THE EXPOSITORY TIMES.

Notes of Recent Exposition.

It is some time since we have heard much about the Code of Hammurabi. What is the reason? It cannot be because the comparison between it and the Laws of Moses brought out the originality of the latter, for then we should have been thankfully told so by the believers in a supernatural revelation. Nor can it be because the Laws of Moses were proved to be derived from the Code of Hammurabi, for then the opponents of a supernatural revelation would certainly have published the fact abroad. We have heard little about the Code simply because its study has been so difficult. It has raised several unexpected questions, and even initiated some keen controversies. And scarcely any point in the comparison between it and the Laws of Moses has been placed beyond dispute.

The Rev. C. H. W. Johns, M.A., Litt.D., Master of St. Catharine's College, Cambridge, took *The Relations between the Laws of Babylonia and the Laws of the Hebrew Peoples* as the subject of his Schweich Lectures (Humphrey Milford; 3s. net). The Lectures were delivered in 1912. But in publishing them in the end of last year Dr. Johns wrote a Preface in which he tells us what are the points in dispute, what progress has been made towards settling them, and what his own opinion is. And Dr. Johns has a right to his opinion. He is the author of the first translation of Hammurabi's Code into English, a translation which is still the best for comparison with the Mosaic Laws; and he has not ceased to study the laws of the Babylonians in their relation to the Laws of Israel from that day until now.

The study of Hammurabi's Code has derived much of its popular interest from the controversies over the criticism of the Old Testament. But it has not been helped by coming into contact with these controversies. Accordingly Dr. Johns gets out of that atmosphere as soon as he can. He carries us back for a moment to the days when the Higher Criticism had not been heard of, when the Laws of Moses were adopted by most Christian nations as a direct revelation from God, and accepted by our own King Alfred as the basis of the law of England. He refers to the birth of the Comparative Method, and its rapid rise into favour as a trustworthy weapon of research into the history of human institutions, with the result that the Laws of Moses were compared with the Roman Laws of the XII. Tables, with the Indian Laws of Manu, and with the Greek Code of Gortyna.

But the Comparative Method did not yield all the results that were expected of it. If it settled some controversies, it opened up others. And Jhering, the great authority on Roman Law, was

wondering whether for the elucidation of some of the puzzles in the Code of the XII. Tables, it would not be necessary to go back to the Babylonian Laws, of which very little was then known, when the great system of legislation called the Code of Hammurabi was discovered—a code which was soon found to be not only the oldest code in existence, the most complete, and the best attested, but even the most highly developed, with the exception of those that are quite modern.

It was inevitable that the keenest interest should be taken by scholars in the discovery. It was just as inevitable that it should become the subject of popular debate. For it was at once suggested, and somewhat triumphantly, that the Code of Hammurabi, being at least five hundred years older than the Laws of Moses, was the origin and inspiration of these Laws. And to this day that is the chief interest in the Code. No student can ignore it. Nearly all the writing on the Code in every country is the outcome of it. Dr. JOHNS passes as soon as he can out of the region of controversy regarding the dates and documents of the Old Testament, but his book, from beginning to end, is a comparison between the Code of Hammurabi and the Mosaic Law.

Now there are two types of law in the ancient world. The one may be called 'nomadic,' the other 'agricultural.' That is to say, the one type regulates the affairs of a tribe or people that is still in the wandering or pastoral stage of civilization. The other controls the conduct of a nation that has settled down to an agricultural or commercial life. Both types are seen in the Code of Hammurabi, and both are found in the Law of Moses.

In the Code of Hammurabi there are traces of nomadic law or custom. For the dynasty to which Hammurabi himself belonged had entered Babylonia as conquerors, probably out of the nomadic state. They were Semites. Conquering the Sumerians who were in possession of Babylonia, they settled among them and ruled over them. And no doubt, as they ruled over them, they imposed some of their laws upon them. But they did not set aside all the laws under which the Sumerians had been living. On the contrary, they would soon find that many of their own customs were ill adapted to their new mode of life, and they would be compelled to adopt to a large extent the laws of the settled subject race. The Code of Hammurabi dates from a period subsequent by a good many years to the entrance of his dynasty into Babylon. It therefore reflects both Semitic nomadic custom and Sumerian settled law.

