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Dr. Driver's 'Deuteronomy.'

THE USE OF THE NAME OF MOSES.

BY PROFESSOR THE REV. G. G. CAMERON, D.D., ABERDEEN.

UNTIL criticism of the Old Testament takes a new departure, Dr. Driver's volume, in Messrs. Clark's new series of *International Critical Commentaries*, is likely to be accepted by English-speaking students as containing the most reasonable statement of the views held by the new school of critics regarding the origin and the date of Deuteronomy. It is not easy to think of a man better qualified than Dr. Driver to explain to an English constituency such an Old Testament problem as has been raised in connexion with Deuteronomy. To speak of his scholarship would be little less than an impertinence. His statement of the points in discussion, and of the conclusions at which he arrives, is remarkably clear. If his assumptions are conceded, his argument appears to be fair, and it may be difficult to refuse assent to the results which he submits for acceptance. Moreover, the spirit in which he writes is so free from controversial bitterness, and so worthy of a Christian critic, that it is a pleasure to follow a discussion conducted in such terms. As one reads, one feels the influence of a writer who has

his subject so well in hand, and whose literary skill and ready command of language enable him to present his case so effectively. Dr. Driver has taken Graf's conclusions and laid them before the English public in a form as attractive as they are ever likely to assume in the English language.

One would fain agree with him; but there are difficulties. To the non-critical mind perhaps, after all, the gravest difficulty is that which concerns the use of the name of Moses throughout the book. Even if the assumption is conceded that the name of Moses may be legitimately employed by an author who, himself living centuries after Moses, based his literary work on what was accepted as genuinely Mosaic,—a general concession of this kind does not cover such a case as is presented by the Book of Deuteronomy. The name of Moses runs almost continuously throughout the book. Details are numerous. Assertions of an exact kind abound. Regulations are prescribed [*e.g.* in connexion with the setting up of the kingdom, ch. xvii., and the extermination of the Canaanites, ch. vii. 1-5, xx. 16-18] which,

after all that has been said in the way of explanation, appear to be strangely out of place in the reign of Josiah. At that date it was not the Canaanitish tribes of Palestine that Israel (one should rather say, Judah) had to dread. Nor would any Jewish author be likely to write that a foreigner must not be appointed king of the chosen people centuries after the Messianic promises had been strictly limited to the house of David.

But questions of this kind may be left alone for the present. The attention of the reader is requested to the explanation offered by the critics of the use of the name of Moses. Dr. Driver is quite decided that the teaching of Deuteronomy is essentially Mosaic. 'If there is one thing which (even upon the most strictly critical premises) is certain about Moses, it is that he laid the greatest stress upon Jehovah's being Israel's only God, who tolerated no other god beside Him, and who claimed to be the sole object of the Israelite's allegiance.¹ But these are just the fundamental principles of Deuteronomy. They are expanded and emphasised in it with great eloquence and power, but in substance they are Mosaic; all that belongs to the post-Mosaic author is the rhetorical form in which they are presented.'²

Where does Dr. Driver get the information which warrants him to speak so unhesitatingly regarding the principles actually promulgated by Moses? To the ordinary mind, indeed, all that Dr. Driver claims for Moses is written plainly enough in the Pentateuch. But the Moses required by Dr. Driver must be proved to be a historical personage before he can be used as Dr. Driver uses him in this book on Deuteronomy. It will not do for a critic to adopt the general conception of Moses, and his legislative and other work, arrived at by a non-critical reader of the Pentateuch, and use that conception to explain or surmount the difficulties (or one or more of the difficulties) of the critic's position. The Moses with whom Dr. Driver conjures as skilfully as any other critic, is the Moses naturally suggested by the Pentateuch. But where does Dr. Driver get him? Is he really historical? Dr. Driver has subjected the Pentateuch to a very careful analysis, the result of which is that the earliest

main document (JE) is assigned to a period four or five centuries later than Moses.³ And it is a question of no small importance whether, on the basis of his critical analysis, Dr. Driver has a valid claim to the Moses whom he absolutely requires for his view of Deuteronomy.

