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THE

BIBLIOTHECA SACRA.

ARTICLE I.

PROPOSED RECONSTRUCTION OF THE PENTATEUCH.

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III.—THE PENTATEUCHAL CODES COMPARED.

THE Hexateuch, as analyzed by Julius Wellhausen and the school of critics he represents, may be formulated as follows: JE + D + HG + PC (Q) + R.¹ This formula will be found convenient for reference, as well as to present to the eye the relative order of the codes according to this system. Each of these letters or combination of letters, it will be seen,—except the last,—represents a different stage of the legislation; JE having for its nucleus the Book of the Covenant, which is followed by the Deuteronomic code, and

¹ At the risk of a slight repetition (see pp. 5, 6, 225, 226 above), it may be well to explain here, more in detail, this analysis. The letters JE stand severally for a Jahvist and an Elohist document, the former beginning at Gen. ii. 5, the latter at Gen. xx. These are claimed to be the oldest documents of the Bible; but the question of their relative age is not specially mooted. The germ of J is the so-called Book of the Covenant (Ex. xx.—xxiii., xxxiv.), though, with this exception, it is in the main an historical work. It arose, it is said, in the period of the earlier Hebrew kings and prophets. E is a similar historical work which, after circulating like its companion document, separately for a time—according to Wellhausen each passed through three editions in this separate form—was united to J by the Jehovist, who also revised and edited to some extent. D represents the legislative portions of Deuteronomy, originating in the eighteenth year of King Josiah (B.C. 621), the chapters preliminary and following being added at a considerably later period. HG (i.e. *Heiligkeitsgesetz*), is used for chaps. xvii.—xxvi. of Lev., which were composed, it is maintained, at

that in succession by Lev. xvii.—xxvi., and the remaining priestly legislation of the middle books of the Pentateuch.

The method adopted by Wellhausen to prove that these collections of laws do actually represent different so-called stratifications, which took form in the widely separated periods indicated in our note, is twofold. I. He endeavors to show that when compared there is evidence of a marked development in these several parts of the legislation themselves in the direction named, i.e. from JE toward PC. II. He calls attention to the impression left by the laws on the historical books of the Old Testament, — not excepting the Pentateuch and the Book of Joshua, — and claims that the history most readily adapts itself to such a theory of the post-Mosaic development of the codes. Under the first head five particulars are specially dwelt upon: 1. the place of worship; 2. the sacrifices; 3. the feasts; 4. the priests and Levites; 5. the provision made for the support of priests and Levites. The object of the present article will be to discover, if possible, what fair conclusion may be drawn from an examination of these several collections of laws on the points named. Is such a theory of development, as is proposed a necessary or legitimate outcome of a really candid and critical investigation? Adopting Wellhausen's order, let us consider the attitude of these laws as it respects:

1. *The Place of Worship.* — The position here assumed is, that there are three successive steps in the growth of the idea and practice among the Israelites of worshipping at one central sanctuary, and that these three steps are distinctly

about the time of Ezekiel, although not by him. Q (*quatuor federum liber*) is the great historical and legislative work beginning the Bible, and like E peculiar in its predominant use of אלהים as a name for God, and embracing by far the largest part of the Hexateuch. PC is the symbol for Priests' Code, the name given to Q after receiving, from time to time, the various additions made to it, up to the period of its completion subsequent to the Exile (B.C. 444). The letter R stands for Redactor, the person who combined JE and D with PC. He is assumed to have had the style of the document last named, and to have done his work wholly in its spirit. The Hexateuch having thus been brought, essentially, to the form in which it is now found was published and introduced by Ezra.

marked off in the three principal codes of the Pentateuch. In JE, for example, a plurality of altars, it is said, is freely permitted. In D, however, which represents the point of view of king Josiah, who struck "the first heavy blow" against this practice, unity of worship is everywhere insisted on. While in PC such unity of worship is presupposed as a thing of the past, and by means of the fiction of the tabernacle referred to the very earliest times. This is the theory. And as to the question how it fits the legislation, Wellhausen, it is noticeable, instead of coming directly to the point, devotes a dozen pages to a summary of the teachings of the historical books on the subject. It is wholly characteristic, it may be said, of his usual method. By giving to exceptions which he there finds the force of established rules, misapprehending and misapplying some plain statements of fact, and wholly setting aside the testimony of the author of the Books of Kings,—with whom he acknowledges himself to be in open conflict,—this critic is able to affirm that this was "the actual course of the centralization of the cultus; one can distinguish these three stages."¹ And it is only after such a manipulation of the history, in which Wellhausen is able to find, previous to the building of Solomon's temple, no trace of a central sanctuary, that he makes his appeal to the Pentateuchal legislation.

What, now, is the bearing of this legislation on the subject before us? Does it, in itself considered, justify or encourage

¹ Geschichte, i. p. 29. It can only be regarded, for example, as a serious misapprehension of facts when (Geschichte, i. p. 18) in citing instances of extemporized places of worship he refers to the conduct of Saul as recorded in I Sam. xiv. 33-36 (Hebrew text as throughout) as an instructive one of the kind. There is not the slightest indication in the text that the stone on which the people slew the captured cattle was regarded by Saul as an altar; or that the writer of the book referred to it in the words which this critic puts into his mouth, "That is the first altar which Saul had built to God." Of the author of the Books of Kings Wellhausen says (ibid. pp 20, 21): "Aber diese Betrachtungsweise des Bedeutungs des Königthums für die Geschichte des Cultus ist nicht die des Verfassers der Königsbücher. . . . Diese Auffassung nun ist ungeschichtlich und überträgt die Bedeutung, die der Tempel kurz vor dem Exil in Juda erlangt hat, in die Zeit und in die Absicht seiner Gründung."

the hypothesis of an extended process of development from the custom of many contemporaneous altars to the one sanctuary? After a reasonably careful examination one is forced to reply with a decided negative. He will find, on the contrary, each one of the codes not only implying unity of worship, but even requiring it; and that no part of the legislation of the Pentateuch gives the least color to any other practice. Such a scholar as Delitzsch cannot have overlooked essential facts, and this is the conclusion also to which he has come: "In truth, the Deuteronomic demand for unity of the cultus is no novelty, but a demand of the whole Torah in all its constituent parts."¹

The position taken by our critics, indeed, may be successfully assailed, and with almost equal force, from two quarters. It is not true that JE permits a contemporaneous plurality of altars; it is not true that PC presupposes unity of worship as something already established in the history of Israel. If the several codes, as here divided and adjusted, represent a growth at all in this matter, — which we do not believe, — it is in D, and not in PC, that we find the climax. In nearly a score of instances, within half that number of chapters, attention is called to the topic, and a special emphasis is given by a repetition of the same peculiar form of words (*Deut. xii. 5, et passim*). And what could be more fitting in a document professedly looking backward on more than a generation of transgression and lawlessness covering in part this very ground (*Deut. xii. 8*), and looking forward to an immediate transition from a life in camp to the conquest and occupation of the promised land?

While as concerns PC, so far is it from presupposing, as is affirmed, a central place of worship as something long established, it makes scarcely any allusion to a place of worship in this particular aspect of the matter; and as it relates to the holy land, with which it is supposed this code had alone to do, it wholly ignores the subject. Even in its law concerning the Passover, where, if anywhere, it might

¹ *Zeitschrift für kirchliche Wissenschaft, etc.*, 1880, p. 562.

have been expected that this point would be emphasized, it is given no observable prominence. The tabernacle itself, about which all this form of the legislation may be said to gather, has for its direct object in no sense the furnishing of a central point for sacrifice. Its first object, rather, as its name (אהל מועד) imports, was to provide a place for God to meet his people. It is true that also in this part of the Mosaic laws all are expected, under penalty of the loss of citizenship, to bring their sacrifices to this "tent of meeting" (Lev. xvii. 8, 9).¹ As long, indeed, as the wilderness life continued, this was the only natural and warrantable course for a people who, instead of the many gods of the nations, had one Lord (Deut. vi. 4). But iteration and emphasis on this point was left for a sufficient reason, as we have seen, to Deuteronomy. Whatever culminating point there may be, it will be found there.

