation. The stages are clearly marked from (JE) the earlier sanction of the primitive plurality of sacred places to (D) the urgent demand for centralization of worship, succeeded by (P) the quiet assumption of a single lawful sanctuary."

There is probably no parallel in literature to the reconstruction of a nation's history by the higher critics on the basis of the mental confusion induced by a single ambiguous word of their own choosing. It stands out as an awful warning to all who would attempt to do the work of lawyers, historians, and other specialists with no better equipment than an extensive but unintelligent acquaintance with the roots of dead languages.

HAROLD M. WIENER.



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THE publication of Mr. Strong's literary remains marks an event in the world of letters. By his death England has lost and Europe mourns a foremost son in the ranks of universal learning. Orientalist, classic, modern linguist, art-critic, scientist, musician, mathematician, entomologist, and antiquary, Mr. Strong strove to attain the ideal

¹ "Critical Studies and Fragments." By the late S. Arthur Strong, Librarian to the House of Lords, Professor of Arabic and Lecturer in Assyriology at University College, London. With a Memoir by Lord Balcarras, M.P. London: Duckworth. 16s. net.