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THE  
CHURCHMAN

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AUGUST, 1893.

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ART. I.—ON RECENT THEORIES OF DEUTERONOMY.

PART II.

**A**MONG the several points of objection in Deuteronomy which have been answered again and again, the phrase in the first verse, "on this side Jordan," is one which might surely, one would have thought, have claimed the merit of conclusiveness. Not only is the phrase notoriously used for the country on either side of the river in this very book, as well as in others, but in the fifth verse of chap. i. it is still further defined as being "in the land of Moab," as here "in the wilderness," as if to determine the sense, while in Num. xxxii. 19 the same phrase is used in opposite senses in one and the same verse, in each case being defined by the addition of "forward" or "eastward," according to the necessary meaning. Just as with us the West End may mean Hyde Park and Kensington, whether the speaker is at Gloucester or Canterbury, and the North-West Provinces are so called both in the Punjaub and Calcutta, though lying to the south-east of the former, and Ultramontane means the same thing both in London and Rome, and Cis-alpine and Trans-alpine Gaul are respectively so called without reference to the position of the speaker, and Peræa itself bears the same meaning without any reference to the speaker. And yet because this unfortunately ambiguous expression is used in the opening of Deuteronomy, it must be regarded, forsooth, as clearly betraying the residence of a writer in Canaan, whereas one would have thought that any author so located, who was skilled as this author was to personate Moses in Moab, would have been able to make his disguise, if necessary, correspond with the fact in this respect, and not betray it at the outset; and yet, I suppose, we are

destined for ages to come to have this phrase thrown in our faces as a proof of the non-Mosaic authorship of Deuteronomy. The unbiased critic can judge for himself of the validity of such proof. I suppose no one will deny that the speaker in Deuteronomy professes to be Moses, and intends to pass for Moses, and in that case it may be presumed he would not consciously betray his disguise; but he has done so here, unless it can be shown, as it certainly can from his own language elsewhere, that the expression used was an ambiguous one, referring not so much to the position of the speaker as to a recognised fixed object, which in this case was that of the river Jordan. Throughout the history the river Jordan is regarded as not only the natural but also the ideal boundary of the promised land. Moses is heartbroken because he cannot pass over Jordan, but must die "in this land"—that is to say, the land "beyond Jordan," and yet in saying so he cannot be allowed mentally to transport himself to the land of promise, but must actually be supposed to live there.

If one fact would seem to be clear from Deuteronomy, it must be the fact that the position of the central place of worship on which the writer lays so much stress was unknown to him. Indeed, not only is it unknown to him, but the people whom he addresses appear to be equally ignorant of it. Now, on the supposition that for many generations the mother city of the nation had been Jerusalem, it is certainly strange that in the precept of the one sanctuary the place of it was still left undecided, and no hint is given as to where it was to be. If Josiah's reformation was mainly concerned with Jerusalem, it is at all events strange that no mention whatever is made of the place itself, whereas, with regard to the blessings and cursings, Mount Ebal and Mount Gerizim were distinctly defined, though in the time of Josiah the recitation of these blessings and cursings had probably long been discontinued, as those mountains were in the idolatrous tribe of Ephraim and the territory of the northern kingdom, and no purpose can be assigned in his time for the choice of them any more than for the precept itself. In like manner, with the directions for the offerings of first-fruits in the twenty-sixth chapter, it is exceedingly improbable that they date from the time of Josiah, or that, if promulgated then for the first time, they would have been observed.

Another stock objection to Deuteronomy is that it ignores the distinction between priests and Levites, a distinction which, it is said, dates only from the time of Ezra. But it is to be observed that in precisely the same way this distinction is apparently ignored in Malachi, when on the hypothesis the distinction did exist. This alone is a sufficient answer to the

objection, for if the usage in the two cases is virtually identical, it is a plain assumption to say that it does not mean in Deuteronomy what it is allowed it does mean in Malachi.<sup>1</sup> In addition to which the common phrase in Deuteronomy of "the priests the Levites" may just as well be used to recognise distinction as to indicate identity, so that this objection is a mere assertion which begs the question in dispute. Moreover, it has been justly observed that Deut. xviii. 3 especially mentions the priest by himself as it does the Levite in verse 6, where they seem to be distinguished, and the supposition that they are not is too narrow to serve as the basis of a theory which has nothing but conjecture to support it.

