vi. 61. *Τοῦτο ὑμᾶς σκανδαλίζει*; and in chapter xvi. 1, *ἵνα μὴ σκανδαλίσθητε,* that ye be not disquieted, and tempted. to lose faith through persecution.

To sum up our conclusion. We claim to have shown that in several passages of the new Testament where *σκάνδαλον* and *σκανδαλίζειν* occur the underlying original thought of enticement or temptation is included in the meaning of the word, and that in other passages where hindrance or difficulty is the predominant symbolical meaning the imagery is enriched and made more suggestive by the wider associations which we have described as properly belonging to the words.

ARTHUR CARR.

THE GENESIS OF DEUTERONOMY.

II.

B. Deuteronomy and its relation to History and Prophecy.—In our previous paper we discussed the relation of Deuteronomy to the middle book of the Pentateuch; we now propose to examine its relation to History and Prophecy. A recent writer[1] is quoted as having said, "In history not in literary criticism lie the problems of the future." In keeping with which Wellhausen[2] affirms that "the basis of Old Testament criticism is the historical and prophetical books; on this basis rests not only the position of Deuteronomy but also the other strata of the Pentateuch."

The problem in the following paragraph, accordingly, is this: Have we, or have we not, sufficient traces in the historico-prophetical books of the Old Testament to warrant the conclusion that the laws of Deuteronomy were not

[1] Harnack, *Die Chronologie der altchristlichen Literatur bis Eusebius*, 1897.
[2] Wellhausen, *Die Composition des Hexateuchs*, 1889, p. 353.

necessarily codified at a time subsequent to Moses? It is not enough to show that they may in part have had an *oral* existence from the Mosaic age; were they written down? If the question (discussed in our first article) of alleged existing contradistinctions between Deuteronomy and the other portions of the Pentateuch was a test of critico-exegetical skill, the problem now before us is a measure of one's critico-historical sense.

1. *Deuteronomy and Joshua.*—The *literary* dependence of the *book* of Jushua, in its present form, upon the *book* of Deuteronomy is admitted on all sides.[1] The same is true of Judges, Samuel, and Kings. But of course there might be a literary dependence of these books, as books, on the book of Deuteronomy and still the latter be of seventh century origin. Hence the primary question is not one of literary dependence. The true thesis is rather this: All these books (Joshua, Judges, etc.) show an incidental acquaintance with Deuteronomic statutes and regulations which, unless Moses actually promulgated such statutes and left them in written form, renders it almost inexplicable how Israel should have acted as they did, either in warfare or in worship. To deny this proposition impugns the general truthfulness of the history; and to destroy the history for the sake of establishing the dicta of criticism is of no greater advantage than to change the figures in an arithmetical problem in order to obtain the answer.

For example, (*a*) when Jericho was about to be taken Joshua commanded that the city and all within it, except Rahab, should be *devoted* (Josh. 6. 17, 18); this was in keeping with the entire spirit of the Deuteronomic law but

[1] The following passages, especially, show a Deuteronomic colouring: Joshua 1. 1–18; 3. 2–8; 4. 21–24; 8. 30–35; 10. 28–43; 11. 10–23; 13. 1–14; 21. 43, 44; 23. 1–16.

especially with Deuteronomy 13. 15 ff. Achan, however, trespassed in the accursed thing (7. 1), for which he was stoned and burned with fire (7. 25), which was according to the teaching of Deuteronomy 13. 10; 17. 5; because he had "sinned against the Lord God of Israel" (7. 20). (*b*) Again when Ai was taken, "only the cattle and the spoil of the city" did Israel take for a prey unto themselves (Josh. 8. 27), according to the privileges expressed in Deuteronomy 20. 14. The King of Ai Joshua "hanged on a tree until the evening"; but as soon as the sun was down, Joshua commanded his body to be taken down from the tree (8. 29), in obvious obedience to a law *peculiar* to Deuteronomy, which forbade allowing the bodies of the dead to hang over night (Deut. 21. 23). Likewise did Joshua, with the five kings of the Amorites, whom he also hanged (Josh. 10. 26, 27). Elsewhere also Joshua is reported, when capturing the cities of the Canaanites, to have left nothing remaining but to have destroyed all that breathed as "the Lord commanded Moses" (cf. Josh. 10. 40; 11. 12, 15 with Deut. 7. 2; 20. 16, 17).

