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1924.

666TH ORDINARY GENERAL MEETING,

HELD IN COMMITTEE ROOM B, THE CENTRAL HALL,
WESTMINSTER, S.W., ON MONDAY, MAY 12TH, 1924,

AT 4.30 P.M.

THE REV. ARTHUR H. FINN IN THE CHAIR.

The Minutes of the previous Meeting were read, confirmed and signed, and the HONORARY SECRETARY announced the following elections:— Dr. Edwin Ash as a Member, and Prof. Cyril Parker, M.A., Sc.D., and Ernest Rapp, Esq., as Associates.

After the CHAIRMAN had explained the inability of the author of the paper to be present, Professor Edouard Naville's paper on "Deuteronomy a Mosaic Book" was read by Lieut.-Colonel Hope Biddulph, D.S.O.

DEUTERONOMY A MOSAIC BOOK.

By Professor EDOUARD NAVILLE, D.C.L., LL.D., F.S.A.

IS Deuteronomy a Mosaic book? The unanimity of the critics deny it. They attribute the book to various authors having lived at very different dates, for none of them considers it as the work of one author. We shall not undertake to make a survey of the chief arguments on which they base their conclusions; we shall first state how the book appears to us, starting from a method which is absolutely different from that of the critics, and which is not special to the books of the Old Testament, but which applies to all documents of antiquity, whatever be their language or their origin. It is the historical method according to the principles of which historians and scholars judge Greek or Latin authors, or documents of the Middle Ages and even of the present day.

This is also Prof. Sayce's opinion: "On its historical and literary sides the Old Testament must be treated like any other book of ancient Oriental literature, and its interpreter must follow the evidence of the facts wherever they may lead."

It is therefore on the question of method that we shall assail the critics, by exhibiting another method to which they do not pay any attention, as if it did not exist, and which leads to results absolutely contrary to theirs. In order to apply it quite correctly, we must first of all discard theology entirely. We fully realize the religious value of the books of the Old Testament, which are

the foundations of the belief of many, and we do not think of curtailng in the least the respect and moral authority which belong to them, but we must keep entirely out of the department of religious belief. We shall rest exclusively on history and on the sciences on the testimony of which it may rely. Therefore, it is not the theologian who will be the supreme judge on the historical character of the book, but the historian, who will appeal, not to religious faith, but to the branches of knowledge which rest entirely on scientific method and research.

Among them, there is one to which undue importance has been given. I mean philology. The age and character of a book is not fixed by the language in which it has been written. Linguistic arguments are only secondary; they may be very useful and give a valuable support to properly historical arguments, but they are only in the second rank. For instance, the character of the law of Moses would be the same, whatever would be the language in which it was written.

We shall therefore consider Deuteronomy in the light of the principles of the historical method, of which there are three. The first one, which may be called fundamental, is this: We must take the ancient texts in their proper and literal sense, exactly as they were written, and interpret them in the simplest manner possible, allowing them to speak for themselves, mixing nothing of our own with them. In other words, we must begin by giving the texts a fair hearing, even when they may possibly not be in conformity with our modern ideas. This principle does not throw any special light on the question of Deuteronomy, except that we must listen to this testimony of the text which is positive, that Moses wrote the book, while the ideas of the critics are entirely the product of their reasoning or their imagination, and do not rest on any written statement.

The observance of the second principle will, on the contrary, contribute materially to our conviction that Deuteronomy is a Mosaic book. We must replace the book within the times in which the author lived, in the situation with which he was actually surrounded, with the manners and habits of his environment.

To begin with, there is the question of language. It is certain that if it is proved more and more clearly that the early books of the Old Testament have been composed in one of the languages written in cuneiform, as several assyriologists maintain—Sayce, Clay, Winkler and others—it brushes off the galaxy of writers who have been created by the critics. But we shall not make

use of this argument which, as I said before, is secondary, and we shall resort to other considerations which have nothing to do with the linguistic question.

Let us consider first who Moses is. He has begun life at the Egyptian court, afterwards he has spent 40 years in Midian as a fugitive. There he has received the mission to place himself at the head of the people and to bring the Hebrews out of Egypt into Canaan, which has been promised to them as an inheritance. During 40 years he has been leading the people towards that country, which he was not allowed to enter himself. It seemed at first that the journey would not be very long, and he brought the people very near the frontier of the promised land ; but then the people revolted, and as a punishment, they were ordered to turn back and to spend 40 years in the desert. During that time he gave them laws. The first were religious laws, which were given at Sinai, as soon as the fugitives felt safe ; afterwards a great number of other laws or ordinances were added to these during the journey, but the greatest number were given at Sinai ; they are found in Exodus and Leviticus.

Now, if we consider the form of these laws, we find that they are messages of God to the people, transmitted to them by Moses. They are exactly like the royal messages of the Semitic kings, which are called letters. Such a letter is not a document which is handed over to the receiver who has to read it. It is first an oral message, which the messenger communicates to the person to whom it is addressed. It is likely that he has it in writing so that he may be sure to have delivered the message correctly, but the important thing is the oral communication. The 53 so-called letters of King Hammurapi directed to a man in a high position in his kingdom, Sin-idinnam, are all messages and they all begin in this way : " To Sin-idinnam say : ' Thus speaks Hammurapi.' " Much later, at the time of Hezekiah, the king of Assyria sends messengers to the king of Jerusalem, saying : " Thus shall ye speak to Hezekiah, king of Juda." When they have delivered the message, they hand over the letter to the king.

The book in which the legal character is most strongly marked is Leviticus, and in nearly every page we find this form : " The Lord spake unto Moses, saying : ' Speak unto the children of Israel,' " so that we see clearly that Moses is the messenger who has to deliver to the Israelites the messages of the Lord. Thus, a book like Leviticus is nothing but a series of messages which he

put in writing either before or more probably after having delivered them to the people. These messages may be very short ; we may find several of them in the same chapter and even on the same subject. Thus, in Leviticus, the chapter about the feasts ends with these words : " And Moses declared unto the children of Israel the feasts of Yahveh." This chapter is cut into five parts, each of which is introduced by these words : " And Yahveh spake unto Moses, saying : ' Speak unto the children of Israel.' " Thus these feasts have been the object of five messages which may have been delivered at different periods.

