

## The Original Form of Leviticus xxiii., xxv.

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**1. Legislation in Regard to the Feasts (Lev. 23).**— This chapter was once regarded as belonging entirely to P, but now through the investigations of George (*Die älteren jüdischen Feste*), Hupfeld (*De primitiva et vera festorum apud Hebraeos ratione*), and Wellhausen (*Composition des Hexateuchs*), it has come to be generally recognized that the chapter is composed of two parallel but independent legislations, and that the older of these legislations is H. It is so universally admitted that the earlier code is contained in vs. 9-22 and 39-44, that it is not necessary here to enumerate the reasons for assigning the other portions of the chapter to P (cf. Kayser, *Das vorexil. Buch der Urgeschichte*, p. 74; Wellhausen, *Composition*, p. 161).

In these two sections we have a complete code of feasts which duplicates the code of P in the same chapter. It is distinguished from P by the facts, that all of the feasts are dependent upon the gathering of the harvests, instead of being national, ecclesiastical holy days; that the beginning of all is determined by the ripening of the crops and not, as in P, by the ecclesiastical lunar calendar; and that the diction of the sections differs from P and is allied to the sections which we have already found to belong to H. These points will appear in detail as we consider the passages more closely.

Although legislation of H certainly underlies both of these sections, neither is in its primitive form. The same sort of amplifying priestly comments which we have met in the foregoing sections are found here also. The usual opinion is that excerpts from the festal legislations of H and P have been combined by an editor who stood under the influence of P. This opinion is confirmed by the fact that the glosses which harmonize H with P, although showing the style and spirit of P, are not always in exact correspondence with the substance of P's legislation.

It is admitted by all, that vs. 9-22, 39-44, have undergone a priestly redaction, but there is a difference of opinion in regard to the extent of this redaction. Here, as in the group on the sacrifices, it is imperative that we should follow closely the linguistic indications and not allow any preconceived theory in regard to the age of H to make us assign passages to it which the diction would naturally require us to give to Rp. In the separation of the original H throughout this chapter Baentsch, it seems to me, has been specially successful, and with his analysis (pp. 44-50) I am, in the main points, in agreement.

Verse 9 is a superscription in the usual style of the priestly editor and comes, no doubt, from the hand which combined H with P. Its insertion is a striking evidence of the composite character of this chapter. Verses 5-8 discuss the subject of the feast of unleavened bread, but vs. 10-14 continue this subject and should naturally join on to them immediately. The only way in which the insertion of the new title can be explained is by the supposition that at this point the editor turned to another document, and so, although the subject was the same, deemed it appropriate to affirm that this legislation also was Mosaic.

With v. 10 we come at once into the familiar diction of H, "When ye be come into the land which I give you" (cf. 18<sup>3</sup> 19<sup>23</sup> 25<sup>2</sup>). The Holiness Code everywhere represents itself as a code for the *land* (cf. 19<sup>29, 33</sup> 22<sup>24</sup>). With the following words, "and ye reap its harvest," compare 19<sup>9</sup> 23<sup>22-30</sup>. The indefinite expression, "the priest," is also characteristic of H (cf. 21<sup>9</sup> 22<sup>10-13</sup>). With this law we are suddenly transferred from the sphere of the priestly ritual, where times and forms are the all-important thing, to the realm of a more spontaneous religious life, where the feasts are the natural expression of gratitude for the harvest. It is commanded simply that the Israelite shall bring a sheaf (cf. Deut. 24<sup>19</sup>) of the first-fruits of his harvest when he begins to reap his crops. The legislation here as elsewhere in H is addressed to the people, not to the priests.

Wellhausen's representation (*Prolegomena*, p. 101), that the offering of the sheaf is a purely national, symbolic rite, has no foundation in the text, whatever may have been later Jewish practice. The sheaf is meant to be an offering from every Israelitish family as an expression of gratitude for the new harvest. The legislation here stands upon the same plane as the Book of the Covenant (Ex. 22<sup>28</sup> 23<sup>19a</sup> 34<sup>26a</sup>), and the worship which it requires is popular rather than ecclesiastical.

Verse 11 shows the hand of Rp in the word לרצונם, and possibly

also in the repetition **יִיפְנוּ הַכֹּהֵן** at the end of the sentence, which seems to have been necessitated by the insertion of **לְרִצְנַכֶּם נוֹף**, 'sway,' is not characteristic of P (cf. Deut. 23<sup>26</sup> 27<sup>5</sup>), although **תְּנוּפָה** is. Apart from these minor glosses the rest of the verse belongs to the original legislation, as is strikingly evinced by the way in which the time of bringing the sheaf is determined. It is to take place "on the morrow after the Sabbath." It is difficult to say what the priestly editor who inserted this from his source took it to mean. Possibly, as Dillmann thinks (*Ex.-Lev.*, p. 586), he understood the day after the weekly Sabbath that fell within the days of unleavened bread. In any case it is clear that this method of determining the day of the feast falls outside of the scheme of P, for P puts all holy days on fixed dates of the lunar calendar (cf. *Lev.* 23<sup>5-8</sup> 23-38).

If the traditional exegesis of this verse were correct, and "the morrow after the Sabbath" denoted the day after the first day of unleavened bread, then P, if he were the author, would certainly have said, "on the sixteenth day of the first month." If the Sabbath were meant to apply to any one of the foregoing sacred days of P, the author must have stated whether he meant the first day or the seventh day of unleavened bread, since they were equally sacred, and since on both the people were required to refrain from 'servile work.' There is, however, not the slightest probability that 'Sabbath' is meant to refer to either of the days of unleavened bread, since they are never called Sabbaths elsewhere. In view of the discussions of Wellhausen (*Composition*, p. 162) and Dillmann (*Ex.-Lev.*, p. 586 f.), it seems to be impossible to doubt that the 'Sabbath' is the weekly Sabbath.

Wellhausen's further conclusion is also inevitable, that the time of this Sabbath is determined by the immediate context, "when ye reap the harvest of your land," and denotes the first Sabbath after the beginning of the ripening of the spring crops. Here then we have a purely agricultural determination of the time when the sheaf is to be offered; it is to be on the first Sabbath after reaping has commenced. Nothing more foreign to the rigid ecclesiastical systematization of P can be imagined. Here again we stand upon the ground of the Book of the Covenant and Deuteronomy where the feasts are associated with the ripening of the crops and the natural life of Israel.

Verse 12 in substance seems also to belong to H, since the offering of one lamb for a burnt-offering prescribed in it is not found in P. The day of offering the sheaf, according to the conception of the editor of this chapter, must have fallen within the week of unleavened

bread; but for every one of the days of unleavened bread P in Nu. 28<sup>19-24</sup> prescribes that there shall be offered two bullocks, one ram, and seven lambs as burnt-offerings, and one goat as a sin-offering. Of all these sacrifices this passage knows nothing, and, on the other hand, Nu. 28 knows nothing of the one lamb for a burnt offering. It seems probable, therefore, that this sacrifice is part of the original code. The one lamb corresponds to the one sheaf, and is the expression of a recognition that the increase of the flocks as well as the increase of the fields is the gift of Yahweh. There is nothing to indicate that this is an offering made by the priests for the nation; on the contrary, it is, like the sheaf and the two wave loaves of v. 17, an offering to be presented by every Israelitish family. The words **בן שנתו** in this verse, which are characteristic of P, are to be regarded as a priestly gloss. On the use of **עשה** by H see Lev. 17<sup>9</sup> 22<sup>24</sup>.

