

Give unto me—made lowly, wise—  
 The spirit of self-sacrifice ;  
 The confidence of reason give,  
 And in the light of truth Thy bondman let me live !

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ART. III.—DIFFICULTIES IN ACCEPTING THE NEW  
 PENTATEUCHAL THEORY.

THE position combated in the following remarks is that which assigns "the Middle Pentateuch," including most of Exodus after chap. xxiii, with nearly all Leviticus and Numbers, to the authorship of a committee of Jewish priests during the Captivity, and the first promulgation of this Babylonian novel matter to the "priest and scribe" Ezra in 444 B.C.

The first and most obvious comment upon such a theory is that the entire directions for the construction of the Tabernacle and its furniture, and the narrative of their fulfilment in Exod. xxv.-xxxi., and xxxv.-xl., would be, according to this theory, drawn up (450 to 500 B.C.) about 500 years *after* any realization of those objects had become impossible by the completion of Solomon's Temple, dedicated *circa* 1005 B.C. These directions and their fulfilment are given with such precision of plan and minuteness of detail that various schemes of the area, elevation, and sections recorded have been drawn by measurement. According to our critics, the "Tent of Meeting" either never existed at all, or was something far more rude and simple. *The* Tabernacle as described in Exod. xxxv.-xl. none of them will allow. It had by their verdict no place in the past; it was *ex-hypothesi* impossible in the future, when the council of priests in Babylon took in hand to design what it *should* have been. It had been impossible, not only ever since Solomon's time, but probably ever since Joshua's settlement set up the Tabernacle at Shiloh, converting what had been movable into a permanent erection, with probably such modifications as the case required.<sup>1</sup>

That any tradition of such preciseness in details as would enable the priests to adjust according to it every board, pillar, socket, curtain, and pin, could have descended orally through all the ages from the time of Joshua to that of the exile—a thousand years in round numbers—is more than the most

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<sup>1</sup> In 1 Chron. i. 3 we read that at Gibeon "was the tent of meeting of God, which Moses the servant of Jehovah had made in the wilderness." No doubt this may have been in some effectually representative sense true, as by incorporation of the more solid and stable materials of the older structure in some later one, or the like.

robust believers in traditional possibility would probably venture to claim. To call in inspiration to supplement the defect of tradition would be unreasonable. It is hardly possible to state with sufficient reverence a supposition that the Holy Spirit should have moved men to describe with elaborate exactness what had become antiquated and outside the sphere of the possible for a thousand years. Besides, if inspiration be admitted, how much simpler and easier to admit it at the fountain-head than all this long way down the stream. Better, surely, accept the tradition of the "Pattern showed in the mount," of Bezaleel and Oholiab divinely qualified to embody it, than assume the gift of seers *ex post facto* bestowed on priests of the Captivity for a fabrication thus belated by a millennium.

Whether, then, such a Tabernacle had existed or not in the Exodus period, is there not a gratuitous childishness in supposing thus, a millennium after date, the priestly conclave to commence their study of the impossible, and carry it out with an antiquarian pedantry of minuteness worthy of Swift's Laputians?

Nearly the same remarks apply to the census enumerations ordered by Moses (Num. i. and xxvi.), and to the tribal organization of the host in its wilderness encampments and marchings. To those who reject the tradition of a record contemporaneous, or nearly so, with the facts, the gap of about 1,000 years is fatal to all authority whatever for these details.<sup>1</sup> They must necessarily be rejected as either mere invention, or a calculation founded, so far as the numbers given are concerned, upon *data* which it was utterly impossible to verify at the period of the Exile, and *a fortiori* at any period since.

But there is one item of the enumerations in Num. i. and xxvi. worthy of special notice. The totals of the Levites in those chapters are 22,000 and 23,000 respectively. In the return under Nehemiah over 4,000 priests are reckoned, and, at the greatest number mentioned, less than 400 Levites.<sup>2</sup> Of course, in the totals of Numbers the priests of Aaron's house are included, but these, being the children and grandchildren of one man then living, or only lately dead, would be inconsiderable. Ezra himself records his finding at his first review of his own company "none of the sons of Levi" (Ezra viii. 15), and how an urgent message, sent back by him to "the place Casiphia," procured two detachments of only thirty-eight in all (vers. 17-19); whereas the Nethinim joined him at the same summons to the number of 220 (ver. 20). On the historical

<sup>1</sup> The same remark will apply to the totals given in Num. xxxi. 32-54.

