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Recent Foreign Theology.

The New Edition of 'Schürer.'¹

THIS new edition of a manual so well known to biblical students will be heartily welcomed. The work, which formerly consisted of two volumes, has been for some time out of print in Germany. The second of these volumes (for in this order they appeared) was published in 1885, the first in 1890. The *Gesch. d. Jüd. Volkes im Zeitalter Jesu Christi* was practically a second edition of the same author's *Lehrbuch der Neutest. Zeitgeschichte*. This second edition is the basis of the well-known translation in five vols., entitled *History of the Jewish People in the Time of Jesus Christ* (T. & T. Clark, Edinburgh), which, we are safe to say, is amongst the best thumbed of the works that make up 'The Foreign Theological Library.' In the new edition, the author has once more begun with the second volume; but what formerly extended to 884 pages has now swelled to 1146, and it has been wisely decided to divide this part of the work into two volumes. The first of these deals with the Internal Conditions of Judaism, the second with the Judaism of the Dispersion, and with the Jewish Literature. The pagination of the former edition is given in square brackets at the inner top corner of each page, and a vertical stroke | in the text indicates the point where a new page began formerly. This arrangement, it is hoped, will facilitate reference, the old Index serving meanwhile. (We may note in passing that the Index of the old work is one of the features which have contributed to the popularity and enhanced the value of the *Geschichte*. It is a feature which is scandalously and immorally lacking in most German books). The first volume, dealing with the Political History of Palestine, the author expects to appear in due time. We can only hope that the 'nicht allzulange Frist' will not be such as to try our patience.

Of the contents and characteristics of Schürer's work it is not so much our intention to speak at present, for we are not dealing with a book that

¹ *Geschichte des Jüdischen Volkes im Zeitalter Jesu Christi*. Von E. Schürer. Dritte Auflage. Bds. ii. and iii. pp. 584, 562. Leipzig: J. C. Hinrichs, 1898. Price for the two vols. M. 24; bound, M. 28.

needs to be introduced to our readers. We have all learned to turn to its pages for accurate information regarding the institutions of post-exilic Judaism, the manners and customs of the Jews in the time of our Lord, the characteristics of the different towns of Palestine according as the Jewish or the heathen element preponderated, the tenets of the different religious sects, and a hundred other subjects of interest. We shall therefore content ourselves with calling attention to the relation in which the new edition stands to the old. We have before us, undoubtedly, a new book, but the new is very largely built within the framework of the old, and where we have extension it is extension upon the old lines. As in the case of the last edition of Driver's *Introduction*, the main change is that the work has been brought thoroughly up to date in the way of discussing or at least cataloguing all literature that has appeared since the last edition. While here and there modifications of former views may be noticed, it is surprising how little this has been found necessary; supplement, not change, is the mark of the new edition. Unlike some German authors, Professor Schürer cites English literature largely, and we may note that 'Hastings' *Dictionary of the Bible*' is constantly referred to. The only oversight we have noted (and perhaps we are wrong) is that our author does not appear to be aware of the second edition of Taylor's *Sayings of the Jewish Fathers* (Cambridge, 1897).

We have spoken of the old framework being retained in the new edition. Comparing, for instance, the Table of Contents in the two editions, we find the numbering and the titles of the sections in vol. ii. to be precisely identical. In vol. iii., in view of the new light that has been thrown upon some regions of the Diaspora, and the amount of work in recent years in the realm of Jewish apocalyptic literature, we look for more additions, although here, too, the numbering and titles of the *main* sections (those marked §) remain the same. The first slight addition we note is in § 31, where the Dispersion in S. Arabia is briefly discussed. The date to which this can be traced back is pronounced obscure, but it is certain that, at the latest, from the 4th cent. A.D., there was a strong Jewish element there. Glaser's attempts,

however, to explain certain Himyaritic inscriptions of the 4th and 5th cents. as 'monotheistic,' i.e. Jewish, are pronounced by Schürer to be problematical.

Notice is taken (iii. 160 ff.) of the recent recovery of large portions of the Hebrew text of Ecclesiasticus, and their publication by Schechter and Cowley-Neubauer. All the fragments belong to the same MS., and emanate, in Schürer's opinion, from the *Genizah* of the synagogue at Cairo. The MS. appears to have been written in Egypt, and to have been copied from a Persian exemplar. The voluminous literature on the subject is noticed and estimated.