That way of writing is exactly in harmony with the circumstances of the time. The children of Israel are a large tribe travelling in the desert towards Canaan ; Moses is their leader, he has the mission to establish among them the worship of Yahveh and to give them the laws to which they will have to obey when they will be settled in the country which is given them in heritage. How can Moses do it ? Certainly not by writing a code of laws ; it is by his proclaiming these laws orally to the people. Moses is a speaking legislator. He has to deliver to the Israelites the messages of Yahveh which they must remember. He will put them in writing. There is no order in these messages ; we often find a record of the occasion on which they were delivered, and sometimes they are repeated because Moses has not always the same hearers. They certainly do not form a continuous composition which we call a book.

This is one of the great errors of the critics : to apply to the writings of Moses the name of books in the sense which we give to that word. In the time of Moses, what was written was only a reproduction of what had been heard, so that it might be heard again. The composition and the style were governed by the exigencies of speech, and not by those which are imposed on a work conceived in the silence of the study, in view of future readers, and with a definite plan. A series of messages is governed by the character of speech, with its irregularities, repetitions, apparent or real contradictions, sometimes a lack of logic and a certain disorder in the ways the ideas are presented.

In what language did Moses write his messages ? I believe the new excavations in Mesopotamia will prove more and more clearly that the writings of Moses were in the language and script used by the Semites in the whole of Western Asia, Babylonian or Accadian, written in cuneiform characters ; but I do not insist on this fact, which is still disputed. The law would

be the same if Moses had written it in Hebrew. One thing is certain, he did the same as all the Semitic writers of the time; he wrote on clay tablets on which were texts of various lengths, but which were not connected together like the chapters of a book. They might have been written at very different times, without any chronological order. They were not more closely linked together than the lectures of a professor. The books of Moses were only a collection of tablets which were put together on a coffer of earthenware, or in an earthen jar which Moses gave into the keeping of the Levites who bore the Ark of the Covenant, and which had to be placed beside the Ark.

The books of Moses are the reproduction of what he said to the Israelites, and especially the messages of Yahveh which he had to communicate to them. When Moses was living in the house of Jethro his father-in-law, he had no idea of the mission which would be given to him. The third chapter of Exodus relates how Yahveh constituted him His messenger. Moses will have to repeat to them all that Yahveh has commanded him: "Thus shalt thou say unto the children of Israel"—and henceforth all the orders, laws, commandments, will be conveyed to them in that way. Moses is the only messenger appointed, and we have no reason to imagine that some of these messages are due to others than Moses. This form of language is particularly striking in Leviticus, it is exactly the form of laws which could be given to a tribe in the desert. It seems an absurdity to consider this book as being the work of a school of priests after the exile. Nothing is more different from a code of laws given by learned men. They would not have cut up in small fragments a simple ordinance such as that of the feasts; they would have given them as a running composition, as Moses himself does in chaps. iv-xxvi of Deuteronomy.

And since the text says there was only one messenger, Moses, we can see no reason not to accept what the text says. We see nowhere that there was another appointed, and we cannot admit that priests of the post-exilic period should constitute themselves messengers of Yahveh and take the name of Moses.

The law given to the Israelites was recorded in a collection of tablets. They have been put together in books only many centuries afterwards, during the captivity. Here I am following the Hebrew tradition. It was done by Ezra. We know that the Babylonian kings, such as Assurbanipal, for instance, were fond

of learning and had in their capitals considerable libraries, containing all kinds of documents, especially those which were connected with religion. We know of libraries of that kind at Koyoundjik and Nippur, and quite lately that of Kish has been discovered. It is probable that in one of these Babylonian libraries were the tablets brought from the temple of Jerusalem, together with all the sacred objects, and there Ezra, "a ready scribe in the law of Moses which the Lord the God of Israel had given," put the tablets in the form of books.

Exodus, Leviticus and Numbers describe the legislative activity of Moses from the departure of the Israelites from Egypt to the end of their journey through the desert; when they reach the frontiers of the promised land, and after their first victories over several kings, they are near the Jordan, which they have to cross. Moses is not allowed to enter the country, and he is going to leave this people whom he has been leading for forty years. He knows them well, he has gone through the greatest difficulties, he has seen how fickle they were, and how easily they turned away from Yahveh. On several occasions he has been obliged to entreat Yahveh to "turn from His fierce wrath against His people." He is going to leave the people, which will be as sheep that have no shepherd. Who will recall to them the laws of Yahveh? Joshua will be his successor, but he must have a written text to appeal to, which will give authority to his language. The Israelites arrive in Canaan as a numerous tribe, having heard on many occasions the laws and commandments to which they are to submit, but this is only oral. It is true that these commandments have been put down in writing by Moses, and that the tablets on which they have been engraved are stored and in the keeping of the Levites. But they are unconnected, without any order; sometimes they are proclaimed in a narrative of the occasion which gave rise to them. In this mixture of texts of different character, where would a particular law be found, except perhaps the Decalogue, which evidently most people knew by heart? The law of Moses is the constitutive charter of the religion of the Israelites; it is a whole in which the ceremonial laws cannot be separated from the moral law; but this unity does not clearly appear in the numerous tablets of Exodus, Leviticus and Numbers, which are a kind of diary of what took place in the desert. There is nothing giving a general view of it, and being a law without any admission of historical narratives.

