THE

BIBLIOTHECA SACRA

ARTICLE I.

SOME ASPECTS OF THE CONSERVATIVE TASK IN PENTATEUCHAL CRITICISM.

BY HAROLD M. WIENER, M.A., LL.B., OF LINCOLN'S INN, BARRISTER-AT-LAW, LONDON.

THE necessity for meeting a large number of detailed arguments in the course of the great critical controversy as to the origin of the Pentateuch cannot be held to afford any justification for neglecting to take some general view of the task that confronts those who hold conservative opinions. Indeed, reflection shows rather that the efforts which have to be made for the purpose of grappling with individual difficulties must never be dissevered from the general principles by the aid of which alone success can be obtained: and the circumstance that many conservatives devote their labors to processes which are scarcely likely to prove more profitable than plowing the sands tends to emphasize the desirability of considering the lines along which our work should proceed.

It is a condition precedent of all conservative work that the conservative writer should know the higher critical case a great deal better than any critic does. That may sound paradoxical and difficult: it is really the simplest thing in the world. For the conservative must know not merely the

strength of the critical case, but also its weaknesses; and these appear never even to be suspected by the critics. But unless he knows the critical case thoroughly, knows it in its seeming strength, he will never be able to detect its weaknesses. He must be perfectly acquainted with the arguments he is to refute if he is to have any chance of showing others exactly where they go off the rails.

Another matter to be borne in mind is that a style of apologetics at present much in vogue is much more likely to damage our position than to improve it. I refer to the too frequent efforts to disprove the higher critical case by citing against one another the divergent opinions of different writers. "Here is a problem: Professor A says the solution is X, Professor B that it is Y: therefore there is no problem." Stated in this way, the logic is a trifle weak: but unfortunately it will be found far too frequently on our side. No doubt in many cases something that presents no difficulties has been magnified into a problem; but in others there is a genuine question to be faced and answered, and in such cases this style of apologetics is worse than useless. The apologist may insist as he will: he may produce the most plausible of arguments: but the first time the student is confronted with the bed-rock difficulty in the text the conservative arguments will vanish into thin air and the solution of either Professor A or Professor B will make a fresh convert. The true method is to show that the solution of the problem is neither X nor Y, but Z: and then there is a probability that every fresh student who has to consider this text and the explanations suggested will be inclined towards the conservative case — finding that here at any rate none of the critical theories will hold water, while conservatism can remove the difficulty. The truth will ultimately stand by its own inherent strength and not through

the divisions of its opponents. Our task is, above all things, constructive.

But here perhaps somebody may interpose with two objections. In the first place, it may be said that it is notoriously extremely difficult to get any critic to read conservative work. That is unfortunately true; but there are two answers. There exists a large body of men who are not professional critics though they have been influenced (and in some cases trained) by those who are: and many of these while regarding the critical position as probably correct are quite willing to listen to argument. The opinions of these men must in time react on the critics themselves. The second answer is, that even in the case of the most inveterate critics steady persistence is apt in the long run to have its usual effect and to compel reluctant attention. For these reasons the conservatives should not allow themselves to be daunted, but should work away steadily until in the slow but inevitable course of events their arguments win recognition.

Then there is another great objection. When the critical case has been demolished, the critics will still continue to believe and teach it. This may sound far-fetched: actual experience of the critics has, however, convinced me that it is only too true.

> 'A man convinced against his will
> Is of the same opinion still.'

In such cases the critics should, where possible, be induced to publish their revised views in the full confidence that these will have on their readers the effect that conservatives desire. An eminent critic on receiving the article in the BIBLIOTHECA SACRA for January, 1909,[1] wrote to me, saying in effect that he was too prejudiced to be affected in his views by the text-

[1] Essays in Pentateuchal Criticism, pp. 4–56.

ual uncertainty of the Divine appellations in Genesis. Nothing would serve our purpose better than that he should publish something on those lines and expound it carefully to his pupils. "This theory was framed to account for certain facts: those facts are now displaced: but, as I am prejudiced, I say that the theory is true in spite of all facts to the contrary."[1] I myself have had too much experience of corresponding with higher critics, and have found them too unable to answer my points, to have any doubt of the unsoundness of their position; and, that being so, the work of getting our arguments grasped may take time, but must ultimately succeed.