The publication of the Slavonic Enoch (or Book of the Secrets of Enoch) gives occasion for a new sub-division (iii. pp. 209-213), in which the book is analyzed, and full account taken of the views of Charles, Bonwetsch, and Harnack, upon the last of whom the criticism is passed that he adopts too much from Charles.—The *Paralipomena Jeremiae*, which was dismissed in a few words in the former edition, receives detailed treatment (iii. 285 f.). In opposition to his former opinion that this is a Christian work, Schürer is now inclined to hold to a Jewish origin for it. He bases this opinion chiefly upon the emphasis laid upon the ἀφορρίζεσθαι of the Jews from the heathen, and especially from heathen wives (vi. 13-14, viii. 2, as contrasted with 1 Co 7¹²⁻¹³, 1 P 3¹). The conclusion of the work, which is distinctly Christian, but comes in very abruptly, would then be a later addition.—Much fuller treatment than before is given to the pseudepigrapha attached to the name of Abraham. The *Apocalypse of Abraham*, which has been preserved apparently only in Slavonic, and of which a German translation by Bonwetsch appeared in 1897, is identified by Schürer with the apocryphal book Ἀβραάμ mentioned in the *Stichometry* of Nicephorus and the *Synopsis* of Athanasius, along with Enoch, Test. of Twelve Patriarchs, and Assumption of Moses. On the other hand, he distinguishes it from the apocryphal book concerning Abraham which was used by Origen (*in Lucam* Homil. 35). The latter, again, he holds to be distinct from the *Testament of Abraham*, although Dr. James identifies the two. (Similarly detailed treatment is accorded to the legend about Joseph and Asenath, which was noticed and nothing more in the former edition. This legend will be found

fully discussed in Dr. James' article 'Asenath' in the *Dictionary of the Bible*, to which Schürer also refers). An addition under the head of 'Jewish Propaganda under a heathen mask,' concerns a work by one Menander. From a Syriac MS. in the British Museum, Land published in 1862 a collection of apophthegms bearing the superscription, 'The wise Menander has said.' These bear a close resemblance to the Books of Proverbs and Sirach, as was clearly shown by Frankenberg in 1895, and there can be little doubt that we have here a Jewish work composed under the pseudonym of Menander, the well-known comic poet (cf. the large use made, for similar purposes, of the name of the Sibyl, or of Hecataeus and Aristeas).—We have to note, further, an interesting paragraph on the rhetorician, Cæcilius of Calacte, who was probably of Jewish descent. The question of his identity with the bogus prosecutor of Verres is discussed, as well as the genuineness of the pun attributed by Plutarch to Cicero, '*Quid Judæo cum Verre?*'

We are glad to observe that Bertholet's work, *Die Stellung der Israeliten u. der Juden z. den Fremden*, which we had the pleasure of eulogizing in these pages, is appreciatively referred to by Schürer as a 'Hauptwerk.' On the other hand, we regret to see that the passages at arms between Professor Schürer and Professor Ramsay have apparently left a soreness in the mind of the former, and it is a distinct misfortune that the pages of Schürer's own 'Hauptwerk' should be disfigured by the parenthetical remark (ii. 428) that Ramsay's article on the 'Rulers of the Synagogue' in the *Expositor* (April 1895) is made up of 'schiefe und unbewiesene Behauptungen.'

The section dealing with Magical Formulæ and Magical Books is considerably expanded, and copious references are given to Babylonian, Egyptian, Arabian, and Greek literature, which will enable the Jewish beliefs on magic to be fruitfully studied from the comparative point of view. (Margoliouth's opinion that the Book of Wisdom was originally written in Hebrew is rejected). In defending the view so brilliantly asserted by Kuenen that the high priest was uniformly the president of the Sanhedrin, Schürer notices and rejects the intermediate position sought to be established by Jelski, that during the continuance of the temple there were two presidents of the supreme court,—the political head, the Nasi,