As in warfare, so in worship. For instance, (*a*) after crossing the Jordan Joshua waged war in the direction of Mount Ebal, where he built an altar unto the Lord God of Israel—an altar of whole stones over which no man lifted up any iron, and there offered thereon burnt offerings unto the Lord and sacrificed peace offerings (Josh. 8. 30, 31), "as Moses the servant of the Lord commanded the children of Israel" (cf. Deut. 27. 4–6). Moreover, Joshua wrote upon the stones a copy of the law of Moses (Josh. 8. 32), as Moses also had commanded (Deut. 27. 3, 8), and the elders and officers and judges who bore the ark of the covenant stood on either side of the ark (Josh. 8. 33, cf. 3. 3), the stranger being present (cf. Deut. 31. 11, 12), half of them over against Mount Gerizim and half over against Mount Ebal, as directed in Deuteronomy 11. 29; 27. 12, 13; then Joshua read to all the congregation of Israel all the words of the law, the blessings and the cursings (Josh. 8. 34, 35), according to all that was written in the book of the law, and in strict obedience to the command given in Deuteronomy 31. 11, 12. (*b*) Of far greater importance is Joshua 2. 2, in which there is an event recorded which could hardly have happened had Moses never taught the unity of the sanctuary (a teaching emphasized in, though not peculiar to, the book of Deuteronomy), and the account of which has every appearance of being trustworthy history, "The indignation of the people against their brethren (the two and a half tribes) who had erected an altar on the border of Jordan before they crossed it to return to their own possession on the eastern side of that river; the earnestness with which the latter hastened to assure the people that they had erected the altar, not to establish an independent worship, but rather that it might stand as a permanent witness that they still adhered to and claimed to have part in Jehovah as their God; and the solemnity with which they disclaimed any intention to rebel against the Lord by building an altar for burnt offerings, for meat offerings, or for sacrifices besides the altar of the Lord that was before the tabernacle—all incontestably show that this law was known and recognised as imperative at the time of the settling of the people in the promised land. It was this law which they who had built the altar so earnestly disclaimed having broken; it was zeal for this law which stirred the other tribes to such wrath against their brethren when they supposed it had been violated by them."[1]

Also the fact that in Joshua 1. 8 and 8. 31, 34 the author speaks of *a book of law* which he affirms was bequeathed by Moses to Joshua strongly corroborates our explanation of such events as those which we have just

[1] So W. L. Alexander, *Deuteronomy*, The Pulpit Commentary, p. xxxi., 1897.

examined above (cf. the expression, "this book of the law" in Deut. 31. 24–26).

2. *Deuteronomy and Judges.* — The death of Joshua marked a turning-point in the history of Israel's religious life. The period which followed was an age of moral declension. "Every man did that which was right in his own eyes" (Judg. 17. 6; 21. 25). Israel served Jehovah all the days of Joshua and all the days of the elders, who outlived Joshua; but after them there arose another generation which knew not Jehovah, but served Baalim (Judg. 2. 7, 10, 11). Over and over again the children of Israel are reported to have done evil in the sight of Jehovah by *forsaking the Lord God* and by breaking the covenant which he had made with their fathers (cf. Judg. 2. 11, 13, 17, 19, 20; 3. 6, 7, 12; 4. 1; 6. 1; 10. 6; 13. 1). On what grounds, it may with justice be asked, must we conclude that these statements are not true to fact? Wherefore does the historian only occasionally relate any example of Israel's observance of Mosaic teaching if he was unscrupulous in the statement of truth? Few are the examples he gives of any marked conformity, on Israel's part, to the laws of Deuteronomy. Only three or four can be cited with any degree of certainty or confidence.

In Judges 1. 17 the utter destruction of Zephath (Hormah) is recorded, which conforms to the requirements of Deuteronomy 7. 2; 20. 16 f., according to which "the wars with the Canaanites were always to be holy wars of extermination." In Judges 7. 1–7 Gideon's army is selected in keeping with the spirit of that very extraordinary statute laid down in Deuteronomy 20. 1–9, accordto which all fearful and faint-hearted (beside many others who are specified) might be excused from going out to war. In Judges 21. 13 the congregation of Israel proclaimed peace to the children of Benjamin in perfect harmony with

Deuteronomy 20. 10–18. The writer further shows marked familiarity with Israel's journeyings from Egypt to Moab (cf. Judg. 11. 13–28 with Deut. 2. 1 f. and Amos 20. and 21.); assumes that Levi is the priestly tribe (Judg. 17. 7–13; 20. 27, 28); and shows studied concern, in describing what might be interpreted as legitimate violations of the Deuteronomic law, by stating that in these instances they acted in obedience to a direct command from God (cf. Judg. 6. 25–27, Gideon's altar; 13. 16, Manoah's sacrifice), apparently conscious that the only legitimate place of regular worship in Gideon's and Manoah's day was at Shiloh (cf. also 18. 31; 21. 19).

