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## The Original Form of Leviticus xxi., xxii.

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IN the last volume of the JOURNAL OF BIBLICAL LITERATURE, in an article entitled "The Original Form of Leviticus 17-19," I attempted an analysis of the first half of the Holiness-Code, the *משפטים*, or religious and civil regulations. I there found that this portion of the code contained originally ten groups of ten brief laws each, the pentads of which were indicated by the closing formula "I am Yahweh." This primitive holiness-code was worked over by an early non-priestly editor, who added numerous comments and explanations, and appended the hortatory formulae and the long hortatory passages. At the time of this editing probably a number of transpositions, doublings, and omissions were effected in the text. Subsequently this recension was united with the Priestly Code, and H then received new comments and suffered further transpositions. In an article in *Hebraica*, April-July, 1894, on "the Relation of Lev. 20 to Lev. 17-19," I endeavored to show that Lev. 20 is not a doublet to Lev. 17-19 but a hortatory passage that comes from the same early non-priestly editor who annotated Lev. 17-19. I now proceed in this article to investigate the structure of the second main division of H, the *חוקים*, or ceremonial regulations of Lev. 21, 22, leaving Lev. 23-25 and the hortatory conclusion of the entire code in Lev. 26 for a later discussion.

The laws contained in Lev. 21, 22 relate to the priests and the offerings. The legislation is ceremonial in character, but it is addressed to Israel in the same manner as the legislation of Lev. 17-19, and it has so many points of similarity with this legislation in thought and in diction that most critics are of the opinion that it forms an integral part of the same code. This body of laws has been enlarged with priestly comments much more extensively than Lev. 17-20, and this fact makes the analysis proportionately more difficult. The reason for the enlargement is obvious. These ceremonial laws came closer

than anything else in H to the spirit and contents of P and, therefore, lent themselves more readily to amplification in the spirit of P. In the previous chapters the priestly additions are readily recognized, not only by their style but by the fact that they interrupt the thought and are extraneous to the context. Here they are more homogeneous with the tone of the older legislation, and, consequently, are more difficult to detect. Still, the analysis must be made before further investigation is possible, and, accordingly, I proceed to it immediately. Substantial uniformity has already been attained by critics on the main lines of analysis, and it is only in details that I can hope to contribute anything new to the discussion.

**1. Holiness in the Priests (Lev. 21<sup>1-9</sup>).**—The title in v. 1 is peculiar. It is like P in representing the following laws as spoken to Moses, and in calling the priests the sons of Aaron; but P says, "Speak unto Aaron and unto his sons," while this title, which does not occur elsewhere in the Pentateuch, says, "Speak unto the priests, the sons of Aaron." It is singularly inappropriate as a heading to the group of laws which follow, for they are addressed to the people, not to the priests (cf. v. 8), and the priests are referred to in the third person throughout the entire legislation. This title is, therefore, most naturally regarded as an addition of one of the latest editors.

Supplying **הכהן** as a subject, or perhaps **איש כהן** as in v. 9, the first law reads, "[A priest] shall not defile himself for a (dead) person among his kinsfolk." The point of the law is to prevent defilement in those cases where, on account of kinship, the priest might suppose that he was warranted in incurring ceremonial pollution for the dead. The use of **לצמים** in the sense of 'kinsfolk' is an indication of affinity with the legislation of H. The use of **נפש** for a dead person is the same as in Lev. 19<sup>28</sup>, which unquestionably belongs to H. The brevity of this law, and the way in which the general precept is put first, are also suggestive of the method of H.

After this general prohibition of defilement for the dead, v. 2 f. proceeds to give the exceptional cases in which defilement is permitted. For mother, father, son, daughter, brother, and unmarried sister, the priest may incur ceremonial uncleanness. In these two verses there is nothing to indicate the hand of Rp, while the use of **טאֵר** for near relative is characteristic of H (JBL. xvi. 45). Notice also that the mother is named before the father, as in 19<sup>8</sup>. This law is found in Ez. 44<sup>25</sup>, and, in view of the close affinity between H and

Ezekiel, this is additional proof that it belongs to H and not to P, with whose legislation Ezekiel has no such marked correspondence.

The text of v. 4 is certainly corrupt. It now reads, "A **בעל** shall not defile himself among his people to profane him." This makes no sense, and yet the verse seems to contain the relics of a law of H because of its use of **יטמא** and **להחלו**. Starting from **בזמיו**, which he assumes to be original, Dillmann regards **בעל** as inconsistent with this word, and proposes to change it into **באכל**. This has little probability, since it makes the law a mere repetition of v. 1. It is more likely that **בעל** is original, and that **בזמיו** is a textual corruption which has arisen by the frequent use of this word in other portions of the section. The law which would give theoretical completeness to this group is one in regard to defilement for a *wife*. The present form of the text fails to speak of the case of a wife, but this cannot be original, since it is by no means self-evident that the priest should not undergo ceremonial defilement for his dead wife, nor can it be said that the wife is included in the prohibition of v. 1.

The presence of the word **בעל** suggests that something once stood here in regard to the case of husband and wife, and that the textual emendation to be made is one which will limit **בעל**, and at the same time treat of the case of defilement for a wife. The conjecture of Baentsch (p. 111) is good, namely, to read, **לא יטמא בעל לבעולתו**, (cf. Gen. 20<sup>3</sup> Dt. 22<sup>22</sup> Is. 54<sup>1</sup>) only, instead of retaining **בזמיו**, as Baentsch does, I should regard it as a corruption of the original **בעולתו**. To retain it seems to me to spoil the sense. How could one say, "a husband shall not defile himself for his wife among his kinsfolk"? On the other hand, it is easy to see how, by the omission of the initial **ל** after the final **ל**, **בעולתו** might have been read as **בזמיו**. This conjecture restores the law which completes the sense of the group, and has the additional confirmation of corresponding with Ezekiel's refraining from mourning for his wife (Ez. 24<sup>18f.</sup>).

After the specification of the cases in which the priest may or may not defile himself for the dead, there follows logically legislation in regard to the way in which mourning may be conducted (v. 5). The priest is not to degrade his office by self-mutilation as an outward sign of grief: "They shall not make baldness upon their head and the edge of their beard they shall not shave" (read with **יקרחו** instead of **יקרחו**). In substance this law is identical with the general prohibition to Israel in 19<sup>27</sup> and the law for the priests in Ez. 44<sup>20</sup>. There can be no doubt, therefore, that it is part of the original legislation.

"And in their flesh they shall not cut a cutting" (v. 5 *b*), agrees with 19<sup>20</sup> in the use of the word שָׂרֵט, which is not found elsewhere in the Hexateuch. In that passage the prohibition is expressly said to apply to the case of mourning for the dead. Here the application is left to be inferred from the context.

To this commandment is annexed (v. 6 *a*) the reason, "They shall be holy unto their God and shall not profane the name of their God." That this is not to be regarded as a new law, is evident, (1) from its general character, which makes it inappropriate as one of a series of laws against defilement for the dead but suitable as an argument for obedience to the foregoing laws, (2) from the analogy of the phrase "they shall be holy" in other contexts (Lev. 11<sup>44</sup> 19<sup>2</sup> 20<sup>7, 28</sup> 21<sup>8</sup>). In all these passages the phrase is an exhortation to obey the law which has just preceded. (3) In Dt. 14<sup>2</sup> the prohibition to make cuttings or baldness is also accompanied by the reason, "for thou art a holy people unto Yahweh thy God" (cf. Ex. 22<sup>30</sup>).

The other phrase, "and they shall not profane the name of their God," stands also uniformly as an exhortation at the close of a group of laws (18<sup>21</sup> 19<sup>12</sup>; cf. 20<sup>3</sup> 22<sup>2, 32</sup>). Both of these phrases are inserted elsewhere in the original legislation of H at the end of pentads, and, therefore, the five laws which have just been given doubtless belong to the original form of the code. The formula "Thou (they) shalt not profane the name of thy God" is regularly prefixed elsewhere to the closing subscription of a pentad, "I am Yahweh," and it seems probable, therefore, that this subscription stood originally in this context and has accidentally fallen out of the text. The exhortation in 6 *a* evidently comes from the non-priestly editor, the same hand which has added the exhortations to obedience in Lev. 17-19 and Lev. 20. These are his stock hortatory phrases.