being always the high priest, whereas the head for religious, judicial, and legislative functions, was a scribe chosen from among the Pharisees (ii. 203 n).—We note one change of opinion which we cannot regard as an improvement. While in the former edition Schürer expressed the opinion that the Law which was read to the people by Ezra was the Pentateuch in essentially the same form as we now have it, he is now inclined to restrict this law to the Priests' Code (ii. 306). In spite of the weighty support which Kautzsch and Ed. Meyer lend to this opinion, we still prefer the contention of Wellhausen that the Law of Ezra is the Pentateuch, not the Priests' Code (see his argument in 2nd ed. of *Isr. u. Jüd. Gesch.*, p. 176).—A candid change of view which is more likely to command general approval, concerns the Messianic expectations of Jesus ben-Sirach. Schürer formerly held that this writer expected the everlasting duration of the nation, nay even of the Davidic dynasty. He now considers the objections of Israel Lévi (*Rev. des études juives*, 1897, pp. 44 ff.) to be valid against this view.

The monumental work of Professor Schürer, whose position was already assured, has had its claims to permanent appreciation greatly strengthened by this new edition. No better guide for the period with which it deals is accessible to the biblical student.

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Piepenbring's 'Histoire du Peuple d'Israel.'

PIEPEBRING is already known by his *Theology of the Old Testament*, which was published in 1886, and was translated into English by Professor Mitchell of Boston University, in 1893. He is not, however, so well known in this country as he should be. His *Theology of the Old Testament* is of a compass and a kind to meet the need of the average busy student better than any other book in English, but being published in America (Crowell, New York), it has scarcely found an entrance here yet.

¹ *Histoire du Peuple d'Israel*. Par C. Piepenbring. Strasbourg: J. Noiriel, 1898. 8 fr.

Piepenbring's *Histoire du Peuple d'Israel* it would be a greater undertaking to translate, for it is a much larger book. But it would repay the translator. As it covers the whole Old Testament history, closing with the Maccabees, its 730 close pages cannot be considered excessive. Indeed, there is no space wasted. Piepenbring never quotes opinions merely to refute them cleverly. He has the whole literature of his subject in hand (with the inevitable exception of some good but small English books), but he refers to it in the briefest possible way in his footnotes.

His position is a moderate critical one. He writes almost directly to oppose Vernes and Renan, from whom he feels separated root and branch. Even than Stade, who commences the history of Israel with the foundation of the kingdom, and Reuss, whose point of departure is the conquest of Canaan, Piepenbring is somewhat more conservative, for he begins with the departure out of Egypt. Still he is a modern critic. He holds that modern criticism has established the composite character of the Hexateuch on a firm foundation, that it has shown the Decalogue to belong to the ethical code of prophetism, the religion of the time of David to be a mass of ceremonies and superstitions without ethical character or moral influence, and the early narratives of Genesis to be legendary rather than historical. He believes that the distinction between priests and Levites was learned by the Jews in Babylon during the captivity, and he even sides with Kusters against van Hoonacker in the controversy as to the building of the second temple.

Piepenbring's language never reaches the popular charm of Renan's, but it is straightforward and unmistakable. It serves his purpose of offering to his readers an instructive and thoroughly reliable modern history of Israel.

EDITOR.

The Social Side of the Laws of Israel.¹

GOD was Israel's Lawgiver, Judge, and King. His laws were embodied in a covenant made with

¹ *Idea und Leben*. By Dr. S. Oettli. A collection of instructive and eloquent articles on biblical, chiefly O.T. subjects.

the nation. Not that the parties to the covenant are on an equality. The covenant was a gift of Divine grace to the nation, offered to its obedience and the condition of its well-being. The two fundamental thoughts of the system are: 'The children of Israel are My servants,' and 'The land is Mine' (Lv 25^{55, 23}). The two distinguishing features of the legislation are a spirit of humanity and the sense of right and justice pervading it.