Precisely similar is the situation in Palestine. The Israelites entered it under Joshua as nomads; they were a pastoral people. The Canaanites whom they found in the land were agriculturists; they had walled cities and they grew crops. The Israelites conquered the Canaanites and retained many of their own customs. Not so many, however, as we have been wont to think. For it is certain that they did not exterminate the Canaanites; and recent excavation in Palestine has shown that more traces of Canaanite than of Israelite life have remained to this day. When the Laws of Moses, as they are called, were codified, they retained traces of the early nomadic life of the Israelites themselves, and we cannot doubt (unless we are to insist upon their codification by Moses in the wilderness) that they contained also many enactments which were adopted from the settled and conquered Canaanites.

This, then, is the first result at which Dr. JOHNS arrives. Both the Babylonian Code of Hammurabi and the Israelite Code of Moses are compromises between two types of law.

And the first result is the last result. Dr. JOHNS is fairly sure of that result. He is not sure as yet of anything else. It is clear that when the further question is asked, Were the Mosaic Laws influ-

enced by the Laws of Hammurabi? there are at least four possibilities. The nomad Israelites may have come into contact with the nomad Babylonians. That is likely enough, for both were Semites, and in the far distances of history they no doubt were one in habitation as in race. Again, the nomad Israelites may have been in touch with the settled Sumerians, or rather with the Babylonians after the Sumerians were conquered by the dynasty of Hammurabi. That also is likely, for the Tell-el-Amarna tablets reveal a far-spreading influence on the part of Babylonia before the time when the Israelites entered Canaan. In the third place, the settled Canaanites may have had legal dealings with either the nomad Babylonians or the settled Sumerians, or both. And this also is probable enough, if it may not be called certain. For the same tablets tell us that the language of Babylonia was the medium of intercourse even between Palestine and Egypt. Last of all, the Israelites after they were settled in Palestine, and before their laws had assumed the form in which they have come down to us, had occasional intercourse with Babylonia.

But all this does not prove the dependence of the Mosaic Law on the Code of Hammurabi. It is sufficient, perhaps, to prove connexion between the two codes—if that much were in need of proof. It is not sufficient to say that the one code is derived from the other. Dr. JOHNS does not believe that the one is derived from the other. He believes rather that however they came in contact, and at whatever time or times, each of the codes must have developed along its own lines, and for the most part independently of the other.

Does the connexion which is probably to be asserted between them account for any of the similarities which they exhibit? These similarities are undoubtedly many and arresting. But 'some very remarkable similarities have been shown by Professor D. H. MÜLLER to exist between the Code of Hammurabi and the Twelve Tables of the Roman Law.' Professor COHN, of Zürich, has even pointed out strong likenesses between Hammurabi's Code and the laws of the West Goths. These resemblances are not likely, to say the least, to be due to borrowing or a common parentage. More probably they are the result of common human experience expressing itself in legislation.

On the other hand, there are similarities between the Babylonian and the Hebrew Codes that seem as if they must be due to the direct influence of the one on the other. Hammurabi twice orders death by burning. The Law of Moses also inflicts it twice. This might be a mere coincidence if it were an easy matter. But death by burning is a terrible punishment. It was felt by the later Jewish lawyers to be so terrible that they contrived a legal fiction to do away with its literal infliction even on the scandalous criminals for whom it was intended.

And when we consider the crimes for which this horrible punishment was inflicted we see that the correspondence is yet closer. In the one case in Hammurabi's Laws it is incest: it is incest in the Mosaic Law also (Lev 20^{14}). The other case seems to differ in the two codes. In the Babylonian Code the person that is to be put to death by burning is a votary or vestal virgin who has left her cloister to open a wineshop, or to frequent it for strong drink; in the Hebrew Code (Lev 21^{9}) it is the unchaste daughter of a priest.