Verse 13 is a priestly amplification of the text on the basis of Nu. 15<sup>4f</sup>, with whose phraseology it exactly corresponds. In substance, however, it is not in perfect accord with that passage, for it prescribes two-tenths of an ephah of fine flour instead of one-tenth as a meal-offering. This slight deviation, which apparently rests upon an error of memory, shows that the writer was not P himself, but one who worked in his spirit and imitated his style. All the expressions of this verse are characteristic of P, namely, **עשרנים סלת בלולה**, **בשמן** (cf. Ex. 29<sup>40</sup> Lev. 14<sup>10, 21</sup> Nu. 15<sup>4, 6, 9, 28<sup>9, 12f, 20f, 28, 29</sup> 29<sup>3, 9, 14</sup>), **אשי ליהוה** (cf. JOURNAL xvii. p. 152), **ריח ניחח** (cf. Ex. 29<sup>18, 26, 41</sup> Lev. 1<sup>9, 13, 17</sup> etc.).</sup>

The larger part of v. 14 was rightly recognized by Kayser as belonging to the priestly editor, namely, **קרבן, עד עצם היום הזה, ככל משכתיכם** (cf. Ex. 12<sup>20</sup> 35<sup>3</sup> Lev. 3<sup>17</sup> 7<sup>20</sup> Nu. 35<sup>29</sup>). On the strength of these indications Baentsch assigns the whole verse to P. This, it seems to me, is not justifiable. **כרמל** is found in P only in Lev. 2<sup>14</sup>, and cannot, therefore, be said to be characteristic, particularly as it occurs also in 2 Ki. 4<sup>42</sup>. **קלי** does not occur in P. The word there used is **קלוי**. It is found, however, in Ruth 2<sup>14</sup> 2 Sam. 17<sup>26</sup>. The expression **הביא קרבן** is foreign to P, who says regularly **הקריב קרבן**, and the word **אלהיכם** points strongly to H. Moreover, the doubling of the determination of time, "until that selfsame day," and "until ye bring the oblation of your God," indicates the fusing of two diverse conceptions. The "selfsame day" is part of the calendar system of P; "until ye bring" is part of the older legislation in which everything was determined by the harvest. We must, however, assume that the technical and peculiarly priestly

word קרבן is a later substitution for the שמר, which is spoken of throughout the rest of the legislation (cf. v. 15 מיום הביאתכם את אתם ונר (שמר ונר)).

The law then read originally, "Bread or parched corn, or fresh ears ye shall not eat until ye bring the sheaf of your God." Baentsch thinks that this shows the spirit of P, but it does not seem so to me. It is the natural impulse of religion in any age not to enjoy the new fruits of the earth oneself until one has made an offering of them to the Giver. This precept is eminently natural in connection with the command to bring the sheaf.

Verses 15-17 are recognized by all as substantially part of H's legislation (cf. Nöldeke, *Untersuchungen*, p. 61). A few glosses of Rp which add nothing to the sense have come in. Such is the characteristically priestly word הנזפה (vs. 15, 17), which is not used in vs. 11, 12. Baentsch is probably right also in regarding the redundant clause, "seven complete weeks shall there be" (v. 15), as an addition of Rp, since it exhibits his usual anxiety for punctilious exactness in carrying out the ritual. The repetition תכפרו seems to have been necessitated by the insertion of this clause. "And ye shall bring a new meal-offering to Yahweh out of your habitations" (v. 16 f.) is not only priestly in its language (cf. Nu. 28<sup>26</sup>), but is superfluous alongside of the following clause, which contains the phraseology of the original legislation. The careful determination of the exact weight, composition, and baking of the loaves comes also from Rp (see the comments on v. 13 and cf. Lev. 6<sup>10</sup>). ככורים ליהודה is, no doubt, primitive (cf. Ex. 23<sup>16, 19</sup> 34<sup>22, 20</sup>).

Verses 18, 19 at first glance seem to belong entirely to P, but a comparison with the legislation of Nu. 28<sup>26-30</sup> shows that here also older legislation underlies the priestly amplifications. The relation of the sacrifices for the day of first-fruits prescribed in these two passages is exhibited in the following table :

<i>Lev. 23<sup>18 f.</sup></i>	<i>Nu. 28<sup>26-30</sup></i>
7 lambs for a burnt-offering.	7 lambs for a burnt-offering.
1 bullock for a burnt-offering.	2 bullocks for a burnt-offering.
2 rams for a burnt-offering.	1 ram for a burnt-offering.
1 goat for a sin-offering.	1 goat for a sin-offering.
2 lambs for a peace-offering.	

The two lambs for a peace-offering are peculiar to the legislation of Lev. 23, and evidently form no part of the system of P. Accord-

ingly, they must be supposed to belong to the original legislation of H (Dillmann, *Ex.-Lev.*, p. 591). This conclusion is confirmed by the analogy of the other offerings prescribed by H: then it was one sheaf and one lamb, now it is two loaves and two lambs. It is confirmed also by the peculiar way in which the editor introduces **על שני כבשים** in v. 20. The rest of the offerings in Lev. 23<sup>18f</sup> are an inaccurate gloss on the basis of Nu. 28. Just as in v. 13 the editor has directed that the **מנחה** shall consist of two-tenths of an ephah instead of one-tenth, so here he has inverted the numbers in the case of the bullocks and the rams. The best explanation in both cases is an error in memory on the part of the priestly glossator (cf. Kuenen, *Onderzoek*, p. 98, 299).

The words **בני שנה** (v. 19) and the addition of **שלמים** after **לזבח** (cf. JOURNAL xvi. p. 37) are also to be attributed to Rp. Verse 20 shows glosses in **תנופה**; in the words **על שני כבשים**, which are introduced because of the insertion of the additional sacrifices in v. 18; and probably also in the words **קדש יהיו ליהוה** **לכהן** (cf. Nu. 6<sup>20</sup>), which correspond with the tendency of P to give everything to the priests. We infer, therefore, that the original form of the law in Lev. 23<sup>18-20</sup> was **והקרכתם על הלחם שני כבשים לזבח** **והגוף הכהן אתם על לחם הבכרים לפני יהוה**.

Verse 21 is recognized by all critics as a priestly insertion, but with v. 22 we come once more into the style of H. This verse contains an abbreviated form of the same legislation which we have met already in Lev. 19<sup>9,10</sup> (see JOURNAL xvi. 52 f.). As we have seen, the enactment is inappropriate in that connection, while it is in its only natural connection here among the harvest festivals. Compare "when ye reap the harvest of your land" with vs. 10, 39. Although this is the original position of the law, the fuller form in Lev. 19<sup>9,10</sup> is probably more primitive.

Leviticus 19<sup>9,10</sup> shows by its allusion to the vintage that this legislation is meant to refer to the general harvest in the autumn rather than to the early harvest; accordingly, v. 22 marks the point of transition in H from the two connected feasts of the spring harvest to the feast of the late harvest. Leviticus 23<sup>22</sup> (= 19<sup>9f</sup>) is the introduction to Lev. 23<sup>23-44</sup>, from which it has been severed by the priestly section vs. 23-38. On this interpolated section we need not linger, inasmuch as it is admitted by all to be an integral part of the Priestly Code.

Verses 34-36 give the law of the Feast of Tabernacles according to P, and in vs. 37, 38 is the closing subscription to P's code of the

feasts; but, in spite of the fact that the code is thus formally closed, vs. 39-44 are devoted to the discussion of the Feast of Tabernacles once more. This time it is the legislation of H which is given. As heretofore, it is not in its primitive form, but has been amplified by the priestly editor. In regard to the analysis there is no room for a difference of opinion.

Verse 39*a* contains two indications of the time when the feast is to be celebrated: "on the fifteenth day of the seventh month," and "when ye have gathered in the produce of your land." Of these the first belongs to the arithmetical, astronomical system by which P determines the feasts; the latter belongs to the older system of H, in which the celebration of the feasts is dependent upon the ripening of the harvest (cf. 23<sup>10, 22</sup>). Verse 39*b* is a gloss on the basis of vs. 35, 36. It betrays its priestly origin by the reference to the eighth day of the feast, which is peculiar to P, and by the use of the word שבתון, which is equally characteristic (cf. Ex. 16<sup>28</sup> 31<sup>13</sup> 35<sup>2</sup> Lev. 16<sup>31</sup> 23<sup>2, 24, 32</sup>).

