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ARTICLE III.

PROFESSOR LOFTHOUSE AND THE CRITICISM
OF THE PENTATEUCH.

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III.

IN the January number I began my reply to Lofthouse's article on the Criticism of the Pentateuch, and examined the first two of his numbered divisions. I now resume where I then left off, and take up his section ¶3, which is concerned with Ezekiel. At the outset he endeavors to answer pages 484 f. of the BS for July, 1915, as to references to the supposititious priestly document in the prophet. And here a word or two of explanation will not be out of place.

Not every apparent reference is distinctive or worth citing in an argument, because some can be met by hypotheses of greater or less plausibility. For instance, if two prophets, A and B, quote or use the same prophecy, it may be because (a) both quoted from C, or (b) one of the two quoted from the other, or (c) the prophecy is a later insertion in one or both. Unless, therefore, there be some decisive indication, the mere fact of the appearance of the same prophecy in the works of both A and B does not teach us anything definite as to the reason for the phenomenon. But a reference may be decisive for some particular reason. If, for example, it be alleged that a law had not come into existence at a particular date, the allegation will be conclusively rebutted by a refer-

ence showing that it was in operation at that date. Such a reference probably will not cover the whole language of the law and guarantee that our present text is precisely in the condition in which it was known to the prophet, and has not suffered at all in the subsequent transmission. But it *will* destroy the theory of the later origin of the law in the most satisfactory manner.

On page 485 I dealt in this manner with the jubilee law, alleged by the critics to be later than Ezekiel, and I wrote that Ezekiel "vii. 12 f., xlv. 17, can refer only to the Jubilee (see *Studies in Biblical Law*, pp. 95 f.)." On this Lofthouse can say no word. Over eleven years have now passed since the publication of "*Studies in Biblical Law*," and the critics have entirely failed to produce any answer to it.

But Lofthouse thinks he can answer my other citations. His methods here are interesting. Ezekiel xxii. 26 contains the words, "they [the priests] have put no difference between the holy and the common, neither have they caused men to discern between the unclean and the clean, and have hid their eyes from my sabbaths, and I am profaned among them." Any unprejudiced person must admit that this would be meaningless unless the priests had previously been under a definite and well-known obligation to put a difference between the holy and the common and to cause men to discern between the unclean and the clean. The whole gravamen of the charge lies in the fact that this duty *had existed* before the prophet spoke, and had been violated. When Lofthouse edited Ezekiel he understood this perfectly, for he wrote *ad loc.*: "The priests' duty is to teach to the people the difference between the clean and the unclean; cf. xlv. 23. The 'Torah' or 'law' committed to the priests means properly 'instruction.'" He therefore recognized in the most unam-

biguous manner that there was, in fact, in existence a Torah dealing with these subjects which had been committed to the priests for them to teach to the people. There is in actual existence to-day such a Torah as Ezekiel postulates laying down the duties to which he refers in the very terms he here attributes to it (see Lev. x. 10 f.). Confronted with this, Lofthouse at first said nothing. Pressed with it again last July, he has been compelled to notice it. Accordingly he says that the verse recurs in Lev. xi. 4 (P). This should presumably be xi. 44-47. This does not help him, for (i) it too is P, and (ii) the phrase refers to the whole Torah intended for the purposes specified by the verse. Then Lofthouse goes on to remark that it recurs "in a slightly different form in Lev. xx. 25 (part of H, the Holiness code, probably contemporary with Ezekiel)." In other words, he endeavors to wriggle out of his difficulty by suggesting that Ezekiel may be referring not to the passage of which he uses the *ipsissima verba*, but to some other passage couched in different language. But even this — which only needs to be stated to refute itself — does not really assist Lofthouse, for H does not contain any such torah, and we have seen that Ezekiel even in the eyes of Lofthouse himself knew of such a torah as having been committed to the priests. Then he puts forward the following extraordinary contention: "Clearly, for anything we know to the contrary, we may suppose that P quoted from Ezekiel or H quite as easily as the reverse." Clearly, if there was not to the knowledge of Ezekiel a torah in existence committed to the priests which dealt with the subjects indicated, the prophet is talking nonsense. Consequently all Lofthouse's attempts to evade the force of this passage break down. And let it not be forgotten in this connection that P from first to last professes to be Mosaic, that

the historical setting is always maintained, that every law in it is easily intelligible if that historical setting is true, but that it is hopelessly unintelligible in any other period and entirely inapplicable to the exilic or post-exilic age, and that as we have seen (*supra*, pp. 130-135) Lofthouse has had to maintain a pitiable silence when confronted with evidence of its Mosaic date.

The same argument of course applies to guilt offerings and sin offerings. "In xl. 39 and elsewhere the prophet assumes the existence of the guilt offering and the sin offering. But these were created by Leviticus iv., v. Similarly such phrases as 'most holy things,' 'the place is holy' (xlii. 13), point directly back to P or some legislation that dealt with the same topics in the same language" (BS, July, 1915, pp. 484 f.). It will be seen that it is no answer to say that guilt and sin offerings "may quite well have originated with Ezekiel and then have been used by P," because (a) Ezekiel assumes that they are *already in existence*, and (b) P treats them as something new and enacts legislation directed to *calling them into existence*.

I pointed out (p. 485) that the "appointed feasts" of Ezek. xxxvi. 38, xlvi. 9, are the "set feasts" of Lev. xxiii. 4. Anybody who will look at the passages of Ezekiel will see that his references imply their existence as well known under the title he gives them. Lofthouse tries to meet this in two ways. He says that Lev. xxiii. is from "the probably contemporary document H." But in the Oxford Hexateuch,¹ it is

¹The Hexateuch according to the Revised Version. Arranged in its Constituent Documents by Members of the Society of Historical Theology, Oxford. Edited with Introduction, Notes, Marginal References, and Synoptical Tables by J. Estlin Carpenter, M.A. (Lond.), and G. Harford-Battersby, M.A. (Oxon.). 2 vols. London, New York, and Bombay: Longmans, Green and Co. 1900.

assigned to P ϵ . Of course it is always open to a higher critic to shift his ground in this manner, but his readers will form their own opinion of the soundness and stability of his theory. Then he says: "It would be far truer to say that they both imply the less elaborate passages in Ex. xxiii. and Dt. xvi." He has overlooked the fact that the critics rely on *this very expression as one of the marks that particularly distinguish P from the other Pentateuchal documents*, so that Ezekiel's references could not possibly (on the higher critical theory) relate to these.

One more passage remains to be noticed. I cited Ezek. xx. 12 as a clear reference to Ex. xxxi. 12-17, "'sign' in covenants being supposed to be peculiar to P as contrasted with J, E, and D," and I added: "But, for the true view, see 'Studies in Biblical Law,' chap. ii." (BS, July, 1915, p. 484). Lofthouse as usual has not looked at my reference; and, so far as he is concerned, I do not insist on it, because I see no reason to hope that he would understand the chapter even if he read it. Priority cannot here be given to Ezekiel, because his reference is to something known and existing. The gravamen of the charge is, "I gave them my sabbaths, as they well know, for such and such a purpose." If they did not know this, the prophet's indictment would be meaningless.

In considering the vision of Ezekiel, Lofthouse sets out in lettered paragraphs, with a great show of candor and a total disregard for his edition of Ezekiel, the reasons I had given for the various provisions of the prophet's vision. Let us follow him.

(a) I had said that, "to some extent, of course, the vision contains an ideal element, and must not be interpreted in all cases as a strictly literal representation of what was to be" (p. 485). I did *not* apply this in any way to the ritual pro-

visions, as Lofthouse apparently imagines. I did, however, suggest as a possibility that the prohibition of "excessive proximity to the Temple either of a residence or of a tomb (xl. 7-9)" (pp. 488 f.) might be due to this cause. Lofthouse now writes: "There is nothing to suggest that Ezekiel's sketch was not intended as a 'literal representation of what was to be.'" Let me remind him of what he has printed on pages 341 f. of CB: "The prophet here shows a disregard of material conditions, which is strange in one who had so loved 'the mountains of Israel.' The contour of the land is neglected altogether (see esp. note on xl. 8); the prophet still aiming at symmetry above all things, is evidently working from a diagram (as in the case of the temple, where the elevations do not concern him), and does not stop to ask how far his new arrangement, even if it were acceptable, could be literally carried out." "To Ezekiel, in whose thought the rapture of the dreamer and the precision of the architect are combined, when the temple has once been set up in the centre of the land, nothing can hinder even the physical correspondence between the rest of the land and his conception of the chosen and eternal dwelling-place of God." "The double impossibility of the rapid rise of water in the stream, and the course of the river across the steep limestone range east of Jerusalem into the Dead Sea, does not occur to the prophet." "Hence we need not ask whether Ezekiel expected a literal fulfilment of his prediction; symbol and reality (like the material and the spiritual) were not as sharply distinguished for him as for us." Probably most people will be of opinion that if the prophet could deal thus with topography, there is a possibility that he did not necessarily expect the environs of the Temple to correspond closely in actual fact with the ideas of his vision.