We cannot but suppose that Moses, knowing that he was going to leave the people, considered what was his last duty, how he had to finish his career. He had begun it by writing Genesis, in which he explained to the Israelites why they were to leave Egypt and go to Canaan, which had been given them as an heritage; and now, when they were going to enter the promised land, he must tell them clearly what was to be their law. He had done it at Sinai first, and afterwards during their journey to the confines of Moab, but it had been done piecemeal. Besides, the assembly had changed; most of the people who had witnessed what took place at Sinai had disappeared; they were no more, and their successors had been only imperfectly instructed if they had been. It was therefore absolutely necessary to repeat this law to the whole people. Deuteronomy is the necessary end of Moses' career; it is the summary of what happened during forty years—an historical account and the recital of the law. Joshua wanted it, and also the people as a nation when they would be settled in Canaan. If Moses had not done it he would not have finished his task. His legislative activity would not have its proper end.

The Israelities had no copy of the law which they could read. How could the future generations have cognizance of it? When they would be in Canaan the law would be engraved on stones on Mount Ebal, but that would not be sufficient. That law, which was oral, must occasionally be proclaimed again, every seven years; "in the set time of the year of release, when all Israel is come to appear before the Lord thy God, in the place which He shall choose, thou shalt read this law before all Israel in his hearing." The law was to be read, but how could it be done if it consisted of a great number of tablets which contained a great deal else? A commandment could appear in a historical narrative. If it was to be read aloud on periodical occasions, it was to be put in a readable form; it must be disentangled from all other matters; it must become a proclamation, which it was not, and therefore Moses was obliged to write it again after having recited it for the last time in a loud voice to the people of Israel. That is Deuteronomy, a condensed form of the law which could be read on great occasions. It was necessary to write it, otherwise they would not have known where to find the law. Deuteronomy is intended to be its popular form. The people knew it as it was in Deuteronomy; that is the reason why most of the quotations in the New Testament are taken from that book.

In this characteristic of the book we have followed exactly the third principle of the historical method. In writings such as we have in the Old Testament it is of primary importance to ascertain what was the aim of the book, its *raison d'être*, who were the men to whom they were addressed, and what kind of influence they were to exert upon them. Here the aim of Deuteronomy is perfectly clear. We see why it was necessary to write it; we see that the men for whom it was written were the Israelites at the end of their long journey, the great majority of whom knew not the scene at Sinai. They were young children at the time. If they had some faint remembrance of it—even if they knew the Decalogue—they had only a vague idea of the other laws which were proclaimed at that time. For them a clear repetition of the law, such as we find in the Deuteronomy, was necessary.

This law was repeated as it was proclaimed, by the speech of Moses, of which it is distinctly said that Moses afterwards put it in writing and handed it over to the Levites bearing the Ark of the Covenant, that it might be a witness against the people, because it might be appealed to.

The repetition of the law was made in three speeches of Moses. The form of the language is totally different from what is found in the former books. We never see those words: The Lord spake unto Moses, saying . . . He speaks in the first person, as if he gave the commands himself.

The book begins thus: "These be the words which Moses spake unto Israel beyond Jordan in the wilderness," and it consists of the following three speeches of Moses.

The first goes from chap. i to chap. iv, 43. Moses must begin with an introduction; he must explain to the people why he has to declare this law, and he makes a short narrative of what had taken place since they left Egypt until they reached the land of Moab beyond the Jordan. This summary relates how, after eleven days of journey from Horeb to Kadesh Barnea through a great and terrible wilderness, at the request of the people, Moses sent twelve men to search the land. They came to the valley of Eshcol and spied it out. But, listening to the reports of some of these men, the people rebelled and would not go further, and the Lord was wroth and sware that no man of this generation, except Caleb, should see the good land. And the Lord was angry even with Moses himself, and said to him: Thou also shalt not go in thither. Therefore they turned back

and took their journey into the wilderness by the way to the Red Sea, and they marched in the desert during thirty-eight years, until all the men of war were consumed and dead from among the people; then they turned north and conquered the land of Sihon and Og. Three tribes settled in that country, but the men were to follow the rest of the people and help them in the conquest of the land. Once more Moses entreated the Lord to let him go over and see the good land that is beyond Jordan, that goodly mountain and Lebanon. But the Lord hearkened not unto him, and answered: Speak no more unto Me of this matter. And now, since he will no longer be with them, "let Israel hearken unto the statutes and unto the judgments which I teach you, for you to do them." He tells them that he is going to set before them the law, the observance of which is the vital question for them, for if they turn away from Yahveh they will certainly perish.

In all these speeches of Moses there are many repetitions, but we must remember that he speaks to people who had no written text to refer to, and not always to the same. In order to impress it on their memory he repeats two or three times what he fears they should forget, such as the scene at Sinai.

The Deuteronomy, like all other books of Moses, was written on tablets which were afterwards collected and made into a book. We observe that in what is called the introductory speech the tablets are not closely connected; they are interrupted by what I call notes. At the time when the tablets were made into a book, which I attribute to Ezra, some of the names of nations or localities had changed and would no more be understood; therefore, the collector added some explanatory sentences, which for us would be footnotes and which, since he could not put them at the foot of the page as we do, he inserted in the text. One of them is about the Rephaim and the Avvim, another about the bed of Og. It is an error to consider these notes as an indication of the date of the whole writing; they are the work of the collector, who wished to make the text clearer, and who also occasionally put a title to some of the fragments—for instance, the beginning of what is properly the law (chap. iv, 44): "This is the law which Moses set before the children of Israel."

The man whom I call the collector is in a position similar to a writer who in our time would republish an old text. He is obliged to add explanations which he puts at the foot of the

page ; he perhaps may separate the chief divisions of the text by inserting a title, but the text remains the same, and nobody would think that these notes indicate the date at which the text was written.

The second part of Deuteronomy goes from chap. iv, 44, to the end of chap. xxvi. It is properly the law, that which Moses wrote himself, until it was finished ; it is said twice that Moses did it, and probably, if it covered several tablets, he indicated that they were to follow each other, as we sometimes see in the Assyrian tablets on which there is a long text.

The whole of Israel is summoned and Moses begins his solemn speech, as is natural, with the Decalogue. The way in which the Ten Commandments were given to the people was so impressive, and filled the witnesses with such a great awe, that Moses feels obliged to describe again the scene at Sinai.