<sup>2</sup> The total, including singers and porters, given in Neh. vii. 43, is 360; without these latter classes it is 74 only; cf. xii. 1-8.

reasons to account for this slender representation of the Levites in the Return we need not now speculate. There are the figures; and the contrast which they offer to those ascribed to the wilderness period is highly significant. The drop down would tell a tale *prima facie* of the worst omen for the leaders of the Return, exposing, as it must do, either the enormous attenuation of the sacred tribe, or its practical desertion of the restored hope of Israel. Such a dwindled remnant, or such a scanty support, would alike discourage the patriot Israelite and scandalize the Persian patron. But the ignoble present fact was beyond their power to alter. Ezra seems to have felt the stigma, made an effort to efface it, and failed, as aforesaid. The numbers of the past were, according to the critics' theory, *within* their power—nay, must have been their own device in conclave. What was to hinder them from altering or wholly suppressing those olden totals? It seems incredible that on that theory they could have been let stand. The fact that they stand there can only be explained by their being an authentic item in a sacred record; and this fact goes far to establish the traditional character of that record as a whole.

To assume, with these facts before us, the priestly committee to be such archæological bigots as to spend such minute care in elaborating "a past which had never been present" strains all the probabilities of human conduct so severely, that we ought to have clear historical proof of such a fact before we accept it. Instead of this we have a string of critical surmises founded chiefly on verbal criteria of style, and resting largely on negative evidence, so far as on evidence at all, and on assumptions regarding usages and periods all more or less debatable. But further, the figures of the Levitical census tell so adversely to the interests of the priests credited with concocting them, that we may, on the contrary, say that the theory is at this point *against* the evidence; since nothing but an imprescriptable authority in the record would have induced priests so circumstanced to accept them.

But further, the facts of the Return claim our consideration. It will be seen that their evidence, as far as it goes, is against the notion of a law first promulgated as a whole by Ezra, and to the extent of about two-thirds of its bulk of then recent origin.<sup>1</sup> It is not the priests, according to Nehemiah, who suggest, but the people who call for the law. "They spake unto Ezra the scribe to bring the book of the law of Moses which Jehovah had commanded to Israel" (Neh. viii. 1). The eager attention of the people and their devotional attitude are

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<sup>1</sup> Reckoning, that is, from where the legislative portion may be said to begin, in the ordinance of the passover at Exod. xii., onwards to the end of Deuteronomy.

described with marked emphasis (vers. 3, 5-8). Interpreters are also needed who "gave the sense," marking the fact that the venerable language of the record had become antiquated; and that, on the theory of the critics, the priestly concocters had, of course, studiously cast the whole into a tongue patriarchal and obsolete. It is implied in this that, had the law been promulgated in the vernacular, it would have been at once detected as a later fabrication. On the second day the congregation hear the special ritual of the Feast of Tabernacles enjoined, and proceed to keep it in its duly peculiar form, which it had missed, as Nehemiah states (ver. 17), "since the days of Joshua the son of Nun." Here again we have a note of genuineness. The temptation to ascribe due celebrations to David or to Solomon's early reign would have been great if some over-ruling truth had not set aside such a notion.<sup>1</sup> But the truth of this tradition tends further to confirm the truth of the larger tradition concerning Moses' law and the substantial identity of it with that known to and rehearsed by Ezra.

Yet more, the earliest band of returning exiles under Zerubabel proceed to practise the law with a thorough knowledge, it seems, of its provisions, so far as altar, sacrifice, and ritual are concerned (Ezra iii. 3-6, and also vi. 19-22). Seventy or more years, therefore, before its promulgation by Ezra, in 444 A.D., this portion, at any rate, of the law was *in viridi observantia*. Further yet, Artaxerxes the king knows of the existence of some such law, addresses Ezra as "the Scribe of" it, and as going by royal commission to Jerusalem "with it in his hand." Six times, in this letter of fifteen verses long, is this law referred to expressly or by implication; considerable stress is laid on the teaching it, and severe penalties threatened for its neglect (Ezra vii. 12, 14, 21, 23, 25, 26). The close relation between "the House of the God of heaven" and the "law of 'that' God" is also known; the status of its ministers recognised, and valuable exemptions conferred upon them by the King of Persia. Ezra's description of himself is that of a mere functionary of the law and of Jehovah its Author. "He was a ready scribe in the law of Moses which Jehovah the God of Israel had given" (*ib.*, 6, 10). "That is to say," is the comment of the critics, "he was a ready tool of a party of priests who had carefully concocted the larger part of it in Babylon, had imposed its acceptance successfully on Artaxerxes, and were about to do the same on their own people." Thus it is necessary to overlook, falsify or garble the evidence, disparage the

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<sup>1</sup> The celebration recorded Ezra iii. 4 we must thus infer to have lacked this peculiar feature, and in this limited sense the non-celebration since Joshua's time must probably be understood.

simple candour of Ezra and the high-minded patriotism of Nehemiah, who, it should be remembered, is a layman and not a priest; and to represent all parties, from Artaxerxes downwards, as either conspirators, or tools, or dupes.