But does not the tabernacle, on the possible hypothesis that in its fundamental conception it is a product of the post-exilic period, whether one regard it as a tent of meeting or a place for sacrifice (i.e. as a sanctuary from the divine or the human side), if it be transferred by its fabricators to the Mosaic age, in the nature of the case presuppose on their part a centralization of the cultus in their own time? By no means. The most that it could show, supposing it to represent centralization of worship, would be that they wished to have it understood that this was the form of worship which prevailed in the far past. And we can have no logical claim

¹ Kittel (*Theologische Studien aus Württemberg*, pp. 41, 42), has pointed out the fact that this very passage is evidence against the position that in PC unity of worship is altogether presupposed; and he cites Wellhausen himself as saying (*Geschichte*, i. p. 389): "Die örtliche Einheit des Gottesdienstes wird hier noch gefordert, nicht vorausgesetzt." It is true that he considers the passage as one that found its way into PC through revision; but this postpones the difficulty without solving it. Why should a reviser, working in the spirit of the document he is revising, have put in such an inharmonious sentiment? Kittel has also adduced the rebellion of Korah (*Num.* xvi. 8-11) as further evidence, from whatever point of view it may be regarded, that PC is far enough from having to do simply with matters of worship already brought to a conclusion (*l.c.* p. 39).

even to that inference. As I have already intimated in a previous article (p. 29), on the supposition of a pure invention one has nothing substantial to build upon. "Ex nihilo nihil fit." These facile inventors may have had a dozen reasons for their course unknown to us. It is only by showing from wholly independent and reliable sources what motives must have influenced them, that we have any right to speak with assurance of such motives.

But how is it with JE? There is but a single passage in its code on which much reliance is placed to show its position in this matter (Ex. xx. 24), and it reads as follows: "An altar of earth thou shalt make unto me, and shalt sacrifice thereon thy burnt-offerings and thy peace-offerings, thy sheep, and thine oxen: in every place (בכל מקום)¹ where I record my

¹ כל with the article undoubtedly conveys the idea of totality, but as far as the real sense here is concerned it makes no difference whether this phrase be rendered, with Dillmann (Com., ad loc.), Bunsen's *Bibelwerk*, and Wellhausen (*Geschichte*, i. p. 30), "in every place," or with our common English version, "in all places." The meaning doubtless is "in that place, wherever it be," where God should cause his name to be remembered, there he would receive and own the offerings of his people. There is a similar collocation of words at Gen. xx. 13. The really important part of the verse, as I have said above, lies in the words אֲשֶׁר אֹמְרִי אֵיךְ שְׁמִי. It is of interest that the Targums give אֵיךְ here the sense of אֲשֶׁר־יָרָא, i. e. they apparently identify the place with the tabernacle (cf. Ex. xxiv. 16; xxv. 8; xxix. 46; Num. ix. 17; Deut. xii. 11, & *passim*). The Samaritan Pentateuch, on the other hand, read, though probably as a correction, for כל-מקום, ובמקום, making the matter still more definite. The objection of Wellhausen to the view that the tabernacle is referred to is, that the altar here described is not the altar of the tabernacle. Nor is the tabernacle yet in existence, it may be replied; but when it came into existence it came under this law and *included this altar*. The objections which Dillmann (*ibid*) brings against this view, while acknowledging it to be the ordinary one, are far from convincing: The most important of them, that since Jehovah was understood to dwell in the tabernacle, he could not properly be spoken of as coming to it, is sufficiently answered by a passage which he himself cites (2 Sam. vii. 6 f.), where God is represented as saying: "I have not dwelt in a house, even unto this day, but have walked in a tent and in a tabernacle." And in the following verse the places are spoken of in which he had walked with Israel. Hence the meaning in our passage of the "every place" where he should cause his name to be remembered is such places as he should come to — not apart from, but in connection with the tabernacle. One's confidence in the view that our passage at least refers to one central, well-known altar, and not to many contemporaneous ones will not be weakened by the fact that it is firmly

name I will come unto thee, and I will bless thee." And it may safely be submitted to any one, without discussion, whether this passage, taken by itself, encourages sacrificing at many altars at one and the same time, or gives to every Israelite discretionary powers to offer his sacrifices when and where he will? The vital point of the verse, which has been much obscured by making an issue on the phrase "in every place" is contained in the words "where I shall cause my name to be remembered." This expression, while not positively excluding the possibility that there might be more than one authorized place of worship at the same time, can by no means be cited as giving legislative authority for the establishment of a multitude of contemporaneous altars. Such a thought must be first read into the verse, in order to be deduced from it. And it cannot be denied that it might with at least equal justice, in harmony with the common and traditional view, be understood as implying that in the lapse of time the place of worship would be often changed, but that the presence and blessing of God would make any place sacred for this purpose.

That this is, in fact, the real meaning of the words may be amply proved, from a variety of considerations. And, first, it would be remarkable, if a plurality of altars was meant, that the singular number is used, and that we do not find here, or anywhere else in this document, the expression "altars of God," although the author is familiar enough with the many altars of the heathen (Ex. xxxiv. 13). And this usage corresponds to the fundamental conception of the Old Testament religion as everywhere strongly monotheistic, as over against a radical tendency in another direction. Then, according to Wellhausen, JE represents a period of Israelitish history so early that the idea of centralizing the worship had not yet found its way into the cultus; and this opinion he

held, among many others, by such able Semitic scholars as Hoffmann (*Magazin für die Wissenschaft des Judenthums*, 1879, pp. 17, 18), Franz Delitzsch (l. c. pp. 562, 563), Strack (in *Herzog's Encyk. s. v. "Pentateuch"*), Bredenkamp (*Gesetz u. Propheten*, pp. 129-139), and Riehm (*Gesetzgebung Moses im Lande Moab*, p. 25 f.).

thinks is confirmed by our passage. But suppose that in this very document the precise contrary appears, shall not that, then, modify one's views of this verse? Such is really the case. Not only is the matter of centralizing worship recognized, but enjoined by statute. Others have already pointed out that the offering of Abraham on the distant Moriah—a narrative assigned by our critics to this earliest document (E²)—was an evident foreshadowing of the future place of Israelitish worship.¹ And does not the ark of the covenant—i.e. the depository of the first covenant made with Israel, including the decalogue, and so in conception indissolubly bound to the code of JE—point most conclusively in the same direction? But I have said that the matter was even fixed by statute. How otherwise can we interpret the injunction to Israel (Ex. xxiii. 14 ff.; xxxiv. 23) that three times in the year, at the great annual feasts, all males shall appear before the Lord? It is not possible that the point of view of such a command should be that of a plurality of altars. They are excluded by the very terms employed in it. Besides, it should not be overlooked that the theory of our critics touching JE brings that document into direct antagonism with D. The former would thus establish by law what the latter emphatically prohibits. And, so far from attempting to conceal such divergence, pains are taken rather by our critics to display it, as furthering the view of their separate origin. But whenever they originated, it is unquestionable that D sustains the most intimate relations to JE, largely borrowing from it both the form and substance of its entire code. And no one is more ready to acknowledge this than our critics themselves.² D even quotes in its additions an apposite part of the very passage we are now considering (Ex. xx. 25; cf. Deut. xxvii. 5, 6). How unlikely, then, would be the supposed diversity on a point of so much importance as that of the place of worship. Greater fulness and explicitness in this, as in other matters,

¹ Cf. Delitzsch in Riehm's Handwörterbuch, s.v. "Opfer").

² Cf. Robertson Smith, *The Old Testament, etc.*, p. 431.

is indeed called for in D; but flat contradictions or essential change of attitude are excluded by the very circumstances of the case.

Nöldeke, also, has pointed out¹ how impossible is the theory that makes the unity of the cultus begin with D and with king Josiah (B.C. 621). "If Hezekiah [c. B.C. 726] already to a tolerable degree had carried out this unity in Judah, the effort towards it must have been quite old; for one cannot so easily have made up his mind to suppress violently old and sacred customs, if the theory had not long since demanded it."

2. *The Offerings.*—Wellhausen introduces his chapter on the offerings with the remark that as among the ancients generally, so among the Hebrews, the offering was the chief factor in their cultus; and that, as already shown in the matter of the place of worship, so it might be regarded as probable here also that one would find a historic development whose different stages are reflected in the Pentateuch. He intimates, however, that the results in the present case may not be as satisfactory as could be desired, owing to the fragmentary nature of the documents. Still, judging from the number of instances brought forward in proof of such development, and the apparent confidence with which they are urged, this modest beginning can be regarded as meaning little more than the polite bow before the address. In examining, now, these further supposed evidences of growth in the Pentateuch, it is to be carefully borne in mind that it is not needful for one holding the traditional view to show that this alleged evidence does not exist, or even that it might not be convincing, provided that certain necessary premises of Wellhausen and his co-laborers respecting the several documents were to be admitted; but only that no such evidence, if carefully weighed, seriously militates against the commonly accepted position. The remark of Professor Curtiss² on the difficulty of meeting our critics on their own terms derives its force, as he has shown, entirely from the

¹ *Untersuchung zur Kritik d. Alt Test.*, p. 127 f.

