

CHAPTER EIGHTEEN TESTIMONY OF THE EARLY PROPHETS

It will not be necessary for our purpose, to investigate all the amount of evidence that might be collected from the prophetic writings of the Old Testament. We are chiefly concerned with the books of Amos, Hosea, Isaiah, and Micah. Of Joel we cannot make any use, since a number of critics remand his prophecy to the post-exilic period. Jeremiah and Ezekiel wrote after the pretended origin of the Deuteronomic Code. Deutero-Isaiah is declared to be exilic.

The testimony of the earlier prophets has a double weight, since they speak as contemporary witnesses. When the author of the Book of Kings makes mention of the Mosaic laws, the critics are ready to call it one of his anachronisms. This is precluded here. We have no reason to fear that we shall find ourselves hunting our own shadow.

We have first the passages in which a direct reference to the תּוֹרַת יְהוָה (*law of Jehovah*) is found. They are in succession the following Amos 2:4; Hos. 4:6, 8:1, 12; Isa. 1:10, 2:3, 5:24, 8:16, 20, 24:5, 30:9; Mic. 4:2.

The value of this testimony seems to be somewhat lessened by the consideration that the phrase “תּוֹרַת, or תּוֹרָה, absolutely may designate something else than the Mosaic law. On the one hand, the etymology (from יָרָה *jacere, ejicere, manum extendere*, and then *instruere, docere*), on the other hand, the exegesis of some passages, as Isa. 8:16, 30:9; Mic. 4:2, which require the more general sense, go to prove that the phrase may denote *all instruction of God*, whether given in his law, or by the prophets. Compare the instances where תּוֹרָה is parallel with דְּבַר (*word*). The Mosaic law doubtless was Thora from the beginning; but that it was Thora in the later specific, traditional sense cannot be proved. All that can be said, is that it was probably the Thora of Jehovah *par excellence*.

We may concede all this without depriving ourselves of the ability to show that the prophets refer and appeal to Mosaic laws. For after the subtraction of all the passages where the general meaning is admissible, we keep a *residuum* where no other sense than that of “*written law*” will satisfy the context.

There are cases where Thora designates God’s instructions in days gone by. To this class belong, –

Isa. 24:5: “They have transgressed the laws, changed the ordinance, broken the everlasting Covenant.” Thora is here parallel with the “everlasting Covenant,” and with “ordinance,” the former of which would certainly not apply to “prophetic teaching.”

Amos 2:4: “Because they have despised the law of the LORD, and have not kept his commandments, and their lies caused them to err, after the which their fathers have walked.”

Hos. 4:6. Here a priestly law had not only been disobeyed, but forgotten, which implies its existence for considerable time. Its knowledge and interpretation are represented as a priestly inheritance.

Hos. 8:1: “Because they have transgressed my Covenant, and trespassed against my law.” Here “law”

and “Covenant” are synonymous, as in Isa. 24:5.

But the critics will say, How can we know, when Amos, Hosea, and Isaiah refer to a Thora, different from their own words, that this must be the Thora of Moses? Why can it not refer to the teaching of the older prophets, who had preceded those of the ninth and eighth century? We might just as well retort the answer, Why can it not refer to Moses, for he certainly was a prophet? Still, this is not enough. Our claim is, that Moses occupies a unique position. He is the prophet *par excellence*, the legislator to whose work the later prophets appealed, in whose institutions they lived and moved and had their being. We must show, that, in the passages referred to, nothing but the Mosaic law can reasonably be meant. This follows from several considerations: –

1. In two of them the law is used parallel with “Covenant,” meaning the conditions which the Covenant imposes. This conception must date back to a definite, historical event, which is, according to the whole Old Testament, the Sinaitic legislation. Hence the Thora which stands parallel to the Covenant must be the Sinaitic Thora.