Difficulties grow thick and fast in the path of the theory as we thus peruse the narrative of the Return. We have seen how from the second year of Cyrus to the seventh of Artaxerxes, from the earliest practice of a ritual by the yet unhoused settlers, to the time when Ezra stood "before the Water-Gate" on his "pulpit of wood," and read it in their ears, we have glimpses of a knowledge of this law all along. That the belief, practice, and expectation was that of *one* distinct thing, and the promulgation, to the extent of about two-thirds, that of *another*, and that no one detected or even suspected the difference, is what we are asked to believe.

But a yet graver difficulty remains than all the above put together. Ezra is merely supposed the mouth-piece of the priestly party. He could not have succeeded—nor is it suggested that he did, by individual authority, succeed—in composing the "Middle Pentateuch" and procuring its acceptance. He had a strong detachment of priests with him, as shown above. To all these the recent manufacture of this large part of the law must have been an open secret. The high priest and his immediate circle must all have been, if not parties to it, at least, accessories after the fact. One of the earliest troubles of Nehemiah's administration arose from the complicity of Eliashib, the high priest, with Tobiah the Ammonite (Neh. iv. 1-9, xiii. 4-8, 28), now a leader of those "adversaries" who had caused trouble and delay in the early days of the Return (Ezra iv.). The story of their resentful animosity at their aid proffered and rejected is too well known to need more than a reference here (Ezra iv. 1-6, Neh. iv., vi.).

But the trouble which stirred most deeply the heart of the restored community arose from the alliances imprudently formed with these externs. Nehemiah resolves to cut down to the root of the evil. Those alliances must be renounced, or those who retain them cease to be citizens of Israel. Among those who accept the latter alternative is a grandson of the high priest himself—and we cannot suppose that he was the only one who did so—who had become "son-in-law to Sanballat the Horonite." "Therefore I chased him from me," says Nehemiah (Neh. xiii. 28, cf. vi. 17, 18). The course pursued would obviously intensify the enmity pre-existing. The Samaritan and hostile alien community would feel keenly the disgrace put upon them by this uncompromising policy. But their faction was strengthened by the active sympathy of the high priest himself through his intimacy, as above, with Tobiah, and

yet more powerfully and recently by his close affinity, through his grandson, with Sanballat. Thus, the leaders of the priestly circle are wholly in mutual confidence with those whose pride had been wounded and their domestic feelings outraged, in avowed compliance with the requirements of the Mosaic law. But these priestly leaders of the renegades know all about the Babylonish recent origin of the larger part of that law. They are supposed to remain faithful to the secret which forms the very corner-stone of that newly-returned community, with whose avowed and embittered enemies they had cast in their lot and cemented alliances. The divulgence of that secret would have enabled them at once to explode that corner-stone and effectively expose Ezra as either an impostor or the tool of impostors. That explosion would have shattered effectively Nehemiah's last hope of restoring the fortunes of Israel. Eliashib and his family would have been able to pose as the champions of ancient purity of text against modern concoctions, to denounce Ezra and Nehemiah to Artaxerxes himself as fabricators acting largely in the interests of a priestly oligarchy, and as tamperers with that "law of the God of Israel" on the teaching and maintenance of which the royal letter had laid such stress. With this all-powerful weapon thus ready to hand, and every inducement which faction, self-interest and angry feeling could furnish to the unscrupulous use of it, they are supposed not only to leave it unused, but actually—so we must suppose—to throw their influence into the opposite scale of *acceptance of the fabrication*.