Much has been made of the fact that the Decalogue does not present itself to us in the Pentateuch under a single form, whereas one would have expected that it should be preserved to us without alteration and without uncertainty. This is a complete misunderstanding of the way in which the law is given to the people. There is no question of presenting to them a text of unyielding form such as a law in our times, voted by a parliament or decreed by a government. It is the supreme teaching given to the people, which is bound to keep it in remembrance. The important thing is that the people should remember it and live in conformity with it. Certainly Moses, if any, should know the Decalogue by heart. At the hour of his death, when he is going to leave the Israelites for ever, it is natural that he should begin by repeating to them the Decalogue. He does not fetch from the Ark the tables of the law. He quotes from memory the Commandments as they come to his mind. If we compare the two versions of Exodus and Deuteronomy, we see that the foundation is absolutely the same, and the order also. What is different is what I would call the developments or additions to the commandment, that which justifies it and shows its sense and aim, and which also facilitates the remembrance of it. This is no part of the commandment itself, and this is why there may be variations according to the moment when the Decalogue was quoted.

It is certain that in the following laws we find here and there some slight differences with what is found in the three preceding books, but the circumstances are different. The people are now on the frontier of Canaan, part of which they have already

conquered. They have now some idea of what the country is, and Moses feels obliged to add some new laws in reference to circumstances which he did not foresee when he was in Sinai at the beginning of the journey.

His first commandments after the Decalogue are religious, and refer to the worship of Yahveh. All the following chapters insist on Yahveh being the only God of the Israelites, of whom no image is to be made and to whom are not to be applied the rites of the Canaanites in worshipping their gods. "Beware lest thou forget the Lord thy God in not keeping His commandments, and His judgements. If thou forget the Lord thy God, and walk after other gods, and worship them, I testify against you this day, you shall surely perish. As the nations which the Lord maketh to perish before you, so shall ye perish" (viii, 11, 19). Over and over again this idea is repeated, that the blessing of God is conditioned upon the fidelity of the Israelities to His laws. The alliance of God is positive. God has established His covenant, which He swore unto thy fathers. God will certainly keep it and pour all kinds of blessings on His children. But if they forsake Him, ruin is absolutely certain.

Moses wishes them to be convinced that this is for them the vital question : he relates the occasions on which they had forsaken Yahveh and were very near destruction, had not Moses saved them by appealing to God's mercy. These repetitions are a proof that this is not the written text of a book, a running text ; this is a speech, a discourse, *verba volant*. In spoken language repetitions are sometimes hardly noticed ; and since Moses has before him hearers, he is obliged to say over again what he wishes to engrave in the memory and in the heart of those who listen to him ; that is why, from chap. vi to the end of chap. xi, we find only the expounding of this idea. The Israelites have before them a blessing and a curse—the blessing if they hearken unto the commandments of the Lord, the curse if they do not hearken unto these commandments.

From chap. xii begin other laws. First of all they must have unity of sanctuary ; they will seek the habitation of the Lord "in the place which God will choose out of all the tribes to put His name there." Then they shall bring their sacrifices, their tithes and all their offerings. They shall not do "after all the things that they do on that day every man is right in his own eyes." Moses has no doubt that when the Israelites will be settled in the country, there will be a place chosen by the Lord,

but this was not executed. It was only in the time of David that the question arose of building a house to the Lord. The king was not allowed to do it, and Nathan brings to David the message of God : " I have not dwelt in an house since the day I brought up the children of Israel out of Egypt even to this day ; but have walked in a tent and in a tabernacle."

Then follow laws on the sacrifices, then what constituted the legislation of the Israelites. We find there what concerns royalty, which does not appear in the preceding books. The critics argue that this is a proof of the late composition of Deuteronomy. But Moses foresees that the example of Egypt and of all the nations of Canaan, which were all ruled by kings, might influence the Israelites to wish for a king ; it is a possible contingency, a probable eventuality " when thou art come to the land which Yahveh giveth thee, if thou shalt say : I will set a king over me like all the nations that are round about me." It is important that Moses should tell them that this does not carry with it the chastisements of Yahveh, but their king, if there should be such, should not imitate the kings of Egypt.

It may also be said of the cities of refuge that it is a command which could be made only when the Israelites would be near Canaan ; these cities could not be designated from Sinai.

The laws are abridged, like those on sacrifice or on the festivals, which are much more detailed in Leviticus. They could not be repeated with all their particulars. There was no need to repeat the description of the tabernacle any more than other laws and institutions such as those which concern leprosy. " Take heed in the plague of leprosy, that thou observe diligently and do according to all that the priests, the Levites, shall teach you, as I commanded them, so ye shall observe to do." He sees no need of reminding them of the detailed instructions reported in chaps. xiii and xiv of Leviticus, further than to say that he has given them and that they are to be respected.

Here we have an example of the contradictions in the theories of the critics. Deuteronomy cannot be earlier than the time of Josiah, 621 B.C. Leviticus, like all the ceremonial law, belongs to the Priestly Code ; it is the work of a school of priests after the exile. Then it is this school who wrote these detailed instructions on leprosy, which two hundred years before, Deuteronomy says, have been given to the Levites.

The chaps. xii to xxvi are a summary of the laws which are in full on the tablets which constitute Exodus, Leviticus and

Numbers, with a certain number of additions derived from the circumstances in which Moses spoke.

From chaps. xxvii to xxx we find the final act, which was to be the sanction of the law and commandments, the renewal of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab, beside the covenant which he made with them in Horeb. This covenant will lapse if the people do not hearken to the voice of the Lord ; then all kinds of curses shall come upon them and overtake them. And here, again, Moses repeats with greater force and warmth what he has said to them many times : that it is for them a question of to be or not to be.