² *Current Discussions, etc.*, 1883, p. 35.

peculiar difficulty of the terms they impose. It is really saying, "Let me have the premises, and you shall admit my conclusion." And if, for the time being, we adopt as a working-basis these premises to test the correctness of results derived from them, it is by no means to be taken as an abandonment of positions hitherto held.

The more important specifications of Wellhausen under the present head may be arranged as follows: According to JE the practice of sacrificing sprung up before the time of Moses; according to PC, it was introduced by him. Both JE and D represent the offerings simply as festive meals; PC makes them include, to a greater or less extent, the idea of atonement. That is to say, the earlier documents know in general only of the two kinds of offering, the burnt and peace offering; the Priests' Code, while specifying various details of the other offerings, adds to the list the sin and trespass offering, of which, it is affirmed, the Old Testament previous to the time of Ezekiel knows nothing. The latest code differs, further, in a variety of minute particulars, and in general, as over against the *to whom* of JE, insists on the *when*, the *where*, the *through whom*, and especially on the *how* of the sacrifices. By means of the gradual centralization of the cultus at Jerusalem, this critic would have us understand, in short, that the early and natural connection of sacrifices with the ordinary life was destroyed, and they wholly lost their original character.

Taking up, now, these general positions, and beginning with the first particular mentioned, it may well be asked if it be a quite fair statement of the case to say that, while JE represents the custom of sacrificing as springing up before Moses, PC makes it begin with him? If it be meant, as we suppose, that PC in failing to speak of sacrificing as practised before the time of Moses would reflect unfavorably on its companion document, which gives instances of it, then we must characterize it as a wholly gratuitous assumption. There is nothing whatever in the letter or spirit of the documents to encourage, or even suggest it. Indeed, what could

be more improbable than such an omission for this reason, on the part of those to whom the contents of JE could not have been unknown? Or even, if that were not meant, but only that the one document, because of an independent point of view, begins the treatment of the subject with Moses, while the other begins it with Cain and Abel for the same reason, — then we might well ask, in view of the acknowledged fragmentary nature of the documents, what of it? And still more forcibly, on the basis of the traditional view, which would see no inconsistency in the circumstance that one part of the same work takes up and develops a subject introduced in another, — what of it?

And has not the difference alleged to exist between the documents in this respect been greatly overdrawn? So it would appear. The one represented by JE cannot be said to lay any particular stress on the matter. It is something wholly incidental to the history. If there be a divergence, it is reduced to a minimum. It never introduces, for example, the leading patriarchs as accustomed to sacrifice. Altars, it is true are mentioned in connection with them, but mostly on occasions of simple prayer.¹ And there are many ways of explaining the slight difference that exists, even from our critics' own point of view, that are more reasonable than the one adopted by them. It might be supposed, as already intimated, that the extant patriarchal document actually contained only the few instances of worship by sacrifice found in JE. Must PC then repeat these, or formally recognize them, in order to give such an appearance of harmony that no one could possibly doubt it? Or it might be supposed that the contents of PC were designed in this respect to supplement what has been aptly and harmoniously introduced by JE. Or the two documents may have been left in this somewhat abrupt attitude, as over against one another, in order to distinguish between two really different, though conterminous periods in the history of sacrifice: the first marking the fact that it was the spontaneous product of an

¹ Cf. Delitzsch, s.v. "Opfer," in Riehm's Handwörterbuch.

inward need of men; the second, that it had been taken up, like some other old-time usages, by the Mosaic legislation, given the form, and stamped with the spirit of the religion of Jehovah. What, indeed, could be more in harmony than this with the general position of our critics on the matter of development? Any one of these suppositions would be quite sufficient to account for the line of demarcation separating JE and PC as respects the matter of sacrifice, supposing it to exist; and they would be far more reasonable and probable than that of an intentional and invidious omission on the part of the Priests' Code, or of an omission implying even a difference of literary plan.

But, as a matter of fact, does the distinction between the documents, predicated, exist? Does PC, for example, really represent that the custom of sacrificing is exclusively of Mosaic origin? The contrary can, with reasonable assurance, be maintained. It will be allowed to cite here the code of laws represented by HG (Lev. xvii.-xxvi.), which, originating, as it is held, during the Exile, should have a solidarity of interest in this respect with PC. At Lev. xvii. 5 a custom of sacrificing in the open fields is referred to in the way of condemnation, and a direct Mosaic law given to prohibit it in future. Does not this presuppose a usage of sacrificing that was pre-Mosaic? Then PC itself, as Hoffmann has shown,¹ also discriminates between those forms of sacrifice mentioned in JE and such as it has introduced for the first time. In the latter case, the occasions which should call them forth are carefully described; in the former, this is omitted, apparently as something already understood, and so unnecessary. In the same direction, too, points the circumstance that a number of technical terms seem to have come over from the pre-Mosaic usage in sacrificing, and still to have held their place, side by side with the Mosaic, even when precisely similar things are meant.²

The other points of difference indicated will require less

¹ *Magazin für die Wissenschaft des Judenthums*, 1879, p. 90 E.

² Cf. Hoffmann, *ibid.*, p. 93.

attention. It is claimed, further, that PC first introduces the sin and trespass-offering with their idea of atonement, and that the late origin of this document may accordingly be inferred, when it is considered that these offerings first appear elsewhere in the prophecy of Ezekiel. That this form of offering, as afterwards developed in the Mosaic legislation, and under the technical name of sin-offering was common in the patriarchal period, no one would care to claim. That, however, the early Olah (אֹלָה) included it in its fundamental conception, there can be no just doubt. As concerns the time of its introduction as technically a sin-offering (חַטָּאת), it is clear that Hosea, near the beginning of the eighth century B.C., mentions it as such,¹ and that the author of Isa. liii. 10 alludes to it, and that it is introduced as something well known in the fortieth Psalm (vs. 7) — a Psalm whose superscription ascribes it to David, and whose composition neither Hitzig nor Ewald ventures to date after about the sixth century B.C. These instances are quite enough to disprove the sweeping assertion of Wellhausen² respecting the date of its introduction, — not to mention 2 Kings xii. 16, where “the trespass-money and sin-money” most naturally refer to that which was voluntarily handed by the people to the ministering priest on the occasion of such sacrifices.³ Indeed, if reference were not to this, but fines in money are alone meant, — the priest receiving the whole sum, — then our critics are forced to the unwelcome conclusion that PC in its legislation actually diminishes by so much the former revenue of the priests.

But a number of minor particulars are mentioned, in this connection, as showing that the Priests' Code is a much younger document than those with which it is associated. It is asserted, for example, that previous to Jeremiah (vi. 20) the practice of offering incense, which it enjoins, is not alluded to in the biblical books.⁴ Suppose that this were true, it would be a matter of no great importance, and might

¹ See p. 252 above. ² Geschichte, i. p. 77. ³ See Thenius's Com., ad loc.

⁴ See Wellhausen, Geschichte, i. pp. 67-69.

be wholly ascribed to accident. The wine of the drink-offering, too, fails to find mention in the earlier prophets, excepting Joel, who is no longer allowed a place among them (but cf. Ps. xvi. 4). And the same is true of the oil, save in one place in Micah (vi. 7). The simple reason in each case was that there was no special occasion for mentioning them. But the statement is not strictly true. Isaiah (i. 13), whose prophetic activity antedated that of Jeremiah by a full century, makes a clear allusion to it; for he can mean nothing else by קָרְבָּן than the incense of the meat-offering.

Then, it is claimed that the word used for sacrificial flour in PC and the Chronicles is סֶלֶם, i.e. *fine flour*, while everywhere else קֶמַח is employed.¹ But it may well be asked what there is strange in this? The latter word is only twice introduced in such a connection elsewhere altogether (Judg. vi. 19; 1 Sam. i. 24); and how can it be regarded as peculiar in the circumstances that in these the ordinary word for flour should be used, without qualifying it, as Abraham already does in JE (Gen. xviii.) by adding that *fine flour* is meant? The word סֶלֶם must have been an old Hebrew word, and might certainly have been used, if found fit and convenient.

