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ARTICLE V.

THE HISTORY OF RESEARCH CONCERNING THE STRUCTURE OF THE O. T. HISTORICAL BOOKS.

BY PROF. ARCHIBALD DUFF, M.A., AIREDALE COLLEGE, ENGLAND.

MANY scholars in our country are desirous of ascertaining the character of the recent discussions on the Historical Books of the Old Testament. The new theories are sometimes advocated, and sometimes opposed, without knowing exactly what they are. It is the object of the present Article not to defend them, and not to refute them, but simply to state them, and to mention some of the arguments by which they are thought to be upheld. In future Articles these new theories may be discussed more at length, and the objections against them may be stated more fully.

There is a theory long well-known to foreign Old Testament scholars as the Graf-Hypothesis. It says, to use here very general terms for what will be minutely described hereafter, that the Pentateuch in its present form may date from the post-exilic period. It may have been edited, as we now have it, about the year 450 B.C. The construction of a gorgeous ritual, and the publication of a wonderful religious history may have been a product of that age of formalism which followed the exile, and grew rank on the decay of what the great kings and preachers had built. The hypothesis says that the structure of the Pentateuch favors this view, for the book is composite, and some parts of it are younger than others. The Pentateuch is a result of literary accretion, and such literary accretion would be natural if it accompanied and reflected a process of ritual accretion. For, if the ritual were continually growing, if new sacerdotal ceremonies were ever being developed in that age of sacerdotal observance, then there would ever and anon be something new for

the recorders of the priestly regulations to record. The theory says, if these recorders believed it duty to perpetuate every ritual custom as yet unrecorded, by incorporating a rule for it with rules already written, then in process of time exactly such a composite book would result, exactly such a literary accretion as we possess in the Pentateuch. Such a growth of the record could go on for generations at the hands of priests, because priests are always persuaded that their functions are sacred, and, indeed, divine. Priests, says the theory, always believe that God has ordained them to perform the functions which they do perform, although they be observing not only the traditions received from their predecessors, but also some rules which have taken form under their own hands. Indeed, when a priest has made some advance from the ceremonial of the past, and has become fully accustomed to the new rule, he easily justifies the advance as a development which God always desired. Priestly men generally believe that they have a divine right for what they do, although they are seldom profound students of the past. They think that God certainly purposed in the past all this ceremonial which they perform. He planned it all from eternity as the true mode of worship. This fancy is moreover not altogether unreasonable, for some of the ceremonies at least may date from long ago, and the remainder may be the true development thereof.

Unquestionably, says the hypothesis, which we are to describe, if the nation were controlled for generations by sacerdotal men, taught by them, led by them, then the people would gradually become ritualistic. Then certainly during that period there would grow up such a superstitious reverence for the records as we find already old at the beginning of our era. Such a reverence would in time forbid the further incorporation of new rules among the Sacred Scriptures. The canon would become fixed. But the development of new regulations, new ritual, would go on as before, and the nation would possess a scriptural law, and also an unwritten traditionary law.

Now, in fact, says the theory, the canon of the Pentateuch did become fixed four hundred years before Christ, although the development of law went on (cf. Mark vii. 1–13). The history of these four centuries is, our theory says, just what we might naturally expect to follow such centuries as we suppose the fifth and sixth to have been. We know also that just at the close of the exile the leaders of the people, their teachers and representatives, were not keen thinkers or searching preachers, like Isaiah and the men of his century, but they were temple-builders, scribes, like Haggai and Ezra. They were not masters, but scholars; not originators, but elaborators; not seers, but law-makers, refining, punctilious. Their rules were burdens; their sacerdotalism fell heavily upon a weary people. Here, then, says the theory, are remarkable facts in whose light the Pentateuch should be studied. Perhaps they may suggest to us the key to the book's structure.

I have now to describe the history of this method of studying the Pentateuch. Let me first give an exposition of one of the classical treatises on the subject, viz. an essay entitled "The Historical Books of the Old Testament, two Historico-Critical Examinations by K. H. Graf, Dr. Theol. and Phil., Professor in the Royal University of Meissen." The Essay was published in 1866, by T. O. Weigel of Leipzig. The two critical examinations treat respectively of the component parts of the Old Testament from Gen. i. to 2 Kings xxv. and of the historical value of the Books of the Chronicles. I think it best to present an exposition of the first of these examinations, and then to trace the history of Old Testament criticism before and since Graf's essay was published. I shall endeavor to describe carefully not only this essay by Graf, but also the results of the investigations of De Wette, Bleek, George, Vatke, Hupfeld, Ewald, Orth, Kuenen, Colenso, Nöldeke, de Lagarde, Höllenberg, Duhm, Smith, Wellhausen, Ryssel, Schultz, Curtiss, and others.[1]

[1] The following are some of the principal publications on the subject: De Wette's Introduction to the Old Testament in its various editions; the editions of Bleek's Introduction; The Older Jewish Festivals, with an Examination of

Professor Graf closes his essay with these words: "The church of the old covenant, like the church of the new, was not founded by a written document. That old church had its origin, like the new, in the living word of revelation by prophets." Here is a new doctrine; but it is an interesting one. If this investigation is to lead to such a result, we may well give attention to it; for it appears, at first sight, to have none of the repulsiveness of those theories which only tear from us what we treasured. This promises to give us something positive, to put life, spiritual life, into a history which most of our young theological students soon forsake as an unattractive chaos.

