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ARTICLE I.

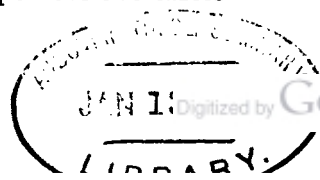
THE COMPOSITION AND DATE OF DEUTERONOMY.

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IN attempting a study of Deuteronomy, I shall aim to make it as independently of the other books of the Hexateuch as possible. No books of the Bible have a more distinct individuality than these first six. But the tendency of much recent criticism has been to throw them all into one confused mass.

I first inquire what is said in the book itself of the "writing" of the whole or any part of it; then what is said otherwise of its source or sources; next I shall examine any social conditions indicated as existing at the time of its writing, together with any historical and geographical allusions; and lastly I shall draw conclusions as to its date in its present form.

The first that is said of writing any part of the book is: "Thou shalt set thee up great stones, and plaster them with plaster: and thou shalt write upon them *all the words of this law*" (chap. xxvii. 2, 3). But they are few, we presume, who suppose that this could refer to the whole preceding twenty-six chapters of Deuteronomy. Some summary must be intended, just as that written upon the two tables



of stone was a summary of the Sinai legislation. And still the language is: "all the words of this law."

"Book of this law," which implies writing, is used in chap. xxviii. 58, 61. But it would seem, from the peculiar emphasis laid here upon obedience, that "this law" must stand here for a collection of ethical precepts, and not for the great variety of minor matters which have gone before in the book of Deuteronomy. The same remark applies to chap. xxix. 20, 21, 27. In chap. xxx. 10 the context following certainly is applicable only to what is in "thy heart that thou mayest do it." From chap. xxxi. 9, 24, it is apparent that Moses wrote the "words of this law in a book." And from chap. xxix. 21 we learn that this "book of the law" was regarded as being, or as containing, a "covenant," although the phrase "book of the covenant," which is freely used by some writers, does not occur in Deuteronomy. The only other writing of any part of the book which is spoken of is the song in chap. xxxii. The book of the law which Moses wrote was given to the Levites to be kept with the ark for a witness to future times.

The next question is: Was this probably identical with the book of Deuteronomy preceding the song, i. e., its first thirty-one chapters? It is asked here, however, only that it may be kept in mind in connection with the progress of other parts of the discussion.

Deuteronomy presents itself as first spoken and afterwards written. If the speaking can be located, we shall advance a great way towards understanding the circumstances of the writing. The book opens with a short geographical introduction of two verses. This is followed by a sub-introduction of three verses (3-5). These two introductions are quite distinct, and refer, evidently, the former to the book of Deuteronomy as a whole of Mosaic instruction, and the latter to a declaration of "this law" in the land of Moab. Of course no one will say that "the Arabah over

against Suph, between Paran, and Tophel, and Laban, and Hazeroth, and Di-zahab" was in the land of Moab. Kadesh Barnea is also referred to in a parenthetical manner, apparently to bring the reader quite back to the spot where it was decided that Israel was not to go directly to the promised land, but to be kept in the wilderness for a generation under training in preparation for the conquest. This preface, therefore, brings before us the whole of the thirty-eight years during which the Mosaic instruction went on, and it spreads "these words which Moses spake" *over the whole period*, the words which are gathered together in the book thus introduced, i. e., the book of Deuteronomy.

The occurrence of some names here which are not found in Numbers, or elsewhere in the Pentateuch, is of considerable consequence in determining, at least negatively, when this preface was written. They do not correspond with the names in the itinerary of Numbers (chap. xxxiii.). It is difficult, however, to suppose that the author of the book of Numbers, if he also wrote Deuteronomy soon after, would have departed from the nomenclature there used. For of course whoever wrote these names in the preface to Deuteronomy wrote them for the purpose of identification of the locality as known to the first readers. It will seem, therefore, quite certain that, at the time of the writing of this preface, some of the original names had been forgotten and replaced by others. This would be likely to occur only with the lapse of centuries. This introduction may possibly have been added long after the composition of the book itself. We cannot avoid, however, the conclusion that, at the time it was penned, the author understood that the Mosaic instruction he was opening to his readers had extended over the whole time and circuit of the wilderness life.

