

CHAPTER SEVENTEEN  
TESTIMONY OF THE HISTORICAL BOOKS -  
JUDGES, FIRST AND SECOND SAMUEL, FIRST AND SECOND KINGS

The radical difference between our conception of the Old Testament and that of the critics is such that it makes historical argumentation extremely difficult. Of course, all depends on our estimate of the sources and here the disagreement begins already. Joshua is so dependent on the Pentateuch, that its testimony is *a priori* declared invalid. Judges has undergone various redactions, in which the historical truth was molded for religious instruction (Reuss, *Gesch.*, p. 337). First, it consisted of a number of independent legends, lacking all unity except that of a common national spirit. They were collected into a body, and the religious tendency of the redactor furnished the thread of their connection. History was made revelation, says Reuss. "Judges is a prophetic sermon," To the author's generation, the old, heroic times had become quite unintelligible so that it devolves upon an omniscient criticism to correct in a pedantic schoolmasterly way the wrong conceptions entertained by the Israelites concerning their own history. The case stands no better with the books of Samuel and Kings (compare Reuss, §§ 245, *seqq.*, 340, *seqq.*). And how the newer criticism has dealt with Chronicles, is too well known to need special mention here.

From all this, it appears that to assail the critics on historical grounds is lost labor. They have their conception of the Old Testament, and we have ours. When, in Judges, certain deviations from the Mosaic law appear, often with the express disapproval of the author, all statements of the latter character are attributed to the redactor, who sees the facts in his own subjective light, so that the disapproval is not God's, but his. According to our view, the historical books were written with the very purpose of making past history a mirror and warning for the future Israel. According to the critics, all tendency towards instruction is of later date. In other words, we claim that the self-conscious, revealing God was in history from the beginning, and caused history to be written as such: the critics refuse to recognize any history as genuine except as it presents itself under the fascinating disguise of a legend or myth. All deeper conception of history is excluded. This amounts, of course, to a denial of the supernatural element in its course. But the fact remains, that it is a hopeless task to convince our opponents by adducing phenomena, because they will construe them according to their own theory, as we do according to ours. The illusion that theories are founded on facts, has to be given up: neither should it be so, for without more or less of preconceived hypothesis, the facts alone remain dark and indifferent.

For this reason, we think it useless to prove positively from the historical books, that, in the time of which they treat, the Pentateuchal Codes, or, even as Hengstenberg and others have attempted to demonstrate, the Pentateuch itself, existed. The direct testimonies collected from such passages as 2 Sam. 22:23; 1 Kings 2:3, 6:12, 8:53, are not of such a character, or so numerous, but the critics can help themselves with the assumption of a few interpolations. References to civil or ceremonial usages of similar character to those described in the Codes do not prove that the latter existed; for all the critics admit, e.g., that the ritual was pre-exilic in substance, though not codified before the exile. Only manifest verbal quotations would help; but these, again, are not numerous enough to warrant general and decisive conclusions and very seldom is the relation of two passages such that it permits only one view concerning their interdependence. We do not mean to say that the traces of the existence of a ritual, as they appear in the historical books, have no right to speak in this

matter, but simply that they are no decisive proofs of the existence of the Pentateuchal Codes. Their value consists in the evidence they afford, that the ritualistic spirit was by no means exclusively the fruit and exponent of post-exilic Judaism, but one of the features of Jewish national life from the beginning. Israel was the people of the law long before the pretended origin of the Priest Code. And, in so far as the historical books bear testimony to this fact, they furnish abundant material for the construction of a solid argument against the newest phase of criticism. It should also be remembered, that the difference between ritualistic usage and ritual law is not so great as it is often represented by the critics. Every one who admits that a ritual existed corresponding to the *technique* of the Priest Code, has thereby taken our side with regard to the main question; and we will not dispute with him on the subordinate point, whether this usage was written or unwritten law. Usage, when once fixed, necessarily becomes law.

In the main, our attitude on this point must be apologetic. In making this concession, we can justly claim that the critics shall not construe the silence of history concerning any law as a proof of its nonexistence. We do not infer from the mention of some usage, that it was regulated by law. Neither should our opponents infer from the absence of such mention, that no law could have existed. For the rest, we simply try to show that the facts, which are admitted as historical on both sides, do *not exclude* the existence of the Pentateuchal Codes.