These are old and oft-repeated observations, but apparently true nevertheless. There is no doubt, as remarked above, of the literary dependence of the *book* of Judges upon the *book* of Deuteronomy, for, as Moore[1] has shown, various parts of Judges bear an unmistakably Deuteronomic stamp.

3. *Deuteronomy and the books of Samuel and Kings.*—During the period of Samuel's judgeship there is little evidence of the existence of the Deuteronomic law; concerning the law of a central sanctuary there is no proof whatever. Nothing is gained by veiling this fact. At the same time there is a key which unlocks fairly well the enigma of Samuel's age, an event of such tremendous significance, that, when correctly interpreted, explains the religious acts of Samuel's life in an entirely new light. That event was the loss of the Ark of the Covenant to the Philistines. Strange indeed that the pious Elkanah should be described in 1 Samuel 1. 1–9, 21 as going up yearly to worship Jehovah at Shiloh, and after the birth of Samuel as sacrificing also in Shiloh (1. 24), whereas, when Samuel grew up and became a priest he sacrificed at Mizpah (1 Sam. 7. 7–9), Bethlehem (1. Sam. 16. 5), and built an

[1] Moore, *A Critical and Exegetical Commentary on Judges*, 1895, p. xxxv.

altar at Ramah (1 Sam. 7. 17)! And yet when it is remembered that Samuel did so only after the captivity of the Ark, his disregard of the Deuteronomic law is not so inexplicable, for, from the time the ark of God was taken in the war with the Philistines, (cf. 1 Sam. 4. 1) the law of the central sanctuary was in abeyance; Israel *could no longer* worship at Shiloh any more than the captives of Judah in Babylon, five hundred years later, could worship in Jerusalem. In the former case the *sanctuary* was in captivity, in the latter both sanctuary and people. This is the only real difference. In our judgment the worship of Jehovah in Mizpah, or Bethlehem, or Ramah, was quite as permissible in Samuel's days as Synagogue worship in Babylon during or after the exile. For with the loss of the ark the glory had departed from Israel (cf. 1 Sam. 4. 21, 22).[1] During the whole period of Philistine supremacy (from 1 Sam. 4. to 2 Sam. 6.) Israel was practically deprived of a central sanctuary; and thus being left to worship where they would, Baal and Jahwe worship came to have more and more in common. Even for pious Israelites in these times it must have been difficult to know where to sacrifice and what form of worship under the circumstances would receive the Divine sanction; hence this period—the period of Samuel and Saul, whose rule and lives were almost coterminous—in our judgment, furnishes absolutely no norm by which to judge the date of Deuteronomy. To our mind it is a no better criterion as to the existence or non-existence of the Deuteronomic statutes than the history of the Judean exile from 586 till 536 B.C.

Before the recovery of the sacred Palladium, however, an attempt was made by David (1 Kings 5. 3) to bring the nation once more to a common centre of worship—now Jerusalem. But this was practically impossible. Israel was so deeply

[1] Cf. Sime's *Deuteronomy the People's Book*, 1877, p. 118 f.

engrossed in war that the construction of a house suitable to the worship of Jehovah was necessarily postponed. *When Solomon finished* the temple, it was too late. The nation had enjoyed the license of semi-idolatry, and in some cases open apostasy, too long. The costly and unnecessary splendour of the Jerusalem temple (as some may have regarded it) only aggravated more and more the spirit of divorce which was growing against the central government. Even Solomon himself was allured into compromise with Baal practices through marriage with foreign wives (1 Kings 11. 1, 7), for whom he was fickle enough to erect high places of worship. Political disruption followed. Judah, remaining in possession of the temple, did not however, entirely forsake the worship of Jehovah, though their service became nominal and formal. Jehoiada the priest gave Joash the crown and testimony, whatever that may have been (2 Kings 11. 12; cf. Deut. 17. 18). And, what for our purpose is still more important, Hezekiah reformed the cultus of his day by removing the high places, breaking down the pillars, cutting down the *Asherah*, and even breaking in pieces the brazen serpent which Moses had made, and which Israel had from time immemorial been wont to worship (2 Kings 18. 4). The latter act shows how radical and thorough were Hezekiah's attempts at reformation, and, as is obvious, in most striking accord with the emphasized teachings of the book of Deuteronomy. Nevertheless, permanent reformation under Hezekiah was impossible. Religious defection had become chronic. The same was true also of Josiah's attempts to reform. But these instances of failure do not prove the non-existence of the Deuteronomic law any more than the steady degeneracy of the Oriental Church attests the non-existence of the Gospels. Doubt and faith have existed from the first side by side. There is indeed as great a lack of evidence for the Mosaic origin of the second commandment (even in its shortest possible form) as for the Deuteronomic statute concerning the Unity of Sanctuary. And as Dillmann[1] argues concerning the great day of Atonement that the argument from silence would forbid our assigning the origin of the ordinance to the days of the return from Babylon or any of the free Christian centuries, for "one would then have to maintain that the festival first arose in the first Christian century, since only out of that age do we first have any explicit testimonies concerning it"; so in the case of Deuteronomy. The *literary* dependence again of Samuel, Kings, or Deuteronomy is too generally admitted to require comment.[2]