1. *Security for Life*.—Whoever attacks another's life attacks Jehovah's sovereignty, and is punished with death (Ex 20¹³). The two provisos are that the murder is intentional, and that it is attested by more than one witness (Nu 32²⁰ 35³⁰). The infliction of the penalty belongs by old custom to the next of kin, the blood-avenger (Nu 35¹⁹). Any one selling another into slavery is treated as a murderer (Ex 21¹⁶). If the homicide is accidental, six cities of refuge are appointed, where the slayer is safe until the death of the high priest, when he is free to leave; if he is found outside by the avenger before that time, his life is forfeit (Ex 21¹³). A wilful murderer may be taken even from the altar (Ex 21¹⁴). Thus, even accidental homicide is punished with a species of imprisonment. If a corpse is found in the open field, the elders of the next city must slay a heifer over a brook and disclaim for themselves and people responsibility for the death (Dt 21¹). The general principle in cases of bodily injury is the *jus talionis*. Three cases of this kind are stated in Ex 21²², Dt 19¹⁶, Lv 24¹⁷. This might in cases be commuted for a fine (Ex 21¹⁸), or not above 40 blows (Dt 25¹). Another case of homicide not punishable with death is the killing of a thief by night (Ex 22²); but this does not apply by day (Ex 22³). In the case of man or woman killed by a beast, the beast must be killed, and its owner is punished (Ex 21^{28f.}). A distinction, however, is made between the killing of free persons and slaves (Ex 21^{20f. 32}).

2. *The Family*.—Wilful adultery is punished by the death of both offenders (Ex 20¹⁴). The suspected wife has to submit to the ordeal (Nu 5¹¹); the husband bringing a false charge is punished (Dt 22¹³). A betrothed maiden guilty of unchastity is put to death with her partner (Dt 22²³); if she is the victim of force, only the man is punished. A man forcing a maiden unbetrothed has to pay a fine; he must also marry her, and can never divorce her. Divorce is permitted, but it is fenced in by certain limits. A divorced wife, if

her second husband dies or dismisses her, may not be taken back by her first husband (Dt 24¹). A wife's sister may not be taken in marriage 'beside the other in her lifetime' (Lv 18¹⁸). The prohibitions of marriage of relations within certain limits show similar regard for right natural instinct (Lv 18^{6ff.}). Parental authority is maintained at a high point. A child that strikes or curses father or mother dies (Ex 21¹⁵). So with a son brought by his parents before the elders as incorrigible; no further witness is necessary (Dt 21¹⁸); a parent's accusation is enough. No vow of unmarried daughter or wife is valid without father's or husband's assent (Nu 30⁴). A daughter bringing shame on her father's house must die (Dt 22²¹, Lv 19²⁹).

3. *Slavery*.—Slavery existed in Israel as elsewhere. 'Our translation, "man-servants and maid-servants," weakens the passages somewhat. But the Roman regarded the slave as *mancipium*, the best part of his property; Israel's law honours in him the man, the Divine image.' Slavery arose in three ways. (a) By purchase of foreign, heathen slaves; Israelites cannot be bought and sold. (b) By right of war. (c) By debt or poverty (Ex 22³, Lv 25³⁹, Ex 21⁷; cf. with Lv 19²⁰). But in Israel there were many alleviations of the slave's lot. If a master ill-uses a slave so that he dies on the spot, the master is punished, probably by a fine; if he dies after one or two days, the loss of his services is deemed sufficient punishment (Ex 21^{20f.}). For the loss of an eye or tooth, a slave receives freedom (Ex 21²⁶). If a slave is killed by a beast, the owner of the beast is fined, and the beast killed (Ex 21³²). An escaped slave must not be delivered up by one with whom he has taken refuge, so that he is not mere property (Dt 23¹⁵). The Sabbath law applies to slaves (Dt 5¹²), so the Passover (Ex 12¹), as well as other feasts (Dt 16^{11, 14}). Israelitish slaves must be set free in the seventh Sabbatical year and the jubilee year (Ex 21², Lv 25⁸); for other regulations, Dt 15¹². If the master is a foreigner or sojourner, the redemption of slaves by relatives is always possible (Lv 25⁴⁷).

4. *Foreigners*.—'On Israelitish soil *hospes* is not equivalent to *hostis*.' Marriage with women of foreign race was not uncommon; only the seven Canaanite peoples were forbidden ground, to whom afterwards the Ammonites and Moabites were added (Dt 7¹ 23³); Edomites and Egyptians

were gradually naturalized (Dt 23⁷). 'Of course freedom of conscience as a formal idea was unknown to the law of Israel.' Proselytism obtained, and to proselytes by circumcision the feasts were open (Ex 12⁴⁴, Dt 16¹¹ 31¹⁰). In respect of criminal law there is no difference between foreigners and home-born (Lv 24²²). 'Oppress not the stranger' (Ex 23⁹).