Again, it is asserted that according to PC the flour for sacrifices was preferred in a raw state, while the earlier usage, even in the case of burnt-offerings, was first to bake it.² But it is an assertion that has no real documentary support. Outside of the wholly exceptional instance of Gideon's extemporized sacrifice (Judg. vi. 19 f.) there is no evidence that the flour used in connection with the burnt-offering was ever baked; while in the matter of the meat-offering the practice in PC is far from uniform (Ex. xxix; Lev. ii.; Ezek. xlvi. 14). Wellhausen was plainly misled by the account in Ezek. xlvi. 20, confounding the portion eaten by the priests with that offered to the Lord. Of the same nature is the alleged circumstance that according to the earlier codes all flesh used for sacrifices must first be

¹ Wellhausen, *ibid.*, p. 69; cf. however, Num. v. 15. ² Wellhausen, *ibid.*, p. 71.

boiled, while according to PC it was to be offered raw.¹ There is not a syllable enjoining such a rule in the earlier codes. And the entirely abnormal action of Gideon, just alluded to, is literally the only clear example of such a practice. It is not supported by the conduct of Eli's sons in 1 Sam. ii. 13 ff., since there is no proof that it was their intention to offer on the altar boiled flesh. And it is just as little supported by a passage cited in D (Deut. xvi. 7; cf. Ex. xii. 9), as בָּשָׂר here means "to roast," and not "to boil" (cf. 2 Chron. xxxv. 13), the words "in water" being added when it had the latter meaning. Such cases, on the contrary, as that of Manoah (Judg. xiii. 19 f.) and of Solomon (1 Kings iii. 4; viii. 5) show conclusively that the earlier codes knew no such practice as is here imputed to them.

But does it not appear from 1 Sam. x. 3 f. that at first it was permitted to use leavened bread upon the altar, while at Lev. ii. 11 (PC) it is prohibited?² The loaves here spoken of were not for sacrifice, as is evident from the disposition actually made of them (vs. 4). Are not, at least, peace-offerings the predominant form of offerings in the ancient times, while in PC we find them transformed into the whole burnt-offering?³ Such a representation scarcely answers to the facts (cf. Gen. viii. 20; xxii. 7; xxxi. 54; xli. 1; Job i. 5; xlii. 8). It may be admitted that the whole burnt-offering is made prominent in the so-called Priests' Code; but to attempt to make out in it a special divergence in this respect from the other supposed documents would not repay the effort. Delitzsch well asks: "How should we know, without PC, how to discriminate between the two as altar-gifts, when David, for example, brings עֲלֵי־הַשֶּׁלֶם and שְׁלֵמֵהֶם [2 Sam. xxiv. 25] at the threshing-floor of Arauna? And is not the 'fat pieces of the thank-offering' (1 Kings viii. 64) the very expression which is furnished by the Elohistical ritual (Lev. vi. 5)?"⁴

What has already been said is more than sufficient to show

¹ Ibid., p. 70.

² Ibid., p. 77.

³ Ibid., pp. 71-74.

⁴ Cf. s.v. "Opfer" in Riehm's Handwörterbuch.

how unsafe it is to draw from the circumstances of mere diversity in characteristics any inference concerning the late origin of the so-called Priests' Code as related to its associated documents. Undoubtedly, if these several parts of the Pentateuch are divided from one another and examined singly, it will be found that the one named PC does insist more than the others on the technicalities of the sacrificial ritual. But could it, in the nature of the case, well have been otherwise? D announces and carries out a special programme for itself, looking in quite another direction; while JE, having altogether so very little to present in the form of legislation, might well be excused from entering upon such details. The whole Book of the Covenant makes but five chapters, over against the main contents of the three middle books of the Pentateuch. And our critics confess that they are unable to find any traces whatever of the earlier Jehovistic work between Ex. xxxiv. and Num. x-xxix.

Undoubtedly, too, under the influence of the Sinaitic legislation, the matter of sacrifices, as we have before said, which originally may have been an expression of spontaneous human feeling, took a special and fixed form as a divinely authorized institution for the highest ends; but there is no satisfactory evidence in this form itself that it must have originated subsequent to the time of Moses. The monuments of other contemporaneous peoples demonstrate, rather, that, so far from holding that the highly developed stage represented in the Mosaic ritual and its singularly full and exact terminology is evidence of a later period, we might be surprised not to find something like them there. And even if we conclude that this Mosaic code is far superior to any of its contemporaries, especially in the unity of its purpose and its elevated moral tone, that can be no reason for rejecting Mosaic authorship on the part of those who accept the Bible as a supernatural revelation. For that there are persons who are unable to bring themselves to believe in supernatural interpositions in human history is no reason why one should part with his common sense in seeking to account for the history of Israel.

8. *The Feasts.*—The annual feasts of the Jews, as is well known, were seven in number, of which four fell on the seventh month, and all during the first seven months of the year. Three of these were pilgrimage feasts (those italicized below), in which it was required that every male Israelite should appear with an offering before the Lord, and which, in harmony with this custom, were commonly designated Chaggim (חגים); while the others were known as Mo'adim (מוֹעֲדִים), or simply appointed gatherings. The cycle began with the *Passover*, which was followed immediately by the feast of unleavened bread; and these, in succession, by the *feast of weeks*, the feast of trumpets, the day of atonement, and the *feast of tabernacles*, whose last day closed the list with a solemn assembly (צִבּוּר).

It is argued, now, with respect to these feasts, that they originated in certain popular festivals celebrating the beginning and close of the agricultural year, and that the process of transformation into historical institutions is clearly discoverable in the Pentateuchal codes. That the feasts, in part, may be based on previous usages of the people is, indeed, not only quite credible, but might be shown to be, *a priori*, probable from what we know of other Mosaic institutions. That they appear, however, in any part of the Pentateuchal legislation in any other form than as established ecclesiastical ordinances is, we will venture to say, incapable of proof. Take, for instance, the two associated feasts of the Passover and of unleavened bread, which, according to this theory, should be found in JE and D as the opening harvest festival. There is not a particle of evidence in these documents (cf. Ex. xxxiv. 18; Deut. xvi. 1-8) that they had any other origin or purpose than to celebrate the exodus from Egypt. That is made in both of them their sole occasion. If they had a different origin, it is carefully concealed.

But, singularly enough on the basis of this theory, we discover in immediate connection with the rules for these feasts as found in HG (Lev. xxiii. 4-8; cf. vs. 9-14)—a document here virtually identical with PO—our first and

only allusion to a harvest ceremony. In this passage, to use the language of Wellhausen, "the special Easter rite is the presentation of a sheaf of barley." But how can this be made to harmonize with the development hypothesis to find the root where the bloom should be? Let him, as one of its leading advocates, himself explain: "One may remind us, on the other hand, it is true, that this passage at present belongs to PC. But the collection (Lev. xvii.—xxvi.), as is well known, was simply worked over and received by it; originally, however, was an independent *corpus*, which stood at the point of transition from D to PC, resembling now this and now that. And the complete justification [mark the words] for making use of Lev. xxiii. 9–22 in this connection appears in this, — that only in this way does the rite there described take on life and meaning."¹ Nothing needs to be added to this explanation, except, perhaps, to call attention to a subsequent remark of the same critic,² where he speaks of this same rite of Leviticus, together with that of the wave-loaves of the feast of weeks and of the booths at the feast of tabernacles—all of which things are totally ignored by the two documents claimed to be the oldest of the Pentateuch—as "petrified fragments" of the "old customs," the faint traces which betray the real sources of the development.

But there is a marked divergence in the documents, it is said, in their mode of indicating the time of celebrating the feasts; PC giving a definite numerical date, while the other two documents speak only in the most general terms of the month only. This, according to Wellhausen,³ points not only to a fixed, uniform regulation of the cultus in the former, but also to an essential change of its nature. It is true that the dates of the feasts are differently expressed, as it is claimed; but it is not true that they are any the less definitely indicated in the one case than the other. The Passover, for example, according to JE, was instituted on going out of Egypt, and the particular day is assumed to be

¹ *Geschichte*, i. p. 88, note.² *Ibid.*, p. 103.³ *Ibid.*, p. 104

well known. In like manner, in the case of the feast of unleavened bread (Ex. xxxiv. 18), not only is the month mentioned, but it is implied that the particular date had been determined, and was well understood (למזמור חודש אביב); the language being properly rendered, with Bunsen's Bibelwerk, "in the time determined on in the month Abib" (in der bestimmten Zeit des Aehrenmonats). The same may be said of D. It not only ordains the celebration of the Passover on the ground of the deliverance from Egypt, but calls special attention (Deut. xvi. 3) to *the day to be observed as that of their coming forth*; it is *that* which they are to recall. So, too, the date for the observance of the feast of weeks is either assumed in the earlier documents to be well known, as in JE (Ex. xxiii. 16; xxxiv. 22), which is familiar also with both the names that are applied to it—feast of weeks and feast of harvest; or it is clearly pointed out, as in D (Deut. xvi. 9; cf. Lev. xxiii. 15, 16), by means of data which must have been sufficiently current or accessible. The reason why a different designation for the date is employed in PC may have been a desire to provide additional safeguards against the confusion that might otherwise have arisen from the unsettled state of the calendar at that period; both sun and moon years being probably in use among the Israelites already at the time of the exodus.¹