The command for the total destruction of the Canaanites has rightly been regarded as a conclusive proof of Mosaic origin, for if written in the time of Manasseh or Josiah, why was it not then acted upon? and if merely the ideal representation of what Moses would or might have commanded, why was the recollection of a law revived, which not only was not intended to be acted upon when revived, but which the history showed had been so very greatly neglected in a multitude of instances to which the books of Judges and Samuel bear witness? This, it has justly been observed, is an insuperable objection to, and refutation of, the theory.

Dr. Driver remarks:<sup>2</sup> "There is nothing in Deuteronomy implying an interested or dishonest motive on the part of the (post-Mosaic) author, and this being so, its moral and spiritual features remain unimpaired, its inspired authority is in no respect less than that of any other part of the Old Testament Scriptures which happens to be anonymous." Now, there is surely some fatal confusion here. Let it be granted that the motive of the unknown author was not interested or dishonest. His motive, however, is too far removed from the reach of our examination and scrutiny; we can only judge by his work. And this on the supposition ascribes to Moses words and deeds for which there was no reliable authority; words and deeds, moreover, upon the truth and validity of which turned the authority claimed for them. Driver would seem to ascribe to Deuteronomy no more authority than belongs to a religious romance written to inculcate certain principles. The moral teaching of the book contains its Divinity, its only Divine element, and its only claim to Divinity. But is it possible that this can be so? Does anyone suppose that if Deuteronomy is nothing more than an ideal romance, its precepts would have or could ever have had any binding force? Supposing that it

<sup>1</sup> See Mal. i. 6; ii. 1, 4, 7, 8; iii. 3, 4.

<sup>2</sup> Introduction, p. 85.

was put forth in the time of Josiah, it must either have been accepted on the authority of Moses or on the authority of those who pretended to have discovered it. But can anyone suppose that the effect of its publication was occasioned by anything but by the belief that it was the veritable work of Moses? Can anyone suppose that if it had been then recognised as a recent work it would have produced any effect at all? Is it not evident that the effect attributed to this book at the time of its publication was due entirely to the belief that it was what it was presumed to be? Is there the remotest probability that if it had then been believed to be what the modern critics tell us it is, it would have produced the effect it did produce? Is it possible that the reformation under Josiah could have been originated by a work of fiction? And if it was, can that reformation be regarded otherwise than as a mistake, a mistake less, indeed, but of the same kind as the growth of the Christian Church would have been had the resurrection of Christ been a delusion? And if the end sanctified the means in the former case, is it possible that the disciples would have been warranted in deceiving the people on account of the beneficial results which followed the deception? Would they not much rather have been found false witnesses of God, because they testified of God that He raised up Christ whom He raised not up? Would the moral and spiritual greatness of Christianity remain unimpaired had it been based upon the initial lie of Christ's deceptive resurrection? We are brought, then, to this result, that if we acquit the unknown author of Deuteronomy of any "interested motive" as regards himself, he stands most manifestly condemned of "dishonesty" as regards God, for his work was nothing less than a pious fraud palmed off upon the people with the intent of bringing about a reformation in ritual and conduct which he was anxious to see accomplished, because he thought it would be for the glory of God and for the welfare of His people. But if this is not contrary to the eternal principles of morality, as well as to what may be supposed to have been the conventional code of the time, I do not know what is or would have been. If it is lawful to tell lies for God, then it was lawful to write a Mosaic romance inculcating the supposed commands of God, with the express object of bringing about a reformation that was in itself desirable but not otherwise to be accomplished.