Graf's proposition may be stated, in brief, thus: There have been three great revisions and enlargements of the Elohistic history which is the original kernel of the historical books from Genesis to Kings, and which kernel has been hitherto believed to include the Levitical legislation. It had been commonly supposed that only two such revisions had been made. But Graf supposes that long after the first revision by the Jehovist in the time of the early kings, and the second revision by the Deuteronomist in the time of the later kings, the Book of Thorah was enlarged a third time by the addition of the Levitical laws. The laws which Graf regards as Levitical do not stand all together in one book of the Pentateuch, but are contained chiefly in the Book of Leviticus, partly

the Laws in the Pentateuch, by J. F. L. George, 1835; Biblical Theology, and The Religion of the Old Testament, by W. Vatke, 1835; The Sources of Genesis, by H. Hupfeld, 1853; The History of Israel, by H. Ewald (3d ed. 1864–66); The Religion of Israel, by A. Kuenen; The Pentateuch and Joshua critically examined, by J. W. Colenso; The So-called Original Document of the Pentateuch, by Nöldeke, 1869; Collected Essays, by P. de Lagarde, 1866, and his Symmicta, 1878, etc.; Essays on Deuteronomy, in the Studien und Kritiken, by Höllenberg; The Theology of the Prophets, by B. Duhm, 1875; Additional Answer to Libel with some Account of Evidence, etc., by W. R. Smith, 1878; The History of Israel, by J. Wellhausen, 1878; Historico-Critical Commentary on the Language of the Elohist in the Pentateuch, by C. V. Ryssel, 1878; Theology of the Old Testament, by H. Schultz (2d ed., 1878); The Levitical Priests, 1877, and The Aaronitic Priesthood and the Origin of the Elohistic Thorah, 1878, by Dr. S. J. Curtiss; Moses's Proclamation of Law in the Land of Moab, by E. Riehm.

also in the Book of Exodus, and partly in the Book of Numbers. The more exact limits will become plain as our exposition of the essay proceeds. We may here indicate, in general, the divisions of the Pentateuch to which frequent reference must be made hereafter. The divisions are three. The first is the Elohistic and Jehovistic portion, which includes, according to the essay, nearly all the purely narrative passages from the beginning of Genesis to the end of Numbers, and also the laws recorded in Ex. xiii., xx.–xxiii., and xxxiv. The second division is Deuteronomy. The third division is the Levitical legislation, which includes the legislative parts of Exodus, Leviticus, and Numbers, with the exception of those laws already mentioned as belonging to the first division. It includes, also, a few narrative passages closely connected with these laws. The last enlargement took place after the return from the exile, in about 450 B.C. This is the theory of the Essay.

I think it important to give first a full exposition of this essay; for it has become a classic. But it must be stated even here that the hypothesis was modified almost immediately after the publication of the essay; and it is now supposed that the Elohist's work was not at all the kernel of the Thorah, but was the last addition to it, and included in itself the Levitical ordinances; the whole being added about 450 B. C. This makes the Jehovist's work the original kernel. A letter from Professor Graf to Professor Kuenen, dated Nov. 12th, 1866, and quoted by Professor Wellhausen (Hist. of Israel, p. 11, note), says: "You let me foresee a solution of the enigma. ..... It is that the Elohistic parts of Genesis should be set later than the Jehovistic." Graf's essay had been published in the beginning of the same year, 1866. What the enigma was to which the letter alludes will soon become evident.

The reformation of Josiah is chosen as the point from which to watch for the first appearance of the various documentary components. The book found by Hilkiah was Deut. iv. 45–xxix. 1, with the exception of chap. xxvii. Graf does not give

all the details of the evidence for this, but refers to other essays on the subject; among others to one by Professor E. Riehm of Halle, — "Moses's Proclamation of Law in the Land of Moab" (p. 78 ff.). An extended discussion of the subject may be found in the Reply of Professor Smith, already named. A careful comparison of Deut. iv. 45–xxix. 1 with 2 Kings xxii. 8–xxiii. 27 should be made by the reader. Graf aims to show here that Josiah's book cannot have been the whole Pentateuch. The name given to Josiah's book (סֵפֶר הַתּוֹרָה), 2 Kings xxii. 8, does not necessarily mean "the Pentateuch," or anything more than a book, or the book, of the instruction, i.e. a book containing the same instruction as the great prophets had been preaching for two centuries concerning God and righteousness. The instruction was old, as may be seen by comparing Deuteronomy with the prophets down to Jeremiah; but this sermon on it was thoroughly new — new in form, new in its solemn exhortations and dreadful warnings. As a new sermon on that old subject the Book of Deuteronomy was certainly fitted to produce exactly the result of which we read. The expression סֵפֶר הַבְּרִית, 2 Kings xxiii. 2, does not imply that the book was the whole Pentateuch, but may be regarded as describing peculiarly the Book of Deuteronomy, and the expression may refer specially to xxviii. 69 (E.V. xxix. 1). Jeremiah uses the same expression with evident reference to Deuteronomy (see Jer. xi. 2; and cf. Jer. xi. 1–5 with Deut. xxvii. 1–10; and Jer. xxix. 12–14 with Deut. iv. 29 and xxx. 3). Again, it is very difficult to suppose that such a book as the whole Pentateuch, or even the Elohistic or the Jehovistic part of it, could have been lost if it had ever been widely known. And if the position of Deuteronomy as a part of the Pentateuch proves that when Deuteronomy was found the whole Pentateuch must have been found, then the same argument would prove that the Books of Joshua, Judges, Samuel, and Kings were also found at the same time; for the eleven books from Genesis to Kings stand together as one continued narrative in the Hebrew Old Testament (Ruth stands at the end of the

