THE GENESIS OF DEUTERONOMY.

V.

III.—*Conclusion.*

HITHERTO in examining the "basis" and "claims" of criticism our investigation has been largely negative. We are now, however, in a position to offer positive reasons for rejecting the theory of Deuteronomy's late origin.

The key to the solution of the whole problem is, in our judgment, to be found in the introduction (Deut. 1. 1–5). The very first verse of the book is confessedly an enigma on the hypothesis of a late origin.[1] It reads: "These be the words which Moses spake unto all Israel beyond Jordan; in the wilderness, in the Arabah over against Suph, between Paran and Tophel and Laban and Hazeroth and Dizahab." Two different localities apparently are here described: (*a*) "over Jordan" (*v.* 1*a*), and (*b*) "in the wilderness, etc." (*v.* 1*b*). Whoever wrote this verse evidently believed that Moses delivered the orations which follow[2] twice. But would a late editor have added such a superscription?

The expression "in the wilderness," בַּמִּדְבָּר, can hardly refer to Moab, or to the desert east of Moab (as Knobel, cf. Num. 21. 11, 13), the east of the Jordan being conceived of as a part of the wilderness south of Canaan, as a kind of ideal unity in contrast with Canaan. It is certainly more natural to think of the desert of Arabia Petræa stretching south of the Dead Sea towards

[1] Cf. Driver, *Deuteronomy*, p. 5.

[2] There is little gained by making the initial word אֵלֶּה point backward (as Knobel, Klostermann, Green, and others) to the laws in Numbers 10. 11–36; 13., in which case Deuteronomy 1. 1 would form a link of connection between the antecedent legislation in Exodus, Leviticus, Numbers, and that in Deuteronomy.

the Sinaitic peninsula.[1] This view is confirmed by the geographical designations which follow in the same verse, and which were probably intended to define the wilderness spoken of more closely. Thus the Arabah here alludes most probably to that portion of Palestine's deep depression lying between the Dead Sea and the Gulf of Akabah. The expression "over against Suph" is equivalent to "over against the Red Sea," as the Samaritan and some ancient versions have it. "Paran" is not improbably the modern *Feiran* situated at the base of Jebel Serbail (cf. Num. 10. 12; also 1 Kings 11. 18); "Tophel" is supposed to be on the eastern slopes of Edom; "Laban was probably on the route between Horeb and Kadesh-barnea (cf. Num. 33. 20); "Hazeroth" was the place where Miriam and Aaron were punished for sedition, and from which Israel entered the wilderness of Paran, north-east of Mount Sinai (cf. Num. 11. 35; 12. 16); "Dizahab" is possibly to be identified with a place by the same name, east of Sinai, on the shore of the Gulf of Akabah. Now while many of these places are unknown to us to-day, and their location, accordingly, still remains uncertain, still, what evidence we do possess concerning them all points in one direction, viz., not to the district "over Jordan," but to the desert between Horeb and Kadesh-barnea. Hence we may infer that they were most probably mere caravan stations on the desert route of travel.

This view is supported by *v.* 2, which, unless it was intended to explain *v.* 1*b*, is a greater enigma even than *v.* 1. It reads: "There are eleven days (caravan travelling) from Horeb by the Mount Seir road unto Kadesh-barnea." But why should we here be told the distance between Horeb and Kadesh-barnea if but one geographical situation is described in *v.* 1, and that the

[1] So Oettli, *Das Deut. u. die Bücher Jos. u. Richter*, 1893, p. 24. Also Dillmann, iii. p. 232.

region "over Jordan"? There certainly must have been some reason for its insertion just here. The expression "by the Mount Seir road" probably suggests the *direction* by which Israel made the journey; so that the verse probably means, "By the Mount Seir route ordinary caravans cover the distance from Horeb to Kadesh-barnea in eleven days."[1]

In *vv.* 3–5 the author informs us, further, that the law which Moses had received in commandment from the Lord, he began to *expound* in the last month of the fortieth year in Moab. The verb בֵּאֵר (*v.* 5), which is used elsewhere in the Old Testament only in Deuteronomy 27. 8, and Habakkuk 2. 2, and means "to engrave," "to expound," "to make clear,"[2] is thus another witness to our interpretation of *v.* 1, for it suggests that Moses began in the fortieth year to *expound* law which he had given before. Hence, from these introductory statements in Deuteronomy 1. 1–5, we may, tentatively at least, deduce the following conclusions: (1) That in the opinion of the author or editor, the orations contained in the book of Deuteronomy were *spoken twice*—once in Moab, and once on the way between Horeb and Kadesh-barnea. (2) That the author of these verses was evidently acquainted with the caravan stations of the Sinaitic peninsula, also with the chief events which happened to Israel during the forty years of wilderness wandering, and consequently that the book of Deuteronomy probably received (approximately) its present form not long subsequent to the death of Moses. Can these conclusions be substantiated? We believe they can.

