

ministry was of a future day. Mr. Christopher at St. Aldate's, Mr. Linton at St. Peter-le-Bailey, Mr. Hathaway at St. Ebbe's—all had their attached following, and in their several walks were so true and kindly to those who approached them. The extreme High Church wing was represented by Mr. Noel of St. Barnabas, Mr. Freeling of Merton, and Father Benson, of the Cowley Brotherhood.

(*To be continued.*)



## The Deuteronomic Legislation and its Relation to the Priestly Legislation.—I.

BY THE REV. W. R. LINTON, M.A.

THE above title is intended to cover two problems, the solution of which this paper is an attempt to supply.

I. And first as to the date of production of the legislative parts of Deuteronomy. These are contained in speeches ascribed to Moses. In order to ascertain whether this ascription is correct, it is necessary first to settle, if possible, the date of the book, since the book is clearly later than the speeches. The best way to do this is to begin at the end of the book and work backwards. In the last chapter we have an account in the third person of Moses' death, with some other details. The writer of this account lived when Dan, Naphtali, Ephraim, Manasseh, and Judah had become the names of the several territories which these tribes occupied. He speaks of the land of Moab in a way which implies that he lived in West Jordan. The expression "unto this day" shows that he lived some time after Moses. The statement "no prophet arose since like Moses" (comparing chap. xviii. 15, 18) may imply that he lived before the great prophets arose. The account of Joshua implies that the writer was not Joshua, but one who lived later. This writer is responsible in chap. xxxiii. for the introduction to the blessing of "Moses, the man of God" (*cf.* "the servant of the Lord,"

chap. xxxiv. 5), and for the separate introductions "and he said" to each blessing. In chap. xxxii. the narrative portions, ver. 44, 46<sup>a</sup>, and 48, are by the same writer, who also inserts the statement in ver. 49, "which is in the land of Moab." To the same writer are to be assigned the several introductory notices in chap. xxxi.—viz., ver. 1, 2<sup>a</sup>, 7, 9, 10, 14, 15, 16, 22, 23 (where this writer is differentiated from Joshua), 24, 25, 30. He supplies again the introduction in xxiv. 1, 2<sup>a</sup>, to Moses' address. The same account holds good of the similar formulas in xxvii. 1, 9, 11.

Passing further back, we find in chap. x. 6, 7, notice of journeys which is evidently an insertion and may be attributed to the same writer. He contributes the introduction to Moses' second address in chap. v. 1<sup>a</sup>, and the prefatory narrative in chap. iv. 44-49, where the expression "at their coming forth out of Egypt," whilst unsuitable in the mouth of Moses, is perfectly so as used by this writer, and confirms his lateness. Vers. 41-43 are obviously by the same writer. "Unto this day," in chap. iii. 14, looks like a note by the same, as also the archæological notices in chap. ii. 10-12, 20-23. We finally reach the opening passage of the book, chap. i. 1-5, which requires fuller explanation. The points which determine the bearing of this language are: (1) אלה is used indifferently of antecedents and consequents; when it stands at the beginning of a verse, paragraph, or series, it refers to consequents, when at the conclusion to antecedents. Here, therefore, it is prospective, which is confirmed by its retrospective use in Num. xxxvi. 13; (2) "Cross Jordan" (which elsewhere might be ambiguous), is explained in ver. 5 as "the plains of Moab"; it was in the plains of Moab that the following addresses (אלה הדברים) were delivered.

Thus (1) and (2) tell us that the exposition of the law contained in the Deuteronomic addresses was uttered in the plains of Moab. (3) From the above the inference is justified that the names of the places, Wilderness, Plain, opposite Suph, Paran, Tophel, Laban, Hazeroth, Dizahab, not being in "Cross Jordan," but in the district south-east and south-west of the

Dead Sea, are an insertion. The note of the distance from Horeb to Kadesh may go with this insertion, since it gives the time it took to travel across the area in which those places were situated. In ver. 3 we have a fresh introduction to the book, in a different style of language, and therefore presumably by another editor. What is the relation of these two introductions to each other? Plainly, that of ver. 1 is later than that of ver. 3. It is very unlikely that an editor would insert his own preface after an already existing preface, whilst he would naturally prefix it to the book as he found it. Hence, ver. 3 was at one time the beginning of the book, and ver. 1 added afterwards by the writer whom we have traced back from chap. xxxiv., the topographical notices being later glosses. There is a further difference between the two prefaces which may be worth considering—viz., that in ver. 3 the representation is that the addresses were what Yahveh charged Moses with to communicate to the Israelites, whilst in ver. 1 (with which the rest of the book agrees) the addresses are represented as given by Moses spontaneously and *proprio motu*.