But even in this case there must have been two parties to the contract, which is too often forgotten. Not only must the king Josiah, the high priest Hilkiah, and the prophetess Huldah have been one and all deceived in this matter, or have acquiesced in the deception, but the people and nation also

must have become suddenly so enamoured of the fame and glory of their mythical law-giver of eight centuries before that they must at once have accepted that which came with the professed authority of his name, though it led them to an entire reversal of the national rites and practices of many generations. Verily, when all things are duly estimated, the notion of the discovery of the Law in the time of Josiah as the real origin of Deuteronomy is as inadequate and improbable an explanation of its origin as can well be imagined, for not only is it in direct contradiction to all the evidence, but it is in itself beset with natural and moral difficulties which are insurmountable. And most undoubtedly, unless we are prepared to admit that the value of a romance is equivalent to that of a true history, we cannot allow that the "moral and spiritual greatness" of Deuteronomy "remains unimpaired" when we have consented to regard it, not as the genuine work of Moses, but as the fictitious narrative of certain priests, which they were not only willing but able to palm off upon the nation and the highest authorities of the time as embodying Divine precepts not known before, but which one and all were forthwith eager to obey as the veritable and authentic commands of God. There is assuredly a confusion here which the sooner we escape from and avoid the better.

And then once more with regard to the other statement, that "its inspired authority is in no respect less than that of any other part of the O.T. Scriptures which happens to be anonymous." Here, again, there is a confusion of thought which though common enough it is desirable to avoid. The Book of Job is anonymous, many of the psalms are anonymous, all the historical books known as "the former prophets" are anonymous; but what of this? They come to us, not on the authority of their writers, but on that of the community by whose tradition we have received them. Their value is not dependent upon their authorship, but their tradition is dependent upon, and vouches for, their value. If they were not what they are their pedigree would not be what it is, and it is their pedigree which guarantees their value. Their inspired authority is another matter altogether. How do we know that the Book of Job is inspired, and what parts of it are inspired? Are the speeches of Job and his friends equally inspired, or how are we to choose between them, or is it not the dialogue but only the narrative that is inspired? In any case the "inspiration," supposing it to exist, is entirely independent of our knowledge of the author. But that is a very different thing from pronouncing a work spurious that was supposed to be genuine, and then saying that its value is undiminished though it be not genuine. It may have great

merit of various kinds though it be not genuine, but in nine cases out of ten its genuineness would enhance its value just as its being spurious would depreciate it. The question here is whether the work has any value that is dependent upon its genuineness, and which it would cease to have if it were not genuine. And this is the issue which Driver is so careful to confuse and conceal. He tells us that the "inspired authority" of Deuteronomy is independent of its genuineness, and that because many books of the Old Testament are anonymous. But Deuteronomy happens to be a book which, if it is not genuine, is a romance, and if it is a romance it is not historical, and if it is unhistorical it is so far worthless. It may have a certain value as a romance, but as history it can have none. If a work is anonymous nothing depends upon its being genuine, for genuineness does not attach to it as a characteristic. But if a book professes to be genuine, and lays claim to authority because genuine, and as being so, then if it turns out to be spurious it loses the authority it would have had if genuine. It may be eloquent in language, elevated in style and sublime in sentiment, but it loses the authority, whether "inspired," or otherwise, that depended upon its being genuine. For I presume that even Driver himself would not assign any authority which was binding upon the people to those precepts of Deuteronomy, which happened to be new; the only conceivable authority they could have had was that derived from their apparent and presumed Mosaic authority, and any additional authority given by the high officials who so accepted them. In saying, therefore, that the "inspired authority" of Deuteronomy is not in any "respect less than that of any other book of the Old Testament which happens to be anonymous," there is either a confusion in the writer's mind, or he has sought to confuse the mind of the reader, being himself conscious of the confusion. For the "inspired authority" of a spurious book is surely a misconception, and most assuredly the "inspired authority" of an anonymous book is a wholly different matter, as it cannot in any way depend upon who the writer was, or at all events upon our knowledge of who he was. To place, therefore, an anonymous production which assumes no name on the same ground with a production which falsely pretends to a name, on the authority of which it prescribes enactments of national and of far-reaching importance is a great and serious error, inasmuch as it confounds things essentially different. And it certainly will not be denied that the authority with which Deuteronomy was, as a matter of fact, accepted was based ultimately on the belief that it was Divine because it was believed to be Mosaic, and that had this belief not been blindly accepted by priest and king and

prophetess, it would most undoubtedly have been withheld if the fallacy had been detected.