Again, it is objected to the traditional view of the Pentateuchal codes, as it respects the feasts, that in D (Deut. xvi. 4, 8) the Passover is represented as the first day of the feast of unleavened bread, while in PC it is assigned to the fourteenth day of the month, and a full week is afterwards devoted to the connected feast, beginning with the fifteenth. The account in Deuteronomy is, indeed, peculiar in apparently merging the observance of the Passover with that of the feast of unleavened bread. That, however, a knowledge of their true relation to one another is presupposed is evident from the distinctions already found in JE (cf. Ex. xxiii. 18; xxxiv. 18, 25), the fact that both names are discriminatingly

¹ Cf. Hoffmann, *ibid.*, pp. 104, 105.

given it (vs. 1, 16), and the manner in which the two are here wrought together. From vs. 4²-7 the Passover is clearly referred to in its narrower sense; while in vs. 1 the appropriate day for slaying the paschal lamb is assumed to be known and to have been properly observed. And when in vs. 4³ it is said that there shall not remain over till the morning any of the flesh that was killed on the evening of the first day, it is plain that the evening of the fourteenth is meant, and not the first day of the following feast, for a variety of reasons. This language is directly borrowed from JE (Ex. xxiii. 18; xxxiv. 25; cf. also Ex. xii. 6, 10; Num. ix. 12) in its law of the Passover. It is in closest harmony with vs. 7², where permission is given, *after the celebration of the Passover*, to return to the tents,—previous, that is, to the observance of the accompanying feast. That this cannot mean the morning after the first day of unleavened bread is obvious from the fact that such a supposition would be in direct contradiction with the following verse, which calls for a solemn closing assembly (מִצְוָה) on the seventh day, as also with another requirement of this verse, that seven subsequent days, including that of the final assembly, are to be devoted to the feast of unleavened bread. And what is found in vs. 2, where sheep and cattle are spoken of as victims for the Passover feast, offers no obstacle to this view. The name Passover is here given to the whole series of feasts, as afterwards (vs. 16) the name Mazzoth is applied to it—a usage, moreover, which perpetuated itself in New Testament times (Mark xiv. 1; Luke xxii. 1), and is recognized by Josephus,¹ who speaks of “the festival of the unleavened bread, which is called pascha (πάσχα).” If there were any doubt on this point, it would be settled by the language of vs. 3, where the command is given to eat unleavened bread for seven days in addition to the Passover (thereunto = תָּבוּ), this Hebrew preposition referring undoubtedly to the Passover proper, as Riehm² and Keil³ have pointed out, and having no proper sense on any other supposition.

¹ Antiq., xiv. 2. 2; xvii. 9. 3. ² Gesetzgebung Moses im Lande Moab, p. 82.

³ Com., ad loc.

Still further, it is asserted that while D (in agreement with 1 Kings viii. 66; cf. Ezek. xlv. 25) assigns seven days to the celebration of the feast of tabernacles; PC (2 Chron. vii. 9 agreeing) requires eight. But attention may be called to the brevity of treatment given the subject in JE and D. The former does not even mention the number of days at all (Ex. xxiii. 16; xxxiv. 22); and D (Deut. xvi. 13-15) devotes to the matter but three verses, to ten in Leviticus (xxiii.) and twenty-seven in Numbers (xxix.). Marti has made it appear probable that the Deuteronomic form of the law is based on that in Leviticus,¹ and in one of these Levitical forms (vs. 42) nothing is said of an eighth day. The special object of D in calling attention to this feast as so often seems to have been to emphasize the unity of the place of worship. Besides, this eighth day did not, strictly speaking, belong to the feast of tabernacles, but brought to a close the whole series of yearly feasts. And this, further, might well serve to account for the circumstance that it is not always mentioned in connection with it, either in the codes or the history.

It is worthy of notice, also, that JE and D make no allusion to two other feasts of the Jewish year, that of trumpets and the day of atonement. But can it be justly a source of objection to the traditional view of the Pentateuchal legislation that each one of its codes does not cover the precise ground of the others respectively? And just as little can this fact be properly employed to support the theory of a later development in PC; since the ground of this difference may have been purely accidental. Take, for example, the feast of the new moon or trumpets. What possible important reason can there have been, from any point of view, why no notice is taken of it outside of PC? The nature of the feast precludes the conjecture that it is there, and there alone, from dogmatic considerations. And, on the other hand, the feast of weeks, one of the great pilgrimage feasts, finding a place in all the codes, receives no notice whatever in the

¹ *Jahrbücher für prot. Theologie*, 1880, p. 340.

historical books before Chronicles (2 Chron. viii. 13). And so, too, in the entire legislative portions of Deuteronomy there is no recognition of the observance of the weekly Sabbath. Could the danger of drawing important conclusions respecting the existence of laws and institutions from the presence or absence of allusion to them where we imagine it should be found be more strikingly exhibited? Because one does not find in the Epistles a full reproduction of the Gospels, shall that be a reason, in so far, for rejecting the Gospels?

But the day of atonement, it is claimed, is in quite another category. It most naturally, on dogmatic grounds, has its origin in the technical, priestly legislation of PC; and that, too, in its latest developments subsequent to the Exile. And do not codes and history alike point to this period for its actual origination? The times of the Exile and some centuries later were, indeed, peculiar in many respects. But the climax of anomalousness would be reached if it were to be supposed that a law of this nature originated then, which has for one of its principal objects the cleansing of every part of the temple, which either still lay in ruins or existed but as a lamentable reminder of its former grandeur. And if it originated then, at what precise time did it originate? When did the spirit begin to work that finally took shape in this elaborate ritual (Lev. xvi.; xxiii. 26-32; Num. xxix 7-11)? The Chronicler makes no allusion to its observance, and his book carries us far beyond the Exile. If it did not come up until we find some mention that it was kept, then we are borne on, too, beyond the days of Ezra and Nehemiah, who cannot be so readily spared from the council that projected, in times subsequent to the Exile, a scheme like this. In short, the argument from silence here overshoots its mark. The silence is unbroken in the historical books of the Old Testament. And there is no evidence of its celebration till more than a century after the supposed introduction of PC in the year B.C. 444.

Still, might we not justly expect some allusion to it in the

earlier historical books, if it were Mosaic? There is no more ground for demanding this than there would be for demanding express mention of it in the post-exilic literature, — especially by the Chronicler, if it had its origin at that period. And that there is, in fact, no point of the Israelitish history previous to the Exile reviewed in the Bible which really requires special notice of it has been sufficiently shown by able writers like Hamburger,¹ and most conclusively by Delitzsch.² The position which this law holds in PC itself has been too much overlooked. It is found in two instances in connection with the proclamation of the other feasts (Lev. xxiii.; Num. xxix.), as well as in two others, where the remaining ones are not noticed (Lev. xvi.; xxv. 9). And Delitzsch has shown³ that indeed the whole Torah is penetrated by its spirit, and formally bound to it by minute references in many passages.

4. *The Priests and Levites.*—The hypothesis here, in harmony with the same in the cases already noticed, is that in the earliest periods of Israelitish history there was no distinction between priests and laymen; any one might officiate at the altar; or, if there were priests by calling, they were to be found only at the more important sanctuaries. And hence JE has nothing to say of priests. It does not put an Aaron beside Moses. In D, too, we still find no radical distinction made between priests and Levites; every Levite is eligible to the priesthood. It is only in PC that the separation is fully made—where, moreover, it is represented that the priests were never anything else than sons of Aaron. And this document even goes so far as to put at the head of this caste of priests—contrary to the whole spirit of the Old Testament elsewhere—a high-priest of such prominence and power that the person of a theocratic king would be wholly overshadowed beside him.

It must be said, now, in looking at the documents, that the statements concerning JE are but partially correct. The

¹ Real-Encyclopädie für Bibel und Talmud, s.v.

² Zeitschrift für Kirchliche Wissenschaft, etc., pp. 171–183. ³ Ibid., p. 180 f.

Aaronic priesthood as such does not yet appear. And should it? No one, it is true, holds to its existence at the time of Moses and Aaron; and the sparse ~~facts~~ of presumed Mosaic legislation found in this document leave no sufficient place for its introduction. It cannot be said that the manner of their introduction into the history when it comes does not harmonize to the fullest extent with the statements of the Pentateuch concerning their origin. The pure artificiality of the scheme, claimed by Wellhausen, and to be expected on his theory, does not appear.¹ That the idea of priests is not foreign to this document is clear from Gen. xlvii. 22. At Ex. xix. 22, 24, too, the presence of priests is assured during the giving of the covenant. And from what other class is it so likely that the numerous magistrates here found were drawn (cf. Ex. xxi. 22; xxii. 8, and especially with xxi. 6 cf. Deut. xv. 17; xvii. 9; xix. 17)? So in Joshua, a passage admitted to belong to JE, we find a company of priests bearing the ark of God across the Jordan. But the matter is not left to occasional references even here. As we have already seen, the idea of a central sanctuary is at home in it, is inseparable from the legislation concerning the three great annual feasts. Are the feasts, indeed, any way practicable without the sanctuary, or the sanctuary without an established priesthood and a law of sacrifice?