But the difference is not so great as it seems to be. For in the first place the 'priest's daughter' is evidently more than the daughter of a priest. She is herself a priestess, else why are the other women of the priest's family exempted? In short, she too is what the Babylonian Code calls a votary or vestal virgin. In the second place, in Israel as in Babylonia the keeping of a tavern was closely associated with unchastity. Rahab, the tavern-keeper of the Book of Joshua, was also a harlot. And it is a striking fact that Josephus explains the

crime of the priest's daughter, not as unchastity, but as 'opening a tavern.'

Such likenesses, and there are not a few of them, refuse to resolve themselves into coincidence. They point either to a single original for the two codes, or to the borrowing of one from the other. And if borrowing is the explanation, there can be no doubt which was the borrower and which the lender.

It is often plausible, and it is sometimes true, to say that the Revised Version has missed the rhythm of the English language; it is rarely possible to say that it has missed the meaning of the Hebrew or the Greek. There is one case, however. And it is the more surprising in that it is a clear case of insufficient scholarship. The Revisers believed that the word which ends a famous verse in the Epistle of James is active in meaning; scholars are now unanimous in holding that it is passive.

The verse is this: 'The effectual fervent prayer of a righteous man availeth much.' In the Revised Version the translation is a surprise of difference: 'The supplication of a righteous man availeth much in its working.' The first difference is in the change of 'prayer' into 'supplication.' It is a needless change. The Revisers would not have made it if they had not been under a mild bondage to their rule of using the same English word for the same Greek word. Here the Greek word is different from the ordinary word for 'prayer,' and the Revisers simply tell us so.

The rest of the change, great as it is, is all due to a single word in the Greek. It is the word which ends the sentence, the word *energoumenê* (πολὺ ἰσχύει δέησις δικαίου ἐνεργουμένη). The Authorized translators render this word by two adjectives, 'effectual fervent'; the Revisers by a phrase, 'in its working.'

Now if the Authorized translators had left out the adjective 'effectual,' which creates an awkward tautology with 'availeth,' they would not have been far off the meaning. The Revisers have missed it altogether. They have produced an amazingly feeble statement. How could they allow themselves to think that the Apostle of the style that is terse to obscurity would have been guilty of such a tailing away? Moreover, they have probably made the Apostle say something quite other than he did say. For he did not say that every prayer of a righteous man is of much avail; he said the *fervent* prayer of a righteous man. And finally they have been guilty of a slip in scholarship, as has already been charged against them. In one respect only have they made an improvement on the Authorized translation. They have placed at the end of the sentence their translation of that word which James himself had placed at the end.

If we wished to translate the Greek words literally and in their order, we could not do better than turn to the rendering of Dr. Rendel Harris and adopt it. His rendering is: 'The prayer of a righteous man is of great force [when] energized.' Manifestly the whole virtue of the statement lies in the last word. That is why it is the last word. What does it mean? Dean Armitage Robinson thinks it means 'set in operation' by Divine agency. Dr. Rendel Harris remembers that 'real prayer is connected in a most intimate manner with the influences of the Holy Spirit,' and suggests, though with a 'perhaps,' that that is what is meant by 'energized.' But the meaning is not so obvious or so ordinary as these great expositors would have us think. And it is very much more profitable.

St. James speaks of the prayer of a righteous man. Has he any particular righteous man in his mind? Certainly. His great example of the righteous man who prayed and prevailed is Elijah. In the very next verse he says, 'Elijah was a man of like passions with us, and he prayed fervently that it might not rain; and it rained not on the earth for three years and six months. And he prayed

again; and the heaven gave rain, and the earth brought forth her fruit.' Well, what was the characteristic of the prayer of Elijah? Its fervency. 'He prayed fervently,' says the Apostle. He used that peculiar Hebrew idiom 'praying he prayed,' so familiar to us in the Old Testament in spite of its frequent disguise in our English versions.