Furthermore, with regard to anonymous productions, it must not be forgotten that it is a favourite practice with the critics to depreciate the value of the prophetic writings, as, for example, Daniel and Isaiah, on the ground that they are not genuine. It would seem, therefore, that the critics are perfectly aware of the importance of genuineness when they desire to avoid the consequences and conclusions it would entail. Whereas with regard to Deuteronomy, it must forsooth be placed on the ground of an anonymous production, though it is asserted that being so placed it does not lose anything of the "inspired authority" it would have possessed had it been genuine, which is an inconsistency. But, again, in what does the "inspired authority" of an anonymous book consist? Each of the three first Gospels may be said to be anonymous. Their authority does not depend upon the identification of their several writers, for which there is only a very high degree of probability. The authority of St. Mark's Gospel does not depend upon the writer being St. Mark, but upon the accumulated testimony borne to it as an authentic record. Its "inspired authority" is another matter altogether, which depends primarily, indeed, upon its trustworthiness as a record, but much more upon the estimate in which it has ever been held, and ultimately upon the faith of the individual who receives it. But not only would its "inspired" authority, but its authority altogether, vanish and come to nought if it could be shown not merely that St. Mark did not write it, but that it was untrustworthy as a record. So when Dr. Driver speaks of the inspired authority of an anonymous book he is playing fast and loose with his materials, for the inspired authority of the anonymous books of the Old Testament depends not at all upon the identification of their writers, but solely upon that accumulated tradition which has surrounded them with special reverence and which in the case of Deuteronomy has uniformly and consistently ascribed it to Moses, so that he acknowledges the value of the tradition which has surrounded these books with a halo of inspiration, but he entirely sets aside, in the case of Deuteronomy, that very tradition upon which alone he depends for the inspired authority of the anonymous books. It is, however, more probable that he uses the word "inspired" in a vague and uncertain sense to express so much of admiration and acknowledgment as he himself is prepared to allow to the books, while it serves to lead the reader to suppose that it concedes to them also that special Divine authority and recognition which attaches to the word as popularly used. If this is so, whether he knows it or not, as he more probably



does know it, he uses the word in a double sense to mean one thing to himself while intending the reader to understand by it something very different, which under the circumstances it cannot mean. But this is not honest.

It is therefore of the highest importance to show what Dr. Driver is so eager to disguise from himself and others, that it is impossible to acquiesce in these so-called conclusions with regard to the sacred books without materially injuring the credit with which the writers of the New Testament and our Lord Himself have invested them. We must, in fact, take our choice between the saying of our Lord that Moses wrote of Him and the decision of the critics that we have next to nothing that he did write, and that what he wrote had no reference of the kind, whether intentional or otherwise; and I, for my part, can discover no intermediate position which is satisfactory. In relation to the present state of thought, it is not a little remarkable that our Lord subjoins to the above statement the question, "If ye believe not his writings, how shall ye believe My words?" showing that belief in Himself is not independent of belief in Moses. As He said elsewhere, "If they hear not Moses and the prophets, neither will they be persuaded, though one rose from the dead."

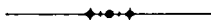
The way in which the word "inspired" is used by Driver seems to imply that he accepts the notion which lies at the root of so much of the unbelief of the day, namely, that man's ideas of religion are evolved from within himself, and that they are in no way the result of special external Divine teaching, but that it is in this process of evolution and its results that we are to seek for the truly Divine element and to recognise its working. In this case Deuteronomy, even if it were the forgery of Josiah's time it is alleged to be, may still be accepted on account of its advanced and elevated teaching as embodying "inspired authority," that in this and this only, however mixed with deceit and fraud, lies its claim to inspiration, and not in its being the genuine and historical record of a revelation imparted to and conveyed by Moses. Here is the crux, and I myself have no hesitation in deciding how to deal with it. I am quite clear in my own mind as to the true character of this theory, but it will probably be some little time before people generally become alive to the true merits of the alternative, and opinions will oscillate to one side or the other, and attempts will be made to compromise the position and avoid the issue. But I am persuaded that sooner or later we must determine whether we are the authors of our own faith, or whether we are the inheritors of an actually Divine trust which has been committed to us, which it is necessary for us in the first place implicitly to accept ourselves, and then to