Verse 6 *b* is part of the same hortatory addition. The phrase אֲשִׁי לָחֵם אֱלֹהִים, however, is not only superfluous alongside of יהוה (against Driver), but is characteristic of P (cf. Lev. 2<sup>3, 10</sup> 6<sup>11</sup> 7<sup>38</sup> 10<sup>12, 13</sup>, etc.). לָחֵם אֱלֹהִים stands alone in 21<sup>8, 17, 22</sup> 22<sup>23</sup>. It also stands alone in Ez. 44<sup>7</sup>, and אֲשִׁי יְהוָה is never found in Ezekiel. לָחֵם אֱלֹהִים is peculiar to H. הַקָּרִיב, as the technical expression for 'offer,' occurs constantly in P, but it cannot be said to be characteristic of P, since Ezekiel uses it also (cf. 43<sup>22, 24</sup> 44<sup>7, 15, 27</sup> 46<sup>4</sup>). In 44<sup>7</sup> we meet the phrase בְּהַקְרִיבְכֶם אֶת לֶחְמִי, which shows the same striking affinity with H which is noticeable throughout Ezekiel. In view of this fact, and of the frequent occurrence of this word in connection with characteristic words of H in Lev. 21-22, we must, I

think, regard it as a word of the older legislation and not as one which has been added by Rp. The phrase which is characteristic of P is קִדְּשׁוּ קַרְבְּנֵי יְהוָה, which is never used in Ezekiel nor in the primitive portion of H. "They shall be holy," the phrase at the end of the verse, is also alien to P. Omitting, then, אֲשֵׁי יְהוָה as the only priestly addition, we have in v. 6 a comment by the non-priestly hortatory editor whom we have met already in Lev. 17-20. The language is identical, and the heaping up of synonymous phrases in this verse is analogous to what we have met already in the exhortations of the previous chapters.

The second subdivision of this group, vs. 7-9, contains laws in regard to priestly purity in the family relation. The priest shall not defile himself by marrying a harlot or a profaned (dishonored) woman (7*a*), nor shall he take a woman who has been put away from her husband (7*b*). The use of the word חָלָלָה (cf. 19<sup>29</sup> תַּחֲלֵל) and the reason annexed, "for he is holy unto his God," stamp these two laws as part of the original legislation.

The inference which might be drawn from this legislation is that marriages which are not prohibited are permitted, but it is surprising that permitted cases are not enumerated. The peculiarity of this Holiness legislation is its theoretical completeness, and it is not probable that the original legislation left it to be inferred by a process of exclusion what marriages were lawful for a priest. Apparently it is left open to the ordinary priest to marry a virgin or a widow, but it is scarcely probable that marriage with any widow was permitted, since a widow out of a non-priestly family, who had children by her former husband, would have introduced serious complications into the system of priestly separation which is laid down in this code. In 22<sup>10</sup> it is specified that no alien shall eat of the meat of the sacrifices which formed the sustenance of the priests. The only exception is in the case of slaves who have been bought or are born in the house (22<sup>11</sup>). The legislation in regard to the priests in Lev. 21-22 is very complete, but no allusion is made in it to the case of children of a priest's wife by a former marriage; and in 22<sup>13a</sup> the child of a priest's daughter, who stands nearer to the priestly family than children of the widow of a non-priest, is forbidden to eat of the holy thing. This makes it evident that the case of non-priestly step-children of a priest is not contemplated as a possibility. Accordingly, there must originally have been some limitation put upon marriage of priests with widows, and this must have stood in immediate connection with the prohibition of other profane marriages. It is proba-

ble, also, that the explicit command to marry a virgin was given, since in 21<sup>18</sup>, the case of the high priest, it is not left to be inferred from the prohibitions whom he may marry, but it is said positively, "He shall take a wife in her virginity."

The two laws, which must have stood originally before 21<sup>7</sup>, are found in Ezekiel 44<sup>22</sup>. Here the harlot and the profaned woman are omitted as self-evidently unfit to become wives of priests; the divorced woman is named, and in addition it is said, "But (they shall take) a virgin of the seed of the house of Israel, and they shall take a widow who is the widow of a priest." Some such laws as these must have stood in H, unless there was a greater gap here in the legislation than analogy would lead us to expect. The similarity of the diction of this verse in Ezekiel with H is noteworthy (cf. מִזְרֵי, יִקְחוּ, בֵּית יִשְׂרָאֵל). The reason annexed in v. 7 *b*, "for he is holy unto his God," comes obviously from the same hand as the hortatory comments in v. 6.

Verse 8 calls upon the individual Israelite to guard the holiness of the priest as commanded in the foregoing legislation; "Thou shalt hallow him, for the food of thy God he offereth; holy shall he be unto thee." Nothing more foreign to the spirit of the priestly code could be conceived than this charge to the nation to protect the sanctity of its priests. On the other hand, it is characteristic of the hortatory editor of H to address, not the priests but the nation. The entire verse discloses both the spirit and the language of the hortatory editor in Lev. 17-20.

The following words, "I am Yahweh who hallow you," form the concluding formula which throughout this legislation marks the end of the larger groups of laws (21<sup>18 22</sup> 22<sup>9 16 32</sup>). It is analogous to the formulae "I am Yahweh your God" and "I am Yahweh your God who have brought you out of the land of Egypt," which we find closing the decads in Lev. 17-19. אֲנִי יְהוָה belongs to the fundamental structure of the code, but כִּי קָדוֹשׁ and מִקְדָּשְׁכֶם are additions of the hortatory editor. The peculiar form of the addition in Lev. 21-22 is due to the peculiar subject which is treated and the desire to emphasize the priestly holiness. The כִּי, with which the closing formula is here introduced is, of course, not original (cf. 22<sup>9 32</sup>). Throughout Lev. 17-19 אֲנִי יְהוָה is used absolutely.

Although this formula naturally closes the section in which the holiness of the priest is discussed, there follows one law more in v. 9, in which purity is demanded in the daughter of a priest because of the sanctity of her father. That this does not belong to P is evident

both from the thought and from the language (cf. תחל, איש כהן, מחללת, באש תשרף). The problem, therefore, is whether the law belongs to the original legislation, and has been transferred to a place after the closing formula, or whether it is an early gloss on the legislation of H. In favor of the latter view, it may be urged that the penalty of burning with fire occurs elsewhere only in Lev. 20<sup>14</sup>, and there is reason to regard Lev. 20 as a production of the homilete who has added sundry comments in Lev. 17-19. In favor of regarding the law as part of the original legislation, is the fact that the group of laws in regard to the high priest (21<sup>10-13</sup>) is closed with a precept similar in spirit to this, "He shall not profane his seed among his kinsfolk." In view of the special use of חלל in this code, this law can only mean that the high priest is not to allow his children to be seduced or prostituted. If such a special prohibition is given in the case of his family, it is probable that a similar one was given in the case of the ordinary priests' families, particularly as in 19<sup>29</sup> it is said, "Profane not thy daughter to make her a harlot." In all these cases it is probable that the lawgiver has religious prostitution in mind, and the danger of this being introduced at the sanctuaries of Yahweh through imitation of Canaanitish usage was so great (cf. Hos. 4<sup>11-14</sup>) that it is very likely that a law guarding against such profanation was inserted in this connection. The priest's daughter is also referred to in 22<sup>12f.</sup>, so that it is not unnatural that she should be mentioned here. These considerations, and the strong correspondence of the diction of this verse with H, make it probable that it is an original law, and that it has been transposed to its present place outside of the colophon by some copyist who regarded it as foreign to the subject of priestly purity. In that case it must have stood originally immediately after v. 7. The penalty, "She shall be burnt with fire," is probably an editorial addition, since it is not strictly relevant to the subject under consideration, which is, holiness in the priest. The words, "she profaneth her father," are appropriate, but "she shall be burnt with fire," abandons the standpoint of the priest and takes up that of the daughter. In view of 20<sup>14</sup>, it probably comes from the hortatory editor.