For that the Samaritans took over the Pentateuch substantially as a whole, and as we and the Jews have it still, is absolutely as certain as history can make a fact. There are, of course, a swarm of errors of translation or transcription, and some probably arising from the garbling of the text to suit their own views and *status*. But these appear to be impartially distributed over the whole, at any rate, to be no more numerous proportionately in the "Middle Pentateuch" than in the other portions. Led by their estimate of the acrimony which so early arose between the Jews and these "adversaries," as probably fatal to any adoption of the Pentateuch at the time of the Return, some critics have supposed that that adoption took place far earlier, under the influence of the priest who, at the command of the King of Assyria, "came and dwelt in Bethel, and taught them" (the newly-imported Samaritan population) "how they should fear Jehovah" (2 Kings xvii. 26-28; cf. Ezra iv. 2). But, then, what becomes of the theory of a Babylonish priestly concoction? But if that were not so—and its probability seems but slight—it remains that, finding Ezra *in flagrante delicto*, with the

newly-fabricated law in his hand, and knowing all about its origin and history from those whose first object it must have been to apprise them of it, they took it over from him without a murmur of suspicion, adopted it as theirs, and built it in also as the corner-stone of their own system! It will be observed further that those who knew best the inner history of this new codicil to Moses' law—in bulk so far exceeding the original instrument—were precisely those who had the strongest interest in letting its facts be known; further, that with all the intense animosity usually felt by renegades against the cause they have deserted, they united the influential position of being the natural guides—practically omnipotent on such questions at the moment—of those whom they had joined. What could Sanballat, Tobiah, and the rest of the aliens know of the Mosaic canon, as compared with such trained professional experts as the actual high priest, his kin, and their followers? Under that influence they must have acted; through them alone could they even procure the necessary copy or copies. To those whose every interest would have lain in impeaching the newly-enlarged canon, had impeachment been possible, they must have looked for counsel in the crisis, and under that counsel have accepted the whole, priestly supplement and all.

Thus Samaritan and Jew, differing implacably in everything else, agree in the equal acceptance of the whole Pentateuch. It seems to be an irrefragable conclusion that nothing but a sense *on both sides* of its being what it claims to be, the veritable charter of Israel, a document of antiquity which none could question, and authority which none could impugn, could ever have brought that agreement about. On the higher critical view of its origin, the Samaritans' acceptance of it would have been, as if the Eastern Church had accepted the pseudo-Isidorian Decretals and given them a place of incorporation with the Apostolic Constitutions.

But further, the jealousy, ill-will and resentment, instead of abating, went on, we know, growing like a debt, gathering interest from age to age, until it hardened into that bitterness of estrangement and rancorous animosity which made Jew and Samaritan a proverb among all nations through all ages for the *odium theologicum*. If to receive a law known to be so largely fabricated anew was impossible in the days of Ezra, it would not be facilitated among the inheritors of that enmity which the era of Nehemiah bequeathed to both parties. It would, in fact, be less and less easy to bridge the gulf, as time widened and deepened it; say in the times either of Jaddua, of Onias, or of John Hyrcanus.

Thus with any special difficulties arising from the precise date of the Samaritan Pentateuch we need not concern ourselves. Its literary history and, indeed, the critical knowledge of its text are, and may probably be for some time, among the *valde desiderata* of Biblical scholarship. But until the "higher criticism" can dispose of the fact of its existence, that fact must fatally bar the acceptance of this cherished theory of the Babylonish origin of the "Middle Pentateuch."

Such are the "camels" which that "criticism" calls on its votaries to swallow, while straining out the gnats and microbes of a discrepancy here, a suspected omission there, a difference of style, diction and "presentation" between passages and sections as they stand in the context. These enormous difficulties pointed out above rest, on the contrary, on broad, solid grounds of history and of human motive, of which the merest tiro in Hebraistic minutiae can easily judge. *Verborum minutis rerum frangunt pondera* is, in fact, exactly descriptive of the attitude of these higher critics. I would add that they seem, in particular, wholly insensible to the grand, impressive, and unique personality of Moses himself, which has stamped itself more especially on the utterances ascribed to him in Deuteronomy, imparting a character of wholeness, consistency and antiquity to nearly the entire Book, as the last thoughts of a great mind, the last acts of a great leader. That personality is one which it seems to be morally impossible to ascribe to the middle or later monarchy. But on this wide theme I have no space further to dilate at present.

I may remind those who are startled at the inconsistencies, tokens of accretion and traces of later handling, which the sacred books contain, that from Moses to Malachi, and perhaps even later, a gift of inspiration adequate for its purpose is believed to have prevailed. Its purpose at the moment may have been to supplement, to modify, to antiquate and adapt to successive stages of development, the laws as originally given. Thus over and over again the various portions of the Pentateuch may have incurred competent revision, and every successive editor may have left his mark upon each or upon some. To assume that the Law, once given, sufficed for the changeful needs of all ages after it, would be to assume a miracle more startling than any recorded in Holy Scripture. The process seems to me to have been not to cancel, but to add corrective provisions, under competent authority, from age to age. But there came later and baser ages, when the will of the monarch suspended or effaced the action of all law, trampled on the charter of Israel, and led the way to idolatrous apostasy. This may have caused irremediable mutilation or capricious dis-



placement, perhaps involving subsequent attempts to remedy lost parts by imperfect recollection.