4. *Deuteronomy and Hosea, Amos, Isaiah, Micah.*—The problem here is not whether these prophets of the eighth century teach truth in keeping with the laws of Deuteronomy, but whether they are the precursors of the Deuteronomic code. The book of Deuteronomy is said to be the product of their prophetic teaching. It is possible, on the other hand, to think that these prophets knew Deuteronomy as a book. Hosea, for example, complains of Israel's sacrificing upon the tops of the mountains, and burning incense upon the hills (4. 13), and at the same time warns *Judah* not to follow Israel's example in coming up to Gilgal and Bethaven (4. 15). George Adam Smith and others deny the genuineness of 4. 15 and various other passages in these prophets which we feel entitled to use, but upon insufficient grounds. Hosea alludes to striving with priests (4. 4; cf. Deut. 17. 12); removing landmarks (5. 10; cf. Deut. 19. 14); returning to Egypt (8. 13; 9. 3; cf. Deut. 28. 68); bearing Ephraim in his arms (11. 3; cf. Deut. 1. 31; 32. 10), all of which have a decidedly Deuteronomic ring.

[1] Dillmann, *Die Bücher Exodus u. Leviticus*, 2. Aufl. 1880, p. 525; cf. Kellogg, *The Book of Leviticus* (Expositor's Bible), 1891, p. 258.

[2] Cf. Driver, *Comm. on Deuteronomy*, 1895, p. lxxxi.; also Sime, *Deut. the People's Book*, pp. 219 ff.

Amos 3. 2 is a bold denunciation for a shepherd-prophet to make against Israel without having had any written basis with which to verify his declaration: "You only have I known of all the families of the earth; therefore I will visit upon you all your iniquities." (But cf. Deut. 7. 6; 4. 7, 8.) Amos further denounces *Judah*, "because they have rejected the law of the Lord and have not kept His statutes, and their lies have caused them to err, after the which their fathers did walk," etc. (2. 4); which "law and statutes" must refer to a written code of some kind which had long had an established authority.[1] Moreover, Amos also condemns *Israel* for inhumanity towards the poor (2. 6), for adultery (2. 7), for retaining pledges over night (2. 8), notwithstanding that God had destroyed the Amorite before them and brought them forth from the land of Egypt (2. 9, 10). (But compare Deut. 8. 2, 15; 24. 12, 13.)

Isaiah, in the prophecies confessedly his own, is likewise a possible witness to the written existence of well-established and universally recognised law. Thus in chapter 1. 14 the phrase "Your new moons and your appointed feasts," like the great variety of offerings alluded to in 1. 12, 13, presupposes, as Delitzsch correctly observes, a law correspondingly great.[2] Throughout his prophecies Zion is pictured as the centre of the Jewish religion and as Jehovah's dwelling-place (cf. 2. 2–4, and Mic. 4. 1–4; also Isa. 8. 18; 28. 16; 29. 1, 2; 31. 9; 30. 29). His inaugural vision is another witness to the same effect (chap. 6). Isaiah never recognised high places as legitimate places of worship. On this point Dillmann[3] remarks in connection with Isaiah 36. 7, "That Deuteronomy should have intro-

[1] We are aware that this passage is suspected by Dort, Duhm, Wellhausen, Stade, G. A. Smith and others, but again with insufficient right.

[2] Delitzsch, *A Commentary on the Prophecies of Isaiah*, transl. 1892. Vol. i, p. 76.