The second preface, therefore (ver. 3-5), must be understood, as indeed its form implies, as the introduction to the

portion of the previously indicated whole, which was delivered in the land of Moab shortly before the crossing of Jordan, the author thus beginning his narrative in a reverse geographical order, although the subject-matter was a *resumé* of what had occurred first in the order of time.

But, as we look for the end of the instruction given near the Jordan, and the beginnings of that at the various parts of the Arabah and the wilderness of Paran, we find rather an approach to the form of a continuous address, with occasional parentheses, extending nearly through the book. This has led many critics to regard the form of a Mosaic address as merely a rhetorical figure into which the author threw the material he wished to present. But it must be held as certain that Moses gave farewell instruction to the children of Israel before his death as that he existed their leader from Egypt to the Jordan, and was the author of the Sinai legislation.

He was human, and it would have been impossible, even without special divine direction, for him to see that, from the unfitness of his age or other causes, he could not go on and lead the conquest of the promised land, but must end his life before the war began, and not have many last words of counsel and injunction for his tenderly loved and led people. And we do not need to be told that these words would be preserved as sacredly as those of the Sinai legislation itself. And I might as well say here, that of course their style would be different. At Sinai he was girding himself, still in strength of manhood, for a mighty task. In the field of Moab he was an old man; and though "his natural force was not abated," yet his thoughts were now reminiscent of the past, and anxious for the future. To take an illustration from our own time; the Gladstone of the nineties is not the Gladstone of the fifties.

But when we look through the contents of the book we find much not suitable or natural to such a farewell. After the eighteenth chapter especially, much is taken up with

ritual or details of administration, quite unfit to make a part of a solemn parting address; e. g., the treatment of birds' nests, the ploughing with an ox and ass together, the building of a battlement on the roof, and the first verse of chap. xxiii. The central part of the book to chap. xxvii. is largely taken up with these details.

The conviction is forced upon the mind that it is in these matters that we have the leisurely instruction of the wilderness preserved and combined, according to the first introduction, along with the final teaching at the Jordan. It did not suit the plan of the author, or of the prophetic or priestly commission of authors, to divide locally the matter of the book. It was the obvious intention to give a unity to the whole as a "book of the law," and, having given at the outset information of the variety of the local sources, no farther distinct clues were given. The book, however, is not without traces of its composite character. Part of the material can be traced elsewhere. Certain clauses are obviously introductory, and conclusive of particular portions; as, iv. 44 and xxvi. 16-19. It is noticeable, too, that after chap. xxvi. "the elders" and "priests" are associated with Moses as a source of speech and authority. It has often been said that Deuteronomy was made up of three addresses of Moses. But the book does not speak of *three* addresses, and it can be divided into a dozen or more just about as naturally as into three; and, if we are to follow the first introduction, we find good reason for supposing that there were quite a large number of constituent monographs incorporated into it.

The Mosaic character and origin of this material has been sufficiently demonstrated by others, notably, in this country, by Professor E. C. Bissell in his volume on the Pentateuch; but whether we now have it in the form in which Moses left it is quite a different question. Recently Professor Klostermann, of Kiel, after exposing the weaknesses of what we may call the alphabetical critics, has advanced the theory

that a previously existing form of the book of Numbers was the source of a large portion of Deuteronomy, the compilation of which, i. e., Deuteronomy, he places in the reign of Josiah, after the discovery of the law book narrated in 2 Kings xxii.¹ And our conclusions respecting the source of the material will be so dependent upon our ideas of the date of compilation, that it is necessary to turn aside at this point to consider the proofs adduced of this or other late date for Deuteronomy. Driver and Briggs in English, and Klostermann in German, shall represent the advocates of such date.

In the first place, it is admitted on all sides that there is nothing in the style of the Hebrew of Deuteronomy which compels us to place it after the period of the classical language. The peculiarities it presents are no more than can be accounted for by the personal tastes and habits of a single author, or the predominating influence of a master mind in a commission of authors. It is very curious how the criticism of Deuteronomy has revolved about a single incident, and that one not mentioned in the book itself, and one for which there is no positive testimony that it had any connection whatever with the book. I mean the discovery, in the time of Josiah, of a "book of the law" (2 Kings xxii.), and there are reasons for holding that this has been a much-misunderstood and much-abused incident. The argument seems about this: "The book of the law" was discovered. Deuteronomy seems often to be referred to as the book of the law. Therefore the book found was Deuteronomy. Everything else called the book of the law is for the time lost sight of. Klostermann shows much more historical insight, however, and supposes that the newly found book was a copy of a Mosaic original which Deuteronomy says was prepared by Moses and intrusted to the keeping of the priests (xxx. 9). He then goes on, and reasons that Deuteronomy was made up at that time from this original

¹ Neue Kirchliche Zeitschrift, 1892.

set in a frame from the book of Numbers. Thus, though his scheme has many plausible points, he belongs to those who assign a very late date to Deuteronomy.