We have only to turn to our word with this in our mind. 'The prayer of a righteous man is of great force [when] energized'—not merely when energized by the Holy Spirit as every effectual prayer must be; its force comes from the energy that the man himself throws into it. 'The prayer of a righteous man is of great influence when he throws his whole energy into it.' The Apostle has in his mind, and that right vividly, the scene on Mount Carmel after the overthrow of the priests of Baal. 'And Elijah went up to the top of Carmel; and he bowed himself down upon the earth, and put his face between his knees. And he said to his servant, Go up now, look toward the sea. And he went up, and looked, and said, There is nothing. And he said, Go again seven times. And it came to pass at the seventh time, that he said, Behold, there ariseth a cloud out of the sea, as small as a man's hand. And he said, Go up, say unto Ahab, Make ready thy chariot, and get thee down, that the rain stop thee not.'

In Churches in which there is no Liturgy in use there has come a change in the emphasis of prayer within recent years. The emphasis has passed from Confession to Intercession. It is within the memory of many that the first prayer in public worship was called the Long Prayer, and consisted mainly of acts of confession. That prayer is now shortened. It is often shorter than the prayer that follows it, which is known as the Intercessory Prayer. It is impossible to miss the fact of the change. What is the cause of it?

It has two causes. One cause is the discovery of Intercession. With all the ills that this great war has brought us, it has brought us one good thing—a widespread recognition of the value of Intercession. But the value of Intercession is not a discovery of the war. The Christian conscience has been slowly awakening to the amazing absurdity of prayer to God that begins and ends with self. Slowly it has been awakening to the existence of a world in need, a world to which the arm of only one in a million of us can reach, but which can be gathered into our interests and brought under the influence of our intercessions.

The other cause is the demand for absolute sincerity. Undoubtedly the feeling has been growing that the proper place for Confession of sin is the secret chamber. There is still room for Confession in public. We may still confess our sins as a Church, as a Community, as a Country. But such confession must be general. When the leader in prayer endeavours to confess the sins of the individual sinners before him, it is inevitable that they should feel that, while he is able to recall many an object for Intercession which they had forgotten, he cannot bring to remembrance one in a hundred of the sins of which they have been guilty. And the leader in prayer, knowing this, has felt that it is not possible to confess particular sins and be sincere. For the particular sins he has most acquaintance with are the sins of his own heart and life, and the public worship of God is not the occasion for confessing them.

This, then, we have attained to. We know that the first demand upon us is that our prayer should be sincere. What we have not yet learned, but must now strive to learn, and to practise, is that it must also be energetic. If intercessory prayer is to prevail, if it is to have much influence, we must energize it, we must throw into it the energy of our whole personality.

But before we throw our whole personality into prayer we are arrested with the question of the value of intercession. For if there are difficulties surrounding prayer of every form, the

crowning difficulty is to believe in the value of intercessory prayer. We know that 'he that cometh to God must believe that he is, and that he is a rewarder of them that diligently seek him,' which is as much as to say, 'If you believe in God, you must also believe in prayer.' But how can *another* be rewarded?

We cannot tell. We can only see that it is so. When the storm came down on the Lake of Galilee, and the boat in which Jesus and His disciples were, tossed by the waves, was in danger of swamping, the disciples prayed, and Jesus heard them. He rose and rebuked the wind, and said to the sea, 'Peace, be still,' and there was a great calm. Is that the whole story? In St. Mark's Gospel there is a sentence which claims our attention. Says St. Mark, 'And there were also with him other little ships.' Why does he tell us that? It is hard to say. But we are glad he tells us. For at once we think of those other little ships having the benefit of the calm. They had felt the storm and were not astonished. For a sudden storm on that lake is very common. But never before had they experienced so sudden and so complete an end to it. They had the benefit of the calm; they were the better for the disciples' prayer, and they did not even know that any one had prayed for them.