2. The prophetic word was a fleeting one, which had as yet no permanence and stability. It was God’s intention, that it should be preserved for future generations; but till a relatively late period, it served only the needs of the present. It is therefore improbable that Amos, Hosea, and Isaiah should have referred their contemporaries to the words of earlier prophets, who had long ceased to speak, and of the preservation of whose commands there is no evidence. The prophecies in their time were “testimony” in the strictest sense. They came and went, but constituted no codified law.

3. To fall back upon earlier prophets transfers, but does not relieve, the difficulty. So far as we know, the mission of all prophets was to enforce and vindicate the law. They never pretend to introduce a new religion, never require of the people that it shall commit itself to unreasonable authority. All their appeals are addressed to the conscience, the moral or national consciousness of Israel, both of which presuppose the law as their root and norm. Even Smend says, “Antiquitus tradita atque accepta esse oportebat, ad quae prophetae provocare poterant.” Now, it will certainly do to say that the younger prophets appealed to the older ones, the later to the earlier. But to what did the older and the earlier appeal? Did *they* stand on their own authority? Did *they* prescribe law, instead of upholding it? To this assertion the critics must resort, but it is out of all analogy. We touch here again the weak spot in the reconstructive scheme. Prophetism, at least incipient prophetism, hangs in the air. It had no seed to spring from, no soil to root in: its origin and growth are involved in a profound mystery. The early prophets, we claim, must have stood on the platform constructed by Moses.

Next comes the passage Hos. 8:12, which deserves to occupy a place by itself, –

אכתוב לו רבו תורתִי כמו־זר נחשבו

We follow the reading of the Kethib, and translate רבו “ten thousand.”

Our first remark is, that רבו תורתִי can by no means refer to prophetic teaching. It does not matter whether we take רבו in apposition, or as the *nomen regens* of תורתִי: in either case, the reference must be to law proper. The prophetic Thora constituted one whole: it appears as synonymous with

”דבר י, a mere abstraction. Accordingly, neither translation— “My Thora, ten thousand,” or “Ten thousand of my Thora” – will apply to it. Also the word אכתוב precludes all other meanings than that of written law. The prophets, as remarked above, did not teach their contemporaries by writing, but by the living word.

We may infer that the idea of a written law was very familiar in Hosea’s time. Whether this verse contains a definite allusion to law actually written, will depend partly on the context, partly on the construction of אכתוב.

Keil takes the latter as an historical present, from which the meaning would result, “I have written ten thousand precepts of my law [in the time of Moses], which still exist.” But there is no evidence that the Hebrew future ever has such a sense. It is not equivalent to the Greek perfect, but to the Latin imperfect, and denotes repeated action; so that the meaning would be, that God by Moses, and afterwards by the prophets, had repeatedly prescribed law to Israel.

This is, indeed, Ewald’s interpretation. There is no evidence, however, of such a legal literature as Ewald imagines to have existed.

We may explain the future with Hitzig as purely hypothetical: “Though I had written ten thousand,” etc. But how could the multitude of commandments increase the guilt of disobedience? We would expect that in this case, the prophet had taken as small a number as possible to express this idea.

Smend does not understand the רבו of numerous commands, but rather in a qualitative sense, commands minutely stated. This certainly yields a meaning appropriate to the context, but is less suitable to the hypothetical interpretation.

Two more views are possible. Either we may take the future as a *praesens historicum*, not in Keil’s sense of the Greek perfect, but in the sense of a simple Hebrew perfect, for which, in the alacrity of discourse, it is often substituted (Gesenius, § 127, 4 c.), or we can understand the future to introduce a conditional clause, –“Even when I write to him ten thousand of my law, they are counted as nothing.”

We must choose between the last two constructions, either of which presupposes the existence of a written divine law in the days of Hosea.