The advocates of such late date claim:—

1. That the first part of Isaiah, Hosea, and Amos “show no certain traces of the influence of Deuteronomy,” although Jeremiah, Zephaniah, and Ezekiel show it plainly. But this is much too confidently said. In Isaiah we will confine our notice to the first part, but call attention to the fact that they who refuse testimony from the latter part support one hypothesis by a second, instead of by known fact. We will exclude, also, the apparent references to the song of Moses (chap. xxxii.), for which some claim a date different from the rest of the book.

It remains true that Isaiah opens thoroughly in the spirit of Deuteronomy. Compare especially i. 19–24 with Deut. xxviii. 58–68. Where can “the mouth of the Lord has spoken it” (Isa. i. 20) be found more plainly than in the threatenings of the Deuteronomist? Compare, also, Isa. i. 7 with Deut. xxviii. 50, 51; also Isa. ii. 6 with Deut. xviii. 14, where *נֶפֶשׁ* is used in both cases, although differently rendered by the translators. The warning against “silver and gold” in Deut. xvii. 17 is changed into a charge of disobedience in Isa. ii. 7. Compare, also, Deut. xxix. 23 with the language of Isa. xxx. 33, and xxxiv. 9.

Hosea opens (i. 2; ii. 5), according to the prediction of Deut. xxxi. 16, under the figure of harlotry (*זְנוּת*). Hos. viii. 13–ix. 3 is entirely in the spirit of Deut. xxviii. 64–68.

In Amos compare iv. 6–10 with Deut. xxviii. 27 and 60; especially iv. 9 with Deut. xxviii. 22, where “blasting and mildew” (*בְּשִׁיחַ וּבִירֵקוֹת*) occur in both.

But it is of great importance to observe, that, while some regard it difficult to see reproductions of the language of Deuteronomy in these prophets, it is still more difficult to

find in them reproductions of the Sinai legislation, the existence of which at the time in some form none deny. The truth is that the prophets moved on a high spiritual plane, and not in the legal methods of "touch not, taste not, handle not," of the legal books. It is very interesting to see, in looking over a table of biblical references, how much oftener students have found parallels to prophetic sentences in the New Testament than in the Old, excepting the Psalms. For them to go back to the old law was like an apostle's "laying again the foundation of repentance from dead works and of faith toward God." If, therefore, we find a general recognition of the precepts and forms of the law, we should not look for more. There is a reason, however, in Jeremiah's case, aside from what may have been entirely personal to him, why he should show the impress of the Deuteronomic law. The great upturning in Josiah's time in connection with its renewed attention to the letter of the law would naturally affect Jeremiah's style. It could hardly be otherwise, and so of any prophet who felt the force of that movement.

2. "The prophetic teaching of Deuteronomy, the point of view from which the laws are presented, the principles from which conduct is estimated, presuppose a relatively advanced stage of theological reflection, and they approximate to what is found in Jeremiah and Ezekiel." This statement does not go to the root of the matter. The fact is that in the doctrine of spiritual love toward God and man Deuteronomy surpasses Jeremiah, Ezekiel, and all the prophets late and early, indeed the whole Old Testament, save the Psalms. There is nothing in the declining ages of the monarchy which can account for it. But the keynote of it is found in the second command from Sinai: "Showing mercy unto *thousands of generations of them that love me, and keep my commandments.*" There is not a line in the later prophets to compare with it. And the heart through which it had throbbled forty years before must have been fully capable of

all the sweetness of Deuteronomy. And as to the matter of style, again, the lofty eloquence of passages may as well have preceded Isaiah as followed him. Isaiah did not spring up, a miracle of rhetorical power, with no antecedent preparation in the history of the Jewish nation. We are not denying that Deuteronomy "may bear a relation to previous Mosaic material, like that of the Gospel of John to the Synoptics." But as the keynote of John was the words and spirit of Jesus, so that of Deuteronomy was the words and spirit of Moses.