Bible among the Hagiographa), and the marks of the hand that edited Deuteronomy are visible on the following books down to Kings. But, says Graf, the original Deuteronomy began at chap. iv. 45, verse 44 being evidently a link to connect the book which is about to begin with what precedes. In vs. 45–48 the original superscription or title of the book still remains. That old title evidently stood where it does before the first four chapters were written, and the reviser who prefixed chapters i.–iv. left chapter iv. 45–49 standing, although it was originally meant to stand at the beginning of the book. In like manner the original book closes, at xxix. 1, with a subscription ; and a few additional chapters follow, added by the enlarger of the book. The same hand probably wove in chap. xxvii. as suited, slightly and rudely, to its present position. It was surely not there in the original book, for it begins with a formula of quotation which is quite strange. It makes a decided break in the continuity of the discourse ; and it is not a summary of the whole, but a separate treatment of a subject which the sermon discusses elsewhere in a different way. These additions, says the essay, have likely been made in order to weave the sermon into the Jehovistic historical book already existing, and they may have been made at the time of the troubles in Jehoiachim's reign.

We turn now, with Graf, to a comparison of the original Deuteronomy (iv. 45–xxvi. 19 and xxviii.) with the old law-book found in Ex. xx.–xxiii., containing the so-called Book of the Covenant, and with those narrative parts of the Pentateuch which were regarded by Graf, when he wrote, as of the same age as that Book of the Covenant. Graf believes that the Deuteronomist knew the contents of that older law-book and of those narratives, but was quite ignorant of the Levitical laws. He regards the Elohistic book as the original kernel, as we have said, and the Jehovistic work as the first revision. But he treats these as one when he compares them with Deuteronomy. For the Jehovistic revision would be already old in the Deuteronomist's time. The results of his minute comparison of Deuteronomy with the Elohistic

and Jehovistic book may be summed up thus: The Deuteronomist knows all the story of the escape from Egypt as it is told in these older parts of Exodus and Numbers. He alludes to all these events in the course of his sermon; doing this as a preacher uses narratives for illustration's sake, and not as a mere narrator would. His use of the story is very free, not at all a slavish repetition. Indeed, his version is often very different from the old version. The difference is such that we might be tempted to say the Deuteronomist did not know these older books at all, but learned the story from the current oral traditions only. But this cannot be; for he himself re-edits his book, and unites it with the older books by means of the new preface, Deut. i.–iv., which he writes for this purpose. Graf believes that the Deuteronomist had the older books at times actually before him, and often in memory, but that he drew information also from oral sources, as the variations show. The frequent variations require such explanation, while the frequent use of the very words of the older record shows his remembrance of the older text. Even phrases and sentences are given entire as they stood in the old book; but they are by no means sufficient to indicate identity of writers; for, on the other hand, there are remarkable variations of language.

In like manner the narrative of Deut. i.–iv. resembles that of Exodus and Numbers; it has also similar points of difference. The difference in contents and language forbids the conclusion that the Deuteronomist was the same writer as the Jehovist. The expressions which are common to both indicate only the acquaintance of the Deuteronomist with the older book.

Let me enumerate a few of the details of Graf's argument, which I have just sketched in outline. The story of Deuteronomy agrees with that of the older book in alluding to the journey to Egypt with seventy souls, the oppression, the wonders, and the deliverance, the destruction of Pharaoh, the manna, the rock-water, Massah, the Amalekite war, Horeb, the tables, the calf, the people's obstinacy, Taberah, Kadesh-barnea, the forty years, Miriam's leprosy, Dathan and Abiram,

Aaron's death, the serpents, Balaam, the promise of Canaan. The Deuteronomist alludes to all these in the course of his exhortations.

Variation appears in the description of Moses's auditory in the plains of Moab. The Deuteronomist regards the auditory as the same which had met at Horeb, and never once speaks of a whole generation as having perished in the wilderness (see Deut. v.–xxviii.). Again, the sojourn in the wilderness is not a punishment, in the Deuteronomist's view. It is to him a probation (see Deut. viii.). The accounts of the revelation on the mountain differ considerably. According to Exodus, God first declares the ten commands. When the terrified people ask that Moses be a mediator, Moses ascends into the cloud on the mountain-top, and there writes in a book all the laws which he receives. The people swear obedience to this book. Then comes the story of the two tables of stone received on the mount, but their contents are not described (see xx.–xxiv; xxxi.; xxxii.). On the other hand, Deuteronomy says that God first spoke the ten commands from the mount, then wrote them on the stones; and when these stones were broken he wrote the same ten commands upon the second tables. After this the people in terror asked that Moses alone should receive the direct revelation, and then communicate God's will to them. Moses consented, and ascended to receive more commands; but these commands he communicated on the plains of Moab for the first time (see Deut. v., vi., and xxix. 1).