hand on unimpaired to others. If the books of the Old Testament are the product of self-deception and fraud, then we may well suppose that they were the pious impositions of well-meaning priests in the age of Josiah, that they were concocted by the priests of the Babylonian captivity and endorsed by Ezra, or what not, and that the natural result of this conglomerate may be instinct with less or more of "inspired authority"; but of one thing we may be absolutely certain, that this is not the account they give of their own origin or growth, nor do they contain any undesigned evidence in support of it, nor is there any vestige of tradition to render it probable; but, on the contrary, the theory rests only on conjecture, and is supported by conjecture, and results in conjecture, and that conjecture which has the one only advantage that it dispenses entirely with the supernatural, whether or not it supplies any adequately natural or rational substitute for it. If, however, the theory which would account for the origin of Deuteronomy and the books of the law by the supposition of fraud, however well-meaning and well-intentioned, is one that is improbable in itself, and still more improbable under the supposed circumstances, we are constrained to reconsider the traditional theory, which undoubtedly finds ample support in the books themselves, that the circumstances attending their origin were of another kind altogether.

If the narrative in Deuteronomy is in any degree authentic, then the circumstances under which Moses received the law, and the incidents of his history generally, were of such a kind as to find no parallel in the ordinary events of history—they were wholly exceptional and unique; and it is not by trying to reduce them to the dimensions of the ordinary and the natural that they are to be understood, because that will deprive them of the particular significance to which they lay claim. Difficult as it is to believe that God spake from Sinai, and wrote the commandments upon two tables of stone, yet there is more evidence for this being their origin than there is for any conjectural one, which would require no explanation; and even if any such origin could be discovered, we should still require to explain the circumstances of their traditional origin, and it is here that the difficulty lies. If Deuteronomy is a true narrative of fact, it furnishes us with the concurrent testimony of the whole nation to the incidents recorded, as well as with the personal experience of Moses. In this respect it resembles the First Epistle to the Corinthians, in the testimony there borne to the exercise of miraculous gifts in the early Church. That the writer alludes to those gifts in addressing the Corinthians is virtually the production of independent testimony—if, that is to say, the Epistle is

genuine. In like manner, if Deuteronomy is genuine, it gives us not only the personal narrative of Moses, but also the implied and concurrent testimony of the people who were eye-witnesses of the marvels recorded. "Your eyes have seen what the Lord did because of Baal Peor." "The Lord made not this covenant with our fathers, but with us—even us who are all of us here alive this day. The Lord talked with you face to face in the Mount out of the midst of the fire." It is clear that if this is a genuine discourse spoken under the circumstances implied, the confirmation it affords is of the highest possible kind, for it gives us the consenting evidence of eye-witnesses. And it is preposterous and absurd to say that it is immaterial whether it is genuine or not; for if it is not genuine, not only have we no concurrent testimony of eye-witnesses, but we have no personal narrative of the chief actor in the history, and consequently no trustworthy history at all. And then we shall be driven to discover or invent some other origin for the *Decalogue* than that which we have received; and then, as a matter of fact, it will not matter two straws whether J or E or P, whether X, Y, or Z, was the author of Exodus or Numbers—whether some very ingenious but unscrupulous priest in the time of Manasseh or Josiah was the incubator of Deuteronomy; for in any case the work was a romance and the history a fiction. But then the revelation which it was supposed we had received straight from heaven, and which was ordained by angels in the hand of a mediator was no revelation at all, except so far as it revealed itself to the mind and was concocted in the brain of the unknown inventor; and then the so-called revelation is verily of the earth earthy, instead of being, as we believed the work of the Lord from heaven.

STANLEY LEATHES.



#### ART. II.—NOTES ON EARLY CHRISTIAN INSTITUTIONS.

IF appeal be made to the statements of "ancient authors" as to the rites and usages of the early Christian Churches, it is natural to suppose that those who make that appeal have made themselves acquainted with the statements of their authorities. Yet it is very difficult for a layman and an Orientalist, regarding such questions from a purely antiquarian standpoint, to understand how such reading can lead to the conclusion that rites and dogmas peculiar to the Church of Rome are thereby shown to belong to the primitive ages of