3. "In Deut. xvi. 22 we read: 'Thou shalt not set thee up a *mazzébah* (obelisk or pillar), which the Lord thy God hateth.' Had Isaiah known of this law he would hardly have adopted the *mazzébah* (xix. 19) as a symbol of the conversion of Egypt to the true faith." But did not Isaiah know of the Sinai legislation? And therein Moses twice ordered the destruction of the heathen *mazzéboth* (Ex. xxiii. 24 and xxxiv. 13). But we read also (Ex. xxiv. 4) that Moses set up twelve *mazzéboth* for the twelve tribes of Israel. So that we see, in the colloquialism of our time, there were *mazzéboth* and *mazzéboth*. Now Isaiah, predicting the final prevalence of the knowledge of Jehovah in Egypt, falls into language natural to the associations of the country. Egypt has always been a land of obelisks. It is so now, but must have been immeasurably more so in the time of Isaiah. Obelisks stood for her history and for her worship. Nothing, then, was more natural or more fit than for Isaiah, under lofty poetic inspiration, to say that Jehovah, the true God, shall yet have his obelisk in Egypt.

4. Much is made of the fact that Deuteronomy calls for a central place of worship, while the history shows that worship to Jehovah was allowed at many altars or "high places" through the land, until very late in the times of the monarchy. From this, some insist that the law of Deuteronomy could not have been in existence. But this is inferring

the non-existence of a law from disobedience to it—a very slippery kind of argument. In the first place, it does not appear that Deuteronomy required the establishment of the central sanctuary till the consolidation of the monarchy.

The words are (xii. 10, 11): “But when ye go over Jordan, and dwell in the land which the Lord your God causeth you to inherit, *and he giveth you rest from your enemies round about, so that ye dwell in safety*; then it shall come to pass that the place which the Lord shall choose to cause his name to dwell there, thither shall ye bring all that I command you; . . . Take heed to thyself that thou offer not thy burnt offerings in every place that thou seest: but in the place which the Lord shall choose *in one of thy tribes*,” etc.

This “rest and safety” was not reached until the empire of David, and no place can be said to have been chosen as a permanency “in one of thy tribes” until Jerusalem, in the tribe of Judah, was the capital of the empire and the seat of the temple.

But four centuries had passed from the conquest before David reigned in peace in Jerusalem. During this time, the law was merely anticipatory. There was no reason why Samuel and others should not do as they did. From the establishment of the monarchy, however, we find an ever-recurring consciousness of wrong in not centralizing worship at Jerusalem, and every attempt at reform included a breaking down of high places, and an effort to bring all worship to the temple. The beginning of this consciousness of irregularity we see in 1 Kings iii. 2, of the reign of Solomon: “Only the people sacrificed in the high places, *because there was no house built for the name of the Lord until those days*,” and in the next verses the same is said of Solomon himself, and that the Lord appeared to him in the high place of Gibeon. But the temple was not built, and the author of the book of Kings evidently has it in mind that the law of

the central sanctuary was not yet, i. e., in the beginning of Solomon's reign, operative.

After the building of the temple, however, we find nothing to indicate the approval of the high places by God and the best men, but a continual tone of apology, as of Asa and Jehoshaphat. The conditions are not hard to imagine. Worship at various places had been practised for centuries without objection. They must have acquired a certain sanctity in the eyes of the people. God had met his people in them. On the building of the temple, a divided sentiment naturally arose. Many good old conservatives must have been ready to contend that "God never intended to restrict the *entire worship* of the people to one place; that it would as good as annihilate nine-tenths of the worship of the people to attempt any such thing—there must be some mistake about it—some misinterpretation of the law." A better chance for getting up a new "denomination" never occurred, even in our Christian days. Especially, after the secession of the ten tribes, all the forces which resisted religious consolidation were strengthened by the example of the northern people, where there were still many adherents to Jehovah. The children of Judah and Benjamin might say with some plausibility: "Shall we in these circumstances, which Moses did not foresee, insist upon a style of worship which will virtually exclude ten-twelfths of our nation?" But the conflict went on till at last the "literalists" prevailed. But the history, properly viewed, does not give a feather's weight to the idea that the law of Deuteronomy was unknown. Indeed, we might as well infer the non-existence of the New Testament from the condition of the Gallic church during the Merovingian period as the non-existence of Deuteronomy from the irregularities of the Jewish church.