A minor difficulty lies in the tendency of the critics to regard every point made by the conservatives as a "detail." The higher critical case is of course made up of a mass of details; but, of these, some (as, for instance, Astruc's clue, and the blunders made by Wellhausen as the result of his inability to discriminate between a house and an altar) possess greater importance than others. It is amusing to see how in the eyes of higher critics on the defensive, that which but yesterday was a cardinal point in their case suddenly shrinks to a detail. But what is less amusing is the obvious reluctance to consider the ramifications of the "detail," and frankly to jettison arguments and hypotheses that have become untenable. We have still to discover the higher critic who, on finding reason to believe that his opponents have scored a point, will have the courage to look into the matter in all its bearings and then tell the public: "Such and such a position has become untenable, and we are shown to have been wrong on this point: our

[1] Since the above was written, Professor Steuernagel has found himself compelled to argue that the documentary theory would stand, even if all the discrepancies in the Pentateuch failed (Theologische Literaturzeitung, October 15, 1910). It is greatly to our advantage that the critics should be driven into such positions.

theory therefore requires such and such modifications." In dealing with this characteristic, as with others, the conservatives have no choice but to continue working away persistently until they wear down the critical prejudices.

Subject to these remarks, the critical arguments mostly fall under a few heads for conservative purposes, and I propose shortly to examine some of these.

1. First, then, it will be found that the critics habitually use a large number of arguments which when investigated do nothing whatever to support their case and are at least equally compatible with the conservative position. I have often given examples of this. Take, for instance, the argument from style as applied to the legislation. Owing to the narrowness of their reading, the critics do not know that, in antiquity, style varied according to subject-matter.[1] I once discussed this matter with an eminent critic, pointing out to him that in classical studies men had come to recognize how different the use of style was in the ancient world to that in the modern. He said: "We are much further advanced than the classical philologists." The day before he had told me that he read nothing outside his own subject! Certainly that must have made it much easier for him to reach this notable conclusion.

Many of the arguments urged as to the early chapters of Genesis fall in this category. As I have frequently pointed out, there are certainly passages that are much older than the time of Moses. Genesis x. 19, with its reference to Sodom and Gomorrah and Admah and Zeboiim as still existing, is a familiar instance which anybody can appreciate without technical training. (In fact I may remark in passing, that I often find it useful to begin with this point when discussing any of

[1] See the Princeton Theological Review, October, 1907, for a discussion of the argument from style.

these matters with a partisan of the higher critics, just because it is so easily and rapidly apprehended.) But if once pre-Mosaic sources be admitted in Genesis, very many of the higher critical arguments become valueless, for large sections of the data may be most naturally explained by this hypothesis. If a critic seeks to reply that the phenomena that characterize the supposed sources of Genesis continue thereafter, it is easy to rejoin by pointing out to him that as the author of x. 19 could not have written an account of, say, the Mosaic age, there must be something very wrong indeed with the critical methods which led them to assign this to a late stratum of J, i.e. to a hypothetical writer who is supposed to have flourished at least a thousand years after the latest date at which this passage could have been composed.

2. A second great division of the critical arguments is furnished by difficulties that depend on the state of the text. The Pentateuch is a book that has been handed down to us through a great number of centuries. Whatever care may have been exercised in the process, it is inevitable that errors should have crept into the text, for the transmission has been accomplished by human means, and no man is infallible. Now we in fact know from ancient Versions and other sources that the received Hebrew Bible represents only one recension of the original; and in many places that recension is for one reason or another clearly wrong. There are passages that violate the ordinary rules of grammar, passages from which no sense can be extracted, passages that can indeed be translated and will give some sense from which however no satisfactory meaning can be elicited.[1] In such cases we may be sure the text has suffered. But there are instances in which