The context furnishes no sufficient data to determine what the contents of this law were. Only ver. 11 might give us a glimpse. “Because Ephraim has made many altars to sin, his altars shall be unto him to sin.” Ewald considers the two members of the verse as expressing the same thought, which would be nothing more than a truism. The sin which the Israelites had committed consciously in erecting the many altars, cannot be the sin to which God’s righteous judgment gave them up. It must have been a new phase of evil consequent upon the former. The most natural explanation is, that because Israel sinned in transgressing the command, which required unity of worship, the many altars would be productive of the further sin of apostasy and idolatry. One sin was punished by a process, a sliding scale of sin. With this interpretation and the immediately following statement of ver. 12, “that God’s commands were counted for nothing,” we can hardly fail to recognize in it an

allusion to the Deuteronomic Code, whose principal aim was to enforce unity of the sanctuary.

Smend, in his "Moses apud Prophetas," admits all this in principle, and still refuses to see in it a proof of the existence of the Pentateuchal Codes. He says (p. 13), "Itaque Hoseae verba octavo saeculo, apud Ephraimitas multas leges scriptas fuisse comprobant . . . quamvis a magna populi parte negligenterentur . . . ut adeo divini juris videantur, acsi ab ipso Jehova scriptae essent." Page 19, "Certe plurimas illas leges quarum Hosea mentionem facit, ad Mosem inventorem relatas esse putandum est." His argument for this is quite conclusive. All laws, according to the prophets, have their foundation in the Covenant between God and the people. But the Covenant was Sinaitic: "Re vera semel in Monte Sinai per Mosem junctum esse, traditione certissima atque unanimi antiquitas constabat. Ni [Moses] fuisset, prophetarum munus ne cogitari quidem potuisset."

These remarkable confessions give all that can be reasonably demanded. There were many written laws, which the prophet and his contemporaries ascribed to Moses. They were universally neglected. Though their contents cannot be accurately determined, nothing contradictory to the Pentateuchal Codes is ever approved of. The Sinaitic legislation was considered as an historical fact. And, after having granted all this, the critic stands up in his own authority, and declares, "At libros illos, si quidem multi erant non ex antiquissimis temporibus Mosis originem traxisse *jure* concludas!" We ask with what right? Does critical skepticism go so far as to deny the credibility of the prophets' testimony for the time that lay behind them? When Hosea says that God gave the law at Sinai through Moses, shall the critics say, It cannot have been, laws must have gradually appeared? Or, do they desire that Hosea and Amos shall tell us in so many words, "The laws which we refer to are no other than the Mosaic Codes"? There is no evidence that any collection of laws ever existed but the Mosaic. And we must deny to the critics the right of substituting an imaginary one, to do away with the plain meaning of Hosea's words.

As in the historical books, we do not believe that much can here be made of the ceremonial usages and religious customs referred to by the prophets. When we would array it as evidence of the existence of the Codes, Wellhausen would from his standpoint have the right to remind us, "Legem non habentes natura faciunt legis opera." Once more our attitude must be an apologetic one. We must show that the Codes may have existed.¹

First of all, the critics discover in these prophets an antagonism against the priesthood and ceremonial institutions in general, and consider them as defenders of a more spiritual type of religion. The principal passages are: Amos 5:21, *seqq.*, 8:10; Isa. 1:11, *seqq.*, 29:13; Mic. 6:6-8; Hos. 4:6, 7:14, 10:12, 12:6. Dr. Kuenen says, "The prophets nowhere insist upon fidelity in observing the holy ceremonies. On the contrary, they speak of them with an indifference which borders upon disapproval, sometimes even with unfeigned aversion."