We begin with the period of Judges. That the people sacrificed at Bochim (2:5), Gideon at Ophrah (6:21), Manoah at Zorah (13:19), can by no means have involved a transgression of the law; for in all these instances, there was an appearance of the "מַלְאֲכֵי יְהוָה" (*angel of Jehovah*); and the provisional regulation given at Sinai, before the promulgation of the Levitical law, went into effect once more. That this is the true explanation, is specially seen from one fact generally overlooked; viz., that *no theophany took place without a sacrifice*, which shows how closely the ideas of a revelation made by God, and of a sacrifice made by man, were connected in the Israelitish mind so that we are not only warranted in thus harmonizing law and history, but positively claim that the right to sacrifice at an arbitrary place, as the critics postulate it, was utterly inconsistent with the most primitive elements of the Hebrew religious consciousness.

For Gideon's sacrifice (6:26), the peculiar circumstances and the symbolical significance are enough to make it an exceptional case. In the place where the idol had been served, Jehovah reclaimed what was his own. This nocturnal, private *olah*, on a spot whose vicinity had been shortly before sanctified by a theophany (ver. 11, *seqq.*), decides, of course, nothing as to the common practice.

In other passages, no mention of sacrifices is made. Gideon's altar was strictly memorial, as appears from the fact that (a) he gives it a name: altars erected for practical use had no names. (b) Until this day it is yet in Ophrah; i.e., as a memorial or ancient relic. (c) Gideon is commanded in ver. 26 to build a second altar, this time for a practical purpose. That in chap. 11:11, Jephthah is said to have uttered all his words before the LORD at Mizpeh, can be used on the critical side only by a double allegation: (a) that the swearing of an oath was necessarily connected with sacrifices, of which the preceding verse is already a flat contradiction; (b) that "לפני יְהוָה" must refer to a sanctuary. It simply means, "as in the presence of Jehovah," a circumlocution for "taking Jehovah as witness," "testifying with invocation of his name"; i.e., "solemn swearing." Chap. 20:1 must and can be explained on the same principle. Neither does the narrative of chaps. 20, 21, afford any serious difficulty; for in 20:

27 it is explicitly stated that the ark was in the vicinity with Phinehas the priest, howsoever we may understand **בֵּית אֱלֹהִים** (Bethel, or house of God) in ver. 26 and in chap. 21:2.

In other cases, where there is an actual transgression of the law, as that of Micah and the Danites, the censure of the writer is not only expressed in the whole tenor of the narrative, but also explicitly stated.

The objection that others than priests officiated in sacrificial transactions, has still less force. Gideon and Manoah offered, because Jehovah, in approaching them visibly, sanctioned an immediate exercise of that priestly right, which, belonging to all Israel, was only representatively vested in the Levitical priests. Wherever the LORD appears, there is his altar. To whomsoever he draws near, he gives the right to come near, which is the essence of the priesthood.

It is alleged that we do not get the impression from the first chapters of Samuel, that the elaborate Levitical law was in operation. This is certainly true but very little dependence can be placed on such an impression, which it certainly could not be the intention of the writer to convey. Who will be rash enough to infer, because Eli's sons are the only priests mentioned, that there were no others? From 1 Sam. 21 we get the impression that there was only a single priest, Ahimelech, at Nob. But chap. 22 takes away the impression by stating that not less than fourscore and five priests were slain by Doeg.

It was an old objection, already made by Gramberg, and now revived by Wellhausen and the newer school, that, in the oldest sacrificial *praxis*, the meat was boiled. 1 Sam. 2:15-17 is quoted as an example. But the most superficial inspection of the passage shows that there is no allusion to the offering of cooked flesh at all. Ver. 15 says, "Before they burnt the fat:" we have to do here with *shelamim*. The sin of the priests consisted in desiring their part before Jehovah. For the rest, the whole passage implies that the customs then in vogue at the sanctuary cannot be taken as exponents of the existing laws.