[3] Dillmann, *Der Prophet Jesaia erklärt*, 5 Aufl. 1890, p. 315.

duced a command against high places as something entirely new is in itself unthinkable." [1]

A certain passage in Micah's prophecies points in the same direction: "He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" (Mic. 6. 8). This passage seems to be a prophetic exposition of one in Deuteronomy: "And now, Israel, what doth the Lord thy God require of thee, but to fear the Lord thy God, to walk in all His ways, and to love Him, and to serve the Lord thy God with all thy heart?" etc. (Deut. 10. 12). The reverse is, in our judgment, quite out of the question; for the reason that a late prophet, writing in the name of Moses, would hardly put into Moses' mouth so ethical and so profound a prophetic teaching. And as in the case of Micah, so in that of all the eighth century prophets.

Hence we conclude that History and Prophecy are not entirely barren of evidence to the early existence of Deuteronomy. On the other hand, if there were no evidence whatever in these books of its early origin, it would not be surprisingly remarkable, because there was no official, political, or ecclesiastical sanction given to the law until the history of Israel was drawing to a close. Had the law to which Hosea and Amos apparently allude been written as late even as the ninth century B.C., it is difficult to see why they should have appealed to it at all. "The mere writing of a law did not give it any authority." [2] On the contrary, as we have seen, the law seems to have had authority all through Israel's history—an authority which, in the minds of the *Biblical* historians at least, was

[1] For other passages in Hosea, Amos, and Isaiah, which more or less clearly indicate their dependence upon Deuteronomy, compare W. L. Alexander, *The Pulpit Comm.*, "Deuteronomy," 1897 (pp. vii.–ix.).

[2] So A. B. Davidson, *Expository Times*, Jan. 1898, p. 187.

Mosaic. And the Prophets likewise refer to the law "in such a way as to imply that in their belief the people at some time *long ago* had been made acquainted with it."[1]

C. Deuteronomy's witness to itself.—The aim of a critical investigation along this line is to discover, if possible, any genuine historical allusions which clearly require our assigning the composition of the *body* of the book to a post-Mosaic age. Obvious *editorial* additions of course are in themselves insufficient to bring the composition of the main portion of the book down to the seventh century B.C. (*e.g.* Deut. 1. 1–5; 4. 44–49; 29. 1; 31. 1, 7, 9, 22; 33. 1; 34. 1–5); for it is natural to suppose that whoever added the account of Moses' death (34. 5–12)[2] might also have attempted to adjust the different portions of the work and bring them into their present form. There may likewise be, here and there, certain archæological notes (*e.g.* 2. 10–12, 20–23; 3. 9, 11, 14; 10. 6, 7), of a parenthetical character, which may very possibly have crept into the text later than the time of its composition. These are usually of an antiquarian character and interrupt the text,[3] giving information concerning the aborigines of Edom and Moab, etc. Thus in Deuteronomy 2. 10–12 we are told that the Emims dwelt aforetime in Moab, but that the Moabites drove them out, and that the Horims once dwelt in Seir, but the descendants of Esau drove them out, "*as Israel did unto the land* (allowably, but not necessarily, restricted to Canaan) *of his possession*" (cf. the expression, "to possess" in Deuteronomy 3. 18, spoken to the two and a half tribes). Now this is an explanatory "footnote" (to use occidental language) of antiquarian character, which,

[1] Cf. Davidson, *idem.*

[2] Deuteronomy 34. 5–12 is denied to Moses even in the Talmud (Baba Bathra, 14*b*, 15*a*).

[3] Cf. Dillmann, *Numeri, Deuteronomium u. Josua*, 2 Aufl. 1886, p. 243. Also Moulton, *The Modern Reader's Bible*, Deuteronomy, 1896, p. xii.

if treated as an original part of the text, would have possessed not only a didactic but a practical value in the mouth of Moses; or, if treated as a later interpolation, must have been inserted some time after the original text had itself been composed.[1]

These are admissions which need not invalidate in the least the probable early origin of the main portion or body of Deuteronomy. We turn now to an examination of certain expressions and clauses which make one doubt the Mosaic, or even the early origin of the book.

