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ARTICLE V.

ETHICS OF THE MOSAIC LAW.

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WERE the Mosaic statutes righteous? This is a question that we are bound to ask for more than one reason. It is true that David declared in the Nineteenth Psalm that "the statutes of the Lord are right, rejoicing the heart," and no doubt the poet-prophet of Israel exulted at the moral excellence of the laws of his own nation when he compared them with the codes of other peoples. But the standards of the twentieth century of the Christian era are very different from, and much higher than, those of the tenth century before that era, and many things which evidently seemed right and proper to King David seem so wrong to us that we cannot accept his judgment without reconsidering its grounds. And this we are compelled to do on account of the reproach which is often cast upon these statutes by those who desire to disparage the influence and authority of the Old Testament. This is being done with great acrimony in this generation, and to those who are incompetent to make personal investigation, with seemingly the best of reasons. Under these circumstances reëxamination becomes necessary not only to be able to join in David's exultation, but even to escape from the depressing conviction that this part of the Book is an incumbrance and a disgrace. Are what David called the "statutes of the Jehovah" so far from being worthy of divine authorship as to deserve to be stigmatized as one of man's most atrocious performances? Or are they, when care-

fully considered and fairly judged, so right and admirable as to afford fresh reason for believing in the inspiration of the Pentateuch, and the holiness of God?

Let us begin with that part of the statutes which every fair-minded reader must acknowledge to be admirable. No correct judgment regarding the question we have propounded can be looked for from any one who is not candid enough to own that not only is a *large* part of the Mosaic statutes *most praiseworthy*, but by far the greater part. One is continually impressed with the humanity, the purity, the great superiority to all other codes known in that age, of the laws and regulations contained in the books of Exodus, Leviticus, Numbers, and Deuteronomy. To cause this to be realized let us examine them somewhat in detail.

We may safely observe that the entire body of *ecclesiastical* statutes, a very large part of the whole, deserves the *highest commendation*. First, *on account of what we miss in it* that we might have feared to find, the presence of which would have lowered it to the common level of a terribly corrupt age; and, secondly, on account of its lofty religious significance, and its remarkable adaptation to the spiritual wants of the race to which it was given.

There is *no idolatry* in these statutes, nothing whatever favorable to polytheism, but the most absolute opposition to everything but the pure monotheism of the worship of Jehovah. This alone is a merit of the highest order, when we remember how universal idolatry was in that age, and how it has kept its grip upon the larger portion of the world down to the present time, even as the masterful element of corrupt forms of Christianity. Somehow the tendency to idolatry is so irresistible to mankind that it is a surprise to find any country or any age which is free from it. And the idolatry of that age,

while it was so gross, so bloody, so revolting, in every nation, was yet apparently so fascinating to the Hebrews that they fell back into it every time they were lifted out, as a stone falls to the bottom of the sea; and, after a thousand years of tutelage and discipline, had to be cured by the heroic method of the Babylonian Captivity.

Surely we might expect to find in the ecclesiastical regulations of such a nation a reflection of its character, and the character of its environments. And so we should, if the laws of Moses were only of human origin, and the books of Moses were only Hebrew literature. The man who so considers them is bound to explain why there is no idolatry in these ecclesiastical statutes. The wonder has but one plausible explanation, that they are a revelation from God.

There is another remarkable absence in these statutes, and that is the lack of any faintest indication that they were made in the interests of *priestcraft*. A good many are saying, and more are thinking, in these days, that the Levitical code was really made long after the time of Moses by the priestly class, to further the pretensions of their own order. If that were true, should we not expect to find in the code much which, after the manner of priestcraft in all countries and ages down to the present time, would have bound the Hebrew laity hand and foot, and consigned it to the cruel thraldom of the Hebrew priesthood? Surely we should, for that is what priestcraft has always done, from that of Egypt in Joseph's time to that of Roman Catholicism in our own time. The story of the friars in the Philippines is the story of a petty, heartless tyranny, in every village and hamlet. Is there nothing in the Levitical code which lends itself to such a usurpation of human rights under the cloak of a spiritual function? Nothing; absolutely nothing. There is not a line which can be tortured into any-

thing beyond a fair allowance for the support, and the most innocent directions for the service, of the class upon whom the religious guidance of the nation so largely depended. It is an absence which becomes more momentous the more it is reflected upon, and which may well give satisfaction to one who is ready to ascribe these statutes to God.

And if these merely negative considerations are such weighty claims for these statutes, what shall we say of the positive fact, which admits of no reasonable denial, that they are all, without exception, arrangements for a pure, ennobling worship, and susceptible of a spiritual interpretation which makes them *suggestive* of the *great facts and truths* of the New Testament? What was it for a nation, situated in the midst of the degrading heathenism of the centuries before Christ, to have everything pertaining to that vile worship forbidden, and a ceremonial with so grand a meaning substituted in its place? What was it in that early stage of religious apprehension, to have all that we know that is good, and beautiful, and saving, put before the eye in pictorial form, such as we may well believe the childhood of the race needed? That the Mosaic worship did have the pure and spiritual influence thus attributed to it may be seen from such passages as the Fifty-first and many other psalms; and that it was susceptible of an interpretation prefiguring Christianity is evident from the Epistle to the Hebrews. But if this was the character of the Hebrew worship and of all the statutes relating to it, who can justly find fault with those statutes? Are we not ready, so far as these are concerned, to join in David's encomium "The statutes of the Lord are right, rejoicing the heart"?