(b) Textual. "The text both of Dt. and of Ezekiel has suffered in transmission; and Mr. Wiener's suggestion is that if we had a correct Ezekiel and a correct Dt., they might prove to be nearer one another than they seem to be at present. But something more than a bare surmise is needed. The received text of Ezekiel is less certain than that of most other Old Testament books, including Dt.; but no one has succeeded either in giving us a true text of Ezekiel, or in proving that it would bring us nearer to Dt., or in showing that this approach, if it could be made out, would do anything to lessen the discrepancies." Lofthouse is here something less than ingenuous. He does not mention either that I quoted and adopted the textual principles that he himself laid down in his edition of Ezekiel, or that I have not departed from the Massoretic text anywhere in this passage without ancient authority or the support of leading higher critics. It is, of course, true that nobody has yet succeeded in giving us a true text of Ezekiel, but the necessary inference is not what Lofthouse believes. Either the text with the changes generally accepted by the higher critics as well as myself is a sufficient indication of the prophet's meaning, or it is not. If the latter, then Ezekiel falls out of the argument altogether; if the former, then Lofthouse cannot object to the changes which I have accepted. The argument that they do nothing to lessen the discrepancies is simply untrue, as he can see by studying pages 489 f. of my July article more carefully than he has yet done.

This, however, is not all. On page 488 I wrote: "Here I must draw attention to the little study of 'the King of Deuteronomy xvii., which appeared in the BIBLIOTHECA SACRA for July, 1911, and is reprinted on pages 157-168 of 'Pentateuchal Studies.' I do not think that the importance of the

Septuagintal readings there noted has been at all generally grasped. According to the textual principles I have just quoted from CB, this text must be more original than the Massoretic, for it is easy to understand how it would be altered by scribes in the light of history to what our Hebrew has, but difficult to see how our Hebrew could give us the Greek readings. If this be so, it throws a great deal of light on Ezekiel. It is to the text of Deuteronomy as he knew it that he went for his reform of the monarchy, at any rate to some extent." Note that Lofthouse has said no word in reply, and that, in addition, he seeks to mislead his readers by suggesting that my contention is that a true text of Ezekiel would here bring us nearer to Deuteronomy, whereas, I contended that a true text of Deuteronomy would here bring us nearer to Ezekiel, and had shown how on his own textual principles that text ran.

Lofthouse then comes to (c) social. "But the instance," he writes, "discussed by Mr. Wiener (xliv. 21-25, xlvi.), even if his interpretation is right, does not touch the main body of ritual divergence." This is merely an attempt to conceal his inability to answer me. I claimed that my interpretation is right *for the phenomena to which it applies*; naturally I never claimed that it was right in the case of phenomena *to which I did not apply it and of which I offered an entirely different explanation*. It is as if I had said that a glove would cover a hand, and Lofthouse had retorted, "Even if it will cover a hand, it will not cover a foot." Then he tacks on to this an argument about the High Priest which is not merely very weak in itself, but is apparently intended to cover his retreat from an untenable position.

In a passage of his "Ezekiel" which I quoted on page 488, Lofthouse asserted that "Ezekiel knows nothing of a

high-priest." I answered this by writing, "On the high priest, see *Pentateuchal Studies*, p. 275. It is absurd to say that Ezekiel 'knows nothing of a high-priest,' because he is repeatedly mentioned in the older history, and it is no part of the prophet's purpose to mention what does not bear on his immediate object; compare the passage quoted above from CB, p. 288. Lofthouse himself admits this on page 334: 'In spite of Ezekiel's silence on the high-priest (an official who does not seem to be mentioned before Haggai), there was already a chief priest in Jerusalem (cf. 2 Kings xii. 9, xxv. 18).' " As usual, Lofthouse has ignored the reference to PS. He now writes: "The argument that Ezekiel does not refer to the Levitical high priest is not affected by the existence, in earlier times, of chief priests. Chief priests are found both in the Southern (2 Kings xii. 9; xxv. 18) and Northern (Amos vii. 13) kingdoms. We do not know how they were differentiated from their brethren; but we do know that when Ezekiel is laying down regulations for the priests, he makes no mention of such rules for the chief priests (cp. Lev. xxi. 1-15), which, had they been Mosaic or even traditional, he could hardly have passed over." So he has abandoned the claim that Ezekiel "knows nothing of a high priest." The complaint now is that Ezekiel makes no mention of special rules for such a priest. But Ezekiel never once refers to Moses throughout his book. Nay, more, as Lofthouse himself says of xl.-xlviii., "He makes no actual reference to any existing law, or to any previous temple" (CB, p. 286). Therefore, if Lofthouse's argument from silence is sound, there were no Mosaic or traditional laws or any temple before Ezekiel. I apprehend that the true reason for Ezekiel's silence as to the special regulations for the high priest is that, in his opinion, experience had not revealed any

abuses or brought about any change of circumstances that rendered desirable any fresh application of the principles laid down for the high priesthood. In the case of ordinary priests what I have said on page 280 of PS explains Ezekiel's provisions. "And so he puts forward a scheme of legislation which shall apply the Mosaic principles to the altered circumstances of the age. Among the Levites most had been faithless: Ezekiel therefore degrades them from their right to the full priesthood and provides that they shall take the place of the temple slaves in certain necessary functions. On the other hand the sons of Zadok had been loyal to their charge. They are therefore to have the monopoly of the full priestly position, and Ezekiel practically reenacts — with slight modifications — the Pentateuchal legislation as to the sons of Aaron, this time applying it to the sons of Zadok, whom history and the divine choice had set in the place of the descendants of the first high priest." But in the case of the high priesthood Lev. xxi. 10 ff. applies without qualification, for its phrase is, "He that is the high priest among his brethren," and no modification or addition was in any way necessary. Then Lofthouse adduces a contention that is utterly obscure. I had referred to pages 237 f., 241 f., 278 ff. of PS, and Lofthouse, after perverting what I have written into a representation that I agreed with what he had urged on pages 28 ff. of CB, writes: "What he does not prove is the one thing his argument needs, namely, that Ezekiel is departing from a custom already known and authoritative." If he means that Ezekiel does not expressly mention the laws actually in force, I need only recall Lofthouse's own statement, "He makes no actual reference to any existing law." But if he means that I have not shown that Ezekiel is departing from what was already known, I must remind him that on

page 279 of PS I quote xliv. 6-16, which clearly shows by such expressions as "they shall bear their iniquity," "yet will I *make them keepers*," etc., that some sort of change is being introduced. When Lofthouse then proceeds to say of me, "Indeed, he holds that the legislation of P for the Levites, being intended merely for 'desert portorage,' was dropped after the entrance into Canaan, in spite of 2 Sam. vi.," he has overlooked page 271, where I have actually pointed to the passage in Samuel as an instance of carrying the Ark! I do of course hold that it was not intended to keep on moving the Ark from place to place in Canaan, and that its transport after the location at Shiloh ceased altogether till the Philistine wars, and that after it had been placed in the Temple it was never again transported by Israelites.

Now I do not know that I can better drive home the impossibility of adhering to the views that Lofthouse has borrowed from Wellhausen than by quoting some of the latter's comments on this very passage (xliv. 6-16):—

"From this passage two things are to be learned. First, that the systematic separation of that which was holy from profane contact did not exist from the very beginning; that in the temple of Solomon even heathen (Zech. xiv. 21), probably captives, were employed to do hierodulic services *which, according to the law, ought to have been rendered by Levites,*¹ and which afterwards actually were so rendered. Ezekiel, it is indeed true, holds this custom to be a frightful abuse, and one might therefore maintain it to have been a breach of the temple ordinances suffered by the Jerusalem priests against their better knowledge, and in this way escape accusing them *of ignorance of their own law.*¹ But the second fact, made manifest by the above-quoted passage, quite excludes the

¹ My italics. H. M. W.

existence of the Priestly Code so far as Ezekiel and his time are concerned. The place of the heathen temple-slaves is in future to be taken by the Levites. Hitherto the latter had held the priesthood, and that too not by arbitrary usurpation, but in virtue of their own good right. For it is no mere relegation back to within the limits of their lawful position when they are made to be no longer priests but temple ministrants, it is no restoration of the *status quo ante*, the conditions of which they had illegally broken; it is expressly a degradation, a withdrawal of their right, which appears as a punishment and which must be justified as being deserved; 'they shall bear their iniquity' (Prolegomena, Eng. Trans., p. 123). Note Wellhausen's attitude. He alleges that certain services "according to the law ought to have been rendered by Levites." That is the exact opposite of the truth. I have shown that, according to P, the Levites were *not* to render these services, and that *they were a body of porters and nothing more*. Lofthouse, confronted with this, could only urge a passage in Numbers according to which they were to have some land *after the conquest*.¹ Moreover, according to P, these very services were to be performed *by the laymen themselves* (Lev. i., etc.). The accusation of "ignorance of their own law," brought against the priests by Wellhausen, therefore, recoils on himself. It is he and his disciples who are ignorant of the provisions of P. Then, after some further discussion, based on his confusion between a cairn and a house, he continues: "With Deuteronomy as a basis it is quite easy to understand Ezekiel's ordinance, but it is absolutely impossible if one starts from the Priestly Code. What he regards as the original right of the Levites, the performance of priestly ser-

¹ See BS, January, 1916, pp. 96, 135. He could point to no other Levitical duties in P.

vices, is treated in the latter document as an unfounded and highly wicked pretension which once in the olden times brought destruction upon Korah and his company; what he considers to be a subsequent withdrawal of their right, as a degradation in consequence of a fault, the other holds to have been their hereditary and natural destination. The distinction between priest and Levite which Ezekiel introduces and justifies as an innovation, according to the Priestly Code has always existed; what in the former appears as a beginning, in the latter has been in force ever since Moses, — an original datum, not a thing that has become or has been made. That the prophet should know nothing about a priestly law with whose tendencies he is in thorough sympathy admits of only one explanation, — that it did not then exist. His own ordinances are only to be understood as preparatory steps towards its own enactment" (p. 124). How absurd this is to any one who has grasped the true facts! Ezekiel's ordinances preparatory steps to the enactment of a code which for the first time makes the Levites porters of an Ark that had ceased forever to exist and a tabernacle which is nothing more than the shadow of a permanent and irremovable Temple, and that assigns to laymen the very duties he wishes to be performed by Levites as their "hereditary and natural destination"! Who is it that "knows nothing" about the priestly law, Ezekiel or Wellhausen? As to his extraordinary statements about Korah, his offense consisted in claiming prerogatives not of the priests, but of the high priest and the lawgiver (see PS, pp. 254 f.).