1. The expression "at that time," which occurs fifteen times in the Book of Deuteronomy (1. 9, 16, 18; 2. 34; 3. 4, 8, 12, 18, 21, 23; 4. 14; 5. 5; 9. 20; 10. 1, 8), and which seems utterly inappropriate in the mouth of Moses speaking so soon after the events took place. But of these fifteen allusions to the past *eight* refer to events which happened before Israel departed from Horeb, which was *thirty-nine* years prior to the time of speaking, and the other *seven* refer to what took place when Israel defeated Sihon king of Heshbon, and Og king of Bashan, six months before (2. 34; 3. 4, 8, 12, 18, 21, 23). And it can hardly with justice be said that six months are too brief a period to warrant the use of such an expression, especially as on any theory of the origin of Deuteronomy, early or late, the context clearly shows that these words are not those of the *author* necessarily, but of the *speaker*. It is the speaker quoted by the author, who says, "at that time we did this and that." [2]

[1] Deuteronomy 3. 14 was explained as a later insertion by Hermann Witsius (d. 1708) in his Dissertation on *The Mosaic Authorship of the Pentateuch* (p. 31). Translated by Rev. John Donaldson, 1877. Cf. also the *Speaker's Commentary on Deuteronomy*, p. 799.

[2] Of all possible colloquial formulæ that of "at that time," and the following one to be discussed, "unto this day," are just such as a literary artist of the seventh century, in attempting to reproduce Moses' speeches in Moab, would have studiously avoided, had they seemed to him inappropriate in Moses' mouth. Cf. the remarkable use of these expressions in Joshua 6. 25, 26.

2. The expression, "unto this day," which occurs in Deuteronomy altogether six times (2. 22; 3. 14; 10. 8; 11. 4; 29. 3 (4); 34. 6). Of these, however, two occur within the archæological notes alluded to (2. 22; 3. 14), which are very possibly later than the body of the book. One of the remaining four is found in the account of Moses' death (34. 6), which is confessedly post-Mosaic. Accordingly only three remain. One of these (10. 8) describes how the tribe of Levi had exercised the office of priesthood from the time the Levites were set apart at Horeb—thirty-nine years before—and remain set apart "unto this day," *i.e.* until Moses' address was given in Moab. Another (11. 4) recounts how the Lord destroyed the Egyptians in the Red Sea—forty years before—adding that, "the Lord hath destroyed them unto this day." This was essentially true of the Egyptians during the forty years which followed Israel's exodus; but later on Egypt's power revived, *e.g.*, in the days of Rehoboam, Shishak, a king of the XXII. dynasty, actually plundered Jerusalem (1 Kings 14. 25–26) The only remaining passage to be explained (Deut. 29. 3) accuses Israel of blindness of eyes and dulness of hear. during all their desert wanderings "unto this day"—an expression quite as appropriate in Moses' mouth as the accusation was practical and just (cf. 1 Macc. 13. 30).

3. The formula, "over Jordan" בְּעֵבֶר הַיַּרְדֵּן, which occasionally seems to place the writer on the *west* side of the river. This phrase is employed in the book of Deuteronomy ten times; seven times it is used of the territory east of the Jordan (1. 1, 5; 3. 8, 41, 46, 47, 49) and three times of the territory west of the Jordan (3. 20, 25; 11. 30). These facts are confusing; for, if the author were on the *east* side of Jordan at the time of writing, we should naturally expect him to designate by the phrase "over Jordan" the *west* side. But he does not do so. Seven times he uses it, and means the side he himself is on, *i.e.*

the *east*. On the other hand, if the author wrote on the *west* side of the river, we should naturally expect him to designate by the phrase "over Jordan" the *east* side. But, on the contrary, three times he uses it of the same side he is supposed to be on, *i.e.* the *west*. This is exceedingly troublesome, as it quite forbids our placing the author on the one side of Jordan or on the other without considerable uncertainty.[1] *Prima facie* we are almost forced to conclude that the term was an elastic one, and when standing alone is ambiguous. This conclusion is further evident from the fact that in every instance where the phrase occurs in the book of Deuteronomy it is accompanied by some modifying phrase such as "eastward," or "westward," or "toward the sun rising," or "by the way where the sun goeth down," which define it and relieve it of its own native ambiguity (the context determines 3. 20). In Numbers 32. 19, in one brief sentence, the formula is used first of the west and then of the east country, but in both cases the ambiguity is relieved by being accompanied by the word "forward" and "eastward." It cannot be claimed that "wherever the author of Deuteronomy speaks in his own person (as Deut. 1. 1, 5; 4. 41, 46, 47, 49) it refers to the country *east* of Jordan; wherever Moses is introduced as the speaker (as Deut. 3. 20, 25; 11. 30) it refers to the west"; for Deuteronomy 3. 8 stands in a passage attributed to Moses, and yet the phrase there, בְּעֵבֶר הַיַּרְדֵּן, means (confessedly) the land of Moab.[2] Besides, this hypothesis would fail to explain its use in the other books of the Pentateuch. There may have been a time when, as some

[1] Holzinger (*Einleit. in den Hex.*, 1893, p. 296) attempts to solve the difficulty by supposing that in Deuteronomy 1. 1–5; 4. 45–49 the standpoint is that of the *west* side of Jordan, whereas in chapters 5.–11, that of the *east*; but this is arbitrary.