5. *Property in Land.*—'The land is Mine.' God is the only landowner; the Israelites are His tenants. God's right was acknowledged in the first-fruits of the field (Ex 23¹⁵), of cattle and even of men (Ex 13^{2, 11-13}), in the payment of tithe (Lv 27³⁰), and in regulations of tillage (Ex 23¹⁰, Lv 19^{19, 23}, Dt 22¹⁰). Land could not be alienated or even permanently pledged (Lv 25²³). Parents could not interfere with the law of primogeniture (Dt 21¹⁵). Much land must have been left unappropriated to provide for the future; but even of the land occupied the Israelites were not absolute owners. 'That idea of absolute possession pushed to extremes, which has come into our law (not to its advantage) from the Roman law, is foreign to the law of Israel. Property in the absolute sense belongs only to One in the land, Jehovah, the God of Israel; His people administer and enjoy the land and their possessions under His eye, according to His regulations, within the limits He fixes.' Sons failing, the inheritance fell to the daughters, brothers of the deceased and next relatives. In no case might it pass to another tribe (Nu 36). The Levirate law had an important bearing here (Dt 25⁵, Ru 4^{5, 9f.}). Houses in a city must be redeemed within a year, or they remain the buyer's property (Lv 25²⁹); but landed inheritance could only be pledged (mortgaged) until the jubilee year (Lv 25^{14, 28}); this law applied to all cases. 'The price represents nothing but the value of the annual products up to the jubilee. The amount of the pledge thus serves to cover the debt; whilst the pledge itself at last returns to the seller, and the personal demand of the creditor on him then disappears. Nay, it was open to a seller (or debtor) or his near relative to redeem his inheritance before the jubilee year; he had then only to make good to the creditor (or buyer) the supposed value of the produce of the land from the time of the re-purchase up to the next jubilee year.' 'The law consequently acknowledges property, but with religious limitations and without the severity of modern exaggerations, when the idea of

property is treated amid the wreck of all other sanctities as a holy of holies. Property is not such an idol to the law of Israel; hence offences against property are not visited by disproportionately heavy punishments, while offences against human life are treated "more humanely." But certainly the will of the supreme Lawgiver in Israel draws round property definite boundaries, whose transgression is punished' (Ex 20¹⁵, Dt 5¹⁹, Ex 22^{18f.}).

6. *The Poor.*—Consideration for them is often strongly enjoined (Ex 22²¹, Dt 10¹⁸). Justice is not to be denied to the poor (Ex 23¹); especially is it forbidden to accept a gift against the poor (Ex 23⁸); the poor man's necessity is not to be turned to profit (Dt 24^{14f.}, 15^{7f.}). The same law applies to foreigner and sojourner (Lv 25³⁵). The approach of the Sabbatic year might check beneficence, because in it no debt could be demanded from an Israelite (Dt 15²). Nevertheless, the security of a pledge was only possible within limits. The creditor must not enter the debtor's house to take the pledge (Dt 24¹⁰). If a poor man's cloak is pledged— forbidden altogether in case of a widow—it must be returned before sunset (Ex 22²⁶). No hand-mill must be taken in pledge (Dt 24⁶). All interest or usury is forbidden in the case of Israelites (Ex 22²⁵, Lv 25³⁵). 'This regulation, which passed into the canon law, did not apply to the foreigner, e.g. to the trading Phœnician; according to the context it does not refer to commercial intercourse proper, but only to temporary help to an impoverished brother; in the limited circulation of those days borrowing could not have been common; a debt could always be demanded, except in the Sabbatic year, and, if it was not paid, the debtor could be drawn upon for labour (see Ps 15^{4f.}).' In later times the Jewish greed of money became proverbial. Other merciful enactments respecting the blind and deaf, fruit trees in an enemy's country, a neighbour's cattle, even an enemy's cattle, are found in Lv 19¹⁴, Dt 20¹⁹ 22¹⁵, Ex 23^{4f.}. Something is to be left in harvest time for the poor (Lv 19^{9f.}, Dt 24¹⁹ 23²⁴). 'What would the Lawgiver say to children being forbidden by police restrictions to gather berries in open woods?' The spontaneous produce of the fallow year belongs to the poor and the beast (Ex 23¹¹, Lv 25⁶). There is a triennial tithe for the Levite, the widow, the poor, the orphan, and the stranger (Dt 14^{28f.}).