(d) Lastly, Lofthouse has a section on Ritual. "Of the great Day of Atonement Ezekiel knows, or says, nothing. And lest it should be asserted that no conclusion can be drawn from his silence on this great Day (extraordinary as silence

would be on such a festival as this — the most important, for modern Jews, of the whole year, and the most impressive in the whole of the Pentateuchal legislation), he speaks instead of two Atonement festivals." Our friend is getting cautious. To the usual "knows nothing" he now adds the qualifying "or says nothing" — a very different proposition. Lofthouse overlooks the fact that Ezekiel mentions no day of Atonement at all nor any Atonement festival, for the passage on which he relies refers to neither a day of Atonement nor a festival. It is not true that Ezekiel "speaks of two Atonement festivals." That has been read in by Lofthouse. A Day of Atonement is a Day *observed by the people* on which *Atonement is made for the people to cleanse them*. The days to which Ezekiel refers are days *not observed by the people* on which *no Atonement is made for the people to cleanse them*. The former is called a Day of Atonement in the Bible, the latter are not. Even Lofthouse admitted that the object of the latter represented "an idea not found in Lev. xvi." (see BS, July, 1915, p. 491, note). It is the old story of the cairn and the house. Just as the critics insisted on calling both sanctuaries, and then confused them and landed themselves and their unhappy readers and pupils in endless blundering, so Lofthouse now insists on calling two entirely different institutions "Days of Atonement," and then rewrites history on the basis of his erroneous interpretation of his own labels. Such methods are excluded in sound legal and historical work. As to the argument from Ezekiel's silence on the subject of the Day of Atonement, I have already shown that such contentions are worthless, and in addition that Ezekiel mentioned only what for some historical or religious reason he desired to modify or supplement. He was as content

with the Day of Atonement as with the high priest and Weeks, and consequently does not mention them.¹

It will be noted that Lofthouse has not been able to sustain any one of the four main points on which he originally relied (see BS, July, 1915, pp. 487-492).

In dealing with the higher critical view of Ezekiel and P, one matter is often forgotten. If it were true that P was subsequent to Ezekiel, and embodied his programme, the question would arise why he departed from it. Why, for example, should P have provided that the layman should slay his burnt offering when Ezekiel assigned this duty to the Levites? Why should the prohibition of long hair apply only to the high priest when Ezekiel had intended it for all priests?

On the view which I have elaborated in these pages and PS, all such difficulties disappear. In the main, allowing for the reservations I have specified, Ezekiel's vision is intended to provide for circumstances that had arisen since the days

¹Lofthouse adds a footnote enumerating what he calls "the cases of discrepancy" between Ezekiel and P or H: xlili. 20 and Ex. xxix. 12 (Ezekiel requires a more liberal use of blood in the construction of the altar of his vision than is needed for the Mosaic altar. This is not a discrepancy, as the reference is to different altars, but it may be an instance of his intensification of the idea of holiness); xlili. 24 and Lev. ii. 13 (refer to entirely different things; Ezekiel is concerned with a *national burnt offering*; Leviticus with an *individual meal offering*); xlii. 10, 11, the Levites (this has been amply explained in the preceding pages and the passages cited from PS. Obviously Ezekiel could have no use for a body of desert porters); xlii. 20 and Lev. xix. 27, xxi. 5, 10 (all alike prohibit shaving of the head; the only discrepancy here is that Leviticus forbids the high priest to have long hair, while Ezekiel extends this prohibition to all the priests. It is of course impossible to say, on the data before us, whether this is merely another instance of the intensification of the idea of holiness, or whether actual experience had suggested that a change was for some reason desirable); xlii. 22, cp. Ezra ix. 12, Neh. x. 30 (apparently it is not superfluous to inform Lofthouse that the con-

of Moses (including, of course, the historical events of his own time). Thus he deals with the kingdom, its offerings and its abuses, the abuses that had crept into the priestly and sacrificial system and the future restoration of the people and rebuilding of the temple. To all these he applies the principles of the Mosaic legislation with a strong intensification of the conception of priestly and ritual holiness. At the same time it must be remembered that, as in his architecture, so in his ritual, he passes over everything that is foreign to his main purpose.

4. Lofthouse next turns to my argument on page 493, drawn from the similarity between Deut. xiv. 4-20 and Lev. xi. 2-23. "In that case what becomes of the argument from style? Here we have something that is 'in great measure verbally identical' with a large section of P. So people could write like this some centuries before P was forged!" He reaches the conclusion that "probably the distinction between clean and unclean, and some of the species in the duplicated

servatives have never claimed that Ezra and Nehemiah were written by Moses; there is, however, a discrepancy between Ezekiel and Lev. xxi. 7 which I have explained fully on page 492 of the July number, and Lofthouse has found no answer to this); xlv. 28 (tithes unmentioned; even Lofthouse does not venture to affirm that Ezekiel "knew nothing" of tithes which dated back in one form to Jacob (see Gen. xxviii. 22), and are mentioned in Amos and Deuteronomy. The non-mention therefore proves nothing. I am, however, not at all certain that they are not included in the very wide language used, "every oblation of every thing," see EPC, pp. 208 f.; BS, Oct. 1912, pp. 651 f.); xlv. 30 is in agreement with Num. xviii. 12, 13; xlv. 13 has nothing whatever to do with Ex. xxx. 11-16 (the latter relates to a single non-recurring ransom in connection with the Tabernacle, the former is totally unconnected with the Tabernacle or anything in any wise relating to it); xlv. 18 ff. and Lev. xvi. (this has been treated above); xlv. 23, 25, and xlv. 14 were disposed of in the discussion on pages 489 f. of the July number which Lofthouse has not ventured to answer.

catalogue, go back to a far earlier age than that of the rise of either code." Can he not see that any such conclusion merely strengthens my argument? The critics said that the style of P was distinctive, that P was more or less unitary and exilic or post-exilic. They did *not* say (what Lofthouse concedes in this and other passages of his January article) that the style dated back to a far earlier age.

The next point was stated by me in Orr's words: "The permission to kill and eat flesh at home in Deut. xii. 15, 20 ff., presupposes and modifies (in view of the entrance into Canaan, ver. 20) the stringent law in Lev. xvii. 1-3, that all slaying was to be at the tabernacle door"; and I carefully added, "See on this, especially Studies in Biblical Law, pp. 41 ff." Lofthouse, as usual, has avoided looking at a volume which the critics have not ventured to answer in the eleven years that have elapsed since its appearance, and instead of *slaying* and Lev. xvii. 1-3 he treats of *sacrifice* and verse 7. Of course 1-3 are numbers and 7 is a number, so probably Lofthouse thinks them interchangeable, on the cairn and house principle; and both slaying and sacrificing may be described as acts or operations. That, no doubt, is the explanation of his wonderful reply: "Again, Mr. Wiener argues that the permission to kill and eat flesh at home in Dt. xii. 15, 20 ff., presupposes and modifies the stringent law in Lev. xvii. 1-7. But why should this be? In the first place Lev. xvii. 1-7, as it now stands, relates only to sacrifice, and if it were intended to hold good simply for the desert, why are we told in verse 7, that the law is to be a 'statute for ever unto them throughout their generations'? The fact is that Dt. xii. 15 is the modification necessitated by the abolition of local sanctuaries, and that Lev. xvii. 1-7 is treating of a totally different matter." Lofthouse's additional points have

been answered in EPC (pp. 193–198), but here I am mainly concerned with his careful evasion of the slaying (*not* sacrificing) of Lev. xvii. 1–3 (*not* 7).