We must believe in Intercession as we believe in every other form of prayer. But it must be energized prayer. We must throw our whole personality into it.

We must throw our mind into it. For we must see to it that we are praying for the right things, and that we are praying to the right God.

Are we praying for the right things? St. James says, 'We know not what to pray for as we ought.' As we ought, he says. Suppose we are praying for missions. Do we know *what* we are praying for? Success, we say. What is success? Success in what? Do we know what missions are for? Do we know with any clearness what the missionaries are doing? Do we know any mission or any missionary intimately? Without some real knowledge we cannot pray as we ought, because we do not know what to pray for.

But we must also pray to the right God. In the present war nothing perhaps has occurred to shake the faith of the believer in Christ—at any rate of the half-believer—more than the reported prayers of the German Emperor. What is wrong with them? No one who has put his mind into the matter will answer and say 'insincerity.' What is wrong with them is that they are offered to the wrong God. They are offered to a God who is not the God and Father of our Lord and Saviour Jesus Christ. They are offered to a German God. But the true God has no respect of persons or of nations.

Again, we must throw our feelings into our prayer. This is the most obvious evidence of energy in prayer. And we are too timid about it. Hezekiah, the great king, prayed so energetically that the tears ran down his face. So did Nehemiah, the aristocratic governor. So did Paul, the once proud Pharisee. We are more careful to hide our emotions. Are we as careful to have them?

Last of all, we must throw our will into our prayer. Now there is no way of throwing the will into prayer that is so mighty in making prayer a force as the way of answering our own prayer. This is not a way of escape from the difficulties of prayer. It is not another form of the lame conclusion that whatever else prayer does it does good to those who pray. This is one of God's ways of answering prayer.

There is nothing more certain than that God often gives us the opportunity of answering our own prayers. And surely there can be nothing more gracious. For in this way prayer does do good to the man who prays, and a very much

greater good than the comfortable feeling that it is a good thing to pray, which is all that some of us seem to think can be got with certainty out of it. Does it cost something to fulfil one's own prayers? That is where the good of it lies. One may say with scarcely a reserve that its good is just in proportion to its sacrifice.

There is no finer example of how we may have the gracious opportunity of answering our own prayers than that which occurs in the record of the early life of Dr. HUDSON TAYLOR—*Hudson Taylor in Early Years*, page 133. It is a long story, but to abridge it would be to lose the flavour of its gentle sincerity. This is the story: 'After concluding my last service about ten o'clock that night, a poor man asked me to go and pray with his wife, saying that she was dying. I readily agreed, and on the way to his house asked him why he had not sent for the priest, as his accent told me he was an Irishman. He had done so, he said, but the priest refused to come without a payment of eighteen pence, which the man did not possess, as the family was starving. Immediately it occurred to my mind that all the money I had in the world was a solitary half-crown, and that it was in one coin; moreover, that while the basin of water-gruel I usually took for supper was awaiting me, and there was sufficient in the house for breakfast in the morning, I certainly had nothing for dinner on the coming day.

'Somehow or other there was at once a stoppage in the flow of joy in my heart. But instead of reproving myself I began to reprove the poor man, telling him that it was very wrong to have allowed things to get into such a state as he described, and that he ought to have applied to the relieving officer. His answer was that he had done so, and was told to come at eleven o'clock next morning, but that he feared his wife might not live through the night.

'"Ah," thought I, "if only I had two shillings and a sixpence instead of this half-crown, how gladly would I give these poor people a shilling!" But to part with the half-crown was far from my thoughts. I little dreamed that the truth of the matter simply was that I could trust God plus one and sixpence, but was not prepared to trust Him only, without any money at all in my pocket.

'My conductor led me into a court, down which I followed him with some degree of nervousness. I had found myself there before, and at my last visit had been roughly handled. My tracts had been torn to pieces, and such a warning given me not to come again that I felt more than a little concerned. Still, it was the path of duty, and I followed on. Up a miserable flight of stairs into a wretched room he led me; and oh, what a sight there presented itself! Four or five children stood about, their sunken cheeks and temples all telling unmistakably the story of slow starvation, and lying on a wretched pallet was a poor, exhausted mother, with a tiny infant thirty-six hours old moaning rather than crying at her side, for it too seemed spent and failing.