Of all the words of this law it is distinctly said that Moses wrote them to the end and committed his book to the care of the Levites. Then he tells Joshua to assemble once more the eldest and the officers, that he may speak to them the words of a song, and the people listened to it as well as Hoshea, son of Nun.

But this is not the last act of his life. Like Jacob, he blesses all his sons individually, and for him his twelve sons are the twelve tribes of Israel. When Jacob made an end of charging his sons he gathered up his feet into the bed and yielded up the ghost. When Moses had finished his blessing to the people he went up from the plain of Moab unto Mount Nebo, and Israel saw him no more ; they did not even find his body.

It seems probable that this blessing was put in writing by one of his hearers, and that the last chapter relating his death and burial, which cannot be due to him, may have been written by Joshua or some one who had much to do with Moses. As for the last verses of this chapter, I attribute them to the writer whom I have called the collector, who arranged all the tablets of Moses and made books of them. I have said that I consider this collector as being Ezra. Having come to the end of his work, he concludes ; he sums up what the career of Moses has been. " And there has not arisen a prophet since in Israel like unto Moses, whom the Lord knew face to face in all the signs and the wonders which the Lord sent him to do in the land of Egypt . . . and in all the mighty hand and in all the great terror which Moses wrought in the sight of all Israel."

We have adduced several reasons showing that Deuteronomy was necessary to the sons of Israel who were going to settle in Canaan, but we might add one which had a great force : I mean the feelings that filled Moses' soul. Israel was about to

enter into the land that had been promised them, Moses himself was not to enter it; he knew that the crowning point of his career was refused to him, and that he would only see this good land from a mountain top. Israel would be henceforth left to itself. They would have no longer the guide they had followed for forty years. It is easy to understand what anxiety must have haunted him. It is true that Joshua would be his successor, but would he be strong enough, would he have enough authority to keep the people in the way which had been traced for it, in the worship of Yahveh? For if Israel abandoned this worship it would perish; and thus, what one might almost call the child of Moses, to which he was passionately attached, which he had snatched from the oppression of the Egyptians, would march to certain ruin. After having taught for years a law of which he felt the value and the observation of which was a vital question for Israel, when he was about to abandon this people and leave it to itself, Moses could not do otherwise than remind it in the pathetic terms that its very existence depended on the observation of Yahveh's commandments. He had to leave this remembrance to the Israelites, to whom he had devoted himself all his life. It was the last duty which he felt bound to fulfil. One might justly be astonished if his life had not ended by such a farewell. Deuteronomy is the word of a dying man.

Deuteronomy is the fitting close to the career of Moses. We have seen to what a degree it is in harmony with what Moses was, with the circumstances of the time. We have recognized from the first why the book was written, to whom it was addressed, and what kind of influence it was to exert over the hearers. It satisfies entirely to the principles of our method, and we have no hesitation in declaring that Deuteronomy is the last of the Mosaic books, and that Moses was its author.

DISCUSSION.

The CHAIRMAN (Rev. A. H. Finn), in opening the discussion, regretted that, as he had not seen the paper until he entered the room, he would not be able to give the considered estimate of it which it merited. He thought all present would acknowledge that they were indebted to Prof. Naville for an able and thought-provoking examination of the subject, showing how well the characteristics of Deuteronomy agreed with the circumstances of the speaker, the occasion and the hearers. Yet he was afraid that it would not

avail to convince opponents, who would maintain that the author, the occasion and the circumstances were altogether different.

He felt it was almost an impertinence to criticize so great an authority as Prof. Naville, yet he was constrained to demur to the theory that the book was originally written in cuneiform or incised on clay tablets. To be intelligible to the people the discourses must have been delivered in the Hebrew tongue, and therefore written down in the Hebrew character.

Also he objected to describing the book as a "repetition" of the Law. Some of the laws delivered at Sinai, and of those in Leviticus and Numbers were repeated, but by no means all, while there were various new laws to suit the changed circumstances. The idea of repetition really arose from a blunder in the Septuagint. The translators into Greek had confused a Hebrew word meaning "copy" with a similar word meaning "second," and so had turned the injunction that the king on his accession was to write "a copy of this Law" into one that he was to write "this Second Law" (*τὸ δευτερονόμιον τοῦτο*).

He had himself independently come to the conclusion that, as is forcibly urged in the paper, the repetitions, digressions and unsystematic arrangement of the laws in Deuteronomy form a very strong argument against its being a carefully written composition, a "reformulation of an older legislation," and in favour of its being a record of orally delivered addresses.

He concluded by moving a hearty vote of thanks to Prof. Naville, coupled with an equally hearty vote of thanks to the reader of the paper.

Dr. M. GASTER, speaking from a Jewish standpoint, said:— I welcome with pleasure this new contribution of Prof. Naville towards the elucidation of the problems connected with the origin and antiquity of the Pentateuch. Whilst agreeing in the main with the conclusions arrived at and the new historical method employed by Prof. Naville, there are certain points in which a difference of opinion is, I submit, decidedly called for. Thus, for example, there is the theory still so persistently held by Prof. Naville of the tablets with the cuneiform script, upon which various sections of the Bible have been separately written down and then mixed together in some earthenware jar and then some time or other taken

out haphazard, translated into Hebrew, and then put together without any definite rule. This is an impossible operation, leaving aside the fact that no references can be found in the Pentateuch to any such script, for when the Tables of Stone are mentioned the letters are described as having been "engraven" on the stone. There is, further, the far greater impossibility from a purely linguistic point of view of accepting a translation into the Hebrew tongue. Even should such a translation have taken place some time before Ezra, it could not have assumed the distinct archaic character which the language of the Pentateuch possesses in comparison with the other books of the Old Testament. Moreover, what kind of Bible could it have been which, according to Prof. Naville himself, had been discovered by the High Priest in the foundations of the Temple at the time of the restoration, if not a complete book from which the scribe was able to read the contents to the king and the assembled princes? Surely, at that time the Pentateuch must have already assumed the present form of a scroll, and did not consist of detached cuneiform tablets. This idea must be dismissed; it is neither possible nor helpful, and only adds a new difficulty to the many which are surrounding the history of the Pentateuch.