1. *Reasons for supposing that the bulk of Deuteronomy was spoken twice.*

[1] This does not require us, of course, to think that the children of Israel actually travelled the distance in eleven days, or made but eleven encampments. Cf. Trumbull, *Kadesh-barnea*, 1884, pp. 74 ff. and 309.

[2] Cf. König, *Einleitung in das A.T.*, 1893, p. 137.

(1) Because of the author's attempt to identify the *new* generation in Moab with their fathers, with whom God had made a covenant at Sinai. From Numbers 14. 23, 29–33, we know that all the children of Israel "from twenty years old and upward" (except Caleb and Joshua) had died in the wilderness; Moses, in Moab, accordingly, was given the task of instructing a new generation, who, though many of them came out of Egypt in their boyhood and had witnessed the thunderings of Horeb, yet had grown up in the desert during the forty years of wandering, and cared too little, perhaps, for the laws given to their fathers. Hence to them the great Lawgiver declares, "The Lord made not this covenant with our fathers (the patriarchs), but with us, *even us, who are all of us here alive this day*" (5. 3). That is, with us, who are *still living*, who have survived the desert discipline, God made the covenant at Sinai.

(2) Because of the *historical* introduction in chapters 1.–4. By prefixing an historical introduction, the author intensifies the force of the original Deuteronomic exhortations contained in chapters 5.–26. Bits of history are occasionally also to be found in other portions of the book (*e.g.*, 5. 5; 9. 1, 23 f.; 11. 29–32; 27. 1 f.; 29. 1 f.), which render the material, delivered, as we think, thirty-eight years before on the way from Horeb northward, appropriate to the *new* nation now in similar circumstances in Moab, *i.e.* again on the eve of conquest.

When Israel broke camp at Horeb, in the second month of the second year of the Exodus, and marched northward toward the promised land, there is every reason to believe that they all (Moses too) expected to enter Canaan *from the south*, and without any very prolonged delay. Accordingly, what would be more natural than to suppose that on the way—indeed, all along the route—at Hazeroth for example, where they encamped at least seven days (cf.

Num. 11. 35; 12. 15), and elsewhere, Moses should have exhorted Israel to keep the commandments which Jehovah had given at Horeb? Their plan, however, failed on account of the unfavourable report of the spies and the faithlessness of the people; and, after thirty-eight years of discipline, during which time the older generation died off, another attempt to take possession of their promised inheritance was contemplated *from the east.* To this new and nomadic generation the aged Lawgiver addresses exhortations similar to those which he had spoken to their fathers, and for the sake of emphasis begins by relating the history of the nation from Sinai to the plains of Moab, emphasizing here and there his instruction by appropriate historical allusions. On this theory many obscure passages in Deuteronomy are made clear.

(3) Because of the double allusion to *the cities of refuge* (4. 41–43, cf. 19. 1–13). In 19. 1–13, which, on our hypothesis, was *originally* spoken in the *second* year of the Exodus, three cities are specified (but not named) to be chosen on the *west* side of Jordan in Canaan, with the added but indefinite provision, that in case Israel's borders should be enlarged three other cities (also unnamed) should be appointed on the east of Jordan. Such an indefinite command was in full keeping with the circumstances of the desert march. But in 4. 41–43 three cities are not only specified, but chosen and named, as places of refuge on the *east* side of Jordan, viz., Bezer, Ramoth, and Golan. This is history; it stands at the close of the historical introduction which Moses spoke in Moab after Israel's conquest of Gilead and Bashan, and, to our minds, is a valuable witness in favour of the view that the bulk of Deuteronomy was spoken twice.[1]

[1] This theory is not opposed by Numbers 35. 1 f., which provides for six cities of refuge without naming them, inasmuch as from the context (*v.* 1) it is clear that the command there was also given in Moab, but probably prior to what is recorded in Deuteronomy 4. 41–43.