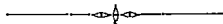
But I wish to add a word on the internal evidence, which yields a strong argument against ascribing the "Middle Pentateuch" to a priests' committee of the Captivity. They would have had ample leisure for arranging whatever material pre-existed, and the best knowledge which the age could furnish for supplementing its defects and applying to the whole the elementary principles of digestive jurisprudence. A system of regulative law, put forth, as we must assume theirs would have been, to guide the restored community to which they looked forward, should show some features of plan, symmetry, and orderly sequence. What we are told to regard as the "Priestly Code" is conspicuously defective in these qualities. Take as a sample the book of Leviticus, as the best compacted portion of the whole, and including the smallest amount of the historical element. On looking at the larger members of this dislocated *corpus iuris*, we seem to see an attempt at method, too soon abandoned and forgotten in the result as we have it. Chaps. xviii.-xxvi. have a distinct character, and perhaps contain the perplexed elements of a code of their own, to which, from certain fixed phrases of frequent recurrence, the title of "the Law of Holiness" has been given.<sup>1</sup> I cannot now pause to analyze it, but will cull a sample briefly. If chaps. xxiii. and xxv. were consecutive we should have in them a fairly complete summary of the rules of holy times and seasons. But they are divorced from coherence by xxiv., which is again itself incoherent, beginning with the sanctuary, lamps, oil, etc., and then branching off into blasphemy, with a *lex talionis* imbedded. Look next at the distribution of the laws on any one subject, that, *e.g.*, of vows, involving one of the oldest religious ideas to be found in patriarchal history (Gen. xxviii. 22). In Leviticus we find three widely dissevered sections of ordinance dealing with it, *viz.*, vii. 16, xxii. 18-23, and xxvii. But these are far from completing the subject, as treated in the "Middle Pentateuch." We must include two sections, again far apart, from Numbers, xv. 3, 8, and all xxx., to get a complete view of it. And so throughout each section, or each subject, take which you will. The sections are presented piecemeal, the subjects sporadically. Repetitions, digressions, retractations, abrupt transitions, dismembered fragments, wedge-like insertions are not the exception but the rule. This interspersed and fragmentary character distinguishes the Hebrew from all known coacervations of law. To call it a "code" is not a happy

<sup>1</sup> The same phrases, however, or others closely similar, occur also ch. xi. 44, 45, Ex. xxix. 45, 46.

thought, codification being the one element absolutely wanting.

If two-thirds of the legislation had been of Babylonian device, who can doubt that the priestly conclave would have smoothed away the inconsistencies, etc., noticed above, and given us a work harmonized and adjusted in all its parts? On the other hand, suppose the laws delivered at first *pro re nata*, a new occasion of fact making a call for a new departure on the legislator's part every month or even week; suppose that, as in Lev. xxiv. 10 foll., the case of an actual blasphemer called forth the law thereto relating, and, as in Num. xv. 32 foll., the case of an actual Sabbath-breaker drew down the capital sentence; so, generally, the unforeseen always happening, the legislation followed the facts and grew with the miscellaneous inequality of a community's requirements; and then suppose later legislators introducing their own provisions to limit, alter, modify, develop, and supplement, as aforesaid, and we can account, I think, for all the non-codistic features of the Mosaic Law. But the notion of a council of legislative priests during the Exile, or at the Return, producing *de novo* such a tangled mass, shot through in every direction with perpetual new departures, bids defiance to all reasonable probability. Let the venerable books tell their own simple story and show legislation springing from occasion and circumstance, and then, with the due allowance for after-growth, all this difficulty seems explicable. It is here, as in regard to the historical features above noticed, the theory of the critics which not solves but starts the gravest difficulty of all. Those who will have a "Priestly Code" in the Middle Pentateuch, formulated during the Exile, and sprung upon the people at the Return, must not only explode history to make way for their theory, but must suppose subverted the primary instincts of order which govern the human mind, precisely at the time when it was most necessary that they should be present and paramount.

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#### ART. IV.—NOTES AND COMMENTS ON JOHN XX.

##### No. V.

OUR last study brought us to the close of the account of the interview of Mary Magdalene with the risen Lord. In a passage so conspicuously rich in treasures of grace and truth, I make no apology for leaving some points quite untouched. But on two main points, which were touched