He next suggests that Gen. ix. 4 is a proof that the taboo on blood “was far older than even Moses.” I have pointed out that this passage belongs to P, so that Lofthouse’s contention here merely strengthens my argument. Then comes an extraordinary piece of reasoning: “Deuteronomy xxiv. 8 certainly refers to the priests’ Torah on the subject of leprosy. This Torah might have been the actual provisions in Lev. xiii. and xiv., or at least the basis of the Law codified in those chapters. But how does this prove that P, in which Lev. xiii. and xiv. are embedded, is Mosaic or even older than Dt.? There is nothing to show that this Torah, like others, could not have existed long before it was written down in the particular code.” What does Lofthouse mean? Deuteronomy can refer only to something that was already in existence when it was composed. If Lofthouse admits the existence of Lev. xiii. and xiv. or their basis, he abandons all claim that this torah was an exilic or post-exilic composition.¹

¹ Lofthouse adds a long note on the relation of the four codes. I think it unnecessary to treat of it in detail. I have dealt with all that is material in his references in *Studies in Biblical Law*, OP, PS, EPC, and articles in the *London Churchman*, *Murray’s Illustrated Bible Dictionary*, the *International Standard Bible Encyclopaedia*, and the *Bibliotheca Sacra*. Our readers have now had ample opportunity for judging of Lofthouse’s acquaintance with these publications and of his fitness to deal with legal and historical matters. This note is marked by his well-known qualities. For instance, it is not true that Deuteronomy is a code professing to sum up everything a layman needed to know in his new home, and it is true that it relies on priestly teaching. If and when Lofthouse makes a serious attempt to grasp the conservative case, I am prepared to give him any help in my power, but I do not feel justified at this stage in asking my readers to consider an elaborate answer to such an argument coming from such a source.

It is at this point that Lofthouse suddenly screws himself up to deal with my contention on page 490 of the July BS. I had written that Lofthouse's silence was "particularly noteworthy, because in January he wrote: 'That only one house of God existed, served by priests, is disposed of by the provision in Dt. (xviii. 6, cf. 2 Kings xxiii. 9) for the disestablished Levites from the local sanctuaries' (p. 131). In April I answered: 'It is equally untrue to say that there is a provision in Dt. (xviii. 6) "for the 'disestablished' Levites from the local sanctuaries." There is no suggestion whatever in the passage either of "disestablishment" or of "local sanctuaries"' (p. 271), and Lofthouse has not attempted to support his earlier statement in the face of this." He now admits that there is no mention of disestablishment or of local sanctuaries in Deut. xviii. 6 "if the passage is taken by itself." That is at any rate something. "But when the passage is taken in connection with Dt. xii. and 2 Kings xxiii. 9, to which I pointed (LQR, Jan. 1915, p. 131), the suggestion is clear enough. The local sanctuaries are to be destroyed and the occupation of the local priests in their ministrations brought to an end (Dt. xii.); the local priests thus rendered homeless in the time of Josiah (2 Kings xxiii. 9) were maintained, but not allowed to exercise priestly functions. In Dt. xviii. 6 they are to be maintained and allowed to exercise at least subordinate functions at the Jerusalem temple." Of course the reference to Dt. xii. is wrong. That chapter says no word of "the local sanctuaries" or "the occupation of the local priests." There is not a word in it about priests, local or other, or their "occupation" or "their ministrations." There is a command (ver. 2) to "destroy all the places wherein the nations which ye shall possess" served their gods and their religious impedimenta. No priests of such places

are so much as mentioned. Even if they had been mentioned, it cannot be suggested that Israelitish Levites were their ministers, and certainly the words of xviii. 6, "if a Levite come from any of thy gates out of all Israel where he sojourneth and come with all the desire of his soul," do not in the least suggest such places or ministry at them or disestablishment or any blameworthy conduct of any kind on the part of the Levite so coming. Note further that Deuteronomy contemplates that such a Levite is to "minister in the name of the Lord his God, as all his brethren the Levites do, which stand there before the Lord." This bears on the other assertion, that, when taken in connection with 2 Kings xxiii. 9, the passage is a provision for the "disestablished" Levites. The verse should be read with verse 8, and the passage runs: "And he brought all the priests out of the cities of Judah, and defiled the high places where the priests had burned incense, from Geba to Beer-sheba; and he brake down the high places of the gates that were at the entering in of the gate of Joshua the governor of the city, which were on a man's left hand at the gate of the city. (9) Nevertheless the priests of the high places came not up to the altar of the Lord in Jerusalem, but they did eat unleavened bread among their brethren." These priests, it will be seen from the context, did not come "with all the desire of their souls," nor were they allowed to minister in the name of the Lord their God, as did all their brethren which stood there before the Lord. Thus Deuteronomy does not say what Lofthouse believes about the "disestablished priests," and Josiah does not so understand it. If the law had really been intended for disestablished priests, it is odd that it should have failed to say so, that Josiah should have failed to understand it so,

and that nobody should have discovered the true meaning until twenty-five centuries later.

One other point. In his "Ezekiel" (p. 29) Lofthouse speaks of Deuteronomy as recognizing a distinction between the "country priests from the high places" and others. As a matter of fact Deuteronomy nowhere speaks or hints of "country priests from high places." To use the famous higher critical phrase for once where it is in place, it "knows nothing" of them.

Lofthouse turns to Hosea and refers to Harper's edition. Let us quote a little more of this. On page 256 we are informed that "Hosea uses תורה three times, viz. here [i.e. in iv. 5 (6)] and in viii. 1, 12. In all three cases there is evident reference to a body of priestly instruction"; and on page 255 that "the *torah*, instruction, was supposed to be a deposit with the priests and God was supposed to be particularly near to them. This instruction was in considerable part oral; but even at this date there must have been a written code (the Covenant code, Ex. xx. 23-xxiii. 33)." It will be observed that the *torah* referred to is priestly, *not* prophetic. This is a necessary inference from the words of Hosea, "I will also reject thee that thou shalt be no priest to me; seeing thou hast forgotten the *torah* of thy God." As to Ex. xx. 23-xxiii. 33, Harper is clearly wrong, because (1) this was not entrusted to the priests, but to the elders; (2) it contains nothing in any way priestly in character; and (3) the administration of justice was in fact in the hands of laymen, not priests.¹

I now come to Hos. viii. 1, "because they have transgressed my covenant and trespassed against my *torah*." Harper

¹ See, e.g., Deut. xxi. 19; xxv. 7; Josh. xx. 4; Ruth iv.; 2 Sam. xv. 2-6; 1 Kings xxi.

(p. 309) claims that the word "here (cf. also iv. 6) refers to a written law, which was 'more ethical and religious than ceremonial.'" We therefore know that, quite apart from Hos. viii. 12, there was a priestly *torah*. It is, however, beyond all question that neither Deuteronomy (see e.g. xxiv. 8) nor Ex. xxi.–xxiii. is a priestly *torah*. Therefore there was some other *torah* in existence and in the possession of the priests.

There is, however, another very important passage to be taken into consideration. The blessing of Moses is said by the critics to be an earlier document incorporated in E. It is therefore earlier than the earliest of the writing prophets. In it we read: "And of Levi he said, Thy Thummim and thy Urim are with thy godly one; . . . For they have observed thy word, and keep thy covenant. *They shall teach Jacob thy judgments, and Israel thy torah; they shall put incense before thee, and whole burnt offering upon thine altar*" (Deut. xxxiii. 8 ff.). The priestly *torah* and its connection with ritual are here indisputable. It cannot for a moment be suggested that we have to do with prophetic teaching. Similarly when we read in E, "Behold I will rain bread from heaven for you; and the people shall go out and gather a day's portion every day, *that I may prove them, whether they will walk in my torah or no,*" it cannot reasonably be suggested that the reference is to ethical teachings of the prophets.

I return to Hos. viii. This is a chapter that contains no mention whatever of prophets, but complains of idol worship. We read (ver. 11): "Because Ephraim hath multiplied altars to sin, altars have been unto him to sin." And again: "As for the sacrifice of mine offerings, they sacrifice flesh and eat it, but the Lord accepteth them not." We are reminded that in Leviticus we find *torah* which uses such lan-

guage of the acceptance and non-acceptance of sacrifice. When, then, sandwiched in between these two verses, we find a reference to writing *torah*, what interpretation can we put on it? Are we to say that this is the *torah* that deals with the subjects of the context, a *torah* confided to priests which we know from the earlier passages in Hosea and the blessing of Moses existed in his time, or are we to say, "No; this is not the only *torah* of which we know, not the priestly *torah* to which alone Hosea admittedly applies the term, but some other *torah*, a prophetic *torah* consisting of 'such moral precepts as the prophets have been in vain urging on them,' although we know that in this chapter Hosea is admittedly inveighing against idolatrous sacrifice, and that Hosea himself and Amos were the first of the writing prophets"? To my mind only one answer is possible.

But Lofthouse says: "The meaning, as borne out by the LXX, seems to be, 'If I should write out my precepts for them in myriads — such moral precepts as the prophets have been in vain urging upon them — they would count them as mere foreign ordinances and of no binding power in Israel.'" Our critic should have looked at the LXX. Its rendering is *καταγραφω αὐτῷ πληθος και τα νομιμα μου εἰς ἀλλοτρια ἐλογισθησαν* ("I will write for him a multitude and my *torah* were accounted foreign things"). Not a word there about prophets or moral precepts. The division of the consonants, it will be seen, is different from that of the Massoretic text (רבו חורתי instead of רב וחורתי). If this be right, and if Lofthouse can make sense of the LXX rendering *taken as a whole*, it certainly does not confirm his tense, for *ἐλογισθησαν* is as past in meaning as a Greek word can be. I think, however, that if this reading be adopted, we must render the Hebrew imperfect not as a future, but either as

a frequentative imperfect or else as a present, i.e. we must translate: "I kept on writing for him a multitude" or else "I write." It is to be observed that the analogy of verse 13, where we have exactly the same alternation of tenses, is in favor of the latter alternative, "they sacrifice [imperfect], the Lord accepteth not [perfect]." In any case a future or conditional is out of the question. Ephraim is being blamed for what he *has done* and *is doing*, not for what he *will* or in hypothetical circumstances *may* do.