Prof. Naville is on much stronger ground when he discusses the form and contents of the book itself, and here I am sure everyone will be willing to follow, with the exception of his suggestion that glosses have been added by the supposed "collector" of the cuneiform tablets. Once we admit a "collector" with whom the choice is left to adopt and reject to add glosses, we are only one step removed from the higher critics, who are also guided by the same principle, with the only difference that they suggest many editors and various sources, but otherwise agree in the principle that the work is the result of editorial manipulation. Too much has been imported into the supposed activity of Ezra. The Jewish tradition knows only of Ezra as the man who merely transcribed the text from the old Hebrew alphabet into the new Aramaic one, out of which grew the square characters. The significance and importance of this transliteration must be sought in the determination of breaking definitely with the Samaritans and of driving a wedge between those who worshipped in the temple on Mount Garizim and those who were to worship in a temple not yet built, but which was to be built in Jerusalem.

Prof. Naville is perfectly correct in his statement that the Manasseh who married a daughter of Sanballat and joined his father-in-law, not wishing to repudiate his wife, was wrongly dated by Josephus. The curious fact remains, however, that a careful search by me in the Samaritan Chronicles has not revealed any trace of Manasseh. To the Samaritans evidently the advent of Manasseh seemed to be a matter of very little consequence, and he can therefore not be credited with bringing over the Law from Jerusalem which henceforth was to become the Divine Law of the Samaritans. For these speculations there seems to be no basis; the Law was undoubtedly in the hands of the Samaritans from the time of their ancestors, the northern tribes of Israel, and a continued examination of the Samaritan recension will more and more justify the assumption that the text which they possess, though altered, smoothed and modified in details, and also to a large extent corrupted by the carelessness of scribes, is essentially the Law which they had held together with the rest of the tribes, and points to a more ancient text common to them and the authors of the Greek version. It is not here the place to dilate more on this point, since in a work on a Samaritan apocryphon, which is now in the press, I venture to hope that I have been able to prove the existence of midrashic and legendary interpretations of the text of the Pentateuch in the possession of the Samaritans as far back as the second century B.C. As most of these legends rest upon a peculiar agadic interpretation of the text and even on peculiar letters and forms, it is evident that the text thus treated must have been considered sacred down to its most minute details and of great antiquity and authority. This in itself is sufficient proof of the high antiquity of the Samaritan text in its actual recension. All these points go to strengthen the results achieved so far by Prof. Naville, to whom Biblical science owes a great debt of gratitude.

Mr. SIDNEY COLLETT said:—I am sure we must all feel indebted to Prof. Naville for his lecture on Deuteronomy, especially as its aim is to prove the Mosaic authorship of that book.

There are, however, one or two points to which I desire to draw attention.

In the second paragraph on page 211 the lecturer says:—"When Moses was living in the house of Jethro, his father-in-law, he had no idea of the mission which would be given to him." This, however,

can scarcely be correct, for in Acts vii, 25, when Moses was still in Egypt, before he joined Jethro, we read: "He (Moses) supposed his brethren would have understood how that God by His hand would deliver them." So he must have known it himself!

Then, at the foot of page 214, the lecturer speaks of the Lord being angry with Moses, and keeping him out of the Promised Land, *in connection with the sending of the spies*. But the words of Moses in Deut. i, 37, refer to the time when Moses struck the rock instead of *speaking* to it, as recorded in Num. xx, 1-13. It was *then* that God was angry with Moses.

Again, on page 216, I confess I do not like the expression that, in giving the Ten Commandments as recorded in Deut. v, "Moses quotes from *memory*." There is evidently a Divine design in the altered wording as compared with that given in Exod. xx, which would scarcely be left to the caprice of human memory. For example, the wording of the Fourth Commandment is particularly interesting, that in Exodus being based on the rest of *creation*, while that in Deuteronomy is specially connected with *the deliverance from Egyptian bondage under the shelter of the blood of the Lamb*—a possible hint at the change of the day from the seventh to the first day of the week.

There are, however, two interesting points not mentioned by the lecturer which prove conclusively that Deuteronomy could not have been written later than the time of Moses. One is the frequently repeated expression, "When thou art come into the land" (Deut. xxvi, 1), which would have no meaning if the book had been written when they were *in* the land. The other is the fact that, of the six Cities of Refuge, Moses was only able to *name* the three cities which were on the *East* of Jordan (Deut. iv, 41-43), although he gave instructions that when they were *in* the land three others should be chosen in the *midst* of the land (Deut. xix, 2). These Joshua chose and named (*see* Joshua xx). Now if Deuteronomy had been written in later years that distinction would never have occurred.

Lieut.-Col. F. MOLONY said:—Prof Naville has reminded us that Deuteronomy contains speeches attributed to Moses and natural for Moses to make. It might be added that these are speeches of burning eloquence, and yet there is no sign of artificiality about them. The opposition theory is that Deuteronomy was composed long after—about Josiah's reign.

I doubt if there is any case of eloquent speeches of deep feeling being invented long after the circumstances they refer to had passed away without those invented speeches having an artificial ring about them.

Such eloquence as we find in Deuteronomy can only be produced by deep feeling, and in reading these speeches we perceive that the author felt every word. How could an author about Josiah's reign have reproduced the feelings natural to Moses? It may be argued that there are very eloquent invented speeches in Shakespere, like Hamlet's soliloquy, but that refers to the question of life after death, in which Shakespere, like the rest of us, had a real interest. Or take Mark Antony's speech over the body of Cæsar. It is intensely clever, of course, but too exactly calculated to stir up deep feeling in the hearers to be like the speech of a man who was really feeling deeply himself.

The above are acknowledged masterpieces, but in comparison with them the speeches in Deuteronomy ring truer.