Hence, working back from chap. xxxiv. to the beginning of the book, we discover a framework, homogeneous and uniform, by a writer who differentiated himself from Moses and lived at a considerably later period. Into this framework he fitted the addresses which he tells us were delivered to Israel by Moses in the plains of Moab. These addresses are presumably earlier in date than the framework, since they are incorporated into it by its author, and we have now to consider whether they furnish any internal evidences of the age to which they belong.

The addresses are found in chaps. i. 6-iv. 40, v. -xxvi., xxvii. 1<sup>b</sup>-8, 9<sup>b</sup>, 10, 12-26, xxviii., xxix. 2<sup>b</sup>-xxx., xxxi., 2<sup>b</sup>-6, 7<sup>b</sup>-8, 10<sup>b</sup>-13, 23<sup>b</sup>, 26-29, xxxii., xxxiii. 2<sup>b</sup>-29.

1. The strong Egyptian colouring and familiarity with Egypt—*e.g.*, the frequent reminder that "thou wast a servant in the land of Egypt" (verse 15, xv. 15, xvi. 12, xxiv. 18); the reference to the 'מְרִי מַע' the evil ones which *thou knowest* (vii. 15, and *cf.* xxviii. 16, 60, the 'מְרִי מַע' which *thou wast*

*afraid of*, and שחיד מע, 27); the description of Canaan as not like Egypt, "where thou sowedst thy seed, and wateredst it with thy foot" (chap. xi. 10); the threat of being carried back into Egypt as captives, which could have no point except to people recently rescued from that country (chap. xxviii. 68), and the prohibition of returning to Egypt (chap. xvii. 16); Canaan described as "the mountain of the Amorites" (*cf.* Polychrome, C. J. Ball, Gen. xxii. 2, pp. 17, 74), *i.e.*, from the standpoint of the level plains of Egypt and Babylonia.

2. Whilst Sinai is the term used in Exod.-Lev.-Num., in Deut. Horeb is used (except in chap. xxxiii. 2). Horeb was the name of the range of which Sinai was one particular peak. A speaker, giving addresses forty years after the event, naturally employs the more general name, which also contrasts with "the land of Moab," where the speaker was.

3. The boundaries of the promised land (chap. xi. 24) are larger than were realized at any time after the occupation of Canaan; such a delineation could only have been made before the entry into the land.

The exact localization of Ebal and Gerizim (chap. xi. 30) is only suitable under similar circumstances—*viz.*, before the entry into Canaan.

4. The notice of Amalek (chap. xxv. 17-19) attacking the Israelites when they were "faint and weary," giving more details than are furnished in Exod. xvii. 8 *et seqq.*, evidently proceeds from an eye-witness of the event.

5. Coming to the legislative matter, the passage (chap. xii. 8-11) is significant. The speaker says: "Ye shall not do [when you enter Canaan] according to all that we do here to-day, every one whatever is right in his eyes." The representation is that considerable parts of the law were not carried out in the wilderness owing to the migratory life, as we know circumcision and the Passover were not; this representation can only be that of a contemporary and eye-witness, who realized the situation as no later composer could—a situation, consequently, which demanded a very ample exposition of the

law, since the generation to whom, according to the editor, it was addressed had grown up very largely in ignorance of the law.

6. Here may be mentioned the terms in which the sanctuary is spoken of, viz., "the place which the Lord thy God shall choose to place His Name there." The place was not known and could not be known until the people were settled in Canaan, and the locality was appointed by God. In this we have a transparent indication of the age of the author of these addresses.

7. The regulations regarding clean and unclean food (chap. xiv. 4-8) are just such as were suitable to be made on the eve of entering Canaan. The additional details about the mammalia which might be eaten, the omission of eatable locusts and creeping things, are exactly what a legislator would lay down in view of the altered circumstances of settlement in the land, when diet would be largely from quadrupeds and desert provision be in abeyance.