The last two words of v. 40 שבתת ימים are a superfluous repetition of 39*b*, and are in conflict with ביום הראשון at the beginning of the verse. They are probably, therefore, to be regarded as a gloss. The whole clause, "And ye shall rejoice before Yahweh your God seven days," has the hortatory tone which suggests the earlier non-priestly editor. This clause is not the natural continuation of 40*a*; that continuation comes first in 42*a*. The Israelites are not to take branches in order that they may rejoice, but in order that they may dwell in booths. Although an interpolation, this clause cannot come from Rp, in view of the joyous, popular character which it gives to the feast. It accords well, however, with the spirit of the older editor.

Verse 41 is regarded by all critics as an insertion of Rp, both on account of its mechanical repetition of provisions already given, and on account of its diction which throughout is that of P.

Verse 42*a* is original, but 42*b* is a mere reiteration of the same thought in the language of P (cf. אורח Ex. 12<sup>19, 48</sup> Lev. 16<sup>29</sup> 17<sup>15</sup> 18<sup>3</sup> 19<sup>14</sup> 24<sup>16, 22</sup> Nu. 9<sup>14</sup> 15<sup>13, 29, 30</sup>). The following clause in v. 43 למגן ידו דרתכם is also priestly. The motive found for the feast in the events of the Exodus is characteristically priestly. In this verse we find the primitive closing formula of the group. The same formula occurs in v. 22, but there it interrupts the connection between the two portions of the harvest legislation and cannot be original. It comes doubtless from the hand of the hortatory editor, who is par-

ticularly fond of emphasizing precepts which command charity and kindness by some short exhortation. Verse 44 is the conclusion of P's calendar of the 'set feasts.' It belongs after v. 38, and owes its present position to the editor who has inserted the extract from H in vs. 39-43.

Let us see now what are the results of our analysis of this group of laws in regard to the feasts. As heretofore, the analysis establishes the fact that the pentad and decad form characterized this group originally, just as it characterizes the other groups of H.

#### GROUP XVII. LAWS IN REGARD TO THE FEASTS (Lev. 23).

(Leviticus 23<sup>1-9</sup> belongs wholly to P.)

##### a. Feasts of the Spring Harvest (vs. 10-21).

*And Yahweh spake unto Moses, saying, Speak unto the sons of Israel and say unto them,*

1. When ye come into the land which I give unto you, and reap its harvest, ye shall bring a sheaf of the first-fruits of your harvest unto the priest, and he shall wave the sheaf before Yahweh, *that ye may be accepted, on the morrow after the sabbath shall the priest wave it: and*
2. Ye shall make, in the day that ye wave the sheaf, a burnt-offering of a perfect lamb a year old unto Yahweh. *And its meal-offering shall be two-tenths of an ephah of fine flour mingled with oil, a fire-offering unto Yahweh, a sweet savour. And its libation shall be of wine, the fourth of a hin: and*
3. Bread or parched corn, or green ears ye shall not eat *until that selfsame day until ye have brought the oblation [sheaf] of your God. It is a statute forever to your generations in all your habitations: and*
4. Ye shall count for you from the morrow after the sabbath, from the day of your bringing the sheaf of the offering: *seven sabbaths shall be complete: unto the morrow after the seventh sabbath ye shall count fifty days, and ye shall offer a new meal-offering unto*
  - *Yahweh from your habitations ye shall bring two loaves of an offering of two-tenths of an ephah of fine flour shall they be: with leaven shall they be baked: as first-fruits unto Yahweh: and*
5. Ye shall offer with the bread *seven perfect lambs a year old, and one young bullock, and two rams. They shall be a burnt-offering unto Yahweh with their meal-offering and their libation, a fire-offering of a sweet savour unto Yahweh. And ye shall offer one he-goat for a sin*



*offering and two lambs a year old as a sacrifice of peace-offerings, and the priest shall wave them with the bread of first-fruits an offering before Yahweh with the two lambs. They shall be holy unto Yahweh for the priest. And ye shall proclaim on the selfsame day; a holy convocation shall there be unto you: ye shall do no servile work. A statute forever is it in all your habitations unto your generations: and*

**b. The Feast of the Autumnal Harvest (vs. 22, 39-44).**

*Lev. 23<sup>22</sup>.*

*Lev. 19<sup>9, 10</sup>.*

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|----|---|--|
| 6. | When ye reap the harvest of your land, thou shalt not finish the edge of thy field in thy reaping, nor shalt thou glean the glean-<br>ing of thy harvest. | When ye reap the harvest of your land, thou shalt not finish the edge of thy field to reap it, nor shalt thou glean the glean-<br>ing of thy harvest: <i>and</i> |
| 7. |   | Thy vineyard thou shalt not strip, and the fallen fruit of thy vine-<br>yard thou shalt not gather.  |
| 8. | For the poor and for the alien thou shalt leave them: <i>I am Yahweh your God.</i>  | For the poor and for the alien thou shalt leave them: <i>I am Yahweh your God.</i>   |

(Verses 23-38 belong entirely to P.)

*Only on the fifteenth day of the seventh month,*

9. When ye have gathered in the crops of the land, ye shall celebrate the feast of Yahweh seven days. *On the first day shall be a solemn rest and on the eighth day shall be a solemn rest, and*
10. Ye shall take for you on the first day the leaves(?) of goodly trees, branches of palm trees and boughs of leafy trees and willows of the brook, and ye shall rejoice before Yahweh your God seven days, and ye shall celebrate it a feast unto Yahweh seven days in the year: a statute forever is it unto your generations. *In the seventh month ye shall celebrate it, ye shall dwell in booths seven days. All that are homeborn in Israel shall dwell in booths, in order that your generations may know that I caused the sons of Israel to dwell in booths when I brought them out of the land of Egypt: I am Yahweh your God. And Moses told the set feasts of Yahweh unto the sons of Israel.*

(Leviticus 24 belongs to P except vs. 15-22.)

**2. The Sabbatical Years (Lev. 25).** — Leviticus 24, as we have seen already (JOURNAL xvi. 55 f.), belongs wholly to P, with the exception

of the little section vs. 15 *b*-22, which is a fragment of H, and belongs among the **משפטים** in Lev. 19. We pass, therefore, in our analysis directly to Lev. 25, which is the normal continuation of the legislation in regard to the sacred seasons in Lev. 23. There the *annual* festivals are given, here the greater holy periods which are reckoned by years.

Verses 2 *b*-7 are regarded by all critics as an extract from H, for the following reasons: The superscription in v. 1, although written by Rp, shows that what follows is from the older legislation: "And Yahweh spake unto Moses in Mount Sinai," that is to say, we have here something from the Sinaitic legislation of H and not from the desert legislation of P. The insertion of this interesting title at this particular point seems to be due to the long digression which Rp has allowed himself in Lev. 24. By it he wishes to inform us that he now returns to his former source (cf. Dillmann, *Ex.-Lev.*, p. 603). Again, the language with which these laws are introduced in v. 2 is the same as that with which the festal legislation in 23<sup>10</sup> is introduced, and this shows that the law of the sabbatical year forms part of the same system of sacred seasons which has begun in Lev. 23. The standpoint of this legislation also is the same as that of Lev. 23. The sabbatical year is a sabbath for the *land* and is brought into close connection with the agricultural life of Israel (cf. 23<sup>10, 22, 30</sup>; Wellhausen, *Composition*, p. 166). Finally, the sabbatical year is an element of the oldest Hebrew legislation and it cannot be supposed to have been absent from so extensive a code as H. (Cf. Ex. 23<sup>10 f.</sup>)

The language here shows in the main no signs of P's influence. (Note the regular use of the second person singular, the phrase "when ye come into the land which I give unto you" (v. 2), "harvest the harvest" (v. 5), **אמה** (v. 6) instead of **שפחה**, which is the standing expression in P.) A few unimportant glosses of Rp have come in, however. Verse 4 **שבת שבתון יהיה לארץ** is tautological beside the following phrase, **שבת ליהוה**. The latter is the original expression (cf. 2 *b*); the former shows its priestly origin by the use of the word **שבתון**. Similarly (5 *b*) **שנת שבתון יהיה לארץ** contains the specifically priestly word **שבתון**, and is a mere repetition of what has been said already. Verse 6 *a* **לכם לאכלה** is suspicious from the facts that it suddenly changes to the second person plural, although the second singular is used throughout the rest of the section, and that it is superfluous alongside of **לאכל** in v. 7 *b*. It is probable that it has been added by Rp because **אכלה** is a characteristically priestly word (cf. Gen. 1<sup>29, 31</sup> 6<sup>21</sup> 9<sup>3</sup> Ex. 16<sup>15</sup> Lev. 11<sup>30</sup>).