Mr. THEODORE ROBERTS ventured to say that the Chairman and Dr. Gaster had not convinced him that the lecturer was wrong, and pointed out that neither here nor in his larger works had he confined himself to Ezra as the translator from the Babylonian cuneiform into the Aramaic Hebrew, but according to his theory the translation might have taken place at any time during the period of the Kingdom. He thought the Tel-el-Amarna tablets supported Prof. Naville's theory. It was important to note that both views, diverse as they were, supported the Mosaic authorship of the Pentateuch.

He thought the lecturer was mistaken in saying on page 213 that most of the people who had witnessed what took place at Sinai had disappeared, and quoted Deut. v, 3-4.

He could not see how the addition by the translator or collector of explanatory sentences affected our belief in the inspiration of the whole, for inspiration was not limited to Moses. He knew one who was so obsessed with the narrow theory of Moses being the author of every word of the Pentateuch that he actually held that he wrote the account of his own death and burial prophetically.

Mr. Roberts compared the vibrating passion with which Moses addressed the people he had so long cared for with Paul's charge to his Ephesian converts recorded in Acts xx, 18-35, both instinct with

life and human interest. We needed to remember that the inspired authors of both Testaments were men of like passions with ourselves, expressing their own thoughts and feelings, though under the control of the Holy Spirit.

Dr. E. A. KNOX (late Bishop of Manchester) writes :—“ I have to thank you sincerely for allowing me to see Dr. Naville’s most valuable paper on the Book of Deuteronomy. As a Hebraist I have no right to express any opinion. But such study as I have been able to give to the works of Dr. Driver, of the writers of the Oxford Hexateuch, of Robertson Smith, of Wellhausen and others, has left me with a strong conviction that the literary assumptions on which their criticisms are based are wrong, and that a fresh review of the whole question is necessary, based on the archæological discoveries of the last half-century. For this reason I welcome Dr. Naville’s paper as a valuable contribution towards a fresh and less biassed review of the formation of the Pentateuch. In my book *On What Authority?* I have indicated the lines of thought which have led me to Dr. Naville’s conclusion, that Deuteronomy is substantially Mosaic.

The Rev. Professor JOHN R. MACKAY, M.A., writes :—I am glad to find M. Edouard Naville, our Egyptological Nestor, still write so effectively in confirmation of the historicity of that part of the Scriptures of the Old Testament with which his special and life-long brilliant studies brought him into closest contact.

An approach to an investigation of the historical trustworthiness of the Old Testament Scriptures may be made along more lines than one, but I am not surprised to find that the principles of historical investigation, which the late Fustel de Coulanges thought out and formulated, commend themselves to archæologists as eminently reasonable; as well as, in their application most telling. These principles have supplied Dr. Naville himself with just the appropriate *organon*, by the help of which he most instructively pours out, from his almost incomparably rich stores of archæological treasures, the relevant material—facts which, as presented under these forms, become the most accurate instruments in settling some difficult problems which, since the rise of the Higher Criticism, have emerged.

The first of these principles is simply a claim that writings, venerated

able for more reasons than merely for their age, shall not be denied the elementary rights of being allowed to speak for themselves and of having a fair hearing. And yet, in the present controversy, even those rights are often denied, and that in the name of presuppositions which must appear to all evangelical Christians as, to put it at the lowest, highly problematical.

It is, however, under the reasonable demand that the writings in question shall be placed within the environment of the historical conditions that are assuredly known to have obtained at that period of the world's history out of which those writings did, *prima facie*, emerge—and that is the second principle of the Historical School—that archæologists are able to bring their richest contributions to the settlement of those questions appertaining to Biblical history that are at the moment agitating the world. And, in this connection, one would be surely blind who should fail to see that the determination and the power of making these weightiest contributions, to the elucidating of these discussions, for which a host of archæologists now stand, is in the proper sense Providential. The question must go to the proof. The spade, and, in many cases, insight of our archæologists, are uncovering for us truths and revealing to us historical situations in the past that had been buried for ages. Nor need one be charged with partiality if one ventures to say that the Biblical history has, through these revelations, gained immensely in verisimilitude. Very significant to my mind in this connection is the verdict of Prof. Sayce in the sense that in almost every instance recent archæological discoveries stand to support the correspondence of the Biblical narratives with the historical situation as now that is being unveiled to our gaze (see his "Reminiscences" *passim*). Dr. Naville, in the present paper, illustrates this principle in the specific case of the comparison which he institutes between the form according to which Yahveh's messages were given, as in the Book of Leviticus, through Moses to the people of Israel, and the form (which we may reasonably regard as traditional and standardized) under which Hammurapi gave his commands through Sin-idinnam to his own people. There can be no doubt that, in the finest sense, the Biblical narrative gains in verisimilitude when read in the light of a situation such as is revealed to us in the so-called letters of King Hammurapi. The proof is of the species known as the argument from undesigned coincidences, a form of

argument which, since Paley's time, is universally felt to be one of the most convincing. May I, going slightly beyond the Mosaic writings, refer to another illustrative instance, in which Mr. James Baikie, in his recently published *The Life of the Ancient East*, shows the correspondence of the Biblical narrative, bearing upon Samson, with what is now known to us, through Knossos, of ancient conditions and manners among the Philistines? "It gives a new perspective," writes Mr. Baikie, "to think of Samson making sport for his captors in a Minoan theatrical arena, like the one at Knossos, while Cretan ladies, in their strangely modern garb, look on, as their ancestresses had looked upon the feats and agonies of their captives from Athens or Megara." Illustrative instances of the kind here intended are daily on the increase, and their cumulative effect upon candid readers of the Old Testament must, in the long run, be overwhelming.