In discussing Jer. vii. 22 I gather that Lofthouse is more or less in agreement with me as to the meaning of the prophetic teaching. "But that is not the view of P. In P the ritual is an end in itself. If P had existed in Jeremiah's time, the only interpretation of Jeremiah's words would be as a protest against P." Now we have already seen that there are earlier passages which prove beyond all question the existence of a body of written law dealing with the topics of P. Moreover Jeremiah is apparently, even to the higher critical mind, not in contradiction with Deuteronomy's "They shall put incense before thee and whole burnt offering upon thine altar," or with passages like Deut. xii., xv. 19-23, xvi., etc. Let us then look at the principal parts of P relating to burnt offerings and sacrifices. They will be Lev. i. ff.; for it is clear that Jeremiah is speaking of individual offerings, not of national. In simple language the material provisions may be summarized as follows: If a man bring an animal as a burnt offering, it must be an unblemished male. He is to lay his hand on its head and kill it. Then the priests present and sprinkle the blood. The sacrificant flays and cuts up the animal and washes certain parts. The priests arrange the altar fire and burn the whole. The skin falls to the priest (vii. 8). There are slight variations in the case of birds. The pro-

cedure for peace offerings (Lev. iii.) is very similar, but only certain specified parts are burnt, the breast must be waved, and the wave breast and the right thigh constitute the priestly due (vii. 28-34). Then there are provisions as to when the flesh shall be eaten and for ancillary cakes and against ritual uncleanness (vii. 11-21). It will be seen that, stripped of the verbiage in which they are at present embedded,¹ the rules are few and simple. They only operate at all *if and when* somebody brings a sacrifice. They do *not* require any sacrifice to be brought. They merely lay down the procedure to be followed in the appropriate case. And to anybody who knows anything of any sort or kind of procedure they will appear extremely simple. After all, one might have to give a new office boy quite as many directions to enable him to find a single book as are laid down for the due offering of a bullock as a burnt offering. Nobody of ordinary intelligence with a sense of proportion would suppose that such a procedure could be "an end in itself." Nor if he had this before him and found that the Israelites were committing every sort of abomination, burning their children, worshiping the whole host of heaven, etc., and at the same time pleading the number of their sacrifices, would he hesitate to say, "It was not for the sake of burnt offerings or sacrifices that I spake to your fathers," etc. For those who know what procedure is and understand the issues with which Jeremiah was dealing, the higher critical difficulty simply does not exist. As to the suggestion that "either the priests must have kept P to themselves only too well, or the prophets must have been extremely ignorant or extremely disingenuous," I can only suppose that

¹ I say "at present" advisedly because we often find versionsal or other reasons for thinking that the original text was far terser and has grown through the incorporation of marginal notes.

Lofthouse, being unused to handle law, has been bewildered by the verbiage of our present text of Leviticus. Nobody could seriously expect a prophet protesting against idolatry or human sacrifice or the gravest moral and ethical evils or a corrupt national policy, to interpolate references to the details of the simple rules relating to individual burnt offerings or peace offerings.

It is, however, well to remark that when Lofthouse speaks of "the simpler ritual described in Ex. xxi.-xxiii." he is speaking of something that does not exist, for no ritual is there described. When he writes of "such ritual as P describes," one cannot help wondering what he supposes P to contain. The suggestion that P "might have been unknown to the common people" is not mine, but the uniform representation of the Law and the prophets, as may be seen from the passages we have already considered (e.g. Deut. xxxiii. 8 ff.; xxiv. 8; Lev. x. 10 f., etc., Hos. iv. 5; Ezek. xxii. 26).

5. The moral argument. On page 495 of the July number I repeated from the April LQR that the critics had never dared to answer in detail pages 292-326 of Orr's "Problem of the Old Testament." I quoted a long passage, of which I now repeat the following sentences: "There can be no evading of the meaning of the transaction. What we have is the deliberate construction of an elaborate code of laws with the express design of passing it off upon the people in the name of Moses." "The very essence of the theory, as Kuenen and Wellhausen expound it, is, that in all that gives the Priestly Code its distinctive character, it is something entirely new. There never, e.g., existed such an ark or tabernacle as the Code describes with minute precision. The tabernacle is a pure fiction, obtained by halving the dimensions of the temple, and making it portable. There never

was a choice of Aaron and his sons to be priests, or a separation of the Levites to be ministers to the priests. There never was a tithe system for the support of priests and Levites; there never were Levitical cities; there never were sin and trespass offerings, or a day of atonement, such as the Code prescribes; there never were feasts having the historical origin and reference assigned to them in the law. These institutions were not only not Mosaic, but they never existed at all; and the *constructors of this Code knew it*, for they were themselves the inventors." It will be seen that this is exactly what Lofthouse believes. It covers his whole argument about Ezekiel "knowing nothing" about a high priest, P, the day of atonement, the tithe system, and sin and trespass offerings, etc. After some further discussions, Orr compares the spurious Isidorian Decretals and points out that nobody hesitates to call them by their rightful name of forgeries. "Can we help giving the same designation to the handiwork of these exilian constructors of a pseudo-Mosaic Code?" In a footnote he cites Riehm's remark that "such procedure would have to be called a fraud." What has Lofthouse to say to this? "But I would point out that the use of such terms as fraud and trickery is really a begging of the question. Did the authors of the code intend to deceive the community? Mr. Wiener denies it." That, of course, is absolutely and extraordinarily false. If the Wellhausen theory be true, we have to deal with a deliberate and successful attempt to deceive, and, so far from denying this, I have always asserted it. "But surely," Lofthouse continues, "it is argued, they must have desired to do this, if the critics are right." So Lofthouse knew perfectly well that this was the argument, and that I had never denied the fraud theory. "Why? The truth is that for the legislators, as for the community as a

whole, the laws as they were received were regarded as authoritative, and therefore Mosaic." That of course is contradicted by almost every page of the Bible. For the Hebrew the source of authority was not Moses, but God. It was in the name of God that all the prophets spoke, including Moses himself. Moses could and did sin like other mortals; and his sins, though "Mosaic," were not "authoritative." When difficulties presented themselves to Moses, his course was to "bring the case before the Lord" (Num. xxvii. 5; cp. Ex. xviii., etc.). In Deuteronomy it is laid down quite clearly that "I will raise them up a prophet from among their brethren, like unto thee; and I will put my words in his mouth, and he shall speak unto them all that I shall command him. (19) And it shall come to pass, that whosoever will not hearken unto my words which he shall speak in my name, I will require it of him" (Deut. xviii. 18 f.). Further, we know definitely that no custom of attributing to Moses laws that were not thought to be his existed. Lofthouse refers to Driver's "Deuteronomy," where (p. lvii) it is asserted that "all Hebrew laws are formulated under Moses' name." This is simply untrue. To quote the instances given by Orr in a footnote to which Lofthouse has not dared to reply, "Ezekiel did not attribute his laws to Moses; the Chronicler did not attribute the elaborate ordinance in 1 Chron. xxiii. to Moses but to David; Ezra and Nehemiah themselves did not attribute their modified arrangements to Moses. Circumcision was not attributed to Moses, etc. We do not know of any laws being attributed to Moses which were not *believed* to be Mosaic." The whole prophetic literature is in accordance with the law of Deuteronomy xviii. 18 f. Lofthouse continues: "But to say that the legislator, when he wrote 'Moses said,' meant to hoodwink the Hebrew people into believing that

Moses had actually written down every word himself, would be as irrational as to suppose that, whenever an Athenian orator referred to Solon or a Spartan statesman to Lycurgus, he was consciously appealing to a fictitious personage for the authority without which he would have been helpless." I lay aside the question as to how far Lofthouse's remarks about Athenians and Spartans are couched in accurate language. It is sufficient for me to point out that they were not Israelites, and conversely the Israelites were not Greeks. Each people must be judged on its own ways of thought, and those of Israel are certainly not in doubt,—nor is their religious fruit.¹ And here I may quote my reply to the views put forward by Driver, whom Lofthouse, in his usual question-begging style, cites as a "great scholar":—

"I would most strenuously protest against this view. The man who scrawls in the margin some note, explanatory, historical, or archæological, some illustrative quotation—perhaps a snatch of song—some story of a patriarch, which he believes to be true, is morally guiltless; but he who knowingly writes that God has said that which He has not said, that He has made an agreement on certain terms, when, in fact, He has not made an agreement on those terms, commits an offense, which, having regard to the circumstances, is probably the most heinous of which a human being can be guilty. Call it 'prophetic re-formulation and adaptation to new needs,' or 'modification,' or by any other term designed to obscure truth, the nature of the act remains the same. Nor can it be contended that a different conception of the nature of the offense would have found favor in ancient Israel. 'Ye shall not add'—it is from Deuteronomy itself that I am quoting

¹Lofthouse would do well to recall to mind the famous lines in which Xenophanes describes the Greek religion, and compare them with the Pentateuchal conception of God.