Verse 6 *b* also, הַגֵּרִים עִמָּךְ, adds nothing to the sense, and betrays its priestly origin by identifying the status of the שָׂכִיר and the תּוֹשֵׁב with that of the גֵּר. In H the גֵּר has a different and inferior position, and that the נֶגֶר has attained such rights that his position can be treated as the same as that of the Hebrew hired servant and sojourner is evidence of a later period (cf. JOURNAL xvii. p. 165).

In v. 2 *b* the lawgiver lays down the general proposition, "When ye come into the land which I give unto you, the land shall keep a sabbath unto Yahweh." As we have seen so often already, it is the regular method of H to enunciate a fundamental law such as this, and then to proceed to define its meaning more exactly. In the following verses he shows what is the nature of the sabbatical year. In the seventh year all work upon the land is to be suspended, just as during the weekly sabbath (vs. 3, 4). Not only must the cultivation of the land cease, but even the harvesting of that which grows of itself (v. 5). Instead of this the spontaneous produce of the earth shall stand free to all to gather as they have need of food (v. 6; cf. Ex. 23<sup>11</sup>).

Verses 8-13 are generally assigned to P. They extend the system of the sabbatical years to the Jubile, an institution which is peculiar to the Priestly Code. (Cf. Lev. 27<sup>16-24</sup> Nu. 36<sup>4</sup>.) Preëxilic history shows no knowledge of this institution, and the other Pentateuchal codes fail to mention it, even when they set out to enumerate the sacred seasons, as in the Book of the Covenant (Ex. 23<sup>10-19</sup> 34<sup>21-26</sup>) and in Deut. 15, 16. The Day of Atonement also, from which the beginning of the year of Jubile is reckoned, is peculiar to the priestly legislation. The repetitious and heavy style of the section, the dating "in the seventh month on the tenth day of the month" (v. 9), the word אַחֲרָיו (vs. 10, 13), point also to P as the author.

Conclusive as evidence that these verses do not belong to the original code is the fact that the Jubile, coming in the fiftieth year, would follow immediately after the sabbatical year, which fell in the forty-ninth year. It must have been difficult enough practically to observe one whole year of cessation from agriculture, and it is scarcely conceivable that a lawgiver should ever have expected that two consecutive years could be kept. The view that the Jubile coincided with every seventh sabbatical year, that is, fell on every forty-ninth year, is directly contrary to the statement of the text and to the testimony of antiquity (cf. Dillmann, *Ex.-Lev.*, p. 609). We must either assume that the original legislator regarded it as possible to keep two consecutive years of rest, or else that the law making

the fiftieth year a sabbatical year comes from a different source from the law prescribing every seventh year. In view of the marked affinity of this section with P, the latter hypothesis is the more probable. The older legislation commanded to rest every seventh year; a later lawgiver under more advanced social conditions, which made the observance of this law an impossibility, sought to preserve the spirit of it by making the fiftieth year such a sabbatical year as the seventh had been. These mutually exclusive legislations have been combined in this passage by the priestly editor who has been true to his originals without attempting to harmonize them.

This view is confirmed by the fact that the year of Jubile is ignored in the hortatory address vs. 18-22. There the question is asked, "What shall we eat in the seventh year?" and the promise is given of a supernatural increase of the yield of the sixth year. The fiftieth year, which according to v. 11 is to be a year of cessation from labor, is not mentioned; and yet if the observance of the seventh year would seem difficult to the Israelite, how much more the keeping of the forty-ninth and fiftieth together. If this requirement had stood in the original code, the writer of vs. 18-22 must have discussed it.

Similarly, the hortatory address in Lev. 26 makes no mention of the Jubile, although it has a great deal to say about the sabbatical years (cf. 26<sup>34f.</sup>). The most natural inference is that this editor, as well as the writer of Lev. 25<sup>18-22</sup>, had only the legislation of Lev. 25<sup>2-7</sup> before him (cf. Wellhausen, *Composition*, p. 169). For all these reasons the section Lev. 25<sup>8-13</sup> must be regarded as a later addition to the Holiness Code, presumably by the hand of Rp.

Wellhausen (*Composition*, p. 167, followed by Baentsch, p. 60) attempts to show that an older law underlies these verses, and that they have merely been worked over by Rp, not composed by Rp. The argument which Baentsch makes from the affinity of vs. 14, 17, with H is inconclusive, since it is generally admitted that these verses had no reference originally to the Jubile, but have simply been adapted to it by the writer of vs. 6-13 by the insertion of the Jubile in v. 15. Verses 14, 17, have nothing to do with the legislation in vs. 8-13, but unquestionably are part of the original H.

A more valid argument is the one which Wellhausen draws from the similarity of the institution of the Jubile, falling in the fiftieth year, with Pentecost, which falls on the fiftieth day after the bringing of the sheaf (Lev. 23<sup>15f.</sup>). The latter belongs to H, and the inference is, that the former, which is analogous to it, also belongs to H. This inference rests on the assumption that the priestly legislation itself

did not provide that Pentecost should be celebrated fifty days after the bringing of the first-fruits. It is true that no independent legislation of P on the subject of Pentecost has been preserved, as in the case of the other festivals, but that P had legislation concerning this feast is evident from the provision in regard to the offerings in Nu. 28<sup>36</sup>, where it bears the name of שבֹּטֹת, a name which does not appear in H. This feast adapts itself so admirably to the sabbatical system of P that we must suppose that he retained it in his calendar. With him, however, it was reckoned by the date of the lunar month instead of by the state of the harvest.

The similarity of the language of v. 8 with 23<sup>15</sup> and of vs. 11 f. with 25<sup>5</sup> is due to the editor, who has combined P's law of the Jubile with the law of the sabbatical year. The kernel of the Jubile law is clearly recognizable in vs. 8 b-10, and vs. 8 a, 11-13, are the work of the editor who had both H and P before him and wished to combine them. That these verses should show reminiscences of the language of both codes is not surprising.

Granted that there is an older stratum of legislation in vs. 8 b-10, this still cannot have been part of the original H, since the hortatory passages ignore it, and since it anticipates the subject of the release of land, which is not taken up by H until v. 22. Baentsch admits (p. 61) that, although in the present text the Jubile is modelled after the Feast of Pentecost in H, it forms no part of the original legislation of H.

Verses 14-17 are a mixture of primitive H elements with additions of Rp, intended to make them correspond with the law of the Jubile just given. Verse 14 is in the pure style of H (cf. מִמָּכָר, גְּמִיּוֹת, אֵל רִוּנוֹ אִישׁ אֶת אַחִיו, cf. 19<sup>31</sup>). The last phrase is resumed in v. 17 and is accompanied by the characteristic expressions of H, "thou shalt be afraid of thy God," and "I am Yahweh thy God." All that stands between these verses is an addition of Rp, as is evident, not only from the clumsy repetitious style, but also from the introduction of the Jubile in v. 15, and the expressions לִפְיָי, וּלְפִי, and מִקְנֵתוֹ in v. 16. Having dropped the thread of the older document at v. 14 in order to make the insertion in 15, 16, the priestly editor returns to it once more in v. 17, and repeats the words with which he had left off.