(4) Because of the (repeated) *introduction* contained in Deuteronomy 4. 44–49. These verses stand as a preface to chapters 5.–26., and, in an apocopated version, may have once constituted the original introduction to the Deuteronomic kernel spoken in the desert. In their present form, however, they have been accommodated to harmonize with Deuteronomy 1. 1–5, which, as we have seen, declares that in Moab Moses *expounded* laws which he had given Israel previously in the wilderness. The same peculiar geographical setting which is characteristic of Deuteronomy 1. 1 f. is to be found here also. For the testimonies and the statutes and the judgments which follow are said to have been spoken first "after they came forth out of Egypt" (*v.* 45), but also "over Jordan" (*v.* 46), which is a further proof that the bulk of Deuteronomy was spoken twice. If not, why this *second* introduction?

(5) Because, on this theory, it is not impossible to account for the alternating use of the *2nd pers. sing.* and the *2nd pers. plur.*, which is especially characteristic of the book of Deuteronomy.[1] Steuernagel[2] has succeeded best in making a thorough-going analysis along these lines, but, in our own opinion, has done little more than to demonstrate, with considerable certainty, however, that no matter how small the original kernel of Deuteronomy was, it never existed as a *legal* kernel *only*, but from the first had an introduction, a nucleus and a conclusion. The alternating use of the *2nd pers. sing.* and the *2nd pers. plur.* is characteristic of the entire book, not of a single part only; but, as a matter of fact, it is quite impossible to say, in many individual cases, why the one rather than the other should have been employed. And

[1] Cf., however, the rapid transition from the *singular* to the *plural* in Genesis 18. 1–19. 28, discussed by Kraetzschmar in *Z.A.W.*, 1897, pp. 81–92.

[2] *Die Entstehung des deut. Gesetzes krit. u. bibl. Untersucht*, Halle, 1896.

yet it is comparatively clear that the author has used the *2nd pers. sing. usually* in the legal sections (*e.g.* 5. 6–18 (Heb.), 6. 4–9, and chaps. 12.–26.); when he conceived of Israel as a single nation, or wished to address them as single individuals (*e.g.* 1. 21, 31; 2. 7; 6. 10–15); and in exhortations given in Moab, when Moses was an old man —sixty years their senior (*e.g.* 4. 32–40; 8. 2–19*a*). On the other hand, the *2nd pers. plur.* has been employed when the author addressed the nation as so many individual units (*e.g.* 1. 10, 11, 22–30, 39, 40; 3. 18–4. 8; 5. 22–33; 7. 7, 8; 9. 8–29); and in exhortations given by Moses in the wilderness, where he addressed Israel as a prophet would his own generation. However, only *remnants* of such exhortations remain, as the early addresses of Moses were, for the most part, modified to suit the new conditions in Moab (but cf., *e.g.*, 1. 6, 7, 12–18; 2. 1–6; and parts of chaps. 11. and 12.). For these reasons we think it not improbable that the bulk of Deuteronomy was spoken twice, once near the beginning, and again at the close of the Exodus wanderings.

2. *Reasons for concluding that the book of Deuteronomy was composed early.*

(1) Because *primarily* intended to be *a code of conquest* for Israel. It is a military law book, not a single statute of which was intended for Israel in the desert. Even Deuteronomy 23. 12, 13, is a regulation for soldiers encamped against their enemies.[1] It is expressly stated that Moses taught Israel these statutes and judgments *in order that* they "should do so in the midst of the land whither ye go in to possess it" (Deut. 4. 5, 14); "that they may do them in the land which I give them to possess it" (5. 31*b*); "and keep my commandments *always*" (5. 29), "thou, and thy son, and thy son's son, all the days of thy life" (6. 2). To this end they must expel the aborigines (7. 1 f.; 4. 38; 9. 1 f.;

[1] Cf. Alexander, *Pulpit Commentary*, "Deut.," 1897, p. xxviii.

20. 16, 17; 31. 3), observe in warfare certain peculiar laws of the theocracy (20. 1–20; 31. 6. 8; 23. 9–14; 21. 10–14), and, when they have vanquished their enemies and taken possession of their inheritance, they must then settle down to agricultural life and live not as nomads, but as citizens of a civilized land (19. 14; 22. 8, 9, 10; 24. 19–22; 17. 14–20).[1] These characteristics are so prominent that they quite forbid, in our judgment, the hypothesis of late codification.