If, then, there be anything objectionable to us in the Mosaic code, it must be found in that part which is concerned with *civil* matters. But here at once it is only fair to say that there

is much deserving of the highest praise. It is delightful to find the *golden rule* and the *law of love* embodied in the legislation of so early a day, and so primitive a people. One's heart warms as he sees that the poor were protected and provided for, that kindness was enjoined toward the unfortunate and the stranger, reverence for the aged, a fair trial for those accused of crime, just penalties to those who were convicted, and that even the king, instead of being commissioned as an Oriental despot, was put *under law*, where England succeeded in putting him, not till far on toward our own time, and where Russia has not yet been able to put him. Moreover are we not just now reading the admiration of medical men for the excellence of the sanitary regulations discovered in the laws of Moses, and are there not praises for the tenure by which land was held, which, if it had prevailed everywhere, would have made impossible these immense landed estates which crowd the poor man from off the face of the earth? Truly, as we consider these humane and wise features of this ancient code, it begins to seem as if the statesmen of our own time and country, as well as of the world, if they would solve the problems and heal the open sores which are giving them so much trouble, should go to school and give earnest attention to the great Hebrew lawgiver.

So far it must be confessed that we have found only ideal legislation, ideal according to the judgment and conscience of this latest century of human progress. But it must now be acknowledged that there is much in the Mosaic statutes which is not ideal; much which, when not considered with reference to the time and circumstances in which it was given, might seem indefensible. And if all legislation which is not ideal is wrong, then not only do most human laws deserve condemnation, but some which David calls the "statutes of the Lord."

We doubt, however, if any, even of the severest critics of Moses, are prepared to go to that length. A law is *right*, even if not ideal, if it be the *best possible law* which can be framed and executed at the time at which it is made. It is too much to ask of any legislator that his laws should be so exactly perfect, according to the highest standards, as would be approved by any people in any age. Such laws would often be so unappreciated as to be incapable of enforcement, and must remain dead letters upon the statute-book. No; it would be foolish and unjust to judge any code by such a principle; and if a ruler promulgate the best possible laws which his age and people admit, he deserves the gratitude and admiration of all succeeding ages. If all rulers would do as well as that, the world would make rapid progress toward perfection. Our Lord did not blame Moses because his ordinance regarding divorce was not ideally perfect. On the contrary, he justified him as having done the best that he could, considering the "hardness of the hearts" of his contemporaries. To be sure, it does seem to us now simply an outrage for any husband to be permitted to get rid of his wife by giving her a "writing of divorcement"; but in that land and age even that regulation was probably an advance upon the loose customs of the people, and paved the way for a truer estimate of the sacredness of the marital relation.

The same plea may be made for every law of Moses which would seem to us reprehensible. The avenger of blood was a very imperfect executioner for murderers; but rude justice is so much better than no justice, that, in regions where nothing better can be had, we still welcome the advent of the "vigilance committee" as the best available method of escape from an era of lawlessness. The avenger of blood was doubtless the officer of justice with whom the Semitic people were satis-

fied, and the best Moses could do was to take the existing institution, and hedge it about with such restrictions and regulations as would render its operation as safe and equitable as it could be made. The assignment of cities of refuge to which the unfortunate homicide could flee, at least gave him a chance to escape an undeserved death, and secure for him a fair trial by an impartial tribunal.

It is true that Moses did not attempt to destroy slavery, and in his code recognized its existence, in that way seemingly indorsing it. But it is unfair to claim that legislation indorses all the evils which it recognizes and controls. And while it must be granted that slavery was permitted by the Hebrew code, it must be acknowledged that it was always treated as a system to be limited and repressed. The humanity which is everywhere so apparent in the Mosaic statutes, the spirit of love and kindness, is nowhere more prominent than in the treatment of the relation between master and slave. The brutal and violent master was punishable for his excesses, and if the slave were an Hebrew he became free in the year of jubilee. The men who were proving the divineness of their peculiar institution in this country in the fifties of the previous century, and who exasperated the North by the passage and enforcement of a fugitive slave law, had, only to open their Bibles and turn to one of its earliest books, to find the return of a fugitive to his master expressly forbidden. So much more just and humane was ancient Hebrew law than modern American law, and so much was Moses nearer to Christ than Millard Fillmore and Daniel Webster.

But these are lesser grievances; we reach the "head and front of his offending" when we come to the laws of Moses relating to witchcraft and war. The extermination of the Canaanites is probably considered the most flagrant example of

cruel and savage barbarity in the commission given to the Israelites by their lawgiver.