As an unbiassed investigator of the question in debate between scholars who represent the traditional view of the Mosaic narrative and the destructive Higher Critics, Dr. Naville, in the paper before us, applies the third principle of the Historical School of students with great power as an instrument, at once, of destruction and of construction. For the question under this third principle concerns the *raison d'être* of the publication of the writings in question. In the case of the Pentateuch as a whole, it cannot be said that the Higher Critics have been either happy or convincing in the account they render of the emergence of these writings. With regard to Deuteronomy in particular, the Higher Critics might conceivably claim that they offer a palpable reason for the appearance of Deuteronomy, as they generally say, towards the end of the seventh century B.C., as they find in it an expression of the laudable determination of the leading men of Josiah's reign of purging Judah of idolatry. But this *raison d'être* is brought forth at a tremendous cost—the moral worth of the production is, at least to the modern world, irretrievably depreciated and impaired. Dr. Naville has shown that this must be so most effectively in his *La Haute Critique dans le Pentateuque*, which has been translated by me under the title *The Higher Criticism in Relation to the Pentateuch*.

Lieut.-Col. G. MACKINLAY writes :—Prof. Naville has given a simple and reasonable explanation, quite suitable to the circumstances of the times of which he treats.

Deuteronomy was widely quoted in the Gospels, hence it is possible that valuable original written remains of it may even now be found.

It is quite reasonable to conclude, as does the Professor, that Moses wished to leave a settled law for the guidance of the Israelites and for the assistance of his successor. It is also reasonable to conclude that details, such as those concerning the Cities of Refuge, were arranged just immediately before the end of the wilderness wanderings. These facts do not support the comparatively recent date of Deuteronomy maintained by the critics.

AUTHOR'S reply :—I am happy to see that the main conclusion of my paper—the Mosaic authorship of Deuteronomy—has generally been adopted. The chief objection presented by Rev. A. H. Finn and Dr. Gaster is that which has been made to me by the critics, the question of language, which I said repeatedly was to me secondary. “The character of the law of Moses would be the same whatever would be the language in which it was written. . . . It would be the same if Moses had written it in Hebrew.” I intentionally left aside the linguistic question, and dwelt on other considerations which seemed to me far more important, especially the method, which for me is the main point. In all my writings on the Old Testament, I exclusively relied on the historical method and its principles which apply to any book left by antiquity, leaving aside entirely all connection with religion. You constantly hear the critics saying that the traditional views on the Old Testament are unscholarly, and are brushed off by science, since they rest only on religious belief. Now I endeavour to show that studying these books as if their authors were Homer, Herodotus, or Livy, and applying to them the scientific principles of the historical method, leads to conclusions which are absolutely opposed to those of the critics, and support what is called the traditional view.

Up to the present the critics have never attacked me on the method which is the main support of my conclusions, and which is sufficient by itself and needs no additional argument. They always, like the Rev. A. H. Finn and Dr. Gaster, attacked a point which for me is secondary, and does not shake the conclusions derived from the method. I said twice that in this paper I should leave aside the question of language which is still disputed. But that does not mean that I have changed my point of view as to the

books of Moses having been written in Akkadian, like the tablets of Tel-el-Amarna. I did not say, like Dr. Gaster, "that sections of the Bible were separately written down and then mixed together in some earthenware jar, and then some time or other taken out haphazard and translated into Hebrew, and then put together without any definite rule." As to the language, I follow several of the leading Assyriologists—Sayce, Clay, Winkler and others—who maintain that Moses wrote in Akkadian. He therefore wrote on tablets, the collection of which is called a book, "a day book," and was given to the Levites which bare the Ark of the Covenant, to be put by the side of the Ark of the Covenant. Here, again, let us look at what was done in the time of Moses. This book which was the archives of Israel, was either in a jar like the archives of Tel-el-Amarna, or at Nippur, or more likely in a coffer of earthenware or wood, traces of which are found in the libraries of the cities of Mesopotamia. This was the usual way of preserving the numerous documents in those libraries. The writings of Moses were the archives of the Israelites, and since they could not yet be deposited "in the place which God would choose of all the tribes," they had, like the Ark, to follow the people and be carried by the Levites. They were preserved like the numerous documents which filled the libraries of Nippur and Koyoundjik, and since it was the custom of the Assyrian and Babylonian conquerors to fill their libraries with documents coming from the subdued countries, it seems probable that those of the temple of Jerusalem were carried to Babylon with the vases and other treasures; and there Ezra could easily study them, translate them into Aramaic and make books out of them, since these tablets were not closely connected together, for they had been written at various times during forty years. The law of Moses is an oral law, proclaimed to the people before being put in writing; it is a series of messages of Yahveh to the people, which did not come all at once, and not in the form of a continuous composition or of a code of laws. They were heralded to the people on several occasions, and at various places; some of them are the Commandments which Yahveh commanded Moses in Mount Sinai; other ones in the plains of Moab by Jericho, and some during the journey. Moses is a speaking legislator and not the writer of a code.

As to the Rev. A. H. Finn's objection that the Hebrews would not have understood the law if it was not in Hebrew, my learned opponent will allow me to remind him of what certainly was the case in antiquity, and which we see in the present day. The literary language, and especially that of the sacred books, is hardly ever the language spoken by the people, except where the people have been greatly modified by the school and by civilization in general, or education. When Hammurapi wrote his laws at Susa in the same language as he would have used at Babylon he certainly did not use the language of the people of the country. In our time, take the German literary language; it is originally the prose of the Saxon dialect of Luther. Now this written language is used from Königsberg on the Russian frontier to Fribourg in Switzerland. The same Bible is used in this vast area. How many popular languages does this literary German cover? Take a small country like Switzerland. If you go to church at Zurich you will hear the preaching in German, the Bible is that of Luther. But when you go out of church you will hear the popular language, which is very different from what fell from the pulpit, and which is not the same at Berne or Lucerne. German is an importation from abroad, and of much later date than the vernacular. A peasant from Brandenburg would not understand a man from Berne, although they both use the same Bible. The same with French, Italian, and, I believe in a lesser degree, with English.

It was the same in antiquity. At the time of Moses, there was a literary language used by the Semites in Western Asia, and covering evidently a great many vernaculars. Moses used the literary language of his time, Babylonian Cuneiform, also called Akkadian.