[2] *A Dictionary of the Bible*, art. "Beyond," by Dr. Hastings, 1898.

claim,[1] the phrase was equivalent to a "proper name" with a fixed geographical sense of the *east* alone; or there may have been a time when, as Driver[2] affirms, the habit had arisen of viewing the regions on the two sides of Jordan as contrasted with each other; but nothing is gained by such a supposition. The most probable hypothesis is that the expression בְּעֵבֶר הַיַּרְדֵּן, when standing alone, is ambiguous and quite capable of being used of either side of the Jordan. As A. Moody Stuart[3] inquires with some force: "If we could imagine Moses, for a moment, on the east of Jordan and wishing to express himself concerning Palestine, what other general expression could he have used except בְּעֵבֶר הַיַּרְדֵּן?

4. The clause, "when ye came forth out of Egypt," which occurs five times with the plural suffix (4. 45*b*, 46*b*; 23. 3 (4); 24. 9; 25. 17), and twice with the singular (16. 3, 6), and at first sight has the appearance of late authorship. But in one instance (24. 9) Moses bids Israel remember how Miriam was stricken with leprosy "when ye were come forth out of Egypt" (some thirty-eight years before the time of speaking); in another (25. 17) to remember how Amalek smote them "when ye were come forth out of Egypt" (more than thirty-nine years previous); in another (23. 4 [5]) he cautions them not to permit an Ammonite or Moabite to enter into the congregation of the Lord, "because they met you not with bread and with water in the way when ye came forth out of Egypt" (some thirty-eight years prior to the time of speaking); and in 16. 3, 6 he commands them to keep the passover and to

[1] So Wellhausen, quoted by A. Moody Stuart, *The Bible True to Itself*, 1884, pp. 84, 85; and W. L. Alexander, *Pulpit Comm.*, "Deuteronomy," 1897, p. xxvi.f., who makes it analogous to Negeb, Norfolk (=North-folk), etc.

[2] Driver, *Deuteronomy*, p. xliii.

[3] A. Moody Stuart, *The Bible True to Itself*, 1884, pp. 84, 85. Cf. Hommel, *Ancient Hebrew Tradition*, 1897, p. 261. Douglas, *Lex Mosaica*, 1894, p. 95. Green, *The Higher Criticism of the Pentateuch*, 1895, p. 50 f. Witsius, *ut supra*, p. 30.

kill the sacrifice at even, "that thou mayest remember the day when thou camest forth out of the land of Egypt" (also some forty years before); in any case referring to events which happened years before the time of speaking and in the language of personal, direct address, most suitable in Moab when Moses was exhorting Israel to keep the Torah. The other two remaining references (4. 45, 46) are found in an editorial comment and need no further explanation.

5. Star-worship (4. 19; 17. 3), which, so far as we know, became popular in Palestine first in the seventh century —in the reign of Manasseh (cf. 2 Kings 21. 3 f.; 2 Chron. 33. 3 f.). At the same time the names of certain places in Canaan testify that the worship of the sun and moon was ancient;[1] and Deuteronomy lays no particular stress upon star-worship apart from that of the sun and moon. The following facts point to an earlier date than the age of Manasseh for the beginning of star-worship in Palestine: (*a*) 2 Kings 17. 16 states that the ten tribes worshipped "all the host of heaven" (with no mention of either sun or moon).[2] (*b*) 2 Kings 23. 11 f. speaks of sun horses and sun chariots which the "kings" (plural) of Judah had given to the sun, implying that the worship of the sun at least was a custom of considerably long standing in Israel. (*c*) Isaiah 17. 8 (a passage confessedly Isaianic) makes mention of "sun images" worshipped in the prophet's time. (*d*) Amos 5. 25, 26 denounces Israel for doing sacrifices to "the star of your god"; from which it may justly be inferred that star-worship was not foreign to their idolatries. (*e*) The monuments of Ramak, dating from the reign of Seti I. in the 14th century B.C., show pictures of a steer of Moloch and a cow's head with a

[1] Cf. Driver, *Deuteronomy*, p. xlvi.