— 'Ye shall not add unto the word which I command you, neither shall ye diminish from it' (iv. 2). The view of the statesman and legislator may be gathered from the provisions against false prophets; the views of the moralists from the prophecies of Jeremiah and Ezekiel. As to the suggestion that God inspired the forgeries — a suggestion which should be attributed to mental confusion, and not to an intent to blaspheme — the answer of the Pentateuch is clear, convincing, annihilating: 'God is not a man, that he should lie' (Num. xxiii. 19).

"The fact is that there is only one branch of the investigation into the age and composition of the Pentateuch, on which the critics are by their training qualified to write — viz., that which deals with the evidence from linguistic history. As they are experts in philology, they naturally refrain from putting any philological arguments into the forefront of their case. The details of such statements as they do make on this subject must be left to specialists, but the general cogency of the evidence may safely be gauged by a single fact: P, which is now alleged to be the latest of the documents, was originally said to be the earliest. As to the rest of the supposed evidence it consists of allegations on subjects concerning which their training does not entitle these writers to express any opinion. Their treatment of legal and historical materials is beneath contempt; so are their exegesis and literary criticism. Indeed they appear to have reduced every department of Biblical study to chaos" (Studies in Biblical Law, pp. 48 f.).

Certainly no competent judge who had studied the higher critical handling of legal and historical questions would hold this view of their competence to be too severe. We have had plenty of instances of it in these papers.

6. Lofthouse turns to doublets, but he has entirely failed to understand pages 488 f. of my July article. The Pentateuch gives us two narratives as to rebellion. The higher critical argument was that the Pentateuch could not be by one author, because there were *two* stories. That is one of their stock contentions. Now if that applies to the author of the Pentateuch, it must apply equally to the authors of J, E, and P. It is absurd to say that an author could not or would not tell two stories, and then as a remedy for this to produce two or perhaps three authors who tell *two stories each*.

"As regards the manna," says Lofthouse, "why should there not have been more than one account?" Why indeed? But that is not the critical contention. Here, as before, they seem to use the argument from doublets to discredit unity of authorship, and then produce a number of authors *each of whom has doublets*. Exodus xvi. 21 is not inconsistent with cooking. With regard to verses 15 and 31 I quite admit that this chapter, like others, has probably been glossed.

Then we come to the Abraham stories in Gen. xii. and xx. I am charged here with neglecting the "clue" of the divine appellations. I have written some hundreds of pages on this "clue," as my readers well know, and the charge must have struck them as more than usually absurd. Further, in the next section it will appear that I have publicly confronted Lofthouse with the breakdown of this "clue" in this very chapter, and that he has said never a word. Lastly, the chapter of PS to which I referred him (pp. 49-89), both in the April LQR (p. 266) and the July BS (p. 479), contains a great deal on this clue. He was actually referred to this discussion on page 74 of PS. I remember that when this chapter first appeared as an article in the BS for October, 1910, Dr. Orr wrote me that he thought it made big rents in Skin-

ner's drum. Of course the critics have never plucked up courage to answer it. Next, Lofthouse charges me with neglecting the clue from dreams. Yet on page 69 of PS I have written: "Dr. Skinner has made no attempt to meet in detail Dr. Orr's examination of the linguistic evidence and the differences of conception. For example, Dr. Orr's discussion on pages 233 ff. of his 'Problem' conclusively breaks down Dr. Skinner's allegations as to dreams and night visions in E representing a more advanced stage of the theological reflection (p. 1). Or, again, compare Dr. Skinner's statement as to the 'national feeling' in both sources (p. 1) with Orr's (pp. 210 f.). (b) The textual evidence, in fact, disposes of the main differences of conception, and shows how the present troubles have arisen. Here I may refer to my articles on Joseph." I draw special attention to this because Lofthouse subsequently makes allegations about Orr which we shall have to examine. Be it noted here that in all these years the critics have entirely failed to meet Orr's points on dreams and linguistic evidence. As to prophet I have dealt with this subject on pages 28, 75 f., of PS. In short, there is not a word of truth in the charges brought against me by Lofthouse.

With regard to Abraham and Sarah, Lofthouse says that "the two sections must be independent doublets or they are fatal to their author's conception of his hero." He has totally forgotten that the higher critical case was that no author existed! It was the conservatives who argued that the unity of the characters could not possibly have resulted from a cento of different (unhistorical) sources separated in date by centuries and belonging to very different stages of reflection, narrating astral myths or the fortunes of personified tribes. A little knowledge of human nature and a modicum

of the historical sense might have taught Lofthouse that there was no substance in his contention that these passages were not in character.¹

Then we are referred to a number of alleged "doublets" in Genesis. Lofthouse has already conceded that these do not affect the question of the Mosaic authenticity of the Pentateuchal legislation (subject to textual criticism). Let me answer him in the words of Carpenter: "These divergences are certainly not irreconcilable with a theory of Mosaic compilation of the book of Genesis. They point, indeed, to diversities of source or tradition; but there is nothing in them which renders it impossible that the writer who amalgamated them might have been Moses" (Oxford Hexateuch, vol. i. p. 32). While I have never committed myself to the Mosaic authorship of the whole of the narrative, I have always thought that Genesis contained some materials that antedated Moses by centuries. Among them there may be some doublets, though of course I do not accept Lofthouse's list, or indeed think that any attempts should be made at formulating any list of any kind until the whole of the textual material has been thoroughly sifted and studied.

¹ Lofthouse stows away in a footnote an attempt to evade the force of my argument on p. 499 of the July BS as to *amah* and *shipchah*. In addition to my original discussion, I need only make two remarks: (a) Orr's discussion (Problem, pp. 230 f.) is excellent and cannot be met by the critics; and (b) some years ago I looked into the usage of these words and found that, in point of fact, there was a slight difference of meaning. An *amah* was a bondwoman regarded not as a mere chattel, whereas *shipchah* denotes the lowest form of female slave regarded as a mere chattel. It is used once in legislation (Lev. xix. 20). The two words are often but not always interchangeable. Thus it would not be possible to substitute *amah* in Lev. xix. 20 or Ex. xi. 5 or Dt. xxviii. or *shipchah* in Ex. xxi. 7, though of course the distinction is sometimes neglected and the two words used of the same person.

We pass to another subject: "Mr. Wiener further asks for consideration of the argument adduced by Orr in the 'Problem of the Old Testament' (pp. 292-326) which, he adds, 'the critics have never dared to answer in detail.' I must not, at the close of a paper already too long, venture to suggest the answer for which Mr. Wiener calls." Of course not. It was to be foreseen that Lofthouse, when confronted with Orr's points, would ride off on the plea of lack of space if he could not find some other excuse. Nobody who knew anything of higher critical methods would expect Lofthouse or any other higher critic to make any honest attempt to face any conservative point whatever. Orr's "Problem of the Old Testament" was published nearly ten years ago. It has had many thousands of readers, but no attempt of any kind has been made to answer the more cogent of his arguments. On the contrary, the critics deliberately ignore them and continue to repeat allegations he has refuted. We have just had a strong instance of this in the matter of dreams, etc., in E. Lofthouse then seeks to bolster up his refusal. "The moral issue, to which reference has already been made, has been met frequently." With his reference I have already dealt. It is amazing that he should be unable to cite any refutation of Orr's argument if it has been met frequently. "The 'historical incredibility' — viz. the acceptance of a hitherto unknown law at its promulgation by Ezra — shrinks to vanishing point when we remember that many of the laws were already familiar in substance and principle, that the code was a development of tendencies already at work, and that as a matter of fact several provisions had actually met with great opposition (e.g. the laws prohibiting intermarriage), till the demands of Ezra were supported by the strong arm of Nehemiah." So Lofthouse believes that P contains a law

prohibiting intermarriage! It was not always so. In his "Ezekiel" he wrote: "Later, the restriction to marriage with only Israelite women was extended to the whole community (Ezra ix. 12; Neh. x. 30)" (p. 327). Thus he then knew that it is only in Ezra and Nehemiah that we meet the prohibition. P is laxer than Ezekiel and prohibits intermarriage only in the case of the high priest (Lev. xxi. 14). But, further, I have pointed out and repeatedly pressed on Lofthouse the fact that Num. xxxi. authorizes unions with Midianitish women, and, as I have shown in the January number, he has not dared to answer this. Thus, on the sole point with which he attempts to deal specifically, he can make a case only by entirely misrepresenting the contents of P.¹ It is not true that, on the Wellhausen theory, "the laws were already familiar in substance and principle," or that "the code was a development of tendencies already at work." Here, as everywhere, Lofthouse has avoided meeting the conservative case. With his remarks about the alleged suitability of P to the post-exilic period I have already dealt in the January number (pp. 129-135).