8. The law of the kingdom (chap. xvii. 14-20) : The motive assigned against the king's multiplying horses, "that he should not cause the people to return to Egypt," is decisive against the origination of this law in any later time than the traditional, when alone return to Egypt was a danger to be guarded against. The prohibition not to put a foreigner on the throne has no meaning or motive after the throne was secured to David and his line. That the king should not multiply wives (*i.e.*, Hebrew wives) was natural for Moses to forbid, knowing the common practice of heathen kings ; but this law is unconscious of anything so extreme as Solomon's taking a number of *foreign* wives. Hence, the whole passage evidently belongs to the situation previous to the settlement in Canaan.

9. The prohibition not to destroy fruit-trees (chap. xx. 19) in besieging' a city only suits the wars of the conquest of Canaan, not later external wars.

10. The law against an Ammonite or Moabite "entering into the congregation" would never have been entertained after

the time of David, and the reasons (inhospitality, hiring of Balaam) assigned for it would be natural and forcible in the traditional situation.

11. The ceremony to be performed on Ebal and Gerizim (chaps. xi. and xxvii.) was to be performed once only, and immediately on entering the land. It is very unlikely that such a thing should be thought of at any time subsequent to the occupation and settlement. The order to erect an altar and offer sacrifices contravenes the principle of the central sanctuary, and no later writer would have not merely thought of it, but dared to issue such an order in the face of the strong insistence on the central sanctuary principle which permeates these addresses. The same holds good of the ceremony ordained (chap. xxvi. 1-11), the bringing of the first-fruits to the central sanctuary as an acknowledgment of the people's being put in possession of the land, an order natural enough, as given by Moses, but very unlikely to be thought of by any writer after settlement in Canaan. The phrase "A Syrian ready to perish" is much more natural in the mouth of Moses than of a writer centuries later.

12. The blessing (chap. xxxiii.) represents the twelve tribes as dwelling in prosperity in the land of Canaan. No time after the age of Moses suits for such a representation to be made. The David-Solomon age would be barely possible, considering the disastrous apostasies and confusion which preceded it. The Blessing is closely related to the Song (chap. xxxii.), the one setting forth the blessings which would follow upon faithfulness, the other the calamities which would result from unfaithfulness. The song equally with the blessing is addressed to the twelve tribes, and its terms would be utterly inapplicable in later times, especially after the disruption, and still more so after the deportation of the ten tribes.

13. A feature of very great significance is the style of oratory which characterizes the addresses throughout, and the personality of the speaker which emerges in them. Moses characterizes himself as "not a man of words" and as "of uncircum-

cized lips." He had no consciousness of ability and no fluency. He was slow and heavy, and at a loss for words. Since he received his commission forty years had passed away, during which he had had experience in dealing with Pharaoh, and in acting as judge, lawgiver, and leader of Israel. At the end of the period he gave the addresses according to the tradition in the plains of Moab. A close scrutiny of them reveals a style of oratory exactly such as a man like Moses, after such a training, would be likely to attain to. His want of fluency clings to him still. He has acquired and made himself master of a certain stock of phrases, which he reiterates, and which recur to a degree which is found in no other book of the Old Testament. He evidently lacks genius; compare with the somewhat laboured style of the addresses the oratory of Isaiah, and the difference is conspicuous. The very character, then, of the addresses considered as literature points very clearly to Moses as their author.

The personality of the author of these addresses, which permeates them throughout, is very striking and powerful. They exhibit a massive force and grandeur, they breathe a spirit of nobility and purity and high disinterestedness, which not every age in the history of Israel was capable of producing, certainly not the corrupt period of the later kings of Judah. As we read these addresses we are constantly impressed with the majestic character of the utterer of them. He was, in spite of the somewhat heavy and cumbrous style, a great preacher, heart-stirring, mighty in persuasive appeal, wholly consecrated to the work of instructing and disciplining his people preparatory to their settlement in the land. Such a character and such addresses it is very difficult to believe were created in a decadent age of Israel's history, and the most incredible miracle would be to suppose that any writer in that effete generation was competent to compose them.

*(To be continued.)*