The view is frequently expressed that vs. 14, 17, originally had no connection with the legislation in regard to the sabbatical years, but are a general prohibition of fraud that once stood elsewhere in the code. I cannot regard this as probable. The way in which Rp has

used them as referring to the sale of land in view of the Jubile, makes it probable that they had some connection originally with the sabbatical year. They formed once the conclusion to a paragraph, as is evident from the closing formula, "I am Yahweh your God," and from the fact that they are followed by an exhortation in vs. 18-22. If connected with vs. 2-7 they give a natural and logical sense, and mean that, if a man sells food during the sabbatical year, he shall not take advantage of the fact that it is a year in which his neighbor cannot labor, so as to overcharge him. In like manner, if a man buys land in that year, he shall not seek to pay a lower price than is just, because he cannot get any return from it in that year. There is, therefore, no reason to doubt that vs. 14, 17, are the original continuation of v. 7, and that this law is the fifth of the pentad to which the four laws in vs. 2-7 belong.

In vs. 18-22 we recognize unmistakably the hand of the same early editor who has added the comments in Lev. 17-20; "Wherefore, ye shall do my statutes and keep my judgments and do them" (cf. 18<sup>5, 26</sup> 19<sup>17</sup> 20<sup>22</sup> 22<sup>31</sup> 26<sup>3</sup>). This writer, as we have seen before, is not satisfied with the simple assertion of the will of Yahweh, which characterized the older code, but seeks reasons which will appeal to the understanding. Here he argues for the observance of the sabbatical year because of the blessing which will follow if it is kept, and seeks to meet the objection, that the nation cannot afford to lose the harvest of an entire year, by the argument that Yahweh will make the yield of the sixth year so much greater than usual that it will last over the sabbatical year. With the spirit of this exhortation compare the arguments in Lev. 17<sup>5, 7, 11, 14</sup> 18<sup>25-30</sup> 20<sup>22-24</sup>. Throughout this exhortation there is no trace of P. This paragraph, like all the other distinctly hortatory passages, does not belong to the original H, but it stands much closer to it in spirit and in age than P does.

With v. 23 a new group of laws begins in regard to the redemption of land and the right treatment of those who have lost their possessions through poverty. Manifestly, this cannot be joined to the pentad just given concerning the sabbatical year. Moreover, the formula, "I am Yahweh your God" (v. 17), and the insertion of the hortatory address at this point, indicate, if we judge from the analogy of Lev. 18<sup>25-30</sup> and Lev. 20, and Lev. 22<sup>31-33</sup>, that a decad rather than a pentad has been completed. Leviticus 25<sup>2-7, 14, 17</sup> is apparently the second pentad of a group, but what has become of the first pentad?

Here, I think, we find the place for a stray group of laws which

we met in Lev. 19<sup>23-25</sup>. We saw before (JOURNAL xvi. 69) that these laws do not belong in their present connection, but that they probably belong at the beginning of Lev. 25.

If our inferences in regard to the analysis of Lev. 25<sup>1-17</sup>, and in regard to the original position of Lev. 19<sup>23-25</sup> have been correct, the structure of this group of laws may be exhibited as follows :

GROUP XVIII. LAWS IN REGARD TO THE SABBATICAL YEARS  
(Lev. 19<sup>23-25</sup> 25<sup>1-22</sup>).

a. Sabbatical Years for Fruit Trees (Lev. 19<sup>23-25</sup>).

1. When ye come into the land and plant every tree for food, ye shall count its fruit as its uncircumcision.
2. Three years shall it be uncircumcised unto you ; it shall not be eaten : *and*
3. In the fourth year all its fruit shall be a holy thing of praise unto Yahweh, *and*
4. [Ye shall leave its crop for the poor and for the alien.] ( ? )
5. In the fifth year ye shall eat its fruit to add its crop unto you :  
I am Yahweh *your God*.

b. Sabbatical Year for the Entire Land (Lev. 25<sup>1-17</sup>).

*And Yahweh spake unto Moses in Mount Sinai, saying, Speak unto the sons of Israel and say unto them,*

6. When ye come into the land which I give you, the land shall keep a Sabbath unto Yahweh.
7. Six years thou shalt sow thy field and six years thou shalt prune thy vineyard and shalt gather its crop, but in the seventh year is *a sabbath of solemn rest for the land, a sabbath unto Yahweh ; thy field thou shalt not sow and thy vineyard thou shalt not prune.*
8. That which groweth of itself of thy harvest thou shalt not reap and the grapes of thy unpruned vine thou shalt not cull. *A year of solemn rest shall it be for the land : and*
9. The sabbath of the land shall be *unto you for food* for thee, and for thy slave, and for thy maid, and for thy hired servant, and for thy sojourner, *who dwell as aliens with thee,* and for thy cattle, and for the wild animals that are in thy land ; all its crop shall be for eating. *And thou shalt count for thee seven sabbaths of years, seven times seven years, and there shall be unto thee the days of seven*

*sabbaths of years, nine and forty years, and thou shalt send abroad a trumpet of alarm in the seventh month, on the tenth day of the month; on the day of atonement shall ye send abroad a trumpet in all your land. And ye shall hallow the fiftieth year, and proclaim a release in the land unto all its inhabitants; a jubile shall it be unto you; and ye shall return each to his possession, and each unto his family shall ye return: a jubile shall the fiftieth year be unto you: ye shall not sow and ye shall not reap the things that grow of themselves in it, and its unpruned vine ye shall not cull, for it is a jubile: it shall be holy unto you. From the field ye shall eat its crop. In that year of the jubile ye shall return each unto his possession: and*

10. When ye sell a sale unto thy neighbour, or buy from the hand of thy neighbour, ye shall not wrong each his brother. *According to the number of years after the jubile thou shalt buy of thy neighbour; according to the number of the years of the crops he shall sell unto thee. In proportion to the multitude of the years thou shalt increase its price, and in proportion to the fewness of the years thou shalt diminish its price, for the number of the crops he is selling to thee; and ye shall not wrong each his neighbour, but thou shalt be afraid of thy God, for I am Yahweh your God. And ye shall do my statutes, and my judgments ye shall observe and do them; and ye shall dwell upon the land in safety. And the land shall give its fruit, and ye shall eat your fill, and dwell in safety upon it. And when ye shall say, What shall we eat in the seventh year? behold we shall not sow and shall not gather in our crop: then I will command my blessing for you in the sixth year, and it shall yield the crop for the three years. And ye shall sow the eighth year and shall eat of the crop old store until the ninth year; until its crop comes in ye shall eat old store.*

**3. Laws in Regard to the Redemption of Land and the Treatment of those who have lost their Land (Lev. 25<sup>21-28</sup>).** — With Lev. 25<sup>21</sup> a new subject begins. This subject has been touched on before in the priestly passage 25<sup>8-13</sup>, but it has not yet been taken up by H. Verses 25-28 contain in greater or less proportion the marks of H, and it cannot be doubted that legislation of H underlies them (cf. Kuenen, *Onderzoek*, p. 270; Baentsch, p. 60). The fact that the marks of P are particularly evident in vs. 25, 26, has led many critics to assign these verses as a whole to P. This is impossible, however, in view of the characteristic expressions of H, which we shall notice presently, and the only tenable theory is that Rp has worked over older material of H.

Verse 23 *a* is recognized by all as a part of H, but 23 *b* is weak and unnecessary after the reason which has already been given, "For



the land is mine," and shows that it has been added by Rp in its use of the phrase **נָרִים וְהַיֹּשְׁבִים**, a combination which is peculiar to P (cf. JOURNAL xvii. p. 165). In 23 *a*, accordingly, we have the original general proposition, with which H opened the section, and which is defined in the following verses.