(2) Because the book of Deuteronomy is not only *hortatory* and *prophetic*, but *peculiarly* so. The great outstanding characteristic of Deuteronomy is its parenetic element. It is nothing if not hortatory; it is *peculiarly* hortatory. It is likewise *peculiarly* prophetic. Its exhortations have a military ring, as though written on the eve of battle. There is nothing fanciful or fictitious in their sound. Everything is natural to the circumstances alleged. They are the message of one interested in Israel's *future*, not especially in the *present*. They reflect the optimism of one who is unacquainted with Israel's chequered history (cf. 15. 4–6), not the hope of a baffled seer who is making a last attempt to win his people from gross idolatry and sin. Indeed, there is a *paternal* vein running through the book of Deuteronomy which renders it exceedingly appropriate to the circumstances in Moab (cf. 9. 24; 1. 37; 4. 21).[2]

(3) The *style* of Deuteronomy is a witness to its early origin. The people are repeatedly reminded that they are not yet come into the rest and inheritance which the Lord

[1] With Kittel (*History of the Hebrews*, i. p. 32) we maintain that the author assumes "that the laws which are here promulgated will become binding in the future only."

[2] The author's repeated solicitations for the Levites, that they should be provided for and not forsaken, etc. (12. 19; 14. 27; 18. 6–8), are most satisfactorily explained by the fact that the tribe of Levi had just previously been set apart at Sinai (Deut. 10. 8).

is about to give them (12. 9); that the Lord will greatly bless them when they do (15. 4); that they must not make a covenant with the natives of Canaan (7. 2, 3), nor learn to do after their abominations (18. 9); but utterly "devote" their enemies to destruction, which was an archaic mode of warfare (7. 2; 20. 16), and destroy all their places and objects of worship (12. 2 f.; 13. 6 f.); moreover, they must carry into execution the laws which Jehovah has prescribed (12. 1); choose cities of refuge (19. 1 f.); sacrifice at the place which God shall choose (12. 5); and write this law upon great stones and set them up (according to the custom in Egypt—27. 1–8); if they disobey, they will be visited with all the diseases of Egypt with which the author alleges *they are already familiar* (7. 15). Here, again, we claim that nothing short of the actual circumstances of Moab could have produced such a style.[1] Dillmann's idea that the book of Deuteronomy shows long training in the art of public oratory overlooks the fact that oratory is a *gift*. Had not the author possessed rare native ability in this direction, the art might have gone on developing twenty centuries instead of seven, without producing orations like those of Deuteronomy.

(4) The *language* also favours an early date. Such a word as נַעַר for נַעֲרָה, "maiden," which occurs universally in Deuteronomy (except 22. 19), is confessedly an argument in favour of its early date. The frequent use of הוּא in both genders (36 times in Deut.) is another, especially as the feminine form הִיא is never once found in Deuteronomy. The ancient word מֵת, "married man," plural מְתֵי (2. 34; 3. 6; 33. 6; 26. 5; 28. 62), originally of Egyptian origin, from *mt*, and preserved in the ancient proper names מתושאל and מתושלח, but falling out of use in later Hebrew.[2]

[1] Cf. Green, *The Higher Criticism of the Pentateuch*, 1895, pp. 39 f.

[2] Cf. Driver, *Deuteronomy*, p. 44 n. Also Gesenius-Buhl, *Handwörterbuch*, 12th edit., 1895, p. 469.

The archaic demonstrative form הָאֵל for הָאֵלֶּה (Deut. 4. 42; 7. 22; 19. 11), which is found but once outside the Pentateuch (viz. 1 Chron. 20. 8). The form וָאֹמַר (Deut. 1. 9; 20. 29), which occurs usually in the oldest portions of Old Testament literature instead of וָאֹמְרָה (cf. Eccl. 2. 15).[1] The more original termination of the *2nd and 3rd pers. plur. Imperf.* ן, occurring fifty-six times in Deuteronomy and but seldom in later Hebrew (rarely in Jer. and Ezek. for example).[2] The old *3rd fem. sing.* verbal ending ת־ instead of ה־, *e.g.* אָזְלַת (Deut. 32. 26; cf. וקראת, Deut. 31. 29 and Jer. 44. 23). The anomalous forms זְכוּרֵךְ and זְכוּרָהּ, instead of זָכָר with suffix, which are completely lost to Hebrew literature outside the Pentateuch (Deut. 16. 16; 20. 13; Exod. 23. 17; 34. 23). Also the ancient Semitic idea of God's "dwelling" with Israel,[3] שְׁכֻנִי (Deut. 33. 16),—the form being here accompanied by the original ִ of the ancient genitive case-ending.[4]