And as it concerns D, the hypothesis proposed can be adjusted only with even greater violence to the facts. It is declared, for instance, that it recognizes no distinction between priests and Levites, and support is claimed for the position from the uniform title of the former here, "Levitical priests." But no one will deny that this usage harmonizes admirably with the supposed descent of the priests, and as a designation is not without example in the very latest books of the Old Testament, even such as are supposed to be saturated with the spirit of PC (Jer. xxxiii. 18, 21; Isa. lxvi. 21; 2 Chron. v. 5; xxiii. 18; xxx. 27). Moreover, if we look at one of these passages in

¹ Ibid., p. 226.

per. And (Deut. xviii. 1-8) we shall find that the distinction between these two classes is, in fact, indicated even here. When (vs. 1) "the priests, the Levites, the whole tribe of Levi" are spoken of, why the qualifying phrase, if they are understood to mean one and the same class? Again (vs. 2), it is said of these two classes, embracing the whole tribe of Levi, that the Lord is their inheritance, as he had said unto them. I have already shown (p. 16 above) that this is a direct citation of Num. xviii. 20, 23, and it is to be particularly noted now that the passage in this its original form is applicable, as here applied, to both priests and Levites. And it will be observed further, here in Deuteronomy, that from vs. 3-5 the priest is plainly distinguished from his tribal brother the Levite, being spoken of by himself; while in vs. 6-8 the case is reversed. This is made certain by the fact that their diverse maintenance is directly referred to (with vs. 3, 4 cf. vs. 8 and Num. xviii. 21-24). And in the moving picture of a Levite, who had been engaged apparently in some other service in the land, but whose heart now yearns for the service of the central sanctuary of his people,—besides which no other is recognized in this book,—every feature of the situation, especially the command to extend sympathy and help to him, speaks of a difference in station. And when it is said that he is to be permitted to serve there, such service is expressly limited to that of his brethren the Levites, like portion with whom also—understood to be established by statute—he is to have. Could all who serve at this sanctuary, or even the great proportion, be priests? It is impossible. And even if the author of Deuteronomy had made no distinction, we should be obliged to make it in our own minds.

But are not the priests in D (Deut. x. 8; cf. xxxi. 9) understood to be the proper persons to bear the ark of the covenant, while in the legislation of PC (Num. iii. 81; iv. 15; vii. 9; cf. 1 Chron. xv. 15) it is made the sole duty of the Levites? This is hardly a fair statement of the case. In the legislation of PC it is nowhere said that the priests

shall not bear the ark. And, on the other hand, it is not found in D that they always have this service to perform (Deut. xxxi. 25). The truth established alike by all phases of the legislation and by the history (see 1 Sam. vi. 15; 2 Sam. vi. 13; 1 Kings viii. 6; 2 Chron. v. 4, 5, 7) is, that while this was ordinarily made the duty of the Levites, it was also not considered out of character for the priests on special occasions to do it; nay, wholly comported with their position when, from being a task, it became for any reason a mark of distinction and honor.

It cannot be denied, however, that there is in D a marked obscuration of the distinction between priests and Levites. The name given to the former is not that which prevails in HG,—"the priests,"—and especially not that most common in PC—"the priests, the sons of Aaron," or "Aaron and his sons"; the fact of their priestly office being understood. They are, indeed, here sometimes named "priests," but in no instance is their descent from Aaron indicated. In a majority of instances, on the other hand, their origin from Levi is emphasized (Deut. xvii. 9, 18; xviii. 1; xxi. 5; xxiv. 8; xxvii. 9; xxxi. 9). And this usage perpetuates itself to a considerable extent in the subsequent literature (Josh. iii. 3; viii. 33; Jer. xxxiii. 18, 21; Isa. lxvi. 21), and even in works which in other parts show that they are well aware of the distinction (Ezek. xliii. 19; xlv. 15). How is this undeniable and most singular fact to be accounted for?

As it seems to us, the peculiar circumstances under which the Book of Deuteronomy professes to have been produced have been too much overlooked. While Aaron was still alive and stood with Moses at the head of the Israelitish community, while the tribe of Levi still remained in the wilderness and stood very much on a level with the other tribes as it respects both privileges and hardships, there could be no special occasion for making the distinction between family and tribe any less marked than it appears in the Levitical law. But on their entrance into Canaan, when the matter of conquest and the division of the land between

the tribes would be uppermost, the circumstances were entirely changed. One whole tribe, not a single family only, was to be excluded from that division. How might they be expected to feel when they actually confronted the fact? Because they were Levites, that did not make them any the less men, or any the less tenacious than others of their tribal rights. Already in the experiences of the wilderness, notwithstanding the cloud that hangs over them, we have evidence that these whilom slaves of Egypt cherish the ambitions that aspire to place and power. And the history of the period of the conquest, with the centuries immediately succeeding, suffices to show that tribal jealousy was a factor that no judicious leader of Israel could afford to overlook.

This was no time, consequently, when the people were standing on the margin of the promised land, and two and a half tribes had already been apportioned their inheritance, for a man like Moses to overlook the particularly trying position of his own tribe of Levi. Was it not natural that he should seek in every way to make easier for them what was hard enough at best, to be characterized as a really sublime act of self-denial? When, in fact, from that day to this, has a genuine service of the altar been anything else? It might be said that a mere title, the raising of their tribal name into prominence and honor could have weighed but little with them. But it is on such trifles as this that great affairs have turned in history. That the priestly class of the Israelitish people should cease to bear the title "sons of Aaron," and be hailed as "sons of Levi," and the whole tribe be lifted bodily, as it were, by the honorable positions assigned and the kindly mention everywhere made of them in the closing words of the great lawgiver of Sinai,—that could have been no trifle among a people such as came up out of Egypt, where to be a priest was to stand beside the king himself.

But a special evidence of a later period is said to be found in the position assigned in PC to the high-priest. Wellhausen sees in this personage the climax of many centuries of devel-

opment in the priesthood, and a most exaggerated climax. The figure he makes in the Pentateuch, it is claimed, is a wholly disproportionate one, and that to put him back into the age of Moses would be the grossest of anachronisms.¹ It should be observed, however, at the outset, that the figure which this critic represents as that of the high-priest, is, in no small degree, one created by his own imagination; and his way of interpreting the history may be inferred from a single example. He says of Samuel, whom he calls an Ephraimite, that he slept every night in discharge of the duties of his office beside the ark of the Lord to which, according to Lev. xvi., the high-priest was allowed to enter but once a year. Being an Ephraimite was no hinderance to one's being also a Levite (Judg. xvii. 7; cf. 1 Chron. vi. 7-13, and Curtiss's Note on p. 95 of *Levitical Priests*), which Samuel in all probability was. But that he slept in the most holy place is not affirmed in the text (1 Sam. iii. 3); it says simply that he slept in "the temple (יְדִיעָה) of the Lord where [of course] the ark of God was."