As to the punishment of witchcraft by death, a subject which has been treated more extensively in a former number of this Review, it must be sufficient to say here that the witch or wizard to be killed was a *professional sorcerer*, one who wielded his power over ignorance and superstition to rob and murder. It was not the poor accused witch of the Salem frenzy, put to death in spite of many protestations of innocence, but that malignant impostor who has beguiled and perverted his fellow-creatures in every land and age, to ruin and destroy them in body, estate, and soul. If there was any criminal whatever who deserved capital punishment it was he. He was a black-hearted villain who was guilty of every crime against life and welfare, and his taking off was the protection of society from one of its worst foes.

And now as to the destruction of the Canaanites; without going to the length needful for an adequate treatment of the subject, it may be said, If crime is ever punishable by death, if the officers who execute the penalty are guiltless of murder, if God be a sufficient judge to order such an execution, and if the great interests of mankind can ever both justify and demand the making an example of those who have broken every law of God and outraged every instinct of righteousness in man; then is the destruction of the Canaanites, however terrible it may seem, to be regarded as just and right and necessary, and therefore casts no shadow of blame upon the great Being who commanded it, or the executors of his will who carried his orders into effect.

It does not seem necessary to argue either the justice of capital punishment, the guiltlessness of those who execute it, the competence of our Supreme Judge to order it, or the fit-

ness of the Canaanites to be made a terrible example of the justice that must sooner or later overtake every depraved rebel against God and goodness. Any one who will carefully glean from the books of Moses the description of the peoples who inhabited Canaan before the conquest, can have no doubt that they were bad enough to be selected to illustrate the righteous severity of the divine government. It has been charged that the Hebrews were incited to the carnage of the conquest by permission to indulge in every vicious excess that was characteristic of the conquered. But the truth is that the conquerors were warned beforehand that if they imitated the crimes for which the Canaanites were punished, they should themselves meet with the same fate. As, indeed, it afterwards happened; for having fallen into the same sins, and committed the like heinous offenses against divine authority and human welfare, they, in their turn, were spued out of the land, and had captivity or death meted out to them as the Canaanites had fared before them.

There is, however, another consideration which ought, we think, to put this accusation forever out of court with those who can rise to any proper estimate of the value of the world's interests in the fortunes of Christianity. If it was really necessary for God to become incarnate in order to save sinners, then every part of the preparation for his advent becomes infinitely important, and the plan of God to make a principal part of that preparation through the religious education of the Chosen People is seen to have been fraught with inestimable value to the whole human race. But, at the time we are considering, that plan required for its fulfilment the very land which the Canaanites polluted with their presence and their crimes. There was no spot upon the face of the earth where a race might be educated to holiness, and fitted to be the custodians

and messengers of saving truth, so universally did the enormous wickedness of heathenism prevail to contaminate and corrupt society. A place had to be cleared, the moral atmosphere of some region had to be made breathable, before this step could be taken, and moreover Palestine is, in many ways, exactly fitted to be the central point from which the truth and its teachers should radiate to the earth's circumference. Was this necessity not great enough to justify heroic measures? Must a weak sentimentalism toward a race of degenerates stand in the way of human progress toward the Millennium? If war, dreadful though it be, is justified when it opens the way to freedom and a higher civilization; if the world has thought the welfare of its millions a good great enough to be secured even at the cost of its noblest heroes; above all, if Heaven could spare the Son of God to hang upon the cross for our redemption—why should any one accuse God or his people of cruelty when the inhabitants of Canaan were swept from the earth to make room for the divine prelude to salvation? Had a flood been the instrument, or a pestilence, who would have objected? Undoubtedly the Hebrews were used that the fate of their predecessors might be a salutary warning to themselves.

We can then join David in declaring that the "statutes of Jehovah are *right*," in spite of all that may have been said against them. High as are our ethical standards, they are not higher than the principles which are embodied in the legislation of Moses. Much of it is ideal in its excellence, all of it was the very best that was possible in that early age and that rude civilization. It may well cause our hearts to rejoice, as it did the heart of Israel's great King, to see such an exhibit of moral beauty in that far-off land and time, shining, like a star in the midnight sky, out of the blackness of that remote period.

We may well wonder at it, and realize that it was no natural evolution out of human wisdom and worth, but a revelation from the God of holiness and love. And the Nineteenth Psalm, when it pronounces the rightness of the Mosaic statutes renders a verdict far higher and more trustworthy than the judgment of King David, much as that is to be respected. It is the voice of Him who gave these statutes to the Hebrew Lawgiver, looking upon his own legislation, and declaring, as he did after his work of creation, *It is good*. Let us rejoice that we can find no fault with his doings, that "his works praise him, and his saints bless him." And let us realize that this noble code, fresh from God's hand in the early centuries of human history, has served as a pattern in all subsequent ages, and that much of the excellence of all later legislation, and the benefit to the human race proceeding from it, may be traced to this source!