To use the words of Dr. Driver: 'Deuteronomy may be described as the *prophetic reformulation, and adaptation to new needs, of an older legislation.*'⁴ (The italics are Dr. Driver's.) When did this process of adapting an older legislation to new needs begin? Did it become operative for the first time in the days of Josiah? Was there no adaptation of an older legislation to the needs of the time of David or Solomon,—the period to which, apparently, Dr. Driver is disposed to assign JE? The most noteworthy modification of previous legislation in Deuteronomy arises in connexion with the place of worship. The legislation of Deuteronomy made it illegal to offer the sacrificial victims elsewhere than at the sanctuary chosen by Jehovah for the purpose. This, undoubtedly, was a modification, of a somewhat extreme kind, of the law of the earlier code which, according to critics, covered and sanctioned the worship at the local shrines scattered up and down the land. To use the words of Reuss, quoted by Dr. Driver in a note: 'The only real innovation known to us was the absolute prohibition of the cultus beyond Jerusalem.'⁵ But even this law was, probably, only relatively an innovation, in the opinion of Dr. Driver. 'It accentuated, with limitations demanded by the dangers of the age, the ancient pre-eminence of "Jehovah's house" (Ex. xxiii. 19).'⁶ What one wishes to know is, whether the law of Exodus xx. 24 was itself a modification of an earlier prescription. On Dr. Driver's assumption the probability is that this law was an adaptation of an earlier arrangement, to suit the circumstances of the time when JE was produced. That this was actually the case is practically admitted by Dr. Driver. 'It is reasonable to suppose that the teaching of Moses on these subjects [civil ordinances and ceremonial observances] is preserved, *in its least modified form*

³ *Introduction to the Literature of the Old Testament*, p. 118: 'All things considered, a date in the early centuries of the monarchy would seem not to be unsuitable both for J and for E; but it must remain an open question whether both may not, in reality, be earlier.'

⁴ Driver, *Deuteronomy*, Introduction, p. lxi.

⁵ *Ibid.*, p. lvi, n.

⁶ *Ibid.*

¹ Cornill, *Der israelitische Prophetismus* (1894), p. 25 f.

² Driver, *Deuteronomy*, Introduction, p. lix.

(italics ours), in the Decalogue, and "the Book of the Covenant" (Ex. xx.-xxiii.).¹ Naturally the form would be least modified in the earliest document. The point to note is that none of the documents—so far as we know—contain any important prescription actually Mosaic. The particular form of the law of Exodus xx. 24 may have been occasioned by the chequered history of the period of the judges. On Dr. Driver's assumption it may have been substantially the law of Deut. xii. which was modified to suit the condition of the Church about the close of the centuries of disappointment that lay between the conquest of Canaan and the institution of the monarchy, and the so-called innovation of the days of Josiah may have been simply a return to the actual injunction of Moses.

The same line of observation may be pursued with regard to the priesthood. Dr. Driver holds with other critics that the distinction which appears in P between the priests proper and the Levites as a whole is not found in Deuteronomy. According to the legislation of the latter, any Levite might legitimately discharge the functions of the priest. This arrangement was in force when Deuteronomy was written, and the new form of the legislation did not interfere with this priestly right of the Levites. The rigid enforcement of the centralisation of the cultus at Jerusalem would naturally bring up to the capital, from various parts of the land, those Levites who were disposed to insist on their rights, or who desired to take part in the special duties of the priesthood. This contingency was foreseen, and provision made for it. (See Driver's *Deuteronomy*, Introduction, p. xxxviii, 1.) If the view of the advanced critics is well founded, this may be regarded as the beginning of a movement which issued in the priestly legislation of P. That every Levite might act as a priest was an arrangement admirably adapted to the worship on the local high places which, according to the new critical views, was the statutory form of worship from the settlement in Canaan (at all events, from the date of JE) to the days of Josiah. But if, towards the close of the kingdom, priestly legislation was seriously modified, so far as the place of worship is concerned, the question at once arises, 'Was there not a modification of equal significance when the kingdom was set up? or if not in the days of Saul and David, at least in the time of

¹ *Literature of the Old Testament*, p. 145.