(5) The hypothesis of an *early* origin allows for the obvious *unity* of Deuteronomy. We have already called attention to the confession of criticism that the whole of the book of Deuteronomy cannot be assigned to the year 621 B.C. Yet no other book of the Old Testament (unless it be Ezekiel's prophecies) bears such unmistakable signs of unity—in aim, in language, and in thought—as the book of Deuteronomy. Criticism concedes this openly. Thus Kautzsch[5] says: "The kernel of Deuteronomy (viz. 4. 44–28. 68) presents a character of real unity throughout." Both Dillmann and Kuenen also argue in behalf of the unity of chapters 5.–26.[6] Knobel, Graf, Kosters, Colenso,

[1] Cf. Driver, *Hebrew Tenses*[3], 1892, p. 102.

[2] Cf. Spiers, *The Age and Authorship of the Pentateuch*, 1895, pp. 154 f. The same ending also is found affixed to the *Perfect, e.g.* cf. יְדָעוּן (Deut. 8. 3, 16, and only once elsewhere in the Old Testament, Isa. 26. 16).

[3] Cf. W. R. Smith, *The Religion of the Semites*[2], 1894, p. 194.

[4] Cf. Kautzsch-Gesenius, *Grammatik*[26], 1896, § 90 l.

[5] *Abriss*, 1897, p. 59.

[6] Cf. Dillman, p. 263 f., and Kuenen, *Hexateuch*, pp. 112–115.

and Kleinert defend the unity of chapters 1.–26. Driver treats chapters 5.–26. and 28. as the kernel of Deuteronomy, but in reality favours the unity of chapters 1.–26. and 28.,[1] frankly allowing that "the literary style of Deuteronomy is very marked and individual," and that, "in his command of a chaste, yet warm and persuasive eloquence, the author of Deuteronomy stands unique among the writers of the Old Testament."[2]

From the standpoint of language there is no necessity of dissecting the book. The various sections of history (chaps. 1.–4.), exhortation (chaps. 5.–11.), and law (chaps. 12.–26.), including even the "Song" and "Blessing" contained in chapters 32. and 33. respectively, all bear the same identical stamp.[3] The resemblance is too striking to be accounted for through imitation. Besides, it should be remembered that the literary sins committed in dissecting much of the Old Testament are great. Analysis is not criticism. For our part we place little value, even on words and phrases, which may occur rarely elsewhere than in the book under discussion; and yet, if language is to be a criterion at all, this would be among the safest. For example, the form אֵיכָה, *how*, instead of the usual form אֵיךְ, is used throughout the book of Deuteronomy (1. 12; 7. 17; 12. 30; 18. 21; 32. 30; נָחַל in Hiphil, *cause to inherit* (1. 38; 3. 28; 12. 10; 19. 3; 21. 16; 31. 7; cf. 32. 8); the exhortation שְׁמַע יִשְׂרָאֵל, *Hear, O Israel* (5. 1; 6. 4; 9. 1; 20. 3; 27. 9; cf. 4. 1; 6. 3); the repeated occurrence of לָמַד in Kal and Piel, *learn* and *teach*, respectively (4. 1, 5, 10, 14; 5. 28 (31); 6. 1; 11. 19;

[1] Driver, *Deuteronomy*, p. lxxii.

[2] *Idem*, pp. lxxvii., lxxxviii. So Löhr, *Kirchliche Monatsschrift*, i., 1896, p. 17 f. A. van Hoonacker, *Le Muséon*, 1888, pp. 464 ff.; 1889, pp. 67 ff., 141 ff. Alexander, *Pulpit Commentary*, Deuteronomy, p. v., and many others.

[3] Delitzsch, *Messianic Prophecies*, 1891 (p. 72), does not hesitate to say even that Deuteronomy 32. "contains nothing which betrays a post-Mosaic origin." Cf. his x. study on "Die Entstehung des Deuteronomiums, *Zeitr. für kirchliche Wissenschaft u. kirchliches Leben*, 1880, pp. 505–508.