There are other variations, e.g. concerning Taberah and Kibroth-hataavah (cf. Deut. ix. 22 with Num. xi. 3, 34); concerning Beeroth, Mosera, and Gudgodah (cf. Deut. x. 6, 7 with Num. xx. 28 and xxxiii. 30–38). In Deut. xxv. 17 ff. the attack of Amalek is much more minutely described than in Ex. xvii. 8. The statement of Deut. viii. 4 that the clothing of the people had not grown old, nor had their feet been wounded, has no parallel in the older story. The peculiar homiletic use of the narrative is well illustrated by the frequent repetition in Deut. ix. and x. of the story of Moses

fasting before God in the mount for forty days. The same touching story is again and again repeated, in the same words, as the refrain of an eager preacher, who comes back often to one such striking expression to beat with it against the door of his hearers' hearts.

The language of Deuteronomy is sometimes remarkably like that of the older book. Graf adduces the following apparent evidences that the later writer remembered the text of the earlier.

כִּי (or הִוא) עַם קְשֵׁה־עֹרֶף אַתָּה (or הוּא) is peculiar to Deut. ix. 6, 13, and Ex. xxxii. 9; xxxiii. 3, 5; xxxiv. 9; cf. Deut. xxxi. 27. The expression occurs nowhere else.

בְּאֶצְבַּע אֱלֹהִים is peculiar to Deut. ix. 10; Ex. xxxi. 18. Compare also Deut. ix. 9, 18 with Ex. xxiv. 18; xxxiv. 28.

Compare Deut. ix. 12, 16 with Ex. xxxii. 7, 8, noting the expressions כִּי שִׁחֵת עַמְּךָ; סָרוּ מַהֵר; עֵגֶל מַסֵּכָה.

Compare Deut. ix. 13, 14, 15, 17, with Ex. xxxii. 9, 10, 15, 19, noting the common words. Graf regards Deut. ix. 21 as a free enlargement of the earlier Ex. xxxii. 20; and Deut. ix. 26–29, as written from recollection of Ex. xxxii. 11–13. Compare also Deut. x. with Ex. xxxiv.

But on the other hand comparison of these verses just quoted, shows variations which exclude the idea that all had the same author. Cf. Deut. ix. 15, 17, 18, 19, with Ex. xxxii. 15, 19. The word הִתְאַנַּף of Deuteronomy does not occur in Exodus. הכעיס of Deut. ix. 18 is not found in Exodus, although very common in Deuteronomy, Kings, and Jeremiah. The like may be said of other words. Thus in Exodus the mount of revelation is Sinai, always save once, whereas in Deuteronomy it is Horeb.

Such, then, is the result of comparison of the Deuteronomist's use of the Hebrew story with the detailed narrative as written by the Elohist and the Jehovist long before the Deuteronomist wrote his sermon. Graf finds that the preacher knew that old record, had read it, and often quoted the very words of it, as one might quote from memory; but he was not eager to repeat it literally, rather varied from it

frequently, seeming to gain his information, as he naturally might, both from the record and from current oral tradition.

Compare, now, the laws quoted in Deuteronomy with those described in the older books. The same relation seems to Graf to exist, for the most part, in the laws as in the narratives. A few of the Deuteronomic laws are advances on the earlier laws. These earlier rules and customs provided for sacrifice at any of the places where God had appeared to men; and such places were numerous. But the law in Deuteronomy allows sacrifice in Jerusalem only. Here is an advance in rule, corresponding to the gradual change in custom as recorded in Judges, Samuel, and Kings. But let us compare some of the laws which are common to both the older book and Deuteronomy. Such are the decalogue, the directions for eradication of Canaanite worship, and many of the counsels which in Deuteronomy are to be found in xii.–xx., and in Exodus in xx. 23–xxiii. 19.

Graf regards the Exodus decalogue as older than that of Deuteronomy; and he points to indications that the Deuteronomist knew the other version, although he may not have had the text of it before him while he wrote. The later writer by no means regarded this older version as the only valid version; for he changes the expression, gives other motives for obedience, adds something here and there, and alters the order of sequence. He does not make these changes for the sake of reverting to an original form older still than the Exodus version; for in his changes he introduces language peculiar to himself. Cf. the Hebrew of Deut. v. 15 with xv. 15, xvi. 12, xxiv. 18, 22; cf. likewise v. 15 with vi. 21, vii. 8, 19, ix. 26, 29, xi. 2, xxvi. 8. Cf. v. 12, 16 with v. 29, xx. 17, xi. 25, xviii. 2 (in all these passages the reference to still earlier commands shows that these commands before us are not the very earliest ever given). Thus the later writer quotes as a preacher might the old counsels, recalling them to memory as an older embodiment of that divine instruction which all the prophets had preached. The old form had served its purpose well, and

some of its very words had become classic. The Deuteronomist quotes them, or does not quote them, according as he thinks in his eagerness that he may best rouse his audience.