The circumstances of Samuel's time – first the captivity of the ark, afterwards its separation from the sanctuary, the general apostasy of the people – account for all the facts that confront us here. It has been asked, If unity of worship was the divine command, why was not the ark, after its return, restored to the sanctuary, and the centralization of sacrifices enforced? The answer is obvious. Then, as at all times, mighty reforms require a period of long inward preparation. To effect the latter was Samuel's mission, and to keep this in mind affords the only key to a right understanding of his whole life. This meets the critical objection, that, if Israel were deprived of a national sanctuary, all worship, at least sacrificial worship, ought to have ceased. Between Eli and David's time, this slow process of inward preparation went on; the spirit of reform was striving with the spirit of apostasy; all intermediate phenomena testify to an abnormal state. So at least the Old Testament itself considers it (Jer. 7:12, 14, 26:6; Ps. 78:60, 68). The transition was from Shiloh to Zion. What happened at both was legal, and does bear witness to the law: what falls between them was in part abnormal, in part illicit, and should not be made to testify against the law. Still, even here matters do not stand out in so bad light as critics represent them. When Saul undertakes to sacrifice, without waiting for Samuel's presence, he is severely rebuked; and this act becomes the turning-point in his life. This certainly does not look like a state of affairs in which everybody could sacrifice. When the author of the books

of Samuel mentions with manifest approval, that Saul built an altar, this must be understood in the entire light of Saul's character: it expressed a sort of piety, though in a deficient form. What David did on the threshing-floor of Araunah was justified by the appearance of the angel, and the authority of a prophet of God, and was in anticipation of the erection of the sanctuary on that very spot. The repeated sacrifices on the high-place of Gibeon are accounted for by the presence of the tabernacle and *olah* altar (1 Chron. 16:39, 40). That David was accustomed to worship God on the top of the mount in the neighborhood of Jerusalem, does not imply that he sacrificed there. His ephod was not the high-priestly garment, but simply an ephod *bad*; that is, a linen ephod. The modification made by David in the age fixed for the Levites' entering upon the service at the sanctuary, is best explained by the change in the abode of the ark, which had now become a permanent one, so that the work of the Levites became easier, and the time of their service could be proportionally prolonged. Those who defend the post-exilic origin of the Priest Code may try their skill in harmonizing the passages 2 Chron. 31:17, and Ezra 3:8, which prove that not only in Hezekiah's time, but also in that of Zerubbabel, the limit was twenty years. Notwithstanding the prominent part taken by Solomon in the consecration of the temple, nothing is ascribed to him which would have been an intrusion upon the rights of the priesthood. For the true character of this whole period from a religious point of view, compare 1 Kings 3:2.

For the period succeeding the schism, the existence of a divinely authenticated law becomes a postulate without which the history is wholly unintelligible. This only could prevent the Northern kingdom from becoming fully apostate, and relapsing into complete heathenism. There was a restraining power, even in the worst days of the dynasty of Omri: there was what Elijah called a "halting between two opinions." It is, indeed, possible to find in all this nothing but the influence of long existing usage, owing its origin to the centralization in the days of David and Solomon. But, on the one hand, the period in which this *usus* should have gained ascendancy is far too short to account for the unwavering attachment which the pious in Israel retained to the sanctuary at Jerusalem: on the other hand, the reaction in the Northern kingdom opposed the modified cultus so long and so firmly, that it must have had a deeper source than the custom of a few decades; the only satisfactory explanation is, that it rooted in the divine Thora, and preserved a clear consciousness of this origin to the very last.

The objection was raised already by Eichhorn and Vatke, and afterwards has often been repeated, that the prophets of the Northern kingdom (Elijah and Elisha) did not oppose the idolatry of the golden calves, but simply Baal-worship. But obviously their opposition was determined by the sins that were most objectionable at the time; and, when Baal-worship had found such general acceptance, the idolatry of the golden calves became a comparatively unimportant affair. How the prophets who were not influenced by this excess of wickedness, judged of the plurality of altars and the worship of the calves, is seen in Amos, Hosea, and the Micaiah of 1 Kings 22. The passage, 1 Kings 19:14, must, of course, be explained on the same principle. It is not necessary to think of the altars referred to as connected with those at Dan and Bethel. And, though their existence was not in strict accordance with the letter of the law, it had become a temporary necessity. The attitude of the prophets in Israel towards the existing national cultus is manifest in the fact of their forming schools at the famous seats of idolatry, Bethel, (Jericho,) Gilgal, in standing protest against it.