Solomon, when the magnificent temple at Jerusalem offered so many attractions to those entitled to discharge priestly functions?' If modification of legislation to meet new views is the key to the solution of Pentateuchal problems, one would expect a readjustment of legislation at the institution of the monarchy. Dr. Driver admits that the centralisation of worship in the days of Josiah was in accordance with a movement which arose naturally out of the existence of the temple at Jerusalem.² Was there any corresponding movement with respect to the priests? Such a movement would be quite natural, if not, indeed, a necessary accompaniment of the other. But we have no information. JE, the document available for the time before Josiah, does not contemplate the centralisation of the cultus. Even according to Dr. Driver it is probably as late as the date of Solomon's temple; but if so, the author does not appear to have dreamed of a central sanctuary, or of the limitation of the priesthood, to which such an arrangement was almost sure to lead. The modification of the 'Mosaic nucleus' which appears in JE was intended to suit the widest extension of worship at the local sanctuaries. And (corresponding to what has been said as to the place of worship) it becomes an interesting question, 'What was the actual Mosaic prescription with respect to the priesthood?' So far as we know, it may have been as narrow as that found in P; the priesthood proper may have been limited to a single family, and that the family of Aaron. The truth is (and this is the point to which, in this paper, the attention of the reader is specially invited) that Dr. Driver offers no trustworthy ground for confidence. The Moses that he finds in Deuteronomy is not historical. Someone—nobody can give a hint as to who he was—in the days of Josiah spoke or wrote (or both), as he believed—was inspired to believe—that Moses would have spoken or written, if he had been permitted to appear and to act the part of a prophet to the contemporaries of that king. For it is claimed that the book, originating in this way, is inspired—that the author was used by God to produce this book as the authors of other anonymous portions of the Old Testament were employed. 'There is nothing in Dt. implying an interested or dishonest motive on the part of the (post-Mosaic) author: and this being so, its moral and spiritual

² *Literature of the Old Testament*, p. 131.

greatness remains unimpaired; its inspired authority is in no respect less than that of any other part of the Old Testament Scriptures which happens to be anonymous.¹ This sentence is interesting and instructive,—though it is possible to read into it—and not unreasonably—what the writer has no intention of teaching. Does Dr. Driver mean that the inspiration of the anonymous parts of the Old Testament is different from that of the other portions? The old opinion that there are different degrees of inspiration in the books of holy Scripture seems to be coming to the front again. Does Dr. Driver hold such a view? Further, is the ‘inspired authority’ of a book guaranteed by the conviction of the critic that the author was not influenced by ‘an interested or dishonest motive’? And on the question of motive it is interesting to compare the opinion of Dr. Driver with that of Kuenen, as given in his *Religion of Israel*. ‘Deuteronomy was written,’ says Kuenen, ‘not for the mere sake of writing, but to change the whole condition of the kingdom. The author and his party cannot have made the execution of their programme depend upon a lucky accident. If Hilkiah found the book in the temple, it was put there by the adherents of the Mosaic tendency. Or else Hilkiah himself was of their number, and in that case he pretended that he had found the book of the law,’² and so on. Kuenen not merely allows an interested motive on the part of the author or authors of Deuteronomy, but also admits that the object in view was secured through deception. In short, Deuteronomy furnishes an example of the end justifying the means. ‘Nor must we forget,’ says Kuenen, in the same page, and dealing with the same subject, ‘that at all times, and in all countries, faction and intestine quarrels have stifled delicacy in the choice of means.’

There is little to choose between Dr. Driver and Kuenen as to the date of Deuteronomy. An explanation is required of the appearance of the book at the time to which it is assigned. An interested motive is allowed by Kuenen in connexion with the production of the book, and its inspired authority, of course, is not mentioned. Dr. Driver disallows an interested motive, but claims inspired authority for the book. Which of the great critics is right? Does Dr. Driver adduce any valid argument in favour of his opinion? No;

¹ *Deuteronomy*, Introduction, p. lxii.

² *Religion of Israel* (Eng. trans.), vol. ii. p. 19.

his view rests on an assumption; and, apart from moral sentiment, it is scarcely more difficult to support Kuenen than Driver. If these critical discussions are to be continued to any profit, the time seems to have come when an attempt should be made to explain what a reasonable view of inspiration involves. Dr. Driver holds that Deuteronomy is as much inspired as any other anonymous part of the Old Testament. The greater part of the book is put into the mouth of Moses. But it is unnecessary to repeat that the speaker is not the historical Moses. The same remark applies to P. The aim of the author of this priestly document seems to have been ‘to present an ideal picture of the Mosaic age, constructed, indeed, upon a genuine traditional basis, but so conceived as to exemplify the principles by which an ideal theocracy should be regulated.’³ If the picture of the period is ideal, the part assigned to the leading personage can scarcely be other than ideal. Moses, of course, is the all-important person. If any other than an *ideal* Moses is required for the argument of Dr. Driver and other critics, his existence and activity must be proved from other documents than those in which he appears in a purely ideal capacity. But we know of no such documents.