It must be remembered, that Hosea and Amos prophesied in the Northern kingdom, where there was no legal Aaronic priesthood. The priests opposed by the prophets were no rightful priests. Still, they are hardly ever condemned in this official capacity, but for lack of knowledge, for being murderers, robbers, etc. The point at issue is, whether the prophets condemned the ceremonies *per se*, or on account of their wrong performance. An unprejudiced examination of the evidence will not leave us in doubt on which side the truth lies. We note the following points of decisive importance: —

1. If the ceremonies had been condemned by the prophets *per se*, in contrast with a more spiritual religion, Jehovah's attitude ought to have been represented as one of indifference towards them. This is not the case. When Kuenen speaks of "indifference bordering upon disapproval, sometimes unfeigned aversion," all these words are not synonymous indeed, they are mutually exclusive. God disapproves of the ceremonies, not for formal, but for material, reasons. He hates, despises, the feasts. He will not smell in their solemn assemblies: his ears revolt against the melody of their viols. The ritual is represented as offensive in the highest degree. We are warranted to draw from such positive terms two conclusions: (1) There must have been a positive element of sin in the ritual performances which the prophets condemn. (2) The very fact, that they offend God, awake his hatred and revolt, shows that he stands in a sort of necessary relation towards them. He cannot disregard or abolish the ceremonies, but is obliged (*sit venia verbo*) to attend, to see, to hear. No stronger evidence could be furnished that the ritual was a divine institution, and recognized as such by the prophets. Isa. 1:14 is very instructive in this respect: "They are a *trouble* unto me; I am *wearry* to bear them."

2. Ceremonies and true piety were so closely allied in the religious consciousness of the time, that even evil-doers thought they could either conciliate by them the favor of God, or at least secure the esteem of the pious. That the right conception of sacrifices was known and shared by the prophets, is not disproved by this self-righteous abuse of the wicked, but on the contrary presupposed by it.

3. The high esteem in which the prophets held the ceremonial, and how far the idea of emancipating Israel from it was outside of their intentions, are shown incidentally several times. In Amos 7:17, the Lord threatens Amaziah "that he shall die in a polluted land." There is a climax in the verse of all evils which would befall the priest, this dying in a polluted land would be the most formidable one. The land and the priest are called pure, not on account of their piety, but on account of the outward worship and cultus of the true Jehovah, which was lacking in heathen lands. Now, if this ritual, as it was represented in a wicked priest, was still sufficiently sacred to make the land of Israel pure, we surely are not warranted to consider Jehovah and his prophets as despisers of the ceremonies. The soil itself contracted purity and impurity from the worship of its inhabitants. Smend calls this sentiment "Levitismus." Of the same character is the passage Hos. 9:1-6 "They shall eat unclean things in Assyria: . . . their sacrifices shall be unto them as the bread of mourners; all that eat thereof shall be polluted," etc. (compare also 3:4). Smend confesses, "(Qui) talia iudicent iis quae in ipso Levitico inveniuntur nihil cedunt."

4. The passage Isa. 29:13, which has been claimed in favor of the critical view, teaches, properly interpreted, exactly the opposite. The contrast is not between commands given by man and commands prescribed by God, but between those learned from man and those learned from God. The former represents mere external ritualism; the latter inward piety, expressing itself in outward forms. The ceremonial worship of the people was not a spontaneous manifestation of spiritual-mindedness, but worthless compliance with a form from self-righteous motives. This externalism is strikingly characterized as "doing precepts learned from men." Of course, nothing as to the origin of these precepts is decided thereby.

5. The estimate put by the prophets on the ritual system is throughout very favorable. Isaiah associates it with the vision of his great commission (chap. 6). He sees an altar (ver. 6), and smoke (of sacrifices?)

(ver. 4). The Egyptians, when converted, will erect an altar and a *mazzebah* (pillar) for a monumental purpose, do sacrifice and oblation, vow a vow, and perform it (chap. 19:19, *seqq.*). Jehovah has a fire in Zion and a furnace in Jerusalem (31:9). In Hos. 4:4 it is counted the highest contumacy to strive with a priest.

6. The passage Amos 5:25, 26, seems to deserve a closer examination. We do not intend to inquire into the kind of idolatry of which the verse speaks, but simply raise the question, whether Amos denies in this passage the antiquity of the ritual in general, or at least of the ritual as it was in his day.