Gathering up now the results of our investigation, we may exhibit the analysis of the legislation of this group as follows.



GROUP XI. HOLINESS IN THE PRIESTS (Lev. 21<sup>1-9</sup>).a. Prohibitions of Personal Defilement for the Dead (21<sup>1-6</sup>).

*And Yahweh said unto Moses, Speak unto the priests the sons of Aaron and say unto them,*

1. [A priest] shall not defile himself for a (dead) person among his kinsfolk.
2. Nevertheless for his near kin that is nigh unto him ; for his mother, and for his father, and for his son, and for his daughter, and for his brother, and for his sister, a virgin that is nigh to him, who hath not had a husband, for her he may defile himself.
3. A husband shall not defile himself for his wife (?) to profane himself.
4. They shall not make a bald spot upon their head nor shave the edge of their beard : *and*
5. In their flesh they shall not cut a cutting. *They shall be holy unto their God and not profane the name of their God [I AM YAHWEH], for the fire-offerings of Yahweh, the food of their God, they offer, and they shall be holy.*

b. Holiness in the Priest's Family (Lev. 21<sup>7-9</sup>).

6. [They shall take as wives for them virgins of the seed of the house of Israel : and
7. A widow that is the widow of a priest they shall take.] (cf. 21<sup>13</sup> Ez. 44<sup>22</sup>).
8. A woman that is a harlot or profaned they shall not take : *and*
9. A woman divorced from her husband they shall not take, *for he is holy unto his God, and thou shalt hallow him, for the food of thy God he offereth ; he shall be holy unto thee, for I AM YAHWEH the holy, who hallow you : and*
10. The daughter of any priest, if she profane herself to be a harlot, she profaneth her father : *she shall be burnt with fire.*

2. **Laws in Regard to Holiness in the High Priest** (Lev. 21<sup>10-15</sup>). — This compact and well-arranged little section has come down almost untouched by the later editors, and it is admitted by all critics that it belongs to H. It follows in the main the same lines which were laid down in the section on the ordinary priests but heightens some-

what the requirements of holiness. The phrases **הכהן הגדול מאחיו** (v. 10), **הכהן הגדול מאחיו** (v. 10), **מקדש אלהיו, אני יהוה**, **מקדש יחלל**, **המקדש יחלל** (v. 12) and the numerous verbal similarities with the last group make it certain that it is a part of H. The only places in which the hand of Rp is visible are the phrases **אשר יצק על ראשו שמן המשחה ומלא את ידו** (v. 10) and **כי נזר שמן משחת אלהיו עליו** (v. 12) which, with Kayser, Kuenen, Dillmann, Horst, Baentsch, Driver are to be regarded as priestly glosses (cf. Lev. 8<sup>12</sup> 10<sup>7</sup> Nu. 6<sup>7</sup>). The hand of the older editor is to be seen in the phrase **ולא יחלל** (v. 12) (cf. 18<sup>21</sup> 19<sup>12</sup> 20<sup>3</sup> 21<sup>6</sup> 22<sup>2,3</sup>) and in the addition of **מקדשו** to **אני יהוה** (v. 15).

It deserves notice that in v. 14 a widow and a divorced woman are put apparently in the same category with a dishonored woman and a harlot, while in 21<sup>7</sup> the two latter stand in a separate precept. This was probably the case originally in v. 14 also, and, accordingly, we must supply **לא יקח** after **וגרושה** and make two separate sentences. We must also supply **ו** before **ונה**, since this word is not synonymous with **חללה**, and there is no reason for thinking with Dillmann that **ונה** is a gloss.

Verse 14 *b* is not synonymous with v. 13, which prescribes that the high priest shall marry a virgin, for it commands him to take a wife from his kinsfolk, that is, a woman of priestly family, or perhaps of high priestly family, in order that the sanctity of his lineage may be more strictly preserved. In v. 11 read **נפש** instead of **נפשת** on account of the singular **מת** which follows (cf. Nu. 6<sup>6</sup>). This group is divided into pentads in the same manner as those in Lev. 17-19 by the phrase I AM YAHWEH (vs. 12, 15). The structure of the group, accordingly, is as follows.

## GROUP XII. HOLINESS IN THE HIGH PRIEST (Lev. 21<sup>10-15</sup>).

### a. In Regard to Defilement for the Dead (vs. 10-12).

1. The priest that is greater than his brethren, *upon whose head the anointing oil is poured, and that is consecrated to put on the garments,* shall not let his hair fly loose *and*
2. His garments he shall not rend : *and*
3. Unto any dead person he shall not go in.
4. For his father and for his mother he shall not defile himself : *and*
5. From the sanctuary he shall not go out, *lest he profane the sanctuary of his God : for the consecration of the anointing oil of his God is upon him : I AM YAHWEH : and*

**b. In the High Priest's Family (vs. 13-15).**

6. He shall take a wife in her virginity.
7. A widow or a divorced woman [he shall not take].
8. A profaned woman [or] a harlot these he shall not take: *but*
9. A virgin of his kinsfolk shall he take to wife: *and*
10. He shall not profane his seed among his kinsfolk, *for I AM YAHWEH who hallow him.*

**3. Blemishes which debar a priest Permanently from Ministering** (Lev. 21<sup>16-23</sup>). — The section is now generally admitted to belong to H in all its main features. The formula with which it is closed (v. 23 *b*) is the regular one which stands at the end of all of the groups of this part of the code, and it is reasonable to suppose that if the subscription of H has been retained, something of the original legislation has also been preserved. Moreover, Dillmann has called attention to the fact that the priestly title in v. 16 f. is only a formal attempt to make the legislation an address to Aaron and his sons. Throughout the group the priest is spoken of in the third person, as in the two groups which we have just considered. Accordingly, it is evident that here also older laws have been fitted into the scheme of the priestly editor. This older legislation must have been H, on account of the words **אני יהוה, חלל, מקדש, להם אלהיו**.

The editorial hand of Rp is clearly recognized in the title (vs. 16, 17 *a*) and in the phrase **מורע אהרן הכהן** (v. 21), which shows itself to be an interpolation by the way in which it breaks the structure of the sentence. If this is an interpolation, **מורע** also in v. 17 must be an addition by Rp to carry out the idea of the title. **לדרתם** is characteristic of P and adds nothing to the sense. **לא יגש להקריב** (v. 21) is redundant alongside of the following clause and shows that it belongs to P by the phrase **את הקריב** (see above on 21<sup>6b</sup>). Furthermore, as Wellhausen has shown (*Comp.*, p. 160 f.), the distinction between **הקדשים** and **הקדשים** is characteristic of P and is unknown to the older code which, in the discussion of the question who shall eat of the holy things (22<sup>4-16</sup>), gives no hint of the distinction between holy and most holy which is worked out so elaborately by P. Accordingly, **מקדשי הקדשים** (v. 22) is to be assigned to Rp. There is no reason, however, why we should regard the following words **מן הקדשים** as a gloss also, for **הקדשים** is frequently used by H in 22<sup>1-16</sup>. H recognizes two classes of gifts, **לחם אלהים** or sacrifices

which are consumed wholly or in part upon the altar, and קדשים or offerings of other sorts, but H never treats קדשים as a variety of לחם אלהים, although לחם אלהים may be a variety of קדשים. Now it is only natural that the priest with a blemish should be permitted to eat of these offerings as well as of the sacrifices, and some mention of the קדשים must, therefore, have stood in this connection in the original code.

Whether the פרכת (v. 23) is to be set to the account of Rp, as is generally done, seems to me doubtful. It is true that this word does not occur outside of the PC, but then it may fairly be claimed that there is no occasion elsewhere to mention it. Besides, there is nothing to show that this writer uses the word in the sense in which P uses it of the curtain of the inner sanctuary. I am unwilling to venture a positive opinion upon this question.