Verse 24 *a* is seen to be a priestly addition by the characteristic phrase of P **אֶרֶץ אַחֻזְתְּכֶם** (cf. Gen. 47<sup>11</sup> Nu. 32<sup>22-29</sup> Lev. 14<sup>34</sup> Jos. 22<sup>19</sup>). Notice also the abandonment of the second person singular, which prevails throughout the rest of the section. Verse 24 *b* shows that it belongs to H by the use of the word **נִאֲלָה** (cf. Lev. 25<sup>26, 29, 31, 32, 48, 51, 52</sup> Ruth 4<sup>7</sup> Ju. 32<sup>7f.</sup>). Verse 25 shows its connection with H by the use of the words **מִיָּד, אַחִיךָ, אֱלֹהֵי, אֱלֹהֵי** (cf. 21<sup>3</sup>), and **מִמֶּכְרֵךְ**. The institution of the **נִאֲלָה** is one whose antiquity is attested by Deut. 19<sup>6, 12</sup> Ruth 3<sup>9-11</sup> 2 Sam. 14<sup>11</sup>. The only addition of Rp in this verse is **וּמִמֶּכְרֵךְ מֵאַחֻזְתְּוֹ**. This phrase is tautological, and in view of **אַחֻזְתְּוֹ** (cf. v. 24) is doubtless to be assigned to Rp.

Verse 26 is the natural complement of v. 25 and is related to H by its use of **אִישׁ כִּי** and **נִאֲלָה**. The only place where there is room for the suspicion of interpolation is in the case of the synonymous phrases **וְהִשְׁנָה יָדוֹ** and **וּמִצָּא כְרִי נִאֲלָתוֹ**. Between the two it is not difficult to decide. The former is characteristic of P (cf. Lev. 5<sup>11</sup> 14<sup>22, 30</sup> 27<sup>8</sup> Nu. 6<sup>21</sup>), the latter belongs to H. **כְּרִי** has been claimed as a priestly word, but it is not such in fact (cf. Deut. 15<sup>8</sup> and **כְּרִי** Deut. 25<sup>2</sup> Ju. 6<sup>5</sup>). The different way in which P introduces similar legislation in Nu. 5<sup>8</sup> is worthy of notice.

The clause at the opening of v. 27, **וְחָשַׁב אֶת שְׁנֵי מִמְכָּרוֹ**, shows that it belongs to H by its use of **מִמְכָּר**. This forms the necessary conclusion of the sentence in v. 26. The rest of v. 27, however, is nothing more than an explanatory gloss, and reveals the hand of Rp in the use of **עֲרָף** (cf. Ex. 16<sup>23</sup> 26<sup>12, 13</sup> Nu. 3<sup>46, 48, 49</sup>) and **אַחֻזָּת** (cf. Lev. 25<sup>10, 15</sup>).

Verse 28 *a* could be assigned to H were it not for the reference to the Jubile immediately before the *athnach*. As we have seen, the Jubile forms no part of the original legislation and is inconsistent with the provisions of H and characteristic of P. Its insertion at this point has been the reason which has led so many critics to assign this group as a whole to P, and regard it as a continuation of the legislation in vs. 8-16; but, as we have just seen, the marks of H are too numerous and the plan of treatment is too much like H to make this theory possible. Legislation of H underlies this paragraph, but at the same time the Jubile must be a priestly addition.

This state of the case leads to the inquiry whether the original H provided for a release of the land, or whether this feature has come in through the priestly redaction. The latter is the view of Horst (p. 28 f.) and of Baentsch (p. 60 f.), who, although he does not believe that P originated the Jubile legislation, holds that it, together with the release of the land, is a secondary element in H. The reason for this opinion is, that in such unmistakable H passages as Lev. 25<sup>14, 17, 23 f. 35-38</sup> no release of the land is contemplated. Accordingly, they hold that the original legislation contained only general precepts against injustice, such as we find in Lev. 19, and that the year of release is a later amplification of the code. Another reason for this view is, that a year of release for the land is not found in the oldest codes. The Book of the Covenant has the sabbatical year, but no year of release. Deuteronomy 15 knows a release of debtors every seventh year, but no release of the land. It would seem, therefore, that this element has been imposed upon H from another source.

With this conclusion I cannot agree. Although the Jubile year is not original, it seems to me for the following reasons that some year of release must have stood in H:—

(1) The position which this legislation occupies immediately after the sacred seasons and the sabbatical year is difficult to explain, unless originally it was related in some way to those seasons. That relation can only have been the coincidence of the release of the land and of slaves with some one of the sacred seasons. If the primitive form of H merely prescribed equity in the sale of land and in the treatment of the poor, it is hard to see why it was not combined with the moral and social legislation in Lev. 18<sup>19</sup>. To be sure, we have seen already cases of transposition, but nothing on so extended a scale, and in almost all of the cases there is something left in the original context to show where the transposed passage once stood. The fact, therefore, that this passage stands where it is, gives a presumption in favor of its having something to do with the sacred seasons until it can be proved that it belongs in another connection.

(2) The circumstance that Rp has adapted this legislation to the release in the Jubile, is favorable to the hypothesis that originally it contained something about the release of land. If H had contained here nothing more than general prohibitions of injustice, it is difficult to see why he should have chosen this particular legislation as the stock on which to graft the law of the release of land in the fiftieth

year. On the other hand, if H provided for a release of some sort, it would be natural that P should adapt this to the presuppositions of his code.

(3) The unqualified law in Lev. 25<sup>23</sup>, which is admitted by all to belong to H, requires for its execution some sort of release of the land: "The land shall not be sold in perpetuity, for the land is mine." Unless there were provision for release after a certain interval, cases would be sure to arise in which, through the hopeless poverty of the original possessor, a sale in perpetuity would result. The fundamental aim of the legislation, therefore, demands that some provision, such as a year of release, shall be made for cases of helpless poverty, and to strike out of v. 28 all that follows the word אָרְזוּ, as a priestly gloss, would make this verse contradict v. 23.

(4) The laws in Lev. 25<sup>33-38</sup>, which are also an indisputable part of H, do not refer to poverty in general, but to the specific case of those who have lost their land. מָוֶן (v. 35) is used technically for the state of being without landed possession, and these verses describe how those who have lost their land are to be treated by other Israelites. The reduced Israelite is not regarded as one who has sunk permanently into another caste, but as one who needs temporary aid, such as loans and food, and who is to be regarded as a 'sojourner,' *i.e.* one who is for the time dependent upon charity or opportunity to work for others. The only way, however, in which the formation of a permanently dependent class could be avoided was by a restitution of the land to its original owner after a term of years. Accordingly, this legislation in itself, in which nothing is said about a release, tacitly implies that such a release existed.

(5) The same argument may be drawn from the laws in the following verses of this chapter in regard to the release of Hebrew slaves. The release of slaves is part of the oldest Hebrew legislation (*cf.* Ex. 21<sup>2</sup>), and H must have contained something on this subject; but the release of a slave without the release of his patrimony would be impracticable, for such a measure would only create a vagabond, pauper class, which would soon relapse into servitude once more. The only way in which the independence of the individual could be preserved was by restoring him to the position which he held before he was compelled to sell, first his land, and then himself.

For these reasons, it seems to me that we must hold that the original H provided for some sort of release of the land. What then was the nature of that release?