The claim that a central place of judgment was not known till the time of Jehoshaphat hardly requires a separate argument. The judging eldership goes back to the Sinai legislation.

5. It is said that the discovery of a copy of the law could not have made such a sensation in Josiah's time if Deuteronomy had been long in existence and known. This brings us around to our examination of this incident. And the first necessity is to understand thoroughly what this sensation was. In the first place, it is clear that it was not any difference between the precepts of the Deuteronomic law and the Sinai legislation that caught the attention of the king. The book of the covenant in Exodus is just as emphatic against idolatry as Deuteronomy (see Ex. xxiii. and also Ex. xxxiv.). The reform which the king set on foot, or rather pursued with new zeal, was against this worship of Canaanitish gods. The prophetess says: "I will bring evil upon this place, because they have forsaken me, and have burned incense unto other gods." And as to Josiah's work in destroying "the high places," it was only somewhat more thorough than what other reforming kings had done when there had been no finding a law book. Josiah had begun to reign when eight years old, and we are told: "He did that which was right in the eyes of the Lord." Of course at this age what he did was under the guidance of others. In the fuller account in 2 Chron. xxxiv., when he was twenty years old, we have an account of an attempted general reformation which not only applied to Jerusalem, but was carried through a large part of the remains of the people among the ten tribes; so that it is said that he "returned to Jerusalem, *having purged the land.*" We are surprised, therefore, to find the extent of the abominations remaining to be rooted out, and actually rooted out, after the finding of the law book (2 Kings xxiii. 5-15). (Even if we should admit that Chronicles and Kings do not fit in quite harmoniously in the present texts, the general facts seem to be the same.)

Now it is just possible, to say the least, that king, scribe, and prophetess were looking about for the source of a new impulse to complete the work which they well knew

was still incomplete. Josiah was now twenty-six years old, in his new vigor of manhood, and he must have burned with restless impatience to find that still, even according to the chronicler, there were "abominations in the countries that pertained to the children of Israel," and that there was yet need of a "covenant before the Lord, to walk after the Lord, and keep his commandments." And it is just possible that "Hilkiah the priest found a book of the law of the Lord by Moses" because he knew just where to look for it, and considered that the time was ripe for producing it. It may be, also, that the king and the scribe were of the same opinion. They had not done what they had done already without abundant authority, as I have shown. What new help could they lay hold of which should strike forcefully upon the hearts of the people? What, if not a *Mosaic original* upon the like of which their sacred books had long ago been framed? The narrative speaks of it as something easily read through at once, first in the presence of the king, and then by the king in the presence of the elders. Its force seems to have lain in its threatenings of dire judgments. These features agree with portions of Deuteronomy, but not with the book as a whole. It appears, therefore, much more probable that the newly found book was a monograph of law and penalty in a condensed style, and adapted to impress the hearts of the people.

For the time being, let us suppose that the book which Moses wrote out and left with the priests, according to Deuteronomy, was such a monograph, or contained such a monograph. It is then possible that but a single copy of such a writing had been preserved to Josiah's time, and that it had been so carefully laid away in the temple that it had passed from the knowledge of all the officials until the matter of the repair of the temple brought it to light. The arrangement made to keep the law in the minds of the people strikes us in our literary age as strangely inadequate. *Once in*

seven years, at the feast of tabernacles, the law was to be read before all Israel in the year of release. But we know that the year of release was not regularly observed before the exile, and of course the reading of the law would be correspondingly neglected. Then each king was to have a copy, "and to read therein all the days of his life." But of course the idolatrous kings would not do this, and perhaps their vicious example would cause all kings more or less to neglect it. Beyond this there was the "Song of Moses" which was to be taught to the people, and with this the provisions for keeping a knowledge of the law in the minds of the people seemed to have ended.