[1] E.g. the statement that Saul was one year old when he began to reign.

what are obviously mere textual corruptions have been exploited by the higher critics for the purposes of their theory. In such cases it is the duty of conservatives to devote themselves to textual criticism and show on what the critical arguments are really founded. It is a great pity that this form of criticism has been so largely neglected. An illustration of this that seems to me to be at once significant and unfortunate is the fact that originally no volume on the Text of the Old Testament appears to have been thought necessary to the completeness of Messrs. T. and T. Clark's International Theological Library. Articles in Bible dictionaries and sections in the introductions to special commentaries form very insufficient substitutes for a really comprehensive treatise on this important subject, and it is therefore gratifying to note that it is now intended to add such a volume to the series.

3. A third great division of critical difficulties is constituted by certain matters which require for their elucidation expert knowledge that the critics lack. I have repeatedly illustrated this and do not propose to labor the point now. Here it must be the duty of conservatives to endeavor to raise critical knowledge to a higher level.

4. Closely connected with this last division is another — the difficulties that are due to our insufficient knowledge of the history of the Mosaic and preceding ages. These difficulties are being reduced by archæology. But probably the most striking illustrations of the benefits conferred by this science are to be found in the effect that it is having on various harebrained theories. It must be remembered that there have been important instances of breaches with the established Wellhausen school of late years. One example is provided by Kuenen's successor, Eerdmans, who is under the influence of archæological material. In a different direction the same

may be said of Professor Bruno Baentsch and those who are following him. Professor Baentsch came to the conclusion, from the archæological material, that it was incorrect to argue for a late date for Monotheism. A more recent German higher critical work is Dr. A. F. Puukko's "Das Deuteronomium." His verdict is as follows: "I am decidedly of the opinion that the old Israelitish tradition which ascribes the Decalogue to Moses is credible, and does not stand in irreconcilable contradiction with any historical facts" (pp. 44 f.). He means a simpler form of the Decalogue than that in the text of Exodus, but that such a form should be Mosaic — perhaps even preserved in writing — is a view that he has adopted as the result of archæological evidence. Thus he writes, in a note on page 43: "After the discovery of the stele of the Code of Hammurabi and the Tel-el-Amarna finds this hypothesis contains nothing unreasonable." The same influence showed itself in the article contributed by Dr. C. F. Burney to the *Journal of Theological Studies* for 1908. Professor Sellin, in his new "Introduction to the Old Testament," advances further along the conservative path. It is true that the theories that are now being abandoned never had the slightest probative force behind them: but they were the fashion with a certain school of writers, and it is therefore well that the successors of these writers should have to abandon them explicitly. So too the discovery of early tablets showing that Abraham was in fact a personal name is not grateful to those who wish to see in him a moon god.

In this connection the following note (which will be found on p. 392 of the sixth German edition of Wellhausen's Prolegomena) may cause some amusement: "I believe that the present legislation in Exod. xxi. xxii. is at bottom Canaanitish, i.e. pre-Israelite. The laws of Hammurabi are better re-

dacted, yet as far from being artificial as those of Exodus xxi. f.; they may also be of great antiquity. But it does not follow from the fact that they are attributed to Hammurabi that they come from him. In view of experiences elsewhere this conclusion of the Assyriologists is not actually necessary. *A priori* the converse is more probable." Comment would spoil the pure joy of this note.

5. A fifth great head of points that press the critics requires very different treatment — I refer to the difficulties that are purely imaginary.

Nothing is commoner than for a higher critic to misunderstand a text or lay down some preposterous canon to which history or literature is expected to conform, and then to erect a theory on such a basis. Sensible men rarely attach much importance to these sections of the higher critical case, and we need not linger on the subject, because Professor Toy, one of the most eminent of the American critics, has recently used very clear language in this connection. He writes quite frankly: "I do not pretend to defend all the arguments and conclusions of recent works on the Pentateuch. They sometimes disagree among themselves, and sometimes press analysis too far and make difficulties where there are none." [1]

It will, I think, be found that many of the critical arguments can be grouped under one or other of the foregoing heads. To my mind the work of disposing of them constitutes by far the more important department of the conservative task. The great fundamental improbabilities — religious, moral, historical, literary — of the higher critical case are so grave and so obvious that the majority of students who are not rationalists will necessarily incline towards conservatism

[1] The Christian Register. April 28, 1910.

if it be made at all possible for them, and that depends mainly on the line we take towards the arguments on which the critics rely.