Verse 24 shows itself to be a priestly interpolation, not only by its language, but also by its lack of relation to the context. וידבר has no object in the immediate context. The priestly legislation which originally followed it is apparently scattered through the next section of H.

Subtracting the additions of Rp from this section, we turn to an examination of the older legislation. Verse 17 (minus Rp) reads, "A man in whom is a blemish shall not approach to offer the food of his God." The first half of this verse is identical with the next sentence, and the last half is in anticipation of v. 21 *b*. The simpler form of the precept, as it stands in v. 18 *a*, is probably original, and the mention of offering the food of God belongs more naturally later (v. 21 *b*) in the enumeration of the particular things which the priest with a blemish may not do. The original first law of the group was the general prohibition, "Any man in whom there is a blemish shall not approach," that is, not only shall not sacrifice, but shall not perform any of the other specifically priestly functions which are enumerated later. This is in harmony with the analogy of the rest of the code, which puts general laws first. Verse 17 *b*, accordingly, must be a summary of the contents of the following group of laws, which has been prefixed by some later editor. The borrowing of H's expressions which it discloses and the use of the phrase איש אשר suggest that it has been added by the homilete who wrote Lev. 20. In any case, this sentence cannot be original. From the same hand come the additions in v. 23 כי מום בו, and מלקדשם.

Verses 18-20 enumerate a variety of blemishes which debar a

priest from ministering. These blemishes are of very different kinds and probably once stood in separate laws, but now they are all fused in one long sentence. On closer examination, it appears that they fall into four classes: (1) defects, **עֹר, פֶּסַח, חָרָם**; (2) superfluities (?) **שְׂרוּעַ**; (3) injuries, **שִׁבְר יָד, שִׁבְר רֵגֶל**, and (4) diseases, **מְרוּחַ אֲשָׁךְ, יִלְפַת, גֵּרֵב, תַּבְּלִיל**. The original division into precepts may have followed the lines of the analysis of thought, but a later editor has omitted **לֹא יִקְרַב**, with which each precept ended, leaving it to be understood from the first general law with which the section opens. This is analogous to the fusing of two independent counts through the omission of the verb in Lev. 21<sup>14</sup>. There is here then, probably, a pentad of laws in regard to those blemishes which exclude from the exercise of priestly functions. Through the syncope of the passage, or perhaps through unwillingness to mention the sacred name of God in connection with loathsome diseases, the usual concluding formula has fallen away.

Then follows in vs. 21-23 a little set of laws which define more closely what the priest with a blemish may do and what he may not do. He may not sacrifice. He may eat of the meat of the sacrifices. He may eat of the other holy things. He may not go in to the **פֶּרֶכֶת**. He may not draw near to the altar. Here are five laws before the closing formula of the group, if the mention of the **פֶּרֶכֶת** be original. The fact that the law against approach to the **פֶּרֶכֶת** completes the group creates a presumption in favor of its antiquity. The group then as a whole reads as follows.

GROUP XIII. BLEMISHES WHICH DEBAR A PRIEST FROM MINISTERING  
(Lev. 21<sup>16-23</sup>).

a. Enumeration of Blemishes (vs. 16-20).

*And Yahweh spake unto Moses saying, Speak unto Aaron, saying, a man of thy seed unto their generations in whom is a blemish shall not approach to offer the food of his God, for*

1. Any man in whom is a blemish shall not approach.
2. A man who is blind or lame or defective [shall not approach] : *or*
3. [A man] who hath anything superfluous (?) [shall not approach] : *or*
4. A man who is brokenfooted, or brokenhanded, or brokenbacked, or crushed (?) [shall not approach] : *or*
5. Bleareyed, or scrofulous (?), or scurvy (?), or swollen (?) in the testicles shall not approach.

**b. Disabilities which they involve (vs. 21-23).**

6. Any man in whom is a blemish *of the seed of Aaron the priest shall not draw near to offer the fire-offerings of Yahweh; a blemish is in him; the food of his God he shall not draw near to offer.*
7. The food of his God [he shall eat]. *Of the most holy things and*
8. Of the holy things he shall eat: *only*
9. Unto the veil he shall not go in: (?) *and*
10. Unto the altar he shall not draw near, *for a blemish is in him, lest he profane my sanctuaries: for I AM YAHWEH who hallow them.*

**4. Temporary Disqualification for Eating the Holy Things (Lev. 21<sup>21</sup>-22<sup>9</sup>).**—This group is the logical continuation of the last, and although it contains more matter similar to P than most of the other groups, there can hardly be a doubt that its core belongs to H. The last group treats of blemishes which disqualify a priest *permanently* from ministering; there are other cases, however, where defilement takes place, in which it is of a less serious nature, and H must have had something to say in regard to these. That older laws have been worked over in this section by Rp is evident from the fact that, although Aaron and his sons are formally addressed in the title, here, as before, the legislation speaks of the priests in the third person, except the priestly interpolated words **לדרתיכם** and **מכל זרעכם** in v. 3. Obviously, the legislation was originally addressed to Israel, as in the previous groups. The connection of the main portions of this group with H is further attested by the fact that all the commandments are given from the standpoint of holiness and by the use of the characteristic expressions **יחללו את שם קדשי** (v. 2), **יקדישו**, **אני יהוה** (vs. 3, 8), **איש איש** (v. 4), **לחמו** (v. 7), **לטמאה** (v. 8), "They shall keep my charge and not bear sin when they profane it; I am Yahweh who sanctify them" (v. 9).

The introductory formula in v. 1 f. evidently belongs to Rp. The following sentence is just such a general proposition as we usually find at the beginning of groups of H's laws, and it is couched in the language of H, so that there is no reason to doubt that it is original. "Lest they profane my holy name" is very clumsily interpolated in this sentence and cannot be original. It is doubtless an addition of the homiletic editor. In v. 3 the phrases **לדרתיכם** and **מכל זרעכם** betray themselves to be interpolations of Rp by their resumption of the direct address of the introductory formula and by

the use of the word **לדרת הנפש ההיא**. **ונכרתה הנפש ההיא** suggests P, but the addition of **מלפני** is unlike P, and, therefore, the utmost that we can suppose Rp to have done here is to have changed an original **איש** (cf. Lev. 17<sup>4, 9</sup>) into **נפש**. **טמאתו** is not characteristic of P (cf. Ez. 22<sup>15</sup> 24<sup>11</sup> 13 36<sup>17, 25</sup> 39<sup>34</sup>). With these exceptions, this verse belongs to the original legislation, as is proved by its diction and by its organic relation to the rest of the group. The first law bids the priests beware of defiling the offerings; this law pronounces H's customary penalty of cutting off upon the man who eats the holy things when he is ceremonially unclean. The phrase **אני יהוה** in vs. 2, 3 does not correspond with the logical divisions of the legislation, and, therefore, is not primitive. The insertion is to be attributed to the older editor who uses the formula in this loose way.

After these two more general propositions, the special cases of personal defilement through disease follow in v. 4 *a*. Here only **מורע אהרן** is an interpolation of Rp. Three distinct cases are fused in this sentence; that of a leper, of a man with an issue, and of a man who has once been disqualified to eat of the holy thing through disease but has been healed. In substance, doubtless, these laws belong to H, but it is not the literary form of H to unite miscellaneous subjects in the same sentence. Consequently, we must suppose that the combination is not original, but has come in through one of the redactions.

All the cases of defilement enumerated as far as 4 *b* are those which arise through some diseased condition in the priest himself; those which follow are defilements through contact with unclean objects. Verse 4 has an obvious interpolation in **או איש אשר תצא ממנו** which, if it were original, would stand among the personal defilements and not here among the defilements through contact. The language **שכבת ורע** shows that it has been added by Rp (cf. Lev. 15<sup>16, 17, 18, 32</sup> 19<sup>20</sup> Nu. 5<sup>15</sup>). H says **נתן שכבתך** (1) without the addition of **ורע** (cf. Lev. 18<sup>30, 32</sup> 20<sup>15</sup>). Moreover, the case here specified has been covered already in v. 4, and this is another evidence that this sentence is an interpolation.