Were these laws mere ideals, or were they realized, and to what extent? It is difficult to say with certainty. But the mere fact that the prophets denounce their infringement so strongly, shows that they were not a dead letter. 'We can only assert with probability: during the days of the independence of the community we are to regard as civil law, whose validity was guaranteed by the State power, those enactments which bear on life, property, rights of marriage, parents, and inheritance, the latter in their simple outlines; in times

of theocratic enthusiasm those also which guard the bases of the religion of Israel: Monotheism, the Sabbath, the Hallowing of the name of Jehovah. But at all times there was for the faithful in other important relations no other court than the conscience of the individual, or, in religious language, the secret judgment of the God of Israel. Even the law leaves a whole series of open or secret offences to His heart-searching eye and to His justice.'

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Paraclete.

A BIBLE WORD STUDY.

BY THE EDITOR.

THE Greek word *παράκλητος* is used by St. John alone. In the Gospel it occurs four times (14^{16, 26} 15²⁶ 16⁷), and in the First Epistle once (2¹). Some of the early versions, as the Syriac and Egyptian, took over the Greek word and did not translate it. The Old Latin, however, translated it everywhere by *Advocatus*. Jerome altered that; while he retained *Advocatus* in 1 Jn 2¹, he accepted the Greek word in the Gospel, simply giving it the Latin termination *Paracletus* (or *Paraclitus*). It was Jerome's version, called the Vulgate, which Wyclif translated. Wyclif's purpose being to render the Vulgate into a tongue which the common people of England could understand, he did not retain the form *Paracletus* (as the Rhemish version afterwards did, giving 'Paraclete' in the Gospel), but translated it 'Comforter.' Thus Wyclif (in both versions) has 'Comforter' in all the four places in St. John's Gospel, but 'Advocate' in the Epistle. Tindale, who translated directly from the Greek, chose the very same words in the same places, and Tindale has been followed by all the English versions (except the Rhemish, as already stated), even including the Revised Version of 1881. The Revised Version, however, has a marginal note at Jn 14¹⁶ 15²⁶ 16⁷—'Or *Advocate*, or *Helper*, Gr. *Paraclete*'; and at 1 Jn 2¹ 'Or *Comforter*, or *Helper*, Gr. *Paraclete*.' Thus in the versions of the New Testament with which we are familiar the same word *παράκλητος* is translated in St. John's Gospel,

where it refers to the Holy Spirit, *Comforter*, but in the First Epistle, where it refers to Christ, *Advocate*, and the point of our Lord's promise of another Paraclete is lost.

In the language of the English versions 'to comfort' is not always to console as it is in the English of the present day, and 'comfort' is not always consolation. Its first meaning, like the Latin *con-fortare* (from *con* intensive prefix, and *fortis* 'strong'), is to strengthen. Thus Wyclif's translation (1382) of Is 41⁷ is 'he coumfortide hym with nailis, that it shulde not be moued' (1388, 'he fastenede hym with nailis'). Coverdale translates 2 S 2⁷ 'Let youre hande now therfore be comforted, and be ye stronge' (A.V. 'let your hands be strengthened, and be ye valiant'; R.V. 'let your hands be strong'). And A.V. gives in Job 10^{20, 21} 'Let me alone, that I may take comfort a little, before I go whence I shall not return,' a translation which R.V. retains, though the same Hebrew word is translated 'recover strength' in Ps 39¹³ by both versions. We next find the meaning *exhort* or *exhortation*, as Wyclif's translation of He 12⁵ 'And ye han forgete the comfort that spekith to you as to sones.' And then *encouragement* (not necessarily to goodness), as in Wyclif's *Select Works*, iii. 328, 'Not to coumforte hem in here synne'; and in Cranmer's *Works*, i. 209, 'By your comfort the vulgar people conceiveth hatred towards such things as by the prince's commandment are set forth.'