Lofthouse's next contention is as to the argument from silence: "The earlier parts of the Old Testament do not simply neglect P: they describe a state of things inconsistent with P (e.g. lay altars, and Levites as identical with priests). Mr. Wiener tries to annul the force of these representations; but, as I have pointed out above, unsuccessfully." It is for our readers to judge between us. When he refers to McNeile's "Deuteronomy," I have much pleasure in drawing his attention to my exposure of this book in the BS for October, 1912 (pp. 642-656), which he should study far more carefully than he has yet done, and to page xii of

¹ See, too, Van Hoonacker's *Communauté Judéo-Araméenne*, pp. 16 f.

PS. He also cites Steuernagel's "Einleitung." I challenge him to refer me to any passages of that book that deal with (a) the sixth chapter of EPC, (b) my case on the Priests and Levites, and (c) the points made by me on pp. 130-134 of the January number. In this matter I am not drawing my bow at a venture, for Steuernagel reviewed EPC without noticing or apparently having read the sixth chapter, and he could not truthfully have written as he has done on page 237 of his "Einleitung" if he had studied that discussion. For the rest I need not now discuss lay altars, priests and Levites, Ezekiel, etc., once more.

Lofthouse cites Driver as saying that Orr's arguments are quite familiar to critics and not cogent. All the more shame on them for not having met them; but we have had occasion to see that some of Orr's arguments are so cogent as to be absolutely unanswerable.

Lofthouse draws attention, as he is perfectly entitled to do, to the fact that my position is much more conservative than Orr's. I am glad to be able to confirm this view. But there is another matter on which a less pleasant attitude is necessary. Orr is no longer with us to explain his position, and if any explanation is necessary it should be undertaken not by me but by one of his coreligionists. I feel, however, that I should be failing in my duty if I did not register a solemn protest against the suggestion that when Orr spoke of progressive revelation he meant that he believed that God did not know the difference between right and wrong some three thousand years ago and has now learnt it. That, as we have seen, is the case with Robertson Smith and Driver, but we have also seen that Orr lodged a most clear and vigorous dissent from it, and I have quoted his words twice in these papers. It is unnecessary to repeat them again, and I need

only express my regret that Lofthouse is unable to distinguish between Orr's position and his own, between the view that revelation instructed the creatures and the extraordinary claim that it instructed the Creator! In justice to those who are responsible for the modern form of the critical theory I should add that neither Kuenen nor Wellhausen ever held any view in the remotest degree resembling this. They were too confused to be able to distinguish between a house and a cairn; they were never confused enough to suggest that some fraudulent little deity was responsible for the production of a number of literary forgeries. "I knew the Old Testament was a fraud, but I never dreamt, as these Scotch fellows do, of making God a party to the fraud." That was no cheap witticism, but the utterance of an honest mind, and the expression of a true insight into the nature of one of the divine attributes.

7. I now come to Lofthouse's allegations as to the Divine Appellations, Dahse, and the LQR discussion. Here we meet a charge that I have "led the discussion entirely away from Dahse." That is not so. Lofthouse's original note in the October LQR made sundry assertions about the higher criticism, and alleged that Dahse and his fellow laborers had "no idea" of attacking afresh the whole problem of development in the history of Israel. It happens that, so far, Dahse has published only one book that deals with this topic. That book is a German translation of my "Origin of the Pentateuch," entitled "Wie steht's um den Pentateuch?" Dahse himself, in the preface to this, insists on the importance of my views as to the vicissitudes of the books of Moses and their laws. On the other point that Lofthouse makes (his assertion that the differences between us as to textual criticism would not be regarded as minor) I quoted (LQR, January, 1915,

pp. 129 f.) the indorsement of my work by Dashe in the preface to his "Wie Steht's," and I can also refer Lofthouse to his generous words about me on pages 16 f. of "A Fresh Investigation of Sources of Genesis," and to his concurrence with many of my contentions in his "Textkritische Materialien." In these circumstances the accusation of leaving Dahse on one side amounts to this: that, writing in an English review, I elected to quote the "Origin of the Pentateuch" in the mere English of the original rather than in the sacred Teutonic tongue of the higher criticism into which Dahse had rendered it. Had I adopted the latter alternative, no doubt Lofthouse would have been much more impressed by the arguments used, and would not have made this ridiculous charge against me, but I would remind him of the lines

"I said it in Hebrew, I said it in Dutch,
I said it in German and Greek,
But I wholly forgot, and it vexes me much,
That *English* is what you speak."

Lofthouse claims to have pointed out that Dahse's work had made very little impression in his own country or England. As a matter of fact, he so worded his LQR note as to make it appear that he was referring to an article published by Dahse in 1903 which was largely overlooked at the time and for years after. But his "Textkritische Materialien" has had great effect in Germany, as can be seen from the facts stated in his article in the *Expositor* for December, 1913. Moreover, in one of the last letters I received from him before the outbreak of the war, he told me that the discussion of the Pentateuchal problem was now in vogue everywhere, and that he did not doubt that the next few years would see a revision of the current hypothesis. It must always be remembered that in Germany the conservatives

have had to fight against a conspiracy of silence. With regard to England the position is worse, owing to the English critics' invariable habit of not reading conservative work and their lack of intellectual grit. I showed in the *BIBLIOTHECA SACRA* for July, 1914, that Driver had not read the book. Another instance might be cited. Mr. D. C. Simpson, one of the imitation scholars who adorn the University of Oxford, published a volume entitled "Pentateuchal Criticism" in 1914, to which Lofthouse referred in his LQR note.. He of course had not read Dahse's book or any of the conservative literature. Thus on pages 190 f. he writes: "It ought not, however, to be forgotten that Wellhausen was a textual critic — and a distinguished textual critic — before he was a 'higher' critic; and it is difficult, or even impossible, to think of the circumspect and clear-sighted author of 'Der Text der Bücher Samuel untersucht' as sitting down to work upon the Hebrew text of Genesis — or of the Pentateuch — without first satisfying himself that, for the purpose for which he was about to use it, it was reliable." If he had read Dahse's book he would have known that this was what Wellhausen had actually done (impossible or not), and that he had himself admitted, after the 1903 article, that Dahse had put his finger on the sore spot of the higher critical theory. Another example may be taken from page 34, where Mr. Simpson permits himself to write: "But our present opponents will not join issue on these several points. They prefer to argue as though the alternation of LORD and God were the 'base' of our position — and the *only* one." Bishop Ryle contributes an Introduction to the book, and takes up the cry (p. vii): "The ordinary man experiences some difficulty in understanding what the position really is with regard to the literary criticism of the Pentateuch. He is liable to be

misled by ignorant controversialists who tell him that Biblical Criticism is hostile to the Christian Faith, and would have him believe that the Documentary Analysis of the Pentateuch is an arbitrary invention of the critics based upon the single argument derived from the various use of the names of God in Genesis." Had either of these "critical theologians" so much as looked at the table of contents of any of the books of any of their opponents, they would have been less "ignorant controversialists" than is at present the case. In the circumstances my readers can judge the value of an argument that Dahse's work had made very little impression in England. The fault is not the fault of the work.

Then he alleges that Dahse himself was "chiefly concerned with only a minor point of the Wellhausen theory, the divine names in Genesis." It is untrue that this is a minor point. I have already cited Wellhausen's own admission, and abundant further evidence will be found in the works of Dahse and myself.

Thirdly, as to the importance of the matter and Lofthouse's contention that he had answered me. I set out in parallel columns my charges and Lofthouse's replies, and I press our readers to go through them, point by point, and see whether the replies do or do not meet the charges:—

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"Coming now to the problem of the divine appellations, several of Professor Lofthouse's statements must be challenged. (a) He says that with J the divine name is the Tetragrammaton throughout. That is not so in the Massoretic text, as may be seen from p. 8 of *Essays in Pentateuchal Criti-*

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"No array of textual variations can alter the fact that the divine names are found for the most part in blocks, and that the transition from one to the other regularly corresponds to a transition

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cism, though the critics would doubtless like it to be so. (b) 'P—like E, uses *Elohim* till the call of Moses.' This again is not in accordance with the facts of our Hebrew text (*op. cit.* p. 7), though it too would be very convenient for the documentary theorists. (c) 'In MT. the different names occur in blocks.' Here I can refer to the instances on pp. 8 f. of my *Essays*, where I have pointed to impossible divisions necessitated by the critical hypothesis. In all these matters the professor's statements correspond accurately to the state of affairs that we might have expected to find had the documentary theory been correct, but they are refuted by the actual facts of the Masoretic Text. (d) As to the textual question respecting the divine appellations I think we have to deal with two problems. The first is the whole general question of the textual history, the second that of the transmission of the divine appellations themselves. On both these I refer to *The Pentateuchal Text, A reply to Dr. Skinner*, and to the articles now appearing in the *Bibliotheca Sacra* in reply to König and Skinner, and on the latter to the facts and arguments adduced in the first chapter of my *Essays*, and on pp. 13–52 of Dahse's *Textkritische Materialien*. It would carry me too far to attempt to summarize the answer that these various discussions offer to Professor Lofthouse's contentions" (pp. 130 f.).

LOFTHOUSE.

from one set of characteristics stylistic and religious to another" (p. 132).

LONDON QUARTERLY REVIEW, APRIL, 1915.

WIENER.