'"Ah," thought I, "if I had two shillings and a sixpence, instead of half a crown, how gladly should they have one and sixpence of it." But still a wretched unbelief prevented me from obeying the impulse to relieve their distress at the cost of all I possessed.

'It will scarcely seem strange that I was unable to say much to comfort these poor people. I needed comfort myself. I began to tell them, however, that they must not be cast down; that though their circumstances were very distressing there was a kind and loving Father in heaven. But something within me cried, "You hypocrite! telling these unconverted people about a kind and loving Father in heaven, and not prepared yourself to trust Him without half a crown."

'I was nearly choked. How gladly would I have compromised with conscience, if I had had a florin and a sixpence! I would have given the florin thankfully and kept the rest. But I was not yet prepared to trust in God alone, without the sixpence.

'To talk was impossible under these circumstances, yet strange to say I thought I should have no difficulty in praying. Prayer was a delightful

occupation in those days. Time thus spent never seemed wearisome, and I knew no lack of words. I seemed to think that all I should have to do would be to kneel down and pray, and that relief would come to them and to myself together.

'"You asked me to come and pray with your wife," I said to the man, "let us pray." And I knelt down.

'But no sooner had I opened my lips with "Our Father who art in heaven" than conscience said within, "Dare you mock God? Dare you kneel down and call Him Father with that half-crown in your pocket?"

'Such a time of conflict then came upon me as I have never experienced before or since. How I got through that form of prayer I know not, and whether the words uttered were connected or disconnected I cannot tell. But I arose from my knees in great distress of mind.

'The poor father turned to me and said, "You see what a terrible state we are in, sir. If you can help us, for God's sake do!"

'At that moment the word flashed into my mind, "Give to him that asketh of thee." And in the word of a King there is power.

'I put my hand into my pocket, and slowly drawing out the half-crown, gave it to the man, telling him that it might seem a small matter for me to relieve them, seeing that I was comparatively well off, but that in parting with that coin I was giving him my all; what I had been trying to tell them was indeed true—*God* really was a *Father* and might be trusted. The joy all came back in full floodtide to my heart. I could say anything and feel it then, and the hindrance to blessing was gone—gone, I trust, for ever.

'Not only was the poor woman's life saved; but my life, as I fully realized, had been saved too. It might have been a wreck—would have been, probably, as a Christian life—had not grace at that time conquered, and the striving of God's Spirit been obeyed.

'I well remember how that night, as I went home to my lodgings, my heart was as light as my pocket. The dark, deserted streets resounded with a hymn of praise that I could not restrain. When I took my basin of gruel before retiring, I would not have exchanged it for a prince's feast. I reminded the Lord as I knelt at my bedside of His own Word, "He that giveth to the poor lendeth to the Lord"; I asked Him not to let my loan be a long one, or I should have no dinner next day. And with peace within and peace without, I spent a happy, restful night.'

We have said that when God gives us the opportunity of answering our own intercession the benefit is ours. So Dr. HUDSON TAYLOR found. But the benefit is also His. For in that way is the gospel preached, in that way does the Kingdom of God make progress. What tells for God more than character? What makes us sure of the love of God more than our experience of the love of man?

Ye are always singing the good Lord's praise,
  And publishing all that His hand
Has wrought for you in the bygone days,
  And all that His heart has planned.

And verily all that ye say is true;
  For I gratefully confess
That whatever the Lord has done for you
  He has done for me no less.

But when I remember the weary ways
  Which my feeble feet have trod,
And the human love which all my days
  Has helped me along the road,
Then the love of man is my song of praise
  As well as the love of God.

And I hardly think that I would have seen
  The love of God so clear,
Unless the love of man had been
  So visible and near.