As we have seen, the Jubile year is peculiar to P and cannot be

made to fit into the sabbatical system of H, as far as the suspension of agriculture is concerned. There is no probability, therefore, that the release of the land and of slaves in the fiftieth year stood originally in H. In fact, such a long period of tenure as fifty years would, in the majority of cases, amount to a life-long possession, but this is contrary to the thought which shines through the original legislation constantly, that the loss of land is something temporary; and that the original owner, not his posterity, is expected to recover the ancestral home. In the case of the release of slaves this is particularly evident. A possible term of fifty years of servitude would involve practically that many men were never liberated, but the legislation does not contemplate this case nor provide, if the man himself is not released, that his children shall be, when the fifty years have expired. On the contrary, it assumes that a man himself is to be released, and evidently has in view, not a life-long service, but only a temporary relation. That the primitive code contemplated a short time of service for Hebrews is evident also from the fact that it provides for the purchase of foreign slaves (Lev. 25<sup>44</sup>). This would not have been so necessary as to call for special enactment if Hebrews had served for such long periods as the Jubile involves.

In view also of the facts, that the Book of the Covenant (Ex. 21<sup>2</sup>) and Deut. 15<sup>12</sup> prescribe a release of slaves in the seventh year, that in general H occupies the same standpoint as these codes, and that a release in the fiftieth year does not appear in the history of Israel, it is probable that seven years of service were original here and that the term of fifty years is a later substitution. If, however, the term of service was originally one of seven years, the period of the release of the land must have corresponded with it in order that the released man might have something to return to. Moreover, Ezekiel's year of release for land (Ez. 46<sup>17</sup>) appears to have come on the seventh year (cf. Kuenen, *Onderzoek*, p. 203), and this is favorable to the theory that such was also the case in the primitive H. Accordingly, it seems to me altogether probable that H originally prescribed a release both of land and of slaves in the seventh year.

The inner fitness of such a provision is evident. When the sabbath year came around, the purchaser could not cultivate land which he had bought, and, therefore, would relinquish it more willingly to its original possessor. The man who had acquired the person of a fellow Israelite could make no use of his labor during the seventh year, but would be compelled to support him in idleness. Consequently, he would be more willing to let him go and return to his

former property. In fact, the institution of a sabbatical year carries with it almost of necessity the release of the land and of the Hebrew slave in that year. I conclude, therefore, that in Lev. 25<sup>28</sup> and in subsequent verses of this chapter the Jubile is an editorial substitution for the sabbatical year.

It is not necessary to suppose that Rp wilfully perverted the original legislation, but only that he misunderstood his original. In Lev. 25<sup>2-5</sup> the seventh year is called 'Sabbath,' and, therefore, we may suppose that the end of v. 28 *a* read *כִּד שְׁנַת הַשַּׁבָּת*. This Sabbath year Rp, in the light of the legislation in vs. 8-16, understood of the Jubile year, which was also marked by cessation from labor. Accordingly, the Jubile is to be regarded as an explanatory gloss on the original 'year of rest.' The remainder of this verse (28 *b*) is an anticipation of the law of the release of persons in vs. 39-55 and is obviously an addition of Rp (cf. *אֲחֻזָּתוֹ, יִבְבֵּל*).

Verses 29-34 are recognized by all the critics as a purely priestly section. The Levites, who suddenly make their appearance here, are never mentioned by H in his discussion of the clergy and its duties, but form one of the striking features of P's legislation. Singularly enough, the Levites have not been referred to by P before this passage. Who they are, or what their functions are, we have nowhere been told. From this Wellhausen rightly infers (*Composition*, p. 168) that this section is a late interpolation in H on the basis of P. It is evidently written with knowledge of the legislation of H which has gone before, and expressions of H (*מִמְכָר* and *נֹאֲלָה*) are borrowed. Beyond this it has no points of affinity with H but displays the strongest correspondence with P (cf. Dillmann, p. 613).

Verses 35-38 belong unquestionably to H. They present once more a set of brief and logically connected precepts addressed to the Israelite in the second person singular, and they are little more than a string of characteristic words of H (e.g. *יָמוּךְ, אֲחִיךָ, מַטָּה, לְהִיּוֹת לָכֶם, אֲנִי יְהוָה אֱלֹהֵיכֶם, וְחִי, וִירֵאתָ מֵאֱלֹהֶיךָ, תִּרְבִּית, נֶשֶׁךְ, לְאֱלֹהִים*). For the substance of the laws cf. Ex. 22<sup>24</sup> Ez. 18<sup>17</sup> 22<sup>12</sup>. As remarked above, this paragraph does not refer to poverty in general but to the specific case of those who have lost their land. This is proved both by the technical meaning of *מִן*, and by the fact that the editorial phrase, "to give you the land of Canaan" (v. 38; cf. 18<sup>3</sup>), shows that the relation of the poor Israelite to the land is the uppermost thing in his mind. These verses then form the natural continuation of vs. 23-28 *a*. That passage provides for the redemption of land which has been sold; this declares how the

Israelite who has lost his land shall be treated during the interval which elapses before his property again comes back to him.

The construction of v. 35 is difficult. To regard **נָר וְתוֹשֵׁב** as an appositive to **כֹּר** and connect it with the preceding verb is certainly not natural, and to connect it with the following verb is still more improbable. Böttcher's proposal to emend the text to **כָּנַר וְתוֹשֵׁב** seems arbitrary. Perhaps the simplest way out of the difficulty is to regard **וְחִי** as a textual error for **וְחִיָּה** which has come in through the influence of **וְחִי** (read **וְחִיָּה**) in the next verse. The combination **נָר וְתוֹשֵׁב** in this verse is distinctively priestly. It cannot be original here, because it makes nonsense. In the original Holiness Code the **נָר** occupies a position inferior to the Israelite, and is by no means identical with the **תוֹשֵׁב** or free Israelite who has temporarily lost his lands (cf. 19<sup>34</sup>, where the **נָר** is not combined with the **תוֹשֵׁב**, but is represented as a class which is peculiarly liable to be imposed upon). Nothing was further from the intention of the original legislator than to say that the Israelite who had lost his land should be treated as a **נָר**. What he said was, "A sojourner shall he live with thee." **נָר** is a priestly addition, which dates from a time when the priestly maxim, 'like homeborn like alien,' had come into force, and **נָר** and **תוֹשֵׁב** had become practically synonymous. For the use of **תוֹשֵׁב** without the inapposite accompanying **נָר** cf. 22<sup>10</sup> 25<sup>6, 40</sup>. Apart from this word there is no reason to suspect priestly interpolation in this passage. The exhortations of v. 36 *b* and v. 38 disclose the familiar style of the non-priestly hortatory editor. The concluding formula in v. 38 shows that with this law another group of H is complete.

Let us now sum up the results of our analysis of this section.

#### GROUP XIX. REDEMPTION OF LAND AND TREATMENT OF THE LANDLESS (25<sup>23-28</sup>).

##### a. Redemption of the Land (vs. 23-28).

1. The land shall not be sold in perpetuity, for the land is mine,  
*for aliens and sojourners are ye with me; and in all the land of your possession*
2. A redemption shall ye grant for the land.
3. When thy brother is impoverished *and sells some of his possession*, then his kinsman who is near unto him shall come and shall redeem the sale of his brother: *and*
4. When a man has no kinsman, *and his hand succeedeth*, and he find-

eth enough for its redemption, then he shall reckon the years of its sale, *and shall restore the overplus unto the man to whom he sold it and he shall return unto his possession : and*

5. If his hand find not enough to restore it for himself, then his sale shall be in the hand of him that bought it until the *jubile* [sabbath] year, *and in the jubile he shall go out and he shall return unto his possession.*

(Verses 29–34 belong entirely to P.)

**b. Treatment of those who are Landless (vs. 35–38).**

6. When thy brother is impoverished and his hand wavers with thee, then thou shalt strengthen him : *an alien and*
7. A sojourner shall he live with thee.
8. Take not from him interest or increase, *but thou shalt be afraid of thy God, that thy brother may live with thee.*
9. Thy money thou shalt not give him on interest *and*
10. For increase thou shalt not give thy food : I am Yahweh *your God, who have brought you out of the land of Egypt to give you the land of Canaan, to be a God unto you.*

**4. Laws in Regard to the Release of Slaves (Lev. 25<sup>39–55</sup>).** — These laws are recognized by all the critics as based on original legislation of H, but they are much interpolated by Rp. The connection of laws in regard to the release of slaves with laws in regard to the release of land is so obvious that it would be strange if H had failed to say something on the subject.