Wellhausen assumes, further, that the title high-priest is of late origin, and seeks to create the impression that its presence in PC is as noticeable as its absence from the historical books. Yet it is found but twice altogether in PC (Num. xxxv. 25, 28), and once in HG (Lev. xxi. 10), and the usage in the history is precisely similar, the two titles (הַכֹּהֵן and הַכֹּהֵן הַגָּדוֹל or הַכֹּהֵן הַיָּשָׁן) being employed interchangeably, the simpler title, however, largely preponderating even in the Books of Chronicles, Ezra, and Nehemiah. It is alleged, too, that in PC the high-priest appears arrayed in royal purple and diadem, and standing at the head of a compact ecclesiastical hierocracy, which shows a total transformation of the nature of the office as set forth in Jewish history. Here, again, our critic's theory has sorely misled him. The *royal purple* is indicated by quite a different word (אַרְגָּמָן) from the one employed in the description of the high-priest's robe (חֲבִישָׁה), as has been pointed out by Hoffmann, Delitzsch, and others;

¹ *Ibid.*, p. 153 f.

and the only diadem of this official was a simple turban of white, which formed the covering for his head in the earliest and latest periods alike (cf. Lev. xvi. 4; Ex. xxviii. 31; xxxix. 22). In short, a single fact is sufficient to show how completely all historical ground fails for regarding the high-priest of PC as a post-exilic creation. It is enjoined in this document that the high-priest shall be anointed on entering upon his office, and the history corroborates the employment of the rite (Ex. xxviii. 41; xxx. 30; Lev. iv. 3, 5, 16; vii. 86; x. 7; xxi. 12). Yet this also, Wellhausen¹ regards as a novelty of the Exile. "He receives," he says, "on his induction into office the anointing, like a king, and is called accordingly 'the anointed high-priest.'" But if this procedure be, as is supposed, a product of this late period, how does it happen that it occurs in no single case as a usage in it? Even as early as Zechariah iii. we find the high-priest installed without ceremony. How is it possible to suppose that the subtle hierocrats of this age made something found by themselves to be unnecessary or impracticable, so imposing a feature of their ritual? It is evident that the real reason why this earlier custom was not continued after the return from Babylon was an uncertainty as to the composition of the anointing oil or its proper use.²

When, indeed, we look more closely at the historic position of the priesthood, including the high-priest, as reflected in the literature of the Exile, we see in how many important respects it refuses to yield us the form demanded by the code supposed to be the offspring of this very period. It is something less, but it is also something more. And it would have been more in keeping with their professed aim, if our critics—instead of questioning the prophetic books so minutely, and turning not only the infrequent utterances of the Hebrew seers on these topics, but their very silence, into proofs of the non-existence of a large part of the Pentateuch in their time—had given more attention to the Books of Ezra, Nehemiah, and

¹ *Ibid.*, p. 154.

² Cf. Ex. xxx. 22, 23, and Delitzsch, *Zeitschrift*, etc., p. 227.

the Chronicles, where, if anywhere, this strange theory should find positive support. Why, for example, has it been overlooked that subsequent to the time of King Josiah the historical books recognize a sort of high-priest of secondary rank, of which PC knows absolutely nothing (cf. 2 Kings xxv. 18; Jer. lii. 24; 2 Chron. xxxi. 13; Neh. xi. 11). Sometimes he is called the "the second priest," and again the ruler (גביר). The Talmud describes his office as that of a "leader of the priests" (Segan hōk-kohanim), his ordinary business being to assist the high-priest, and in case of his disability to represent him on the day of atonement. Now is it possible that an office of this character should have been overlooked in a code of the nature of PC, if it came into existence to any considerable extent at or after the time of the Exile?

Again, the Books of Chronicles are deemed the clearest historical mirror of the Priests' Code. We might expect accordingly, at least, an adumbration of its *main features*. Why, then, in so characteristic a matter as its account of the organization of the service of the Levites, does it take scarcely any account of the code (1 Chron. xvi., xviii., xxiv., xxvii.)? The whole treatment of the temple music is confined to the history, not a word in the code, excepting only what is said of the trumpets of the priests (Num. x. 1-10). And to know how important a matter it was regarded, and to what dimensions it grew, with its thousands of performers and its leaders, a Heman, an Asaph, and a Jeduthun standing along side of David himself in the honor of a conspicuous place in the Psalter, one must refer to the Chronicler, and to him alone. Here, too, we make the discovery of new offices and titles for the Levites, "door-waiters" (1 Chron. xv. 23), "trustees" of sacred funds (Neh. xii. 44), "secretaries" in swarms (2 Chron. xxxiv. 13), the so-called "servants of the priests" in numerous classes (cf. 2 Chron. viii. 14 f.). Most of the leading kings of Judah, in fact, after Solomon's time either renewed the innovations which he and his father had made, or introduced other changes in the arrangements of the temple to suit their times. And among the Levites who

are found returning after the Exile are still other classes (Ezra ii. 55, 58; viii. 20), of which the previous history gives no account. Among these one bears a name which well serves to show how wide a period actually stretches between the origin of the Levitical code and the times we are considering. In that code the Levites, as over against the priests, receive the title "Nethunim" (Num. iii. 9; viii. 16, 19; xviii. 6), while here they are termed "Nethinim." How is this abrupt change in usage to be explained on the hypothesis of a common chronological origin?

And a still more surprising incongruity, also, has been pointed out.¹ It is well known that the relative number of Levites returning from the Captivity was very small, in the first instance, but one twelfth the number of the priests; and in the second, even less. And it is matter of tradition, which is fully supported by the later history,² that in order to punish this defection Ezra withdrew from them the stipulated tithe transferring it to the priests. But if there were any ground for this supposition, how is it that in the legislation of PC we find the law of tithes given in D, not only in full force, but put, it may be said, in even a stronger form (Num. xviii. 21, 24), they being no longer obliged to share their portion with others, but enjoying it exclusively by themselves.

5. *Maintenance of Priests and Levites.*—Respecting, also, the support accorded to the priests and Levites severally, it is held that the codes arrange themselves in chronological order from JE to PC. Originally, the sacrifices were occasions for sacred meals, to which the priests, if there were any, were invited. But it was wholly a courtesy, any claims they made for services being satisfied by the proprietors of the respective altars in some way which might be agreed upon. JE reflects this state of things. But in D, already, the priesthood is found better supported. Certain parts of the animal sacrificed being by statute allowed them. Only in PC, however, is the acme reached, the demand of the

¹ Cf. Delitzsch, s.v. "Leviten" in Riehm's Handwörterbuch.

² Josephus, *Antiq.*, iv. 4. 4; xx. 8, 8; Heb. vii. 5.

priesthood having become at this date something enormous. "It is incredible," says Wellhausen¹ "all that, in the end, must be given up to them. What originally stood side by side is heaped together; what was left free and undefined is brought to measure and prescribed." Not that they really could have expected to fleece the people to this extent, however, for such a provision as that of the forty-eight Levitical cities was a pure invention, at once unexecuted and unexecutable.²

Now, as it concerns JE, what rational ground can there be for assuming that it came into being at a time when as yet priests were not officially recognized or provided by statute with a sufficient support? At best, it can only be a few exceptional instances which our critics find in abnormal circumstances and an unsettled period (cf. 1 Sam. ii. 12-16), over against which we are able, as already seen, to point in this very document to examples where priests are found in high official position, and enjoying all that is implied in it of recognition and support (Ex. xix. 20-25; Josh. iii. 9-17). It is inconceivable that the priests selected to bear the ark across the Jordan before the hosts of Israel should be of the starveling, vagabond class described by Wellhausen.

And as relates to D, we are unable to find anything justifying the extreme position so confidently taken. It is absurd to suppose that it means to give (Deut. xviii.) a full account of all that, in its time, was appropriated for the support of the priesthood. In that case to have been a stranger, or a foreigner (גֵּר, גֵּרָא), under the mild Deuteronomic code, would have been far preferable to serving at the miserly altar of Israel's only sanctuary. The hypothesis, moreover, is positively precluded by the form of the legislation in D. Its direct citation (xviii. 2) of earlier laws could scarcely be more direct if chapter and verse were given. The Deuteronomic form of the law, in short, is but a repetition and enlargement under circumstances which specially called for both, of previous enactments. The people after more than a genera-

¹ Ibid., p. 164.

² Ibid., p. 168 f.

tion of life in camp are now to be scattered up and down a wide extent of country, with difficulty traversable, and on both sides of the Jordan. A most important restriction touching the slaughter of animals for food has been accordingly removed in the very opening lines of the code (xii. 15). The revenues of the sanctuary, however, must suffer a proportionate abatement. Supposing, then, that the code of the middle books is already in force, what more natural than that some compensation should be made to the officiating priests? As we have noticed, their title as "Levitical priests" no longer represents that exclusive dignity to which the "sons of Aaron" might have aspired. Shall it not be made to appear that the changes inaugurated imply no lack of appreciation of the priestly station and function? The offices to which elsewhere in this book they are seen to be eligible require this (xvii. 12; xx. 2; xxvi. 8). In what a lamentable condition, indeed, must the religion of Israel have been, if men of the rank of supreme magistrates in the administration of justice must submit, under the name of a support, to the miserable pittance which this form of the code, taken by itself, grants to its priests.