Verse 5 contains two cases of defilement through contact, both of which belong to H. **שרץ** is no evidence of interpolation by Rp, since this word is used in the Holiness legislation of Lev. 11<sup>20, 21, 41</sup> (11<sup>20</sup> = Deut. 14<sup>19</sup>). The last two words of the sentence, however, **לכל טמאתו**, are certainly a gloss of Rp (cf. Lev. 5<sup>3f.</sup> 11<sup>20</sup> 16<sup>16</sup>).

Verse 6 belongs to Rp, with the exception of **ולא יאכל מן הקדשים**, which is the conclusion of the sentence in v. 5 (cf. Lev. 11<sup>23, 28, 32, 33</sup>).

13<sup>6, 84</sup> 14<sup>8, 9</sup> 15<sup>5, 11, 12, 27</sup> Nu. 19<sup>7, 10, 19</sup>). The next verse belongs entirely to H. The phrase **וּבֹא הַשֶּׁמֶשׁ** is never found in P, but occurs in the Book of the Covenant (Ex. 22<sup>28</sup>) and in Deut. (11<sup>30</sup> 16<sup>6</sup> 23<sup>12</sup> 24<sup>13, 15</sup>). "For it is his food" is apparently a gloss of the older editor. The use of **לֶחֶמוֹ** suggests the same writer who speaks of the sacrifices as **לֶחֶם אֱלֹהִים** in Lev. 21<sup>6, 8</sup>.

The legislation in vs. 3-7 is found in another independent priestly recension in Lev. 7<sup>20f</sup>. The same legislation of H underlies this passage which underlies Lev. 22<sup>3-7</sup>, but it has been worked up in a different fashion and less of the original legislation has been preserved than is the case here.

Lev. 22<sup>8</sup> contains nothing which suggests P, but it is rather surprising that a case of defilement through eating rather than through touching should be introduced here, although eating is a kind of contact. Besides, a law against eating that which is fallen or torn has been given already to all Israelites in Lev. 17<sup>13f</sup>, and, therefore, there is apparently no need of this command being laid particularly upon the priests (but cf. Lev. 19<sup>27</sup> with 21<sup>8</sup>). Baentsch pronounces the verse a gloss, but this is unlikely in view of the facts that it corresponds absolutely with the diction of H (cf. **נִבְלָה וְטֹרֵפָה** Lev. 17<sup>15</sup>, **כִּה לִטְמֵאָה כִּה** 18<sup>30, 28</sup> 19<sup>31</sup>), and that it carries with it the original closing formula of the group **אֲנִי יְהוָה**. It seems more probable that it is part of the original legislation, and that 'eat' is an accidental textual error for 'touch,' which has come in through memory of 17<sup>15</sup> or through influence of **יֹאכַל** in v. 7.

Verse 9 is an exhortation appended to the closing subscription of the group. It comes from the hand of the non-priestly editor (cf. Lev. 18<sup>30</sup> 20<sup>17, 19</sup>). The last clause of this verse, "I am Yahweh who hallow them," is interesting as showing that this longer formula is not primitive. Here the original short formula "I am Yahweh" remains alongside of the expanded formula at the beginning of the verse. In most cases the hortatory editor has simply appended "who hallow them" to the primitive formula. If, now, our investigation has been correct, the analysis of this group must be somewhat as follows.

#### GROUP XIV. TEMPORARY UNFITNESS FOR EATING THE HOLY THINGS (Lev. 21<sup>24</sup>-22<sup>9</sup>).

##### a. Defilement through Disease (vs. 1-4 a).

*And Moses spake unto Aaron and unto his sons and unto all the sons of Israel; and Yahweh spake unto Moses, saying, Speak unto Aaron and unto his sons, and*



1. They shall separate themselves from the holy things of the sons of Israel, *lest they profane my holy name*, which they are hallowing unto me: *I am Yahweh. Say unto them unto your generations:*
2. Every man who approacheth *from all your seed* unto the holy things which the sons of Israel hallow unto Yahweh, having his uncleanness upon him, that *soul* [man] shall be cut off from before me: *I am Yahweh.*
3. Any man *of the seed of Aaron* who is a leper [shall not eat of the holy things], *or*
4. A man who has an issue shall not eat of the holy things, *until*
5. When he is cleansed [he shall eat of them].

**b. Defilement through Contact (vs. 4 b-9).**

6. He who toucheth anything that is unclean by a dead person [shall not eat of the holy things], *or a man whose issue of seed goeth from him, or*
7. A man who toucheth any creeping thing whereby he may be defiled [shall not eat of the holy things], *or*
8. [A man who toucheth] a man by whom he may be defiled *according to all his uncleanness, the soul that toucheth any such shall be unclean until the evening and shall not eat of the holy things, unless he bathe his flesh with water, and*
9. When the sun has set, he shall be clean, and after that he shall eat of the holy things, *for it is his food.*
10. That which is fallen or torn he shall not *eat* [touch] for defilement with it: I AM YAHWEH: *and they shall observe my charge and shall not bear sin because of it, lest they die in it, when they profane it: I am Yahweh who hallow them: and—*

5. **Laws determining who besides the Priests may eat of the Offerings** (Lev. 22<sup>10-16</sup>). — After the answering of the question, who among the *priests* is qualified to eat of the holy things, the subject which logically comes next is the relation of those who are not priests to the sacrifices. This subject is thoroughly discussed in the section before us. That it does not belong to P is evident from the absence of any distinction between the holy things and the most holy things, and also from the diction of the closing formula in v. 16. Whether Wellhausen (*Comp.*, p. 160) is right in finding a difference from P in the fact that no sin-offering is demanded of the man who illegally eats of the holy things is uncertain (cf. Dillmann, *Ex.-Lev.*, p. 572).

It is also not quite clear that P forbids slaves of priests to eat of the sacrifices (cf. Baentsch, p. 107). However, even if this writer does not stand upon so radically different ground from P as Wellhausen seeks to prove, still in form and substance this legislation is as independent of P as any of the groups which we have already noted.

The original legislation is preserved here almost intact, and Rp has not done more than add occasional explanatory words. Such words are the appositive phrase קִנְיֵן כֶּסֶפֹּו (v. 11; cf. Gen. 17<sup>12, 23</sup> 36<sup>6</sup> Ex. 12<sup>44</sup>), בְּתִרְוֹמָתָא before הַקֹּדְשִׁים (v. 12), which is contrary to the usage of H, and is characteristic of P; אֶת אֲשֶׁר יִרְיָמוּ לַיהוָה (v. 15); אֲשָׁמָה (v. 16). Beyond this, it does not seem to me that the hand of Rp is to be recognized. The exhortation in v. 16 is, doubtless, an addition of the older editor. Compare the use of נִשְׂאָן שֹׁן, as in Lev. 20<sup>17, 19</sup>, and compare also the similar hortatory conclusions of the preceding groups.

Other words in this group have been claimed for P, but improperly. זָר, for instance, is used frequently by P to denote one who is not of the family of Aaron or who is not a Levite, but it is also used in Dt. 25<sup>5</sup> 1 Ki. 3<sup>18</sup> Job 15<sup>19</sup> 19<sup>27</sup> Prov. 11<sup>15</sup> 14<sup>10</sup> Ho. 8<sup>12</sup> in a broader way to designate a man who belongs to any other tribe or clan than one's own, and this is its sense here. By זָר H does not understand a non-priest as P does, for he permits slaves to eat of the holy things (v. 11), but he uses it to denote one who is not a member of the priest's family. P uses תּוֹשֵׁב as a synonym of זָר (Gen. 23<sup>4</sup> Lev. 25<sup>22</sup> Nu. 35<sup>15</sup>), while H, here and in the succeeding legislation, applies it to the Hebrew who through poverty has come into a state of partial and temporary servitude (cf. 25<sup>6, 40</sup>). In the passage before us from H, the תּוֹשֵׁב occupies an intermediate position between the stranger and the hired servant. That he is an Israelite is certain. נָרִים do not even come into view in this legislation as eligible to eat of the holy things, for even one of half-priestly blood cannot eat of it (cf. v. 13 *b*). In this use of the word, therefore, there is a marked difference from P. In v. 11 also, יֵלִיד בַּיִת is not characteristic of P (cf. Jer. 2<sup>14</sup>).