It is quite true that the traditional basis on which the ideal picture of P rests is assumed to be genuine. But the assumption has no other support than such as may be derived from the documents themselves in which the picture is presented to us,—documents which are not historical, but ideal,—which record not actual Mosaic legislation, but the modification or development of Mosaic principles, such as suited the circumstances of the times when the documents were produced. The argument furnishes a somewhat striking example of reasoning in a circle, and fails (as all such reasoning is bound to fail) to carry conviction.

‘All Hebrew legislation,’ says Dr. Driver, ‘both civil and ceremonial, . . . was (as a fact) derived ultimately from Moses, though a comparison of the different codes in the Pentateuch shows that the laws cannot all in their present form be Mosaic. The Mosaic nucleus was expanded and developed in various directions, as national life became more complex and religious ideas matured. Nevertheless, all Hebrew laws are formulated under Moses’ name,—a fact which shows that there was a

³ *Literature of the Old Testament*, p. 120.

continuous Mosaic tradition, embracing a moral, a ceremonial, and a civil element; the new laws, or extensions of old laws, which as time went on were seen to be desirable, were accommodated to this tradition, and incorporated into it, being afterwards enforced by the priestly or civil authority, as the case might be.¹ What was the 'Mosaic nucleus' which was thus expanded or modified? Have we any means of determining what Moses actually prescribed on any civil or religious matter? Obviously not. Modification of Mosaic prescription appears to have been in operation from the beginning. Our earliest document is JE, and Dr. Driver admits the reasonableness of the view that in this document we have not actual, but a modification of, Mosaic teaching.²

The practical value of the critical view of the Pentateuch may be most easily appreciated if it is applied to a particular case. The question regarding the place of worship has already been raised. We have seen that, if any prescription in Deuteronomy deserves to be regarded as new, it is that which centralises the cultus at Jerusalem. This is a somewhat remarkable modification of the earlier law on the subject (Ex. xx. 24), a law which is held by critics to warrant the high-place worship throughout the land. According to Dr. Driver's argument, the law of Exodus and the law of Deuteronomy are modifications or developments of the original Mosaic prescription regarding the place of worship. What was the prescription which admitted of being modified so as at one time to legalise worship at an undefined number of places, and at another time to rigidly limit the cultus to one particular place? If the new view regarding the construction of the Pentateuch is well founded, the cultus was centralised at Jerusalem in order, if possible, to save the theocratic kingdom from the ruin threatened through the licentiousness associated with the worship on the high places. What we are asked to believe is that the limitation in the days of Josiah, and the undefined extension in the earlier period of the history, were alike a development or modification of the ordinance originally issued by Moses. The modification which came into operation in connexion with the reformation of Josiah was intended to save Judah, which had all but reached the threshold of ruin, and which fell under the

power of Nebuchadnezzar a few years after the new law came into play. Under the earlier law the kingdom of Israel had succumbed to Assyria, a century before Josiah's reformation. According to Dr. Driver's argument both arrangements have an equal claim to inspiration, and each is the legitimate development or modification of a Mosaic principle or prescription. What was the Mosaic ordinance on the subject? If the claim of inspiration is good—that question is a reasonable one. There is no answer to the question, beyond the assertion that there was a Mosaic nucleus capable of assuming this form, and that,—and the form, whatever it may be, was essentially Mosaic and really inspired. The Mosaic nucleus under the pens of the critics is like protoplasm in the hands of the biologists. It cannot be defined. If it could, it might not suit so well. It is a mystery. It is to be known (as men are known) by its fruits. And the fruits are as peculiar as they are in many men.