[2] Kuenen (*Hexateuch*, p. 218) to be sure discredits 2 Kings 17. 16, on the ground that "it is a general survey of a long-vanquished past which is characterized by anything but precision"; but cf. Kleinert, *Das Deuteronomium*, etc , 1872, pp. 105–112 for the opposite view.

crescent between the horns.[1] (*f*) Jeremiah's vivid descriptions of star-worship (7. 18; 19. 13; 44. 17, 18, 19, 25) differ too widely from the Deuteronomist's comparatively casual allusions to allow of the conclusion that they breathed the religious atmosphere of the same century.[2]

6. The *Mazzebah* or Pillar (מַצֵּבָה, Deut. 16. 22). The command reads: "Thou shalt not set thee up a *mazzebah*, which Jehovah thy God hateth," which to some seems to be in conflict with the prophecy of Isaiah 19. 19, viz., "In that day shall there be an altar to the Lord in the midst of the land of Egypt and a *mazzebah* at the border thereof to the Lord." And the question often raised is, "Would Isaiah have used the *mazzebah* as a symbol of the future conversion of Egypt to the true faith had he known of such a law?"[3] The difficulty is one of interpretation. In the Pentateuch the word מַצֵּבָה has a double signification; first as a "memorial," or stone of witness, as when Jacob set up a *mazzebah* at Bethel (Gen. 28. 18, 22; cf. also 31. 13, 45, 51, 52; 35. 14, 20; Exod. 24. 4); and also as an image, or pillar, erected for idolatrous purposes, which Israel are commanded to destroy (Exod. 23. 24; cf. 34. 13; Lev. 26. 1; Deut. 7. 5; 12. 3). In this latter sense of an image of idolatry, the word מַצֵּבָה is obviously employed in the passage in Deuteronomy 16. 22. But in Isaiah 19. 19 it is otherwise. The prophet there predicts that in that day, viz., the day of the catholicity of Divine grace, when the nations shall be converted to the worship of Jehovah, there shall be an altar to Jehovah in the midst of the land of Egypt and "at its border" a *mazzebah*, or memorial "unto the Lord." This is no *Mazzebah* of idolatry, but

[1] Cf. Kleinert, *ut supra*, p. 109 n., who cites Osburn, Duncker, and Eusebius as authorities; cf. also Ebers, article "Ægypten," in Riehm's *Handwörterbuch*, etc., 1894.

[2] Cf. Kleinert's exposition of Ewald's reasoning on this point (pp. 106, 107).

[3] So, *e.g.*, Driver, *Deuteronomy*, p. xlvii.

a stone of witness "unto the Lord." Indeed, in the very next verse (Isa. 19. 20) the prophet explains that the *Mazzebah* "shall be for a sign and for a witness unto the Lord of hosts in the land of Egypt."

If, however, this interpretation be rejected, then it remains to be shown how Exodus 24. 24 and 34. 13, which also forbid the worship of images and pillars, could have been composed *before* the time of Isaiah; for these passages belong to JE, which *ex hypothesi* antedates the time of Isaiah. And, further, it is becoming more and more evident that Deuteronomy 16. 22 precedes Isaiah 19. 19 after all. The genuineness of the section (Isa. 19. 16–25) is doubted by Hitzig, Gesenius, Vatke, Geiger, Merx, Renan, Grätz, Duhm, and others, who place it late. Cheyne, for example, in his recent *Introduction to the Book of Isaiah*[1] assigns it to the second half of the third century (between 250 and 220 B.C.). And he subtantiates this claim by saying that "it may well be post-Deuteronomic. For though the letter of the law in Deuteronomy is violated, the spirit is not. The reference to the altar and to the *Mazzebah* may be purely symbolical. Had the writer said, 'There shall be altars and a *mazzebah* by each altar,' he would have transgressed the spirit of the law; but he says 'an altar' and a *mazzebah* at the border."[2] Thus Cheyne re-asserts the priority of Deuteronomy to Isaiah, and on purely critical grounds.[3]

These are the principle marks which lie on the surface of the book of Deuteronomy, and which might indicate its probable late origin.

G. L. ROBINSON.

[1] p. xxix. [2] Cheyne, *Introduction to the Book of Isaiah*, 1895, p. 101.

[3] Cf. Douglas, *Lex Mosaica*, 1894, p. 88. Driver frankly allows (*Deuteronomy*, p. xlvii. n.) that "the argument does not possess the cogency of those of a broader and more general character."