

CHAPTER TWENTY-ONE DID MOSES WRITE THE LAWS?

We have hitherto occupied ourselves exclusively with the question whether the claim of Mosaic origin which the Codes make for themselves could be vindicated. A few remarks may be added now with regard to the related question whether Moses committed the laws to writing.

That only the Book of the Covenant and the Deuteronomic Code are expressly stated to have been written by Moses, was remarked on a previous page. It will be necessary to keep in mind what was argued there, that these emphatic statements with reference to a part can never disprove the view that Moses wrote the whole.

On the other hand, if it could be shown that Moses wrote only these parts of the legislation, this would not contradict the statements of the Pentateuch itself. Caution is more than anywhere else required on this point of the discussion. The fact is remarkable, that all parts of the Pentateuch, of which it is expressly said that *Moses wrote them*, are Jehovistic-Deuteronomic, have one common style, and are of the same prophetic character. Even if the critics could settle it beyond doubt that the writer of the Priest Code was not the same with the author of the Book of the Covenant and of Deuteronomy, still the statements of the Pentateuch concerning its own origin would stand untouched.

Doubts have repeatedly been expressed whether the art of writing was known among the Semitic peoples, and among the Israelites in particular, during the Mosaic age (compare Reuss, *Geschichte des A. T.*, § 76). In general, however, the possibility, and even probability, of this knowledge at that time are now recognized. Dr. Kuenen says, "That the Israelites possessed an alphabet, and knew the art of writing, in the Mosaic age, is not subject to reasonable doubt, and now almost universally admitted." The objection which he raises against an extensive practice of the arts of reading and writing among the Israelites from their more frequent mention in Deuteronomy than in the middle books, has since then lost all its power, because Dr. Kuenen himself at present assigns the priority to Deuteronomy.

The Greeks received their knowledge of the art of writing from Semitic colonists. But whence did the Semitic tribes obtain this knowledge? Two answers have been given to this question. Until recently, many favored the derivation of the Semitic alphabet from Babylon or the cuneiform inscriptions of Assyria. At present, however, the opinion seems to prevail among Egyptologists, that the alphabet came from Egypt to the Semites, and was transferred by them to the Greeks, and farther West.

Dr. Taylor, a recent writer on this subject, says (I. p. 133), "It is proved beyond controversy (from the Moabite stone), that the Semitic alphabet was fully developed and established as early as the beginning of the ninth century; while, to the practiced eye of the paleographer, it also indicates that alphabetic writing must have been in familiar use for a very considerable precedent period" (compare also Ewald's "History of Israel," I. p. 52, *seqq.*).

On another page (p. 139), Dr. Taylor sums up his conclusion from the facts in this statement: "The external evidence connects in an unmistakable manner the date of the origin of the alphabet with

the period of the sojourn of Israel in Egypt.”

Reconstructive criticism is ready to combine with the denial of the historical character of the Pentateuch its own hypothetical conception of the primitive state of Israel during the sojourn in Egypt and the journey in the desert. We are reminded over and over again, that the Jews were a wild nomad-tribe possessing only the first germs of civilization. This view, it must be remembered, rests on no historical grounds whatever. According to the Pentateuch, not only was Moses instructed in all the wisdom of Egypt, but also the Israelites, as a whole, became from nomads a settled people being influenced by Egyptian civilization. They dwelt in houses, not by themselves, but among the Egyptians, sustained friendly relations to the latter, and adopted most of their arts. When we consider how easily the Jews have at all times assimilated the elements of foreign civilization, it admits no longer of any doubt, that, at the time of the exodus, they were something entirely different from the nomad-tribes imagined by the critics. There is no ground, accordingly, for making a distinction, as Reuss does, between Moses and the other Israelites, as if the former had been the only cultured person amongst them, and the rest an uncivilized horde.

It makes no difference whether we assume with Ewald and De Rougé that the Semitic alphabet was transmitted from the Hyksos to the Phoenicians, or suppose with Lenormant and Sayce that the reverse took place: the fact is firmly established, that the Hebrews, before their exodus, had an alphabet; and, as Ewald says, “We need not scruple to assume that Israel knew and used it in Egypt before Moses.”

That the Egyptian priests were accustomed to write their laws and sanitary prescriptions, is well known. Diodorus says that the physicians belonged to the priestly class, received their salary from the government, and were bound in their treatment of diseases by a written law made up by many of the most famous of old doctors.

Abstractly, it is not impossible to suppose that even such comprehensive laws as the Priest Code contains might have been orally transmitted in priestly circles. Perhaps the hypothesis might account for a gradual development of law consistent with a germinal or substantial Mosaic origin. But in view of the course of Hebrew history with its numerous relapses, as in the days of Eli, Ahab, Ahaz, Manasseh, and at other critical points, the preservation of a traditionary Code would be scarcely less than a miracle. The fate of Deuteronomy suggests what might have become of a law existing only in the mouth of an apostate priesthood.

To this, two other considerations may be added. We have explicit testimony that the Covenant-law was written in a book, and the Decalogue on tables of stone. To assume a codification of the priestly laws is simply to argue from analogy, or rather *a fortiori*; for if the people had their Code, much more the priests, whose lips should keep knowledge, and at whose mouth one should seek the law.

Finally, we learn that in his last days it was Moses' chief concern to write down the Deuteronomic discourses. The end testifies to the whole. We may expect, if he took care to fix the Deuteronomic Code in written form, and thus solemnly bound the people by a permanent allegiance to God, that he at the same time would protect them against oppression on the part of the priesthood, which wielded such extraordinary influence in Egypt. This could be done in no better way than

by codifying and publishing the divinely authenticated rule, by which both priesthood and people would be bound in the future.

So far, therefore, as inherent probability goes, we must accept, together with the Mosaic origin of the Pentateuchal Codes, the view that they were written either by Moses, or by others under his direction and superintendence.