The only other point which needs to be noted is that 13 *b* is not a mere repetition of 10 *a*. Verse 10 *a* is a general law forbidding those who are not members of the family of the priest to eat the holy thing; v. 13 *b* is a particular prohibition, which takes its color from the command which has just gone before. In v. 13 *a* it is said that the priest's daughter, who is a widow, may return to her former privileges in her father's house, "if she have no seed." This law adds,

“but no stranger shall eat of it.” The context demands that this should be interpreted as giving a case which forms the counterpart to the one which has just been stated, namely, where the priest’s daughter *has a child*. In this case the “stranger,” *i.e.* the child of a father who is not a priest, shall not eat of the holy thing. It may be remarked also that v. 15 is not part of the closing exhortation of the group, but a general law commanding the priests to see to it that the unlawful persons enumerated above are not permitted to eat of the holy things. As such it forms an appropriate closing precept. The analysis of the group is accordingly as follows.

GROUP XV. EATING OF THE HOLY THINGS BY OTHERS THAN THE PRIESTS (Lev. 22<sup>10-16</sup>).

**a. By Those who are in the Priest’s Household (vs. 10. 11).**

1. No stranger shall eat a holy thing.
2. A sojourner with a priest [shall not eat a holy thing] : *and*
3. A hired servant shall not eat a holy thing : *and*
4. When a priest buys a person, *the purchase of his money*, he shall eat of it : *and*
5. Those born in his house they shall eat of his food : *and*

**b. By Those who stand in Other Relations (vs. 12-16).**

6. The daughter of a priest, if she have a stranger for husband, she shall not eat *the contribution of* the holy things, *and*
7. The daughter of a priest, when she is a widow or divorced, and has no seed, and is returned to the house of her father as in her youth, shall eat of her father’s food *and*
8. No stranger (*i.e.* child of a non-priest) shall eat of it : *and*
9. When a man shall eat a holy thing by mistake, he shall add a fifth to it and he shall give the holy thing to the priest : *and*
10. They shall not profane the holy things of the sons of Israel *which they contribute unto Yahweh, lest they cause them to bear iniquity that bringeth guilt when they eat their holy things, for I AM YAHWEH.*

**6. Laws in regard to Sacrifices (Lev. 22<sup>17-38</sup>).**—It is natural that legislation in regard to sacrifices should follow legislation in regard to the priests and other persons who are entitled to eat of the sacrifices. It is, therefore, to be expected antecedently that H contained

laws on this subject. Verse 18 $\delta$  opens the group with the characteristic formula of H, **אִישׁ אִישׁ מִבֵּית יִשְׂרָאֵל**, and the group is closed in v. 30 with the formula **אֲנִי יְהוָה**. Verses 31–33 give an exhortation composed entirely of phrases of H in the style of the hortatory addresses which we have met in Lev. 17–20. This exhortation presupposes that a body of H's laws has gone before.

That laws of H underlie this group is probable, also, from the recurrence of words for blemishes which we have met already in Group XIII (Lev. 21<sup>17-23</sup>). The original form of the code is here very much obscured. The whole section is so interlarded with phrases of P that Kayser and Horst have pronounced it entirely the work of P; but, as just remarked, it is more probable, in view of the introductory and closing formulae, that the resemblance is due to a thoroughgoing editing rather than to composition by P himself. The analysis here has nothing to start from but peculiarities of diction and inconcinnities of style; nevertheless, these indications lead to fairly certain results, if only they are followed out consistently. Under the influence of the theory that H stands close to P in style and substance, the analysts have here assigned much to H which a consistent principle of criticism must lead us to give to P.

The superscription in vs. 17–18 $\alpha$  belongs, of course, to P. The phrase **וּמִן הַגֵּר בְּיִשְׂרָאֵל** may belong to P, but more likely belongs to the older editor (cf. 20<sup>9</sup>). In any case, the extension of the legislation to the **גֵּרִים** is no part of the original plan of H (cf. JBL. xvi. 35). Here the extension stands in direct conflict with the prohibition in v. 25 to offer a sacrifice from the hand of a foreigner (cf. the notes on v. 25). Of course, **גֵּר** is not synonymous with **בֶּן נֹכֵר**; nevertheless, it is included in it. The following words, **אֲשֶׁר יִקְרִיב קָרְבָּנוּ לְכָל נִדְרֵיהֶם וּלְכָל נִדְבוֹתָם אֲשֶׁר**, bring the structure of the sentence into confusion, and necessitate the supplying of a predicate in v. 19 $\alpha$ . Apart from linguistic indications, they seem to be a gloss, and this opinion is confirmed when we observe that the diction of this clause is purely priestly, e.g. **הַקְרִיב קָרְבָּן** (cf. JBL. xvi. 37), **לְכָל** (cf. Gen. 9<sup>10b</sup> 23<sup>10b</sup> Ex. 14<sup>28</sup> 27<sup>3, 19</sup> 28<sup>28</sup> 36<sup>1b</sup> Lev. 5<sup>3</sup> 11<sup>28, 43</sup> 16<sup>16, 21</sup> Nu. 4<sup>27, 31, 32</sup> 5<sup>9</sup> 18<sup>4, 8, 9</sup>), and the combination of **נִדְרִים** and **נִדְבוֹת** in the same phrase (cf. Lev. 7<sup>16</sup> Nu. 15<sup>3</sup> 29<sup>30</sup>). In Dt. 12<sup>6</sup> both are named in a list of kinds of sacrifices, but nowhere except in P are the two words habitually combined. For these reasons, there is no doubt that this clause is to be assigned to Rp, and it is a matter of surprise that Wellhausen and Baentsch should suppose it to have belonged to H. **יִקְרִיבוּ** must then be regarded

as changed from the singular to the plural to correspond with the insertion of the **נר**. **לרצונכם**, in the second person plural, is singularly inappropriate to the rest of the sentence, which is in the third person, and it interrupts the natural connection between **לעלה** and **המים זכר**. It is, moreover, a distinctive word of P (cf. Ex. 28<sup>38</sup> Lev. 1<sup>3</sup>). Accordingly, the original form of the sentence seems to have been **איש איש מבית ישראל יקריב ליהוה לעלה תמים זכר**. **בבקר בכשבים ובעזים**. Both in form and in substance this law is consistent with the legislation of H (cf. 17<sup>3</sup> 18<sup>6</sup>).

Verse 20*a* is a mere repetition in negative form of the law just given. The reason annexed in 20*b* is foreign to the spirit of H and shows that it belongs to R<sub>p</sub> by the use of the word **לרצון**.

Verse 21, as a whole, certainly belongs to P. The phrase **זבח ליהוה** is peculiar to P (cf. JBL. xvi. 37). The combination of **נדר** and **נרבה**, which we have already found to be a gloss in v. 18, is also characteristic of P. The phrase **לפלא נדר** is thoroughly priestly (cf. Lev. 27<sup>2</sup> Nu. 15<sup>3, 8</sup>). So also is **לרצון**, and the rest of the sentence is nothing more than a repetition of v. 19. Besides these linguistic indications, which are decisive in themselves, this sentence interrupts the continuity of thought in the legislation. The author has set out to discuss the burnt offerings, and has not yet finished that subject, for vs. 22, 24 still refer to them. He does not take up the subject of the **זבחים** or **שלמים** until v. 27 (cf. 29*a*), and then devotes the rest of the section to this kind of sacrifice. If v. 21 were original, it would stand in connection with v. 27 and not in its present place interrupting the legislation about the burnt offerings. The original legislation of this group, like the legislation of Lev. 17, recognized only two sorts of sacrifices, the **עלה** and the **זבח**, and the two main divisions of the group treated of these two subjects respectively.