Turning to the counsels and promises of Deut. vii. we find here a free enlargement of Ex. xxiii. 20–33, with occasional indications that the very words of the old passage were in the mind of the preacher.

In like manner, the laws and counsels of Deut. xii.–xx. are found to be based on the contents of Ex. xx. 23–xxiii. 19. The later writer chooses, as a preacher would, suitable parts of the old book, emphasizing, enlarging, changing, and doing all with a special aim. His aim is to make his countrymen peculiarly Jehovah's people. In this section he preaches purity, righteousness, benevolence in general, without repeating the minutiae of the older regulations. Let me enumerate the subjects of which, according to Graf, he treats, leaving to the reader the collation of passages with those in Exodus.

The Deuteronomist alters the Exodus law respecting places of sacrifice, as already stated. The latter ordained an altar at every place where Jehovah recorded his name. Deuteronomy restricts sacrifice to one place (see chap. xii. and parallel). Consequently, also, Deuteronomy gives rules for the simple slaughter of beasts at other places. He enlarges the rules against false prophets and external impurity, and repeats directions for the administration of justice. He greatly enlarges and modifies the provision for the shelter of the man who slays another unwittingly (see chap. xix. and parallel). He gives large instruction touching the choice of kings, while Exodus scarcely mentions such a ruler (see chap. xvii., and cf. מֶלֶךְ with נָשִׂיא). The constitutional history of the people had advanced considerably in the period intervening between the two writers. He repeats with considerable modifications the rule respecting slaves who are Hebrews, and emphasizes especially the benevolent ground for the rule (see chap. xv.). Benevolence is also the motive which he urges for observance of the year of release. as it was the Deuteronomic motive for

observance of seventh-day rest; whereas the writer of Exodus commands these things rather as religious sacrifices. Whenever the elder writer exhorts to benevolence, the Deuteronomist earnestly repeats the counsel (see xv. 15; xvi. 11, 12; xxiv. 18, 22). The laws respecting war (Deut. xx.) are peculiar to Deuteronomy.

Graf regards the following section of Deuteronomy (viz. xxi.–xxv.) as an extract from some source entirely different from the Exodus Book of Covenant. The section is full of minute directions which are very different in purport and expression from the directions of that Book of Covenant; and, indeed, the section is unlike any other part of Deuteronomy. It may have been taken from the same source which furnished chap. xxvii. This chapter, as we have remarked above, is also incorporated strangely into the original Deuteronomy, and the section chap. xxi.–xxv. may have been woven in at the same time by the Deuteronomic preacher when he revised his book or discourse. It is certainly not impossible that there may have been more than one old book accessible to the Deuteronomist, or known to him by memory, from which he might quote, after the fashion of all Semitic authors, as he composed and revised his work.

On comparing this section with the Exodus book, Graf finds only six instances of resemblance. These are Deut. xxii. 1, 4; xxiii. 20; xxiv. 6, 10 ff.; xxiv. 7; xxiv. 14; xxiv. 17. The parallels can be easily found. Graf records the following expressions which are peculiar to the passage, and do not occur elsewhere, not even in Deuteronomy: נָצַר for נָצַרְתָּ (this substitution occurs thirteen times in chap. xxii); עֲלִילוֹת דְּבָרִים; עֲרוַת דָּבָר; חַטָּא מָוֶת; חַטָּא מִשְׁפַּט מָוֶת; עַל־דְּבַר אֲשֶׁר. Moreover, the writer speaks of the priests, the Levites, as scattered over the country; whereas the Deuteronomist's own words rather imply that they are to be found in Jerusalem only (cf. xxi. 5 [xxiv. 8] with xvii. 8, 9).

These things seem to confirm the opinion that this section was suggested by a book not now extant, and was largely obtained from the same. Nevertheless, the incorporation of

it seems to have been the work of the Deuteronomist himself, for current Deuteronomic formulae occur here and there in the section (cf. xxiv. 18, 22 with v. 15; xv. 15).

We might object here that a sermon could not seem new if it were based, like this, on old and well-known books, reiterating very old commands, adding very few new ordinances, and even in these few new laws simply formulating customs that had long been growing, and were now quite common. Surely then this sermon was not new to Josiah — not so new and startling as the story of Kings implies. Graf replies that a sermon on such old instructions may easily be new, and may make all its teachings new and startling, if it only declares, as Deuteronomy did, what the hearers have known, but have neglected, and if it enforce the counsels by such wise argument and fearful warning as the Deuteronomist used. The sermon did make a deep impression, and its counsels were accepted as law. But the strongest motive towards their acceptance was the general belief that these counsels were right, were a true declaration of what Judah ought to do. That belief was easily kindled; the materials for it lay ready to be touched by the preacher's fiery words. A nation accepts laws which formulate the customs that have been gradually growing strong. Men accept decisions when experience and conscience have been calling for such decisions. This is God's way of making nations, of ruling them. It is thus that his providence has guided all other nations, and has given to these others their laws. The more we examine the political history of the Jews, the more do hints multiply that the minds of men amongst them were all along working and producing just as minds worked and produced elsewhere. In other words, we find hints that God made and sustained the Jews as he has made and sustained all other men. Graf argues that God works in a certain way to produce legislation among other nations; that the history of the Jews under the kings shows that life moved among them very much as it did among other nations. And this was what we might expect under the hand of the one Creator. Graf argues, again, that a minute

examination of the legal records of the Jews shows it to be at least possible that the actual formation of these legal documents may have come about in the same way in which books of law arose elsewhere. The documents may have grown in size and in influence from generation to generation.