Verse 39 is full of the characteristic marks of H and is assigned to that document by all the critics (cf. the use of the second person singular, *ימוך, אחיך*). *עבדת עבד* is an expression which is never used by P. This verse forms a general precept such as usually opens groups of H.

Verse 40 *a* belongs also to H. Notice here how the *גר*, which is usually interpolated by Rp to the confusion of the sense, is wanting, as in Lev. 22<sup>10</sup>, where only the hired servant and the sojourner are mentioned.

Verse 40 *b* shows the work of Rp in the insertion of *היבל*, which in the light of our previous investigation, we must regard as a substitute for the seventh year of the other codes and of preëxilic history. The expression *יזכר עמך* seems also to be a gloss, since it is practically synonymous with the previous *יהיה עמך*, and since throughout this legislation H carefully avoids the application of the word *עבד*

to a Hebrew servant. It is inconsistent also with the prohibition of v. 39.

Verse 41 *a* is apparently original. Dillmann (*Ex.-Lev.*, p. 602) pronounces **הוא ובניו עמו** an expression of P, but, as a matter of fact, it is not used by P, and besides here and v. 54 is found only in Deut. 17<sup>20</sup> 18<sup>5</sup>. Verse 41 *b*, however, is purely priestly (cf. 25<sup>10, 13</sup> and the word **אחזה**).

Verse 42 shows the familiar style of the hortatory editor (cf. Lev. 19<sup>36</sup> 22<sup>33</sup> 25<sup>38</sup> 26<sup>45</sup> Nu. 15<sup>41</sup>).

Verse 43 *a* is recognized by all as an element of H. The word **פֶּרֶךְ** is used by P in Ex. 1<sup>13f</sup>. but nowhere else. There is no reason, therefore, to regard it as an insertion, particularly as Ezekiel uses it in 34<sup>4</sup> in the same context in which it stands here. "But thou shalt be afraid of thy God" is one of the stock comments of the hortatory editor.

Verse 44 contains none of the marks of P, and in its use of **אמה** (cf. 25<sup>6</sup>) instead of **שפחה**, and of the second person singular, indicates its connection with H. Having forbidden the enslaving of Hebrews, it was only natural that the lawgiver should provide some way by which slaves might be obtained.

Verse 45 is probably wholly priestly. It adds nothing to the sense of v. 44, since the provision of v. 44 is broad enough to cover the case of the **גרים**. According to Lev. 22<sup>10</sup> and 25<sup>40</sup> the **תושב** is an impoverished Israelite. The identification of this class with the **גרים** in this verse is altogether late. That this clause comes from Rp is evident from the use of the words **משפחה**, **הוליד**, and **אחזה**. Verse 46 also belongs entirely to P. It is a mere reiteration of the thought of v. 45 *b* and of v. 43, and it contains the characteristic words of P **התנחל** (cf. Nu. 32<sup>18</sup>), **אחזה עולם** (Gen. 48<sup>4</sup>).

With v. 47 a new subsection begins, which treats of the release of Hebrews who have been sold to aliens. The words **תשיג יד גר ומכר** are clearly priestly. Instead of **עמו** read **עמך**, as in vs. 35, 39. The addition of **תושב** as an appositive to **גר** is, for the reasons given above, to be regarded as a gloss also, and **משפחת**, which is superfluous and is evidently added to explain its synonym **נקר**, which does not occur except in this passage. With these exceptions the verse bears the marks of H (cf. **מוך** and **אחריך**). Instead of **ומכר** we should probably, after the analogy of vs. 25, 35, 39, read **כי ימוך אחריך** as the beginning of this section.

Verse 48 *a* completes the sentence in v. 47 and shows its connection with H by the use of the word **נאלה**. This sentence as a whole



forms a general precept such as we met at the beginning of the last section (v. 39). The following verses in the characteristic manner of H define the meaning of this general law.

Verses 48*b*-49 specify who may redeem the man that has been sold to an alien (cf. v. 25). The phrase **שָׂאֵר בְּשָׂרָו** is found only here and in 18<sup>6</sup>. The word which follows is obviously a gloss designed to explain the meaning of the antiquated expression. So also **הַשִּׁינָה יָדוּ**, as before, is to be regarded as an addition, and **וַנִּנְאֵל** as a substitution, which it has necessitated, of a perfect for an imperfect.

Verse 50 shows no signs of P except in the substitution of **יָבֵל** for **שָׁבֵת** as elsewhere in this chapter. The legislation here follows the analogy of v. 25, which, as we have seen, belongs to H.

Verses 51, 52, are a priestly reiteration of the thought of v. 50. They add nothing to the meaning and show the same sort of diffuseness which we find in 25<sup>8-13, 15, 16</sup> (cf. also **כָּפִי, מִקְנֵה, לִפִּי**).

Verse 53*a* is a repetition of v. 50*b*, and, therefore, is also to be assigned to the priestly editor; 53*b* is, no doubt, original (cf. v. 43), and so also is 54 with the exception of **הַיּוֹבֵל** (cf. v. 40*f*).

Verse 55 is a closing exhortation in the pure style of the earlier editor, analogous to the one which we have already met in v. 38. The analysis of this group may, then, be exhibited as follows:—

#### GROUP XX. THE RELEASE OF SLAVES (Lev. 25<sup>30-35</sup>).

##### a. When a Hebrew sells himself to a Hebrew (vs. 39-46).

1. When thy brother is impoverished with thee and sells himself unto thee, thou shalt not make him serve the service of a slave.
2. As a hired servant, as a sojourner shall he be with thee until the *jubile* [sabbath] year, and he shall serve with thee: and
3. He shall go out from thee, he and his children with him, and shall return unto his family, and unto the possession of his fathers shall he return; for my servants are they, whom I brought forth out of the land of Egypt: they shall not be sold the sale of a slave.
4. Thou shalt not rule over him with rigour, but thou shalt be afraid of thy God: and
5. Thy slave and thy maid which thou shalt have, of the nations which are round about you, of them shall ye buy a slave and a maid. And also of the children of the sojourners who dwell as aliens among you, of them shall ye buy and of their families, which are with

*you, which they have begotten in your land; and they shall be a possession unto you. And ye shall make them for an inheritance for your children after you to hold as a possession; them shall ye make to serve forever: but over your brethren the children of Israel, each over his brother, ye shall not rule with rigour.*

**b. When a Hebrew sells himself to an Alien (vs. 47-55).**

6. When *the hand of an alien and a sojourner with thee succeedeth and thy brother is impoverished with thee, and sells himself to an alien, a sojourner with thee, or to the stock of the family of an alien, after he has sold himself, there shall be a redemption for him.*
7. One of his brethren may redeem him, or his uncle, or his uncle's son may redeem him, or one of his near kinsmen *of his family* may redeem him, or *if his hand succeedeth*, he may redeem himself: *and*
8. He shall reckon with his buyer from the year in which he sold himself to him to the *jubile* [sabbath] year, and the money of his sale shall be according to the number of the years; as the days of a hired servant shall he be with him. *If there be yet many years, in proportion to them he shall give back his redemption from the money of his purchase; and if there remain but few years to the jubile year, then he shall reckon with him: in proportion to his years shall he give back his redemption. As a hired servant year by year shall he be with him.*
9. He shall not rule over him with rigour in thy sight: *and*
10. If he be not redeemed by these, then he shall go out in the *jubile* [sabbath] year, he and his children with him, *for unto me the children of Israel are slaves; my slaves are they, whom I brought out of the land of Egypt: I am Yahweh your God.*