Still we cannot suppose that prophets, priests, and scribes were in ignorance of the sacred writings of the nation. Hence it was much less likely that a book like Deuteronomy, of both moral precepts and details of administration, would be lost sight of than some of the ancient authorities. When we recall the historic conditions of the Hebrew monarchy, we find the greatest improbability of the absolute loss of any of their literature, which had the sacredness to them of being a witness to their history. Every king had his secretary (scribe) and his recorder (chronicler). In addition there were the priestly scribes to look after the law as the foundation of their religion. And also the "schools of the prophets" must have concerned themselves with the same.

The reform of Jehoshaphat was stimulated by sending around among the people the "book of the law." And, by the way, the Pentateuch as a whole is not specifically a book of the law, nor any book of it, except Deuteronomy. Hezekiah's reform rested upon the Mosaic law, for we read (2 Kings xviii. 6) that he kept the commandments which the Lord commanded Moses. It was but fifty-seven years from the close of Hezekiah's reign to the beginning of Josiah's. Moreover, there is no evidence that any of the wicked kings made war upon the existence of the religious historical liter-

ature. In such circumstances there would be about the same likelihood of the actual loss from the knowledge of all of any book of the law as there would be at present of the loss of the original of the Constitution of the United States.

In short, we conclude that the incident of the discovery is no evidence against the long previous existence of Deuteronomy any more than against the previous existence of the Sinai legislation, which nobody denies. And, also, that, while we would not say that it is impossible that the writing discovered was the book of Deuteronomy, we regard it as much more likely to have been what we have called a Mosaic legal monograph which had long before entered into the composition of Deuteronomy.

We have now disposed of the principal arguments brought forward for the date of Deuteronomy late in the regal period. We find them entirely insufficient, and the way is therefore open for us to consider the probable manner of the rise of the book at a much earlier date.

But, in order to advance in a safe and sure way, we must next consider the limits of time in the other direction, i. e., determine what there is in the book itself, or in Hebrew history, to fix a time before which it cannot have arisen.

First, Deuteronomy indicates, with a good deal of clearness, different social and, in modern phrase, ecclesiastical conditions from those of the Sinai legislation.

1. It shows a different position of woman and condition of the family. This begins to appear in the treatment of Hebrew female servants. In Deut. xv. 17, after directing the treatment of men-servants, it is added: "And also unto thy maid-servant thou shalt do likewise." But in Ex. xxi. 7 we read: "If a man sell his daughter to be a maid-servant, *she shall not go out as the men-servants do,*" and from what follows we find that such a servant was a concubine of the master, if not a wife of his son. It appears again in a law of divorce. In the Sinai legislation there was no restriction

upon personal divorce. Deuteronomy requires a regular proceeding called the giving a "bill of divorcement." Also, the regulation that a newly married man should not be taken from his home for one year by war or business is peculiar to Deuteronomy. Concubinage is not allowed in Deuteronomy, even with captive maidens. This is strongly put in chap. xxi. 10-14. How different this was from the ideas of Moses near the close of the wilderness life can be seen in Num. xxxi. 18. An equally great advance appears in Deut. xxii. 13-21, in the case of a suspected wife, over the regulations in Num. v. 12-31, where for the woman there was only the ordeal of the bitter water, with no responsibility for the husband. When Deuteronomy was composed there had evidently been a great advance, in respect to marriage, beyond the Sinai legislation, much more than could have been made in a single generation of the secluded, monotonous life of the desert.

2. Again, the matters covered by the law of the sabbatical year show a great change from the primitive time of Ex. xxiii. 10, 11. And the change appears to have been made as a compensation for the loss of the year of jubilee (Lev. xxv.). I say loss of the year of jubilee because there is no biblical, and very little traditional, evidence that the jubilee was ever actually observed. The reason of this is not far to seek. During the turbulent period of the judges, when all were engaged in war and often in subjection to their enemies, there was little opportunity for such a joyful and generous celebration. And the length of this period—twelve generations of men—was such as greatly to fix the habits of the people. Of course the whole system of sabbatical years, with generous provisions for the laborer, set itself squarely against the natural avarice, timidity, and want of faith in God of the prosperous among the people. Second Chronicles xxxvi. 21 is sufficient proof that the land "had not enjoyed her sabbaths." And if it required a captivity of seventy years

to cover the arrears of land sabbaths, they must have been omitted at least four hundred and ninety years, which would have more than equalled the whole period of the kings. And from no more being exacted we may perhaps infer that the Lord made allowance for the distressed period of the judges. And so the jubilee seems to have remained but an ideal, and the whole system of sabbatical release to have been interrupted. There have been those who have thought that the year of jubilee was an attempt at a late development of the sabbatical principle, because it is found in Leviticus, and not in Exodus, and that Deuteronomy represents an intermediate stage. But we are confident that this would reverse the actual history, and that the advance of Deuteronomy beyond Exodus was designed as a compensation for the loss of the jubilee. The evidence of this is the incorporation of some of the features of the jubilee in the seventh year of release in Deuteronomy.