Graf regards the decalogue itself as a good illustration of the growth of Jewish law. We are told that Moses engraved the ten laws on stone. But we never read that these stone tables were erected where every word and letter on them could be seen and read. The laws were rather preserved in memory. The Deuteronomist repeats them from memory, thinking little of the mere form of the laws, but of something far higher — the elevation of the people's character. Indeed, both the form given in Exodus and that given in Deuteronomy seem to be versions drawn up from memory long after Moses had engraved the original upon the stones; for both these versions are suited to a people already dwelling in fixed homes and in towns, whereas Moses's original law must have been suited to a nomadic people. This opinion is corroborated by the fact that Hosea and Jeremiah allude to the same decalogue with no attempt at literal repetition of either of the forms now extant. Other preachers — like Isaiah and Jeremiah — speak of fundamental laws quite different from the decalogue. Indeed, Ex. xxxiv. 12–26 gives another decalogue, and one entirely different from that of Ex. xx. It is no mere fancy that the preservation of these laws was left to memory. The records themselves tell us that the living voice, tradition, memory, were to be the means of perpetuating the instruction, the Thorah. Graf refers in evidence of this to Ex. x. 2; xii. 26 f.; xiii. 14; Deut. vi. 20; Judg. vi. 13; Ps. xxii. 31; xliv. 1, 2; lxxviii. 3 ff.; Prov. iv. 2 ff.

In closing this discussion of the relation of Deuteronomy to the earlier documents, Graf seeks for an approximate date for the composition of these earlier books. Their regulations are intended for a settled people; and the writer betrays no thought of aborigines with whom there must be

frequent conflict, or whom the people must try to treat righteously. Graf adduces many arguments for these propositions; I will not quote them here, but shall return to them hereafter. A careful examination by the reader will suggest the evidence which Graf claims. He concludes that the writer did not live among the troublous times of the judges, but rather in the time of the kings. The conditions of social and religious life implied in the book as existing before the writer's eyes are exactly the conditions which the writers in Samuel and Kings describe as existing under the kings.

Our author considers that he has now made clear the relation between two important elements of the Thorah. The Exodus Book of Covenant was a record of the customs of the times of the earlier kings, and a book of instruction based on these customs. Deuteronomy was a sermon, written in the times of the later kings, solemnly recounting the familiar story of the past, recorded and unrecorded, and exhorting to a life worthy of the people of Jehovah. King and people trembled as they heard the words, and the book was treasured as a sacred, a divine instruction.

The second stage of Graf's inquiry begins here. He now asks what relation the regulations of Leviticus and of similar passages bear to the laws of the Exodus Book of Covenant, and to those of the Book of Deuteronomy. He compares successively the various laws given in these three sections respecting festivals, priesthood, the place of worship, purity of food, cities of refuge, and a few less important matters. The result of his examination is that the Levitical legislation seems to him to have been written after the exile.

He considers, first, the law of the passover. There are two sets of regulations to be examined. The law given in Ex. xiii. agrees pretty closely with the Deuteronomic law as found especially in Deut. xvi. 1–8. But a very different law — one which is peculiarly Levitical — is found in Ex. xii. 1–28. Let us examine each. The laws of Ex. xiii. and Deut. xvi. are combinations of rules for two combined ob-

servances — a festival and an offering. The festival was that of unleavened bread; and this appears to have been in early times a home festival, whereas in Deuteronomic times it had become one of the three annual occasions (Deut. xvi. 16) for pilgrimage to the single sanctuary. The offering was that of the firstlings of animals; and this too had been observed in early times without resort to Jerusalem, for the early rule was to present these firstlings on the eighth day after birth (Ex. xxii. 29, 30). But the Deuteronomist's rule is that once in the year these firstlings be all brought to Jerusalem, and offered and eaten there. Clearly it is this particular observance of firstling sacrifice which is called פֶּסַח, the word which our English version translates "passover." The combined regulations describe the united observance of these two rites at the one visit to Jerusalem. At some unfixed date in the month Abib unleavened bread was to be eaten for seven days. In Exodus xiii. the firstling sacrifice of large and small cattle is connected with the unleavened feast in an indefinite way. The Deuteronomist says more distinctly that the two rites are to be celebrated together, and he insists that the observance be at Jerusalem.