It is admitted that Deuteronomy is inspired. It comes to us with the imprimatur of Him whom the Old Testament Church and the New Testament Church alike acknowledge as the God of redemption. It speaks to us with divine authority. This is a point that one would rather not introduce into the discussion. It has the appearance of bringing into the field an influence which, if it is not regarded as illegitimate, is at least held to be unfair to the strictly critical argument. Certainly inspiration is not to be conjured with, or introduced as a *Deus ex machina*, in order to get rid of a critical difficulty. On the other hand, if inspiration is anything more than an expression,—if it is admitted that inspiration implies the actual interposition of God, and that the character of God is an element which must be taken into account in discussions about an inspired book, it seems absurd to say that critical conclusions regarding a book of which the inspiration is conceded must be accepted, however seriously those conclusions may appear to impinge on the reasonable conditions of inspiration. When inspiration is claimed for a book, the Church is entitled to ask for evidence in support of the claim sufficient to form a basis for intelligent faith. What evidence does Dr. Driver offer for the inspiration of Deuteronomy? A 'Mosaic nucleus' is practically the answer. In the circumstances of the case, this nucleus is an assumption. It is quite true that something of the kind

¹ *Deuteronomy*, Introduction, pp. lvi, lvii.

² *Literature of the Old Testament*, p. 145.

is required for the reading of the Pentateuchal documents which is proposed for our acceptance. But the necessities of critics do not prove the assumption on which their system rests. In proof of the assumption referred to, the only evidence available is drawn from the Pentateuchal documents themselves. The earliest of these is centuries later than the Exodus. In the misty period when Israel is held to have taken its place on the world as a nation, the critics profess to find a Moses of such proportions as the complexities and perplexities of their system require. The rest easily follows. But it is a case of Moses originating in a critical system, and that same system originating in Moses.

Conclusions arrived at by such a method of procedure (unsatisfactory in the case of any book) cannot be said to be of high value in support of the inspired authority of the book under consideration.

To return for a moment to Deuteronomy with its special ordinance as to the place of worship. In the Deuteronomic code the centralisation of the cultus shows the largest modification or adaptation of previous legislation. This is supposed to be reasonably accounted for by the religious and moral condition of Judah at the time. The ordinance on the same subject in JE was also, as we have seen, most probably a modification of previous

legislation. This code, if the date of the critics is correct, should represent the tendency to centralisation, which, according to Dr. Driver, arose in connexion with the erection of the temple in Jerusalem. The tendency is in an entirely different direction. How is this? If the modification in Deuteronomy is what might reasonably be expected in view of the circumstances of the time, how is the modification in JE so different from what the circumstances of the period of its production naturally suggest? If it be said that the prescription as to the place of worship was not modified in JE, that practically means that Exodus xx. 24 is really Mosaic. In that case it would seem that the analysis of the Pentateuch is not yet complete. An important part of the work remains—namely, the disentangling of the actually-Mosaic from the ideally-Mosaic. And it would help to clear the way if this were done. We should have a solid basis of historical material to start from and work with. Meantime we have simply the assumption of a 'Mosaic nucleus,' which appears to be capable of becoming a great many things, some of them very unlike one another. The whole subject is left in the utmost uncertainty. There is nothing like a satisfactory ground on which to vindicate the inspired authority of the book.

The Great Text Commentary.

THE GREAT TEXTS OF ST. JOHN'S GOSPEL.

JOHN i. 4.

'In Him was life; and the life was the light of men.'

EXPOSITION.

'*In Him*.'—There is a gradation from the *by Him* (ver. 3), which referred to the creative act, to the *in Him* (ver. 4). This last expression means that the world, after having passed from nothingness to being by the power of the Word, continued to draw from Him the vivifying forces necessary for its preservation and progress. After having been the root of the tree, the Logos was also its sap.—GODET. •

'*Was*.'—Two important MSS. have *is*; but the weight of authority is against this reading, which

would not be in harmony with the context. The apostle is not contemplating the Christian dispensation, but a period long previous to it. The group of authorities which support *is* has a tendency to insert interpretations as readings.—PLUMMER.

This is in the Greek the same verb of existence that we have had in vers. 1 and 2, and is different from the word in ver. 3. It places us, then, at the same starting-point of time. The Word was ever life, and from the first existence of any creature became a source of life to others.—WATKINS.

'*Life*.'—Life is one of John's characteristic words, used thirty times, denoting the highest blessedness from the creature's point of view. To *live* should mean to have an inexhaustible spring