A comparison of Ex. xxi. 2-6 and Ex. xxiii. 10, 11 with Lev. xxv. and Deut. xv. 1-13 makes this matter clear. The law at Sinai simply required that the land should rest, and the poor and the beast of the field be allowed to eat its spontaneous products, and all Hebrews *purchased for servants* liberated. In Leviticus the liberation is extended at the jubilee to *all the poor who had sold themselves to their rich neighbors*. That these were a different class from the purchased servants appears from comparison of Ex. xxi. 2-3 with Lev. xxv. 39, 40 (see the Hebrew). Then the redemption of the land is provided for.

Turning to Deut. xv., we find that the "manner of the release" begins, first of all, with the treatment by the creditor of the poor debtor, but it is the law of the seventh year, and not of a jubilee. In verse 9 a treatment is required which is the equivalent of the jubilee redemption, for the "giving" contemplates landed security at least, else the words, "the seventh year, the year of release, is at hand" would be with-

out meaning. In a word, we have an extension of the Sinai law to accomplish the main features of the Levitical jubilee. We must therefore suppose that prophetic authority, perhaps that of Samuel, had readjusted the matter through extending somewhat the functions of the shorter period.

A confirmation of this opinion appears incidentally in the ordinances of Nehemiah (x. 31) where he says that they agreed to obey the law which required them to "forego the seventh year and the *exaction of every debt.*" We may be very sure the people would not have released their debtors in the seventh year if the law only required it in the fiftieth (a good passage when one has to discuss the late origin of the book of Leviticus).

In the prophets all the allusions to the year of liberty, etc., can be properly understood of the seventh year of release as it stands in Deuteronomy unless Isa. xxxvii. 30 be an exception, which seems to be a reminiscence of the jubilee law.

3. More striking still is the difference of light in which the priests and Levites appear in Deuteronomy from that in the Sinai legislation. In the latter the priests are the "sons of Aaron." In Deuteronomy they are never called "sons of Aaron." In Num. xvi., xvii., and xviii. Jehovah in a most fearful manner rebuked those who would claim the equality of the Levites with the sons of Aaron in respect to the priesthood. But in the book of Joshua it is said (chap. xviii. 7): "The priesthood of the Lord is their inheritance," and what is expressed in Joshua is implied all through Deuteronomy. Thus the phrase the "priests the Levites" occurs in our version four times, and the "priests the sons of Levi" twice. This has led some to claim that all Levites were at this time priests; but we think that the form "priests the sons of Levi" contains the key of the situation. Such changes, which we shall consider presently, had passed over the people that the designation of the priests as of the

family of Aaron had lost its importance, and instead they were simply designated by their tribal names. For in the reorganization under David, the author of First Chronicles (chap. xxiv.) is precise in showing that the priesthood was retained in the family of Aaron, and "the rest of the sons of Levi" had their separate duties assigned them. The change, therefore, was merely one of nomenclature which events in a sufficient lapse of time had occasioned.

4. There are other features of Deuteronomy which point to a long lapse of time from the days of Moses, which are of a less positive value as evidence, but strengthen the impression which we gain from what has been adduced above. It is difficult to see how any one can think that the preface to the second section of the book (iv. 44-49) was written by Moses. The whole form of these verses is that of an historical and geographical note of the remote past. "When they came forth out of Egypt" twice occurring here, does not distinguish the beginning and the end of the wandering, but projects all into a distant age. The reference so frequently to "thy gates" (thirty-three times, רַעְיֵי) seems difficult to reconcile with address to those who had known nothing but a wilderness life, and also the law of landmarks so strange to a nomadic life (xix. 14 and xxvii. 17).

Thus we narrow down our field of inquiry by cutting off some centuries subsequent to Moses on the one hand, and some centuries preceding Josiah on the other.

[*To be concluded.*]