Turning, now, to the directions given in Ex. xii. 1–28, we find much that is strikingly new. Here the animal killed and eaten is a yearling lamb or kid, not every firstling of herd and flock. It is roasted, not boiled as before (Deut. xvi. 7 has in the E. V. a mistranslation, putting "roast" where the Hebrew has בָּשַׁל). This word the E. V. renders "boil," or its equivalent, in all the many places where it occurs, save here and in 2 Chron. xxxv. 13, where the Hebrew text itself adds בָּאֵשׁ, "in the fire." The Chronicler sought to reconcile the two different laws by combining the two directions "to boil" and "to roast," and saying "boil in the fire." The E. V. avoids the difficulty by mistranslating in Deut. xvi. 7, and saying "roast," instead of "boil"). Again, the new law of chap. xii. makes the passover a family sacrifice in the Israelite's private house, wherever his home may be; whereas the Deuteronomist forbade the observance

of the ceremony outside of Jerusalem. The time of observance is now very definite; it is the fourteenth day of the first month. Even the designation of the month is altered. Again, two solemn convocations are appointed — one for the first day, and another for the last day, of the week of unleavened bread. The Deuteronomist had only one such convocation. A peculiar appendix (vs. 43–49) closes the description.

On the other hand, this פֶּסַח law of Ex. xii. has many features quite like those of the sacrifice laws in Leviticus (and Numbers). Observe the sprinkling of blood, vs. 7, 22, and Lev. i. 5 (Heb.); iv. 7; (cf. 2 Chron. xxix. 22; xxx. 16). Observe also the direction that nothing be left of the sacrifice until the next morning, vs. 10, and Lev. vii. 15; viii. 32; xxii. 30. It is remarkable that the list of feast and festival rules in Leviticus contains very brief directions for the passover (see Lev. xxiii. 5–8, as compared with the full treatment of the details of the other feasts). This can be easily explained by regarding Ex. xii. as the Levitical passover law, inserted where it is because the events are there described which were commemorated by that Levitical passover.

The rites prescribed in the law of Ex. xii. are exactly those which were customary, Graf reminds us, in the later times. Ezekiel, in the exile, gives some similar directions, and he wrote at least fifty years after the Book of Deuteronomy had been found. Ezekiel wrote in Babylonia, and gives the new and definite rule for the date of the passover, which was natural, since the changes in the Jewish calendars seem in general to have been due to the exile. Deuteronomy, written at least a generation before that exile, has the old and indefinite rule for the date. It is unnecessary to refer to the very numerous evidences in Josephus, in the New Testament, and in other later writings that the post-exilic passover was observed according to this Levitical passover law found in Ex. xii. It is very evident then, Graf contends, that this Levitical law is the later law, that it is a far-advanced development of the simpler rules of Ex. xiii. and Deut. xvi.

Ex. xii. must have been written considerably later than Deut. xvi., and, *a fortiori*, much later than Ex. xiii.

The essayist then seeks to demonstrate that the new practices which are codified in this Levitical law of the passover are exactly such practices as would arise during the exile. Large cattle could not be sacrificed there; a single lamb roasted and eaten was a most suitable emblem of the sacrifice of firstlings. The temple was far away from Babylon; therefore the rite must cease to be an actual sacrifice, and only the feast could be observed. The captives might not gather in great numbers in the captors' city; therefore the feast became a quiet family meal. The blood could no longer be sprinkled on the altar; it was sprinkled on the door-posts instead. Perhaps the bitter herbs represented the temple myrrh and incense; perhaps they were rather a silent expression of the exiles' bitterness of heart.

Here there is one Levitical law which is a mystery when regarded as a contemporary of either of the other passover laws, but which, says our author, appears at once to be a most natural development, if we suppose that it grew up in the exile. It is, indeed, just what we would expect the exile to produce, and it is the law which we find in observance at the close of the exile, and ever since. Graf's argument might be summed up thus,—that the providence of God, working according to the methods which he ordinarily chooses, would have produced these Levitical passover ordinances in the time of the exile.

The essayist adds that it might now seem natural to conclude that any other laws concerning priests and sacrifices which have the same characteristic marks, formulae, and expressions as this passover law has, must therefore date from the same period to which this passover law has been referred. But Graf prefers rather to examine each of these laws by itself. He continues with the festival laws and, next to these, treats of the feast of weeks. The older laws for this are in Ex. xxxiv. 22 and in Deut xvi. 9–12. Exodus merely enumerates it in a list of feasts; Deuteronomy directs

that it be held at Jerusalem as a joyful gathering and day of feasting for all the people, the poor not being forgotten by the rich. A free tribute is to be brought up out of that wherewith Jehovah hath blessed each, but the particular nature or amount of the tribute is not specified. The destination of this tribute may perhaps have been to make provision for the general feast. It was hardly for the Levite alone; for he is named among those to be invited to the general rejoicing. The time for the feast is left somewhat indefinite; and it would vary in different years. The direction is simply "seven weeks from the putting in of the sickle."

Observe now the minute ritual of Leviticus xxiii. 10–21 with its more particular, although still naturally indefinite, rule, "count seven weeks from that day on which the sheaf of first-fruits was waved by the priest." That day of the waving was always the day after a Sabbath, no matter when the sickle had been put in the corn. There was a very refined ritualism prevailing when these rules were laid down. Then on the first day of the eighth week, thus reckoned, the feast was to be held, and the list of peculiar sacrifices is long and precise. These Levitical rules, says Graf, were surely developed later than the simple directions of Deuteronomy. The details of the Levitical law must be read to be appreciated. I have not even alluded to them all. A second set of details is recorded in Num. xxviii. 26–31.