The verse has been interpreted in the most various ways. The question of paramount importance is, whether a positive or negative answer was expected by the prophet. That he supposed the answer to be obvious, is clear; so much so, that he did not even think it necessary to add it.

Vaihinger and Kuenen claim that an affirmative answer is presupposed. Kuenen gives as the meaning, that the Israelites had combined the offering of sacrifices to God with idolatry, and that the prophet takes this as proof of the worthlessness of sacrifices, which were consistent with the greatest apostasy. To this interpretation, there are the following objections: (a) The use of ׀, and not ׀ל, leads us to expect a negative answer. Though ׀ may be followed by an affirmation, it is only where the answer is doubtful, never where it is considered as self-evident. (b) If the co-existence of Jehovah-worship and idolatry were emphasized, we would expect in ver. 26 a ׀ consecut. cum futuro; but there is a perfect. ׀ל. (c) The argument would have been very inconclusive to the contemporaries of the prophet. That the sacrifices of their idolatrous ancestors were worthless, proved nothing against theirs. And if those who are addressed here were idolaters themselves, the prophet would not have used such a far-fetched argument.

The majority of commentators admit that the words imply that the Israelites did not sacrifice to Jehovah in the desert. But they differ widely as to the reason assigned for this: —

(a) It is most commonly held, that the suspension of sacrificial worship was a result of the idolatry described in ver. 26, whatever that may have been. So Keil and Hitzig and many others. Against this interpretation, the following objections are urged: 1. The order of the words in the Hebrew. It is claimed, if Jehovah were contrasted with strange gods, the question would have been introduced by ׀ל, with the emphasis on *me*. 2. The example of the forty years' wandering in the desert was, according to Keil, intended to show how, from the beginning, the Israelites were a perverse and apostate people. But how can, in ver. 21-24, the excess of ceremonial, and in ver. 25, the suspension of the same, be urged alike as a proof of Israel's iniquity?

(b) The same objection bears against the view of those who separate ver. 25 from the preceding verses. They understand that the prophet addresses in this verse other persons than in ver. 21-24. After having rebuked those who self-righteously put their trust in sacrifices, he now proceeds to condemn the false security of others based on the Covenant of Sinai by reminding them that the Covenant had already been broken in the desert. But there is no trace in the context of a transition from the persons first addressed to others.

(c) Smend's interpretation is, that the prophet wishes to show that God's favor was not dependent on outward ceremonies, and that for this purpose he refers to the sojourn in the wilderness, during which, notwithstanding the fact that the ritual was necessarily suspended, still God's favor was not withdrawn. Of course, this makes it necessary to understand ver. 26 either of the present or of the future. Smend translates with Ewald: "Ergo tolletis; i.e., cum idolis vestris exsulatum abibitis." To this view it may be objected, 1. We would, if the subjects of ver. 25 and 26 were not the same, expect to see the latter introduced by **וְעַתָּה** or something analogous. 2. It is doubtful whether the preterite can be used in this connection in the future sense, which Smend ascribes to it. We may add, however, that it is necessary to take the verb in ver. 27 as a future, and why not, then, ver. 26 also? 3. The forty years' wandering in the desert are always considered elsewhere as a period of apostasy, in which God's favor was actually withdrawn. The only consideration in favor of this view lies in the separation of ver. 25 from the verses 21-23 by ver. 24. The latter verse seems to begin the statement of what God did require in contrast with what he did not demand in ver. 21-23. We might infer from this, that the conduct of the Israelites in the desert is referred to as an exponent of what was really well-pleasing to God.

We do not pretend to give a new and better explanation of this difficult passage than any one stated above. But we have certainly shown that nothing can be inferred from it inconsistent with the high antiquity of the Sinaitic legislation. We may once more quote Smend, who says with regard to it, "Attamen falluntur qui quum certas Pentateuchi leges recentiores esse contendunt se Amoso teste uti putant."

(Footnotes)

¹ On this point, compare what was said on a previous page in regard to the historical books.