Verse 22 specifies particular cases of blemishes, and is unquestionably part of the primitive legislation (cf. the diction of the verse with that of Lev. 21<sup>18-20</sup>). In this verse the blemishes are classified, as we found to be the case in the law in regard to blemishes in the priests (Lev. 21<sup>18</sup>). There are two sorts of blemishes: (1) defects, **עורת, שבור, חרוץ**; and (2) diseases, **יבלת, נרב, ילפת**. Verse 22*b* is a mere repetition of the thought of the preceding clause, and betrays its priestly origin by the words **על המזבח ליהוה, אשה**.

Verse 23 belongs wholly to R<sub>p</sub>, both on account of its artificial distinction between **נרבה** and **נדר**, permitting the sacrifice of deformed animals in one case and not in the other, and on account

of the closing phrase **לֹא יִרְצֶה**, which is never found outside of P (cf. Lev. 1<sup>a</sup> 7<sup>18</sup>). It is also an anticipation of the legislation in regard to peace-offerings. It can hardly be doubted, therefore, that this sentence is a later priestly refinement upon the original legislation, which did not permit the sacrifice of such animals in any case.

Verse 24 prohibits the sacrificing of a castrated animal, and enumerates the various forms of castration practised by the ancient Hebrews. It seems to be the natural continuation of v. 22, and the phrase **וּבְאֲרֻצְכֶם לֹא תַעֲשׂוּ** is quite alien to P. The meaning of the latter expression is obscure. It is hardly probable that it denotes that animals are not to be castrated. Dillmann's idea that it means ye shall not do so in your *land*, in contrast to the present situation in the desert, is also artificial. On the whole, it seems best to take **עֲשֵׂה** in the same sense which it bears in Lev. 17<sup>9</sup>, namely, 'sacrifice.' In any case, the clause is superfluous and probably comes from the hand of the older editor.

Verse 25 shows signs of Rp only in the appended clause **לֹא יִרְצֶה לָכֶם**. The rest of the sentence is independent of P (cf. **בֶּן נָכָר**, (**מִשְׁחַתְּמָם לֶחֶם אֱלֹהִים**)), and is generally recognized as part of the older legislation. The reason annexed to the law in 25 *b* can hardly belong to the primitive code. In its aim to commend the precept to the reason and in its doubling of arguments, "for their corruption is in them," "for a blemish is in them" (cf. 21<sup>23</sup>), it suggests rather the hortatory editor whom we have met so often already.

The interpretations which are put upon the law itself (25 *a*) are numerous. Dillmann (*Ex.-Lev.*, p. 574) understands it as addressed to the priests, and as prescribing that animals with blemishes are not to be received as sacrifices from foreigners any more than from Israelites. Such a law, however, is improbable. If an Israelite cannot offer an animal with a blemish, it is self-evident *a fortiori* that a foreigner cannot do it. When Dillmann says, "Vorausgesetzt ist, dass auch Fremde dem Jahve für sich opfern lassen dürfen," he is surely going beyond any indications of the code. Elsewhere, there is not a suggestion that the writer contemplates sacrifice by foreigners to the God of Israel as a possibility. Moreover, the original legislation in this group, as throughout H, is addressed to the people and not to the priests.

Accordingly, one must agree with Kuenen and Baentsch in holding that the law is intended to prevent Israelites from sacrificing animals obtained from foreigners. These critics are not justified, however, in supporting this position by appealing to the words **לֹא יִרְצֶוּ לָכֶם**,

since these are certainly an addition of Rp. The difficulty in the exegesis of this verse lies in the expression **מכל אלה**. Is this designed to exclude all sacrificial animals, or is it intended to refer only to the animals with blemishes just mentioned? Kuenen (*Volks-godsdienst en Wereldgodsdienst*, p. 277) takes the latter view: "Mijns inziens moet vs. 24 *b* ten nauwste met vs. 25 *a* verbonden worden en drukken ze samen het denkbeeld uit, dat de Israëlieten zulke verminkte dieren evenmin in hun land voor het altaar mogen bestemmen, als zij ze uit de hand eens buitenlanders mogen aannemen of aankopen, om de offerspijze van hunnen god uit een van die alle (d. i. van al die soorten van verminkte dieren) toe te brengen."

The mere grammatical structure is favorable to this interpretation, but it gives a sense which is unrelated to the context. Why, if it is illegal to sacrifice blemished animals in the land, should it be at all doubtful whether such animals might be received from the hand of a foreigner? If such animals cannot be received from the hand of an Israelite, then it is self-evident that they cannot be purchased from aliens to be sacrificed. The notion that this was allowable would never enter the mind of an Israelite, and there is, therefore, no reason to suppose that the original legislator went out of his way to give such a far-fetched enactment (cf. Horst, p. 23; Wellhausen, *Proleg.*, p. 395). Accordingly, it is necessary to hold that the words **מכל אלה** are meant to refer to the various kinds of animals, beeves, sheep, or goats, which may legally be offered in sacrifice, and that the prohibition is to offer these from the hand of a foreigner; *i.e.* to receive them by gift or purchase from foreigners to be offered in sacrifice, and *a fortiori* to offer sacrifices for foreigners.

On the other hand, although it gives a sense consistent with the context to suppose that **מכל אלה** refers to the various sorts of animals, beeves, sheep, or goats, which may legally be offered, it is very difficult grammatically to suppose that this expression refers all the way back to v. 19 after so many other subjects have come in between.

In view of the fact that **מכל אלה** is incapable of an interpretation which will do justice both to the grammar and the sense, it is most natural to regard the expression as a gloss from the same hand which has appended the argument for obedience in the second half of the verse, particularly as it adds nothing to the scope of the law. A reason for the addition is not difficult to find. The original code read simply, "From the hand of a foreigner ye shall not offer the food of your God." This accords with the general standpoint of

the primitive legislation of H, which is addressed to the Israelite only and ignores foreigners. In the time of the hortatory editor, however, both **בן נכר** and **גרים** had a recognized place in the worship of the nation; consequently, he now and then appends a clause extending the legislation to them as well as to the Israelites (cf. Lev. 17<sup>a</sup> 12<sup>b</sup> 20<sup>c</sup>; see JBL. xvi. 52). When he came to this verse in his source, he found it impossible to believe that it prohibited absolutely sacrificing an animal which had come from the hand of a foreigner. Accordingly, he took it to mean that defective animals which came from foreigners should not be sacrificed, and inserted the words **מכל אלה**, regardless of the fact that this reduced v. 25 to a feeble repetition of an idea which was included in the legislation already given.

This concludes the legislation in regard to the **עלה**. With v. 27 begin the laws in regard to the **זבח**, which occupy the rest of the group. The priestly editor has indicated that a new section begins by the new superscription in v. 26. That burnt offerings are no longer contemplated is evident from v. 28, where the sacrifice of a female sheep is mentioned (cf. v. 19), and from the explicit statements of v. 29.

Verse 27 *a* shows no signs of the influence of Rp, and is ancient in its contents. The same command is given in regard to firstlings in the Book of the Covenant (Ex. 22<sup>20</sup>); and since in many respects H stands upon the same plane of legislation as the Book of the Covenant, this coincidence makes it probable that here we have an original law. Verse 27 *b*, however, is in the pure style of P (cf. **הלאה** Nu. 15<sup>23</sup> 17<sup>2</sup> 32<sup>19</sup>).

Verse 28 contains a provision against sacrificing a mother animal on the same day with her young. In spirit it is analogous to such provisions as we find in the Book of the Covenant (Ex. 23<sup>10</sup> 34<sup>26</sup>). Neither in conception nor in language has it any affinities with P (cf. **שחט** instead of **הקריב זבח**). After this specification, what animals may be offered as **זבחים** and when they may be offered, there follow, naturally, laws in regard to the eating of these **זבחים** by the offerer; but instead of this legislation being general, as we should expect after the two perfectly general laws which have just been given, we find only one of the less frequent and obscurer varieties of the **זבח** or **שלם** specified, namely, the **תודה** or thank-offering. This, obviously, cannot be original, and since the **תודה** is an offering peculiar to the Priestly Code and apparently not known even to Ezekiel, we must suppose that this restriction of the legislation to the praise-



offerings is the work of Rp. This opinion is confirmed by the fact that the combination זבח תודה is used by P in Lev. 7<sup>12, 13, 15</sup>, and the phrase זבחי שלמים ליהוה is suggestive of זבחי שלמים ליהוה, which is characteristic of P.