14. 23; 17. 19; 18. 9; 20. 18; 31. 12, 13, 19, 22); אָבָה, *be willing*, (1. 26; 2. 30; 10. 10; 13. 9 (8); 23. 6; 25. 7; 29. 19 (20); and more than a score of other characteristic expressions which bind the different sections of the book into one solid unit, thus: "so shalt thou exterminate the evil from thy midst," "as at this day," "that it may be well for thee," "the land whither thou goest in to possess it," "with all thy heart and with all thy soul," "the work of thy hands," "the priests the Levites" (with slight variations in several instances), etc., etc.—every one of which is used by the author over and over again throughout the entire book, and rarely elsewhere.[1]

(6) The *teaching* of Deuteronomy is more directly appropriate to an early date. *The great central thought of the book is the unique relation which Jehovah as a unique God sustains to Israel as a unique people.* Analyzed a little more minutely, it means that the book of Deuteronomy teaches (*a*) the oneness of Jehovah, (*b*) the unity of Israel, and (*c*) the close relation existing between Jehovah and Israel. To Mosaism, we believe, and not to Prophetism of the 8th century, belongs the honour of having inculcated these truths for the first time; for, without it, Israel's history would have been like the history of any contemporaneous nation—ordinary, instead of extraordinary.

(*a*) *Jehovah a unique God.* The most striking feature of the Deuteronomic teaching concerning God is the fact that Jehovah is the only, and absolutely unique God. "There is none else" (4. 35, 39; cf. 6. 4; 32. 39); "a God of gods and Lord of lords" (10. 17); "the living God" (5. 26); "the faithful God which keepeth covenant" (7. 9); who being righteous hateth sin in every form (7. 25, 26; 12. 31; 13. 15 (14); 18. 12; 20. 18; 27. 15; 22. 5; 24. 4; 25. 16); to whom belong the heavens and the earth (10. 14); whose providence is over the nations (7. 19); whose relation to His people is

[1] Cf. Driver, *Deuteronomy*, pp. lxxviii. ff.

personal (28. 58); whose being is spiritual (4. 12, 15); whose name is "Rock" (32. 4, 15, 18, 30, 31, 37); and who stands to Israel in the close relationship of "Father" (32. 6). He is further described as a *man fighting* for Israel (9. 3; 20. 4); as walking in the midst of Israel's camp to deliver up the enemy (23. 14, [15]); as leading His people through the desert (32. 10, 12); whose absence from them will expose them to evil (31. 17); whose being is terrible (5. 24, 25; 10. 21; 11. 2–7; 26. 8); whose character is jealousy (4. 24; 5. 9; 6. 15); who hates other gods (7. 4; 29. 26; 31. 16, 20; 18. 20); beside whom idols are impossible (7. 25, 26; 12. 31; 27. 15; 32. 16). Hence all temptation to idolatry must be removed. The Canaanites must be exterminated (7. 2–5, 16; 20. 16–18); all their places of worship destroyed (12. 2f.); and all magic and divination abolished (18. 9–12); for the Lord Jehovah He is the only God (4. 35).

(*b*) *Israel a unique people.* The new Israel, through the new covenant made in Moab (26. 16–19; 27. 9; 29. 1), were made partakers of the covenant made at Horeb (4. 13, 23; 5. 2, 3), and thus became heirs of the promises made unto the patriarchs (4. 31; 7. 8, 12; 8. 18; 29. 13). Thus they were unto Jehovah a holy and peculiar people (7. 6; 14. 2, 21; 26. 18, 19; 27. 9; 28. 9; 29. 13), chosen specially for Himself (4. 37; 7. 7; 10. 15; 14. 2); especially beloved of Jehovah (7. 8); yet disciplined for their own good (8. 2, 3, 5, 16); to be established as a people (28. 9; 29. 13; 32. 6); to become His lot and inheritance (9. 26, 29; 32. 9); and to stand near unto Jehovah as no other people (4. 7; 32. 43).