For the next of the feasts, the feast of tabernacles, the early Exodus writer and the Deuteronomist give very simple rules. See Ex. xxiii. 16 (cf. xxxiv. 22), and Deut. xvi. 13–15 (cf. xxxi. 10). The Levitical ordinances have minute ritualistic details like those above described. See Lev. xxiii. 34–36, 39–43, Num. xxix. 12–39). In the old Exodus law the name of this festival is simply "The Feast of Gathering," or as we might say, "The Harvest Home." It was evidently the chief festival or holiday of the year in the early times, since it was called for very many generations "The Festival." I may observe here that our English version obscures

this, as we have already seen that it obscures other facts The English version will not serve a student of Jewish history. By the time when the Deuteronomist wrote, this festival had obtained the additional name, "Feast of Tabernacles," as appears from Zech. xiv. 16, 18, 19, as well as from Deuteronomy. It kept that name throughout the later times, see 2 Chron. viii. 13; Ezra iii. 4 (Ezek. xlv. 25 and Neh. viii. 14, have the old designation "The Feast"). The newer name is given to it in Leviticus, which thus corresponds with the later practice. In Exodus and Deuteronomy the date of observance of this festival is left unsettled. It is to be determined in each year by the forwardness or lateness of the harvest; and this, says Graf, is most natural for such a feast. It is to be held, according to Deut. xvi. 13 and Ex. xxiii. 16, in the end of the harvest. Graf regards this as agreeing exactly with the report which we have in 1 Kings xii. 32, 33, that Jeroboam established a feast on the fifteenth day of the eighth month, at a date different from that of the feast of ingathering in Judah. Graf says that it would be easy to establish this different date if the difference in locality and consequent difference of the time for harvesting had tended to make the northern festival of ingathering happen so much later; whereas, he adds, the mere arbitrary change by Jeroboam I. of the date of a great feast would not have drawn the people from Jerusalem to him, but would rather have made them distrust and leave him. Now the Levitical law treats the date of the feast as already exactly fixed for the fifteenth day of the seventh month. This seems like a development later than the custom prevailing when Josiah made the reforms counselled in Deuteronomy, for Deuteronomy leaves the date unsettled.

Another point of contrast is found in the different numbers of days for the festival's duration. Deuteronomy says it is to last seven days (see xvi. 13, 15); and so the writer of 1 Kings viii. 66, living apparently before the exile, tells us that Solomon dismissed the people from this feast upon the eighth day. But the Levitical law (see Lev. xxiii.

36, 39 and Num. xxix. 35) appoints one day more, eight days in all; and this seems to have been the custom in the days of the writer of Chronicles (see 2 Chron. vii. 8, 9, 10), who lived long after the exile; for he considers that Solomon must have held eight days of festival, i.e. seven days of the feast, beginning with the fifteenth, then on the twenty-second, i.e. the eighth day of the feast, a solemn assembly, sending the people away on the twenty-third day of the month. The chronicler most naturally regards the custom and law of his time as those which had prevailed in Solomon's time, while the writer of Kings seems to Graf to have lived before it became the custom to observe such an eighth day, and thus before the Levitical codification of that custom. The details of ritual for this festival as recorded in Leviticus and Numbers are of the same sort as are the details of that passover-law, which seems to Graf to be post-exilic.

The Levitical list of festivals contains two which are not given at all in the Exodus Book of Covenant, nor in Deuteronomy. These are the festivals of the new moon, of the seventh month, and the great day of atonement. To Graf it seems quite possible that the former of these (Lev. xxiii. 24 f.; Num. xxix. 1 ff.) was not unknown to the Deuteronomist, although he does not prescribe its observance, nor does he make any mention of it. New moons in different months seem to have been always seasons of special worship; and that of the seventh month may have been always peculiarly so.

The great day of atonement is described in Lev. xvi. xxiii. 27–32; Num. xxix. 7–11. No hint of any such fast-day is given in Deuteronomy. This is a striking silence concerning a peculiarly solemn fast. But we shall see erelong that Deuteronomy never alludes to any high-priest; and yet only a high-priest could perform the great rite of the day of atonement. We find, moreover, no reference to this day of atonement in the records of Samuel and Kings. Even in the exile, Ezekiel, when drawing up a ritual, makes no mention of this day of atonement on the tenth day of the seventh month, but he appoints two different days for such a fast, namely, the

first and seventh days of the first month (Ezek. xlv. 18, 20). Even Nehemiah, at the close of the exile, has a day of fasting on the twenty-fourth day of the seventh month (Neh. ix. 1), but mentions none for the tenth day. Zachariah speaks later of such fast-days in the fourth, fifth, and tenth months, as well as the seventh. Graf now states the well-known fact that this fast of the tenth day of the seventh month, as described in Leviticus and Numbers, was in the later Jewish history a most important day, as it still is among the Jews. It became *the day*, הַיּוֹם. He considers that such fasts would very naturally be held during the exile; and when one became established, nothing was more natural than that it should be regarded as an ancient ordinance, even an institution of God by the hand of Moses. The belief was honest, although uncritical. The description of Graf's study of the Levitical priesthood, and the other remaining topics, must be deferred for another Article. When this exposition is completed, a review of the progress of such investigations up to 1866, the date of Graf's essay, and during the fourteen years which have since elapsed, will be carefully given. My own criticism of the whole I must reserve.