Again, the division of the שלמים into נדרים, נדבות, and תודות, which we find in v. 18 and in this verse, is peculiar to P (cf. Lev. 7<sup>11-21</sup>). Baentsch (p. 102 f.) attempts to show that the תודה in this passage is not regarded as a variety of שלם but as a distinct kind of sacrifice, and that H is here distinguished from P by recognizing only two forms of שלמים and treating the תודה independently. But, as we have seen, the נדר and נדבה are not original in this group of laws, and the fact that the תודה follows immediately upon the offerings of v. 27 f., which, manifestly, are שלמים, shows that it also is regarded as a variety of the שלם. There is really no difference between the standpoint of these passages and that of P, and there is, therefore, every reason to think that they come from the hand of Rp.

On the other hand, the way in which the law of v. 29 begins, כי תזבח זבח (cf. 17<sup>6, 7</sup> 19<sup>5</sup>) instead of הקריב זבח (cf. 3<sup>1</sup> 7<sup>11, 16, 29</sup> etc.), as well as the closing formula אני יהוה in v. 30, shows that legislation of H must underlie these verses, and that all that Rp has done is to limit their application to the single case of the תודה. Striking out the words תזבח זבח ליהוה לרצונכם תזבח as a priestly addition, we have the relics of the original legislation of H on this subject.

The restriction of the legislation to the תודה has necessitated cutting it down, but fortunately the original full form has been preserved in Lev. 19<sup>5-8</sup>. We have noted already (JBL. xvi. 52) that these verses are out of place in the midst of the moral and social enactments among which they now stand. They are, however, just in their right place at this point in the law of sacrifices, and the identity of their phraseology with that of 22<sup>29</sup> shows that both passages go back to a common original.

That original has been preserved in its purest form in 19<sup>5-8</sup>. In it there is no trace of the threefold division of the שלמים which we find in Lev. 7, but the legislation stands upon the same plane as 17<sup>6</sup>, which knows only two kinds of sacrifice עלה and זבח without distinction within these varieties. This is the position of the Book of the Covenant and of all the early history and legislation, and, as we saw above, it was probably the original form of the code in Lev. 22<sup>18-29</sup>. The only traces of the influence of Rp in Lev. 19<sup>5-8</sup> are the redundant phrases לא ירצה (v. 7), לרצונכם תזבח, שלמים ליהוה (v. 5), and מעשה ונכרתה הנפש ההיא (v. 8 b). All the rest of the passage

displays linguistic affinity with H (cf. the use of **זבח זבח** instead of **קריב קריב** or **הקריב זבח**, **זונו ישא**, **את קדש יהוה חלל**, **זונו ישא** v. 8). There can be no doubt, therefore, that this is a part of H, and if it does not belong where it now is, where else can it belong than with Lev. 22<sup>29</sup>?

This original legislation has been worked over by Rp in Lev. 7<sup>15-16</sup> also, in a manner which is characteristic and instructive. A good deal of the old phraseology is retained, e.g. **פנול**, which is never used in purely priestly passages, and which besides Lev. 19<sup>7</sup> is found only in Ez. 4<sup>4</sup> and Is. 65<sup>4</sup>. The change which Rp has here made in the law is characteristic. He has introduced the threefold division of the **שלמים**. He has substituted **יניח** for **נותר** (v. 15). He has changed **זבח** into **הקריב קרבן** (v. 16). He has introduced the words **מבשר** **לא ירצה המקריב** (v. 17), and **מבשר זבח שלמיו** (v. 18), and **אתו לא יחשב לו** (v. 18). The original legislation of Lev. 19<sup>5-8</sup> is all there, but by means of these amplifications it has taken on the form of the Priestly Code.

In the light of this redaction, we must estimate Lev. 22<sup>18-20</sup>, where the same process has gone on. There the Priestly editor has awkwardly brought in the **נדרים** and the **נדבות** in the section about burnt offerings, and then, in the section on peace-offerings, has reduced the legislation, which must originally have been identical with that which now stands in Lev. 19<sup>5-8</sup>, to its present application to the **תודה** only (cf. Klostermann, *ZLT.*, 1887, p. 410). How the primitive form of the law in Lev. 19<sup>5-8</sup> came into its present position and how it escaped being conformed to the priestly legislation on the subject of the **שלמים**, is impossible to determine. Perhaps it was interpolated from the original H at a time subsequent to the P recension. However that may be, this passage must be taken as furnishing the original draft of the legislation which has been condensed in Lev. 22<sup>29</sup>.

The legislation proper closes with the formula "I am Yahweh" (v. 30). The series of admonitions which follow are all couched in language which is characteristic of H over against P, but their miscellaneous and disconnected character, together with the heaping up of synonymous expressions, points to the hortatory editor who has written the exhortations of Lev. 17-19 and the whole of Lev. 20 (cf. 22<sup>31</sup> with 18<sup>5, 26, 30</sup> 19<sup>37</sup> 20<sup>8, 22</sup>; 22<sup>32a</sup> with 20<sup>3</sup>). The phraseology of 22<sup>32b</sup> stands alone in this legislation, although it occurs frequently in Ezekiel. It is similar, however, to such passages as Lev. 11<sup>44</sup> 20<sup>7</sup>. With 22<sup>33</sup> compare 11<sup>45</sup> 19<sup>36</sup>. Here there is the same mechanical

heaping up of formulae, along with slight deviation from H's language, which we have found to be characteristic of the homiletic redactor who preceded Rp. Gathering up, now, the results of our study of this passage, we may exhibit the analysis as follows.

GROUP XVI. LAWS IN REGARD TO THE SACRIFICES (Lev. 22<sup>17-33</sup>).

a. The Burnt Offering (vs. 17-25).

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

1. Any man of the house of Israel *and of the alien in Israel, who offereth his oblation, according to all their vows and according to all their freewill offerings, which they shall offer unto Yahweh as a burnt offering so that ye may be accepted a perfect male of the herd, of the lambs, and of the goats. Anything which has a blemish ye shall not offer, for it shall not be acceptable for you. And a man when he offereth a sacrifice of peace offerings unto Yahweh, to fulfil a vow or as a freewill offering, of the herd or of the flock, it shall be perfect to be accepted: there shall be no blemish in it.*
2. Blind or broken or cut [ye shall not offer unto Yahweh] or
3. Ulcerated or scrofulous (?), or scurvy (?), these ye shall not offer unto Yahweh, *and a fire-offering ye shall not make of them upon the altar unto Yahweh; and a steer or a sheep that hath anything superfluous or is defective thou shalt make of it a freewill offering, but for a vow it shall not be accepted, and*
4. An animal castrated by pressing or beating, or tearing, or cutting ye shall not offer unto Yahweh *and in your land ye shall not make (a burnt offering); and*
5. From the hand of a foreigner ye shall not offer the food of your God *of any of these, for their corruption is in them, a blemish is in them: they shall not be accepted for you.*

b. The Sacrifice (vs. 26-33)

*And Yahweh spake unto Moses saying,*

6. A steer, or a lamb, or a goat when it is brought forth shall be seven days beneath its dam; *and from the eighth day and upward it shall be accepted for an oblation of a fire-offering unto Yahweh: and*
7. A cow or a ewe ye shall not slay in the same day with its young; *and*

*Lev. 22<sup>29</sup>s.*

8. When ye sacrifice a sacrifice, a praise-offering unto Yahweh, ye shall sacrifice it so that ye may be accepted, on that day it shall be eaten, there shall none of it be left until the morrow.

9.

10.

*Lev. 19<sup>8-9</sup>.*

When ye sacrifice a sacrifice, peace-offerings unto Yahweh, ye shall sacrifice it so that ye may be accepted, on the day of your sacrificing it shall be eaten and on the morrow