(*c*) *The relation between Jehovah and Israel a unique relation.* Other nations *feared* their deities; Israel were not only expected to fear Jehovah, but to *love* Him. In order to be upright or perfect with the Lord their God (18. 13) they must fear Him (4. 10; 5. 26 (29); 6. 2; 13. 24; 8. 6; 10. 12, 20; 13. 5 (4); 14. 23; 17. 19; 28. 58; 31. 12, 13); but they must also *love* Him (6. 5; 10. 12; 11. 1, 13,

22; 13. 4 (3); 19. 9; 30. 6, 16, 20); and *cleave* to Him (10. 20; 11. 22; 13. 5 (4); 30. 20). The highest privileges belong to them because they are members of a theocracy; others are excluded except by special permission (23. 2–9 (1–8); if they should desire a king to rule over them, Jehovah shall make the choice (17. 15); a prophet shall be raised up to take Moses' place and represent God in the theocracy (18. 15, 18); a distinction is to be made between Israel and strangers (23. 20 (21); 14. 21; 23. 4–7 (3–6); in short, the people of Israel are to remember that they stand in *covenant* relation to God as His own chosen and peculiar people. All this was most appropriate from the Mosaic standpoint—the indispensable teaching which made Israel's history what it was.

It is here we take issue with many; the reason being that we cannot accept the dictum that *law is the product of prophecy*; or, more concretely, that "the author of Deuteronomy is the spiritual heir of Hosea."[1] On the contrary, the claim that Moses could not have taught Israel the ethical principles contained in the book of Deuteronomy we consider is *philosophical* rather than *scientific*. And the truth of this claim is attested not only by the facts themselves, but by the history of criticism. The key of the new development theory lies, we believe, in the philosophy of Hegel. Vatke, as is known, was a disciple of Hegel. He was also the father of the new philosophy of Israel's history. Wellhausen acknowledges his great indebtedness to Vatke.[2] Hegel's philosophy of religion was based on the principle that God at first was only a power, which gradually came to be conceived of as an exalted subjectivity and later was clothed in Judaism with wisdom and sublimity. This philosophy Vatke applied to the Old Testament.[3] The same principle of de-

[1] So Driver, *Deuteronomy*, p. xxvii. [2] *Proleg.*[4] p. 14.
[3] *Die biblische Theologie wissenschaftlich dargestellt*, 1835.

velopment was applied in the same year (1835) by Christian Ferdinand Baur to the New Testament, but without permanent success, as most scholars to-day are willing to confess. The cause is not difficult to see. Pure Hegelianism is metaphysical and opposed to science. It deals with depths of which science only moves over the surface. Hegelianism scorns to be tested by science. But criticism, on the contrary, claims to be scientific. Hence it is obviously impossible for criticism to accept of the Hegelian philosophy and remain inductive and scientific. The true historian must first explain the facts, and *all* the facts. This, we claim, the new theory of Israel's religious development has not satisfactorily accomplished. We call attention, in conclusion, to a passage in Deuteronomy which has never yet been successfully explained by criticism; and which, until it is satisfactorily accounted for, will stand a vocal witness to the early and Mosaic origin of the Deuteronomic law. It constitutes our final argument.

(7) The book of Deuteronomy itself bears explicit witness to the early origin of its principal contents. In Deuteronomy 31. 9, 24–26 it is written: "And Moses wrote this law, and delivered it unto the priests the sons of Levi, which bare the ark of the covenant of the Lord, and unto all the elders of Israel. . . . And it came to pass, when Moses had made an end of writing the words of this law in a book, until they were finished, that Moses commanded the Levites, which bare the ark of the covenant of the Lord, saying, Take this book of the law and put it by the side of the ark of the covenant of the Lord your God, that it may be there for a witness against thee." Now those who advocate a post-Mosaic origin for the entire book of Deuteronomy must explain the following difficulties: (*a*) If the author of these statements actually supposed that Moses wrote the Deuteronomic law, when as a matter of fact he did not, how account for his inspiration? On the

other hand, if he purposely falsified, of what value is his history? (*b*) Again, if the author of Deuteronomy and the prophet Jeremiah were contemporaries, as is usually alleged, and both were true prophets of Jehovah, why should we be asked to believe Jeremiah's account of the origin of his book, and *dis*believe that of his contemporary? In Jeremiah 36. 32 it is written: "Then took Jeremiah another roll, and gave it to Baruch the scribe, the son of Neriah; who wrote therein from the mouth of Jeremiah all the words of the book which Jehoiakim king of Judah had burned in the fire: and there were added besides unto them many like words." Yet criticism accepts the latter as true, and boldly asserts the former to be false. (*c*) Finally, why should a prophet of the seventh century B.C. have spoken to Israel in the name of *Moses*, when all his companion prophets, before and after, spoke in the name of *Jehovah of Hosts*?

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