Before we turn to the prophetic books themselves, one point calls for a fuller discussion. The origin

and character of the Bamoth-worship (that on high-places) in the kingdom of Judah are of paramount importance for the question of the existence or non-existence of the Codes. It has a bearing on the whole debate concerning the primitive religious state of Israel. The critics claim, that, before the temple at Jerusalem existed, all places of worship were equally honored and sacred. In the time of Solomon, not so much a centralization as an elevation took place of the newly built temple to be the sanctuary *par excellence*. But the Bamoth (high-places) existed all along, and their right of existence was not disputed. The war afterwards waged against them was the result of a higher stage of religious life among the prophets, — that great movement which resulted in the production and enforcement of the Deuteronomic Code. The prophets Amos, Hosea, Isaiah, do not yet condemn the Bamoth *per se*, but simply their corrupting influence tending towards idolatry. It was not an abnormal cultus, but a primitive state of affairs: in one continuous line it can be traced back, from the eighth century upwards, through the reigns of Solomon, David, Saul, into the period of the Judges.

We must begin with denying the last proposition, which is indeed the basis of the whole argument. The statement needs considerable qualification before it will satisfy the facts. These are, that, when there was no legal central sanctuary, the Bamoth-worship was temporarily tolerated, in order that the spontaneous impulse of the pious might find opportunity to express itself. This was the state of affairs from Samuel onward, until the building of Solomon's temple. It was, however, condemned, and considered illegal, as long and as often as the presence of God in his dwelling-place constituted this the only place of worship, as during the period of Judges at Shiloh, and after Solomon's time at Jerusalem. The chain which the critics have fabricated lacks two necessary links: 1. Judges contains no evidence that the worship on high-places was allowed or practiced by the pious. 2. The same evidence is wanting for the time subsequent to the building of the temple in Solomon's reign, till the first only partially successful attempt of Hezekiah to do away with the Bamoth.

The second ground on which this theory rests, is that the earlier prophets do not condemn the worship as sinful *per se*, but only on account of its corrupting tendency. If there are passages in Amos and Hosea which would bear out this meaning, the natural inference is, that they accommodated their teaching to the difficult situation in which the northern people had been placed by the tyranny of their rulers. On the whole, it is very artificial to ascribe such a distinction between "*per se*" and "*per accidens*" to the prophets. Even the law did not prohibit plurality of sanctuaries because of any inherent necessity in the character of Jahveism, but for the practical purpose of securing by unity purity, by centralization elevation of the cultus. When the prophets, in accordance with their general method, do not state the law *in abstracto*, but in its inner meaning; when they emphasize more the final cause of the command than the command itself, — this exhibits only the more strikingly their true relation to the law as its spiritual interpreters. They immediately go to the root of the matter, and state not only the "what," but the "why" also. This is all that the critical distinction amounts to.

The critics themselves must admit that the writer of Kings represents all Bamoth-worship since the building of the temple as unlawful, and imputes it even to the pious kings of Judah as sin, that they did not terminate it. That the latter did not take their stand as strongly against this cultus as afterwards Hezekiah and Josiah, finds its full explanation in what has been remarked. Bamoth-worship, tolerated from Samuel till Solomon, had become a second nature to the people. The consciousness of its abnormal character had been lost. It may have been revived in the pious kings

more or less: the people as a whole were not awake to it. The objection, that if such ignorance prevailed, the prophets could not have reckoned neglect of the law as sin, finds its answer in Hos. 4: 6. "My people are destroyed for lack of knowledge: because thou hast rejected knowledge, I will also reject thee, that thou shalt be no priest to me: seeing thou hast forgotten the law of thy God." It is as if the passage were written in direct refutation of the critics. To produce a reform among the people, a renewed enforcement by a special divine providence of the prophetic Deuteronomic Code was required, to which point we shall hereafter direct our attention.