And if we compare the regulations of D and PC we shall find that the traditional theory best harmonizes with the facts. At Deut. xviii. 3, 4, it is said: "And this shall be the right of the priests from the people who offer sacrifices, whether ox or sheep, one shall give the priest the shoulder (שׁוֹמֵר), the two cheeks, and the stomach. [And in addition to] the first fruits of the corn, the wine, and the oil, the first shearing of the sheep." What is added in parenthesis serves to present the true relation of this rule to that of PC. The introduction (vs. 1, 2) shows that the latter is here kept strictly in view. There (Num. xviii. 12, 13) the first-fruits have been already promised to the priests; here this fact is recalled in order to add to it the wholly new source of income, the first shearings of the sheep. And that the parts of the animal assigned in D to the priests are over and above those given him in connection with the peace-offerings of PC, appears

from the language used. The terms are carefully chosen. Along with the stomach, they are assigned here, the fore-quarter (פֶּרֶךְ), and the two cheeks; there (Lev. x. 15), it is the wave-breast and heave-leg (פֶּיִשׁ). In PC it is the peace-offerings that are referred to (Lev. vii. 11; cf. Num. xviii. 11); in D, as it would appear (note the phrase, vs. 8, כֹּהֵן רֵאשִׁית), any and all sacred meals which might be made at the sanctuary or places contiguous (xii. 17; xv. 19, 20).

But are there not direct contradictions of PC to be found in D, making the traditional hypothesis impossible? So it is announced and specifications are given. At Deut. xii. 6, 7, 17, for example, the people are forbidden to eat the tithe of their products except at the central sanctuary, and the prohibition is later repeated (xiv. 23). In PC, on the other hand (Num. xviii. 21, 24, 26, 28), the tithes are given by a perpetual ordinance to the Levites as reward for their services at the sanctuary; and they are even enjoined to give a tenth of their tenth to the priests. All this is admitted, and may be readily explained on the ground that the object of the tithe in D is wholly different from that of PC, and is meant to be understood as a second additional tithe, although not as wide in its application as the first. Still another tithe, to be made once in three years for festival purposes at home is a feature of the legislation peculiar to Deuteronomy (xiv. 28; xxvi. 12), and quite appropriate to its supplementary character. The three tithings taken together and carried out to the letter can in no sense be regarded as oppressive in their character, or in the least out of harmony with one another. And the fact that they have been transmitted to us by an unimpeachable historic tradition,¹ is strong confirmatory evidence that they were severally enjoined in the code.

A more serious conflict still, it is thought, shows itself in the matter of the firstlings of the flocks and herds. In D (xii. 6, 17; xiv. 28; xv. 19), they are devoted to festival purposes at the sanctuary; in PC (Num. xviii. 15-19), they are given to the priests. The disagreement here, too, is more

¹ Tobit, i. 7; Josephus, Antiq., iv. 8. 8.

in appearance than in reality. It is true that the Levitical code puts them into the hands of the priests, but not for any purpose they may choose. They are made theirs to sacrifice; and only after the proper portion had been offered on the altar was another fixed portion to be theirs *for food*, "as the wave-breast and the right leg" were theirs (Ex. xxix. 26-28; cf. Deut. xviii. 8). Now that in Deuteronomy the more popular side of the law is presented, and these very firstlings, while still belonging to the Lord, are regarded as proper material for sacred meals on the part of their former owners and their offerers is not to call in question the legislation of the Book of Numbers. It is only to shed additional light upon it. The people, that is, the original owners of the animals, are understood to be sharers with the priests on these occasions, as was doubtless the case in the other offerings. In neither phase of the legislation is there any exclusive right given; that of PC especially limits it (Num. xviii. 18). And might it not have been expected that our critics, who seem to be much concerned that the priests are granted in this document, at the expense of the people, privileges so wholly disproportionate and oppressive, would have discovered this very natural method of materially curtailing their perquisites?

Is it true, however, that in PC the claims of this class have advanced to an incredible extent, and become the intolerable yoke that is represented? Such a conclusion must be the result of a very superficial examination of the subject, or a much higher valuation of the income of the priests than is either just or reasonable. Wellhausen has by no means exhausted the list of things which, first or last, might be claimed by the priest,¹ although making some mistakes in the enumeration, as others have pointed out.² He fails, however, to discriminate as it respects the nature of them. It should have been made clear that there was understood to be a wrong as well as a right way of appropriating and using these seemingly numerous emoluments. Some of them be-

¹ *Ibid.*, p. 164

² Hoffmann, *Ibid.*, 1880, p. 143 f.

longed exclusively to the officiating priest; others to the whole class,— some might be consumed by the priest in company with his household; others, only by such male priests as were ceremonially clean. The time and place of their consumption, too, were definitely fixed by law (Lev. vii. 15–17). It should have been especially shown, or, at least, not concealed, that the great mass of these allotted gifts were, in their very nature, exceedingly perishable, being articles of food that could only have a transient value. There was little, indeed, of anything that *fell exclusively to the priests*, even in PC, that could do more than furnish him a bare physical support.

The propriety of going beyond PC, into the historical books of the Exile, in order to find material for depreciating this class is more than questionable. That the support of the sanctuary, in addition to their own support, was in *the earlier times* expected to come out of what was contributed to those officiating there, is to be inferred from the fact that no other provision was made for it in any of the codes. And when, therefore, Wellhausen cites Neh. x. 32, 33 to show that it was not the case [in the later times], but that special provision was made, he cites a powerful witness against his own hypothesis. The history and the code in its supposed much revised and finally completed post-Exilic form are thus shown to be strikingly out of harmony with one another.

And when, now, in addition to what has been said, it is considered that no part of the legislation of the Pentateuch contains a syllable concerning the collection for the priests of these dues, that there is no legal limitation respecting the amount of the first-fruits to be given them, and that hence, in all periods their actual income depended almost wholly on the generosity and the religious fidelity of their countrymen, the whole subject assumes a wholly different aspect. It will, at least, appear most clearly that the document named PC does not make it one of its chief aims to increase the power and wealth of this alleged favorite class.

Still more unfortunate, if anything, are our critics in the

use they make of the legislation respecting the Levitical cities (Num. xxxv. 1-8; Josh. xiv. 4). If they are a pure fabrication of PC, having the same general aim to increase the wealth and influence of the *priesthood*, why are they given to the *Levites*,—to the tribe, and not to the family? And why do we find in a document having this purpose and springing up in the Exile so singular a division of these cities, only thirteen of the whole finally falling to the priests (Josh. xxi.), notwithstanding the fact that they greatly outnumbered the Levites at the period of the return from Babylon, and always outranked them, whether in PC or out of it? Surely nothing could be more inconsequent than to make this an invention of the later priests. And not only does the theory of invention condemn itself; it is proved false by many facts of Israelitish history. It is not true that we discover in this history no traces of the law or efforts to enforce it, as Riehm has conclusively shown.¹ In fact, the fundamental assumption of our critics that according to the records of the Hebrew people the priesthood had at first but a modicum of power, and that it gradually developed along the centuries until subsequent to the Exile the apex of the pyramid was reached, is radically incorrect. To make such an assumption possible the history must be tortured and schooled and made to tell a preconcerted story. The sojourn in Egypt must be denied; and just as stoutly any connection of this class with the Jewish lawgiver through Aaron its head. There must be an overlooking of those passages in which JE itself speaks of the priests with the highest respect, and of the numerous points in the history where to the hand of the priest are gathered the reins of highest influence even in civil affairs.

It was inevitable, in the nature of things, that in the checkered history of Israel, especially during the wars of the conquest, the rule of the judges, the rise and dominance of mighty prophets, this class should seem sometimes to be overshadowed, and that particularly in the spiritual decadence of the people the proverb should be fulfilled, "like people,

¹ Handwörterbuch, s. v. "Levitenstädte."

like priest" (Isa. xxiv. 2). But in all this there is no justification for the suspicion that the Levitical legislation was not behind them. Their failure in all cases to live up to it is sufficiently clear, and need not be denied. It is strikingly paralleled in the better furnished ministry of the Christian church. The purest and most dutiful Aaronic priest is only debtor to the confession of the noblest and most faithful servant of Christ: "I count not myself to have apprehended." The standard in both cases is planted far above the attainment, and in both alike proves thereby the divinity of its origin and the perfectness of its ends.

ARTICLE II.

SOCIOLOGY AND CHRISTIAN MISSIONS.

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THOSE writers who either coined the mongrel word, sociology, or have made the most use of it, regard it as the science which unfolds the laws in accordance with which the changes occur in human society. They maintain that if we take any given society, it has come to be what it is by the interplay of certain factors, internal and external, which are presumed to have existed at its origin, and which have mutually and progressively modified each other. The claim is further set up that these modifications have uniformly followed the terms of a certain formula, now become almost too familiar — that is to say, the given society "has passed from an indefinite, incoherent homogeneity to a definite, coherent heterogeneity." That this is the order of changes is inferred from analogy. For society is an organism, and organisms all follow this order of evolution. The human individual has his genesis so. The original societies of primitive men therefore have been modified in this way. At first simple, rude, similar, the people composing the tribe, under the force of external circumstances, have been differentiated and fashioned