"Turning now to the dispute about the Divine Appellations I find that Professor Lofthouse persists in the statement that 'the Divine names are found for the most part in blocks, and that the transition from one to the other regularly corresponds to a transition from one set of characteristics, stylistic and religious, to another' (p. 132). What are the facts? In Gen. xl-1 (i.e. about a quarter of those parts of the book that mention God at all) Elohim is consistently used by the Hebrew except only in xlix. 18. This will not suit the critics who assign large sections to J, and so they here abandon the Massoretic Text. If therefore the analysis be right, it is not correct that 'the transition from one to the other regularly corresponds to a transition from one set of characteristics, stylistic and religious, to another.' The only resource of the critics is to abandon the Massoretic text and alter it in the interests of the theory. True, versional and other authorities insert the Tetragrammaton several times in these chapters, but generally not in J but in E, a supposititious document that does not use the Tetragrammaton. Therefore the critics alter arbitrarily. As to the alleged 'sets of characteristics, stylistic and religious,' it is right to say that these are either imaginary or erroneous, and to refer in support to the works of Dahse, Orr, and the present writer.¹ In these chapters, therefore the whole case breaks down.

¹ Especially OP, PS, BS, Jan. 1915.

LOFTHOUSE.

"Secondly, the complaint about the neglect of the distinction between the divine names in Genesis, chaps. xl. to l. will be seen to be left without any basis by any one who consults Skinner's Commentary on Genesis, p. xlix, with reference to xli. 32b and 38; xlii. 28; xliii. 23, 29; xliv. 16, the only cases in question! The same must be said about the other passages to which reference is made, e.g., iii. 1ff. and iv. 25; cf. Skinner, p. 100; Gunkel on Genesis, pp. 16, 26.¹ So far from 'abandoning the theory for a quarter of the text together' or 'failing to arrive within a thousand years of the truth,' Skinner and his fellow workers show that the few cases of exception which occur are quite insignificant and often susceptible of explanation (see also Driver's Commentary on Gen. on xv. 1, 2)" (p. 277).

¹ Cf. also Kittel ap. Skinner, "Divine Names in Genesis," p. 268.

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"In the other three quarters of the book the critics have to make six textual alterations quite arbitrarily to get rid of the Tetragrammaton in the two Elohistic documents (P. xvii. 1, xxi. 1b; E. xv. 1. 2.; xxii. 11; xxvii. 7b), and J uses Elohim at least twelve times and in addition puts it into the mouth of Eve before on his own showing it was known. These facts are habitually ignored or suppressed by the critics.¹ Further, impossible divisions have to be made. Thus xx. 18, which is essential to the comprehension of the preceding verse, is wrenched away because of the Divine name. In xxviii. 21 the whole point of the narrative has to be sacrificed to cut out the words 'and the LORD will be my God' from E. In xxxi. verse 3 has to go for a similar reason, though verse 5 requires its presence, and in xxxii. verse 32 is rendered unintelligible by cutting out verse 31 which is inseparable from it.

"Other divisions not based on the Name but necessitated by the theory are equally impossible, e.g., Gen. xxxiv. 25, J writes 'two of' and 'Simeon and Levi, Dinah's brethren,' while P contributes the other portions of the verse. Then there are clear signs of passages being centuries earlier than the critics suppose. Thus Gen. x. 19, 'as thou goest towards Sodom,' etc., can only have been composed when the places named still existed, i.e., at least a thousand years before the earliest critical date for the passage. The legal evidence is similar. The law of Genesis (P, etc.) is earlier than that of Exodus

¹ On Skinner's attempts at explanation, see PS, pp. 58-60.

(JE, etc.) on purely legal grounds.¹ Again Skinner claims that the original name of Reuben was Reubel (as in Josephus and the Syriac), that the only plausible explanation of it is 'seen of Baal,' and that the Tetragrammaton is a substitution for Baal in Gen. xxix. 32. As there was no objection to this word till after Hosea's time — i.e. long after J — the view, if sound, destroys the documentary theory, for you cannot say that we are dealing with an author who used the Tetragrammaton, if in truth and in fact he wrote Baal and the Tetragrammaton was inserted long after his death. Finally our textual materials present at least 189 variants from the Hebrew in the Divine Appellations. In a number of places — varying with different writers — Masoretic readings have been admitted by the critics to be inferior. Their position is therefore riddled with self-contradictions and impossibilities. First they abandon a quarter of the text altogether, then they make numerous alterations in the remainder and fail to explain what they leave, then they make impossible divisions, fail to arrive within a thousand years of the truth, throw over their whole theory in favour of an alteration from Baal, and lastly make admissions of the superiority of versional readings. Having done all this they wax virtuously indignant over any suggestion that 'the text of the Jewish and Christian O. T., the basis of our English translation' could possibly be inferior in the Divine Names to any other extant text. It is not

¹ See EPC, chapter i., SBL, OP, *passim*, Murray's *Illustrated Bible Dictionary*, articles, — "Law in O. T.," "Crimes," "Family."

too much to say that their theory could not be maintained for a month but for their control of the technical press. Note too that Professor Lofthouse has ignored my invitation on p. 130 to deal with the specific passages in which the theory has been attacked."¹ (pp. 265 ff.).

Skinner's commentary on Genesis is amply dealt with on pages 49-142 of PS, and it will be noticed that not merely has Lofthouse nothing to say on the specific points advanced (on numbers of which such as Gen. xx. 18 he ventures no word), but that he has not dealt with the later discussions in the BS for 1914 and 1915, to which I had referred him in both the January and April numbers of the LQR.

One other complaint of Lofthouse's should be noticed. He says I have not seriously tried to impugn his views about Christianity. Of course not. If Lofthouse wishes to debate them he must do so with his fellow Christians. I shall not depart from my usual rule of non-intervention in such matters.

I have now dealt with all the matters of substance alleged by Lofthouse, except his remarkable peroration. In so far as that rests on the theory that conservatives have not destroyed the critical case, it must be explained by Lofthouse's ignorance of the conservative books. Our readers have had ample opportunities of forming some conception of its extent. But they and I are entitled to an explanation of his attitude. He writes: "I should be as loath to disparage the unflagging and praiseworthy industry of Mr. Wiener as I should be to 'ride off on the plea of lack of space,' or to refuse to read his books save in quotations; but I would ask him to believe, in the interests of useful discussion, that the convictions

¹ See further EPC, OP, PS, SBL, *passim*, and BS, Oct. 1914, Jan. 1915.

of his opponents are founded on something more than ignorance and guided by something more than indolence or cowardice." And again, in another place: "I must still claim that nothing has been said in these pages or elsewhere, to lead us to abandon the MT., as our most trustworthy guide to the original text, for any of the types of the LXX."

I invite Lofthouse to answer the following questions:—

(1) If the convictions of the critics are founded on something more than ignorance and guided by something more than indolence or cowardice, how does he explain (a) his own unacquaintance with the contents of large sections of the conservative writings he impugns, and (b) his inability to produce any answers to the points urged, either out of the fullness of his own knowledge or the abundant critical literature at his disposal?

(2) In the face of his obvious unacquaintance with the conservative books, how comes he to make claims that "nothing has been said *in these pages or elsewhere*," and to hold himself out as being entitled to pass judgment publicly on the work and achievements of authors he has not read?

8. With regard to P, I differ from the whole higher critical theory. It will be remembered that P was originally called the Elohist, and subsequently the first Elohist. For a century after Astruc, E was commonly regarded as an integral part of P. To-day it is represented as being practically indistinguishable from J (see especially PS, pp. 66–83). "An interesting series," says Orr (*Problem*, p. 217, note), "might be drawn up along this line, based on the axiom that things that are equal to the same thing are equal to one another, weakening somewhat the force of the ordinary documentary theory. If, e.g., E resembles P sufficiently to have been regarded by most critics till Hupfeld, and by many since, as

part of P, and E is at the same time practically indistinguishable stylistically from J, an obvious conclusion follows as to the relations of J and P. So in other places approximations may be shown to exist between E and D, D and J, and even between JE and P, D and P." Further, the main clue to the analysis in Genesis was undoubtedly the variation in the Divine appellations, and the analysis itself has been broken down at point after point in the writings of the conservatives. It is becoming increasingly clear (1) that the documentary theory is utterly untenable, and (2) that other and sounder explanations can be suggested of the phenomena it was meant to explain (see, e.g., PS, pp. 195-224). Textual criticism, moreover, is still in its infancy and has very much to teach us. "As a single example," writes Olmstead, "we may note that practically every word in the Flood and Covenant story which has been assigned to the priestly narrative is missing in some MS or version" (*American Journal of Semitic Languages*, April, 1915 (vol. xxxi. No. 3) pp. 213 f.). Abundant instances will be found in my own study of the Joseph narrative (PS, pp. 29-48) and in the BS for October, 1914, and January and October, 1915. As these are studied, it becomes increasingly clear that our Pentateuch contains an immense quantity of annotation. We cannot of course hope to recover the original text in its complete purity, but we can get far enough to show that there is no ground whatever for suspecting the Mosaic authenticity of the legislation subject only to textual criticism. Further, as we penetrate more deeply into the history of the text, we find transpositions, lacunæ, and marks of editorial activity (see especially EPC, chaps. iv. and v.; BS, Oct. 1914). No doubt much in our present Pentateuch is due to commentators, but this we may reasonably hope to detect in due time.