At the same time it must be remembered that conservatism is in a position to put forward a positive constructive case of its own. There are passages which to any unbiased mind prove date with sufficient certainty. In this connection the following admissions are of interest: "It will thus be seen that we have here a very vivid and true picture of Egyptian life; and, in particular, of the life of the lower orders" (Gray, Numbers, p. 104, on Num. xi. 5); "The description is drawn from life, corresponding accurately to modern observation in its various details — the great multitude of the birds, their use of wind in their migration, the lowness of their flight, the ease with which when weary they are netted" (*op. cit.*, p. 117, of the quails, Num. xi. 31–33).

Such traits cannot be without their weight for any estimate of authorship and date.

Or take the priestly legislation. Omitting technical points, its date is still clearly written on its face. After the exile the Ark was no longer in existence: yet this legislation gives careful directions for its construction. That may seem somewhat belated, though the critics think nothing of it. But the mere construction is a bagatelle. Our legislator thinks it necessary to provide for the suitable housing of this Ark at a period many centuries before his time. Accordingly he forges most elaborate Divine ordinances for the construction of a tabernacle — again to meet the needs of an epoch that had long since elapsed. Next he sets apart a whole tribe to transport the national Ark and Sanctuary and gives most minute instructions as to the details of their conveyance. That, of course, is the most striking illustration in point of

length. It is by no means the only one. Laws relating to booty and conquests (Num. xxxi., xxxiii.) are singularly out of place in the circumstances of the exilic and Ezran periods. I have repeatedly pointed to the irreconcilable conflict between Num. xxxi. 18, permitting unions with Midianitish women, and the attitude of the religious leaders at this epoch. The system of tribes with separate tribal lots was as dead as the dodo, yet the injury that might accrue to them from the laws of inheritance forms the subject of anxious consideration and legislation (Num. xxxvi.). Of those laws of inheritance themselves I have written in "Studies in Biblical Law," and elsewhere.[1]

Another branch of the conservative argument will be provided by the historical evolution that can be traced in the laws when the conservative dating is retained. That evolution is in accordance with the course of history observed in other societies. In such subjects as family, inheritance, homicide, covenant customs, theft, our information enables us to trace growth and change with more or less fullness.[2]

Increased attention must be given to the structure of the Pentateuch and the proofs of its substantial unity. It is almost fashionable now even for critics to recognize a measure of unity in Genesis. It will soon be possible to force them to admit the essential unity of the great bulk of Deuteronomy. Then will follow the testimony of Deuteronomy to certain portions of the earlier books and the evidences of unity in at

[1] Other arguments of the same kind will be found in Essays in Pentateuchal Criticism, and art. "Priests and Levites," Bibliotheca Sacra, July, 1910, pp. 486–539; also in Dr. Orr's Problem of the Old Testament.

[2] See the articles on Law in Old Testament, Family and Inheritance, Crimes, Wrongs and Punishments, Homicide, Witness, in Murray's Illustrated Bible Dictionary and the literature there referred to.

any rate the bulk of "P's" narrative and the whole of the legislation. Many important consequences will flow from the recognition of the fact that in the Pentateuchal legislation we have the laws of Moses, subject only to textual criticism, in the language of Moses.

Many other important lines of argument will be found in Dr. Orr's "Problem of the Old Testament." This article is purposely limited to a few aspects of the subject, for a treatise might be written in the attempt to deal with it exhaustively. Yet it has seemed in place to sketch roughly some of the lines on which we must work, in the hope that even such a hasty sketch might prove conducive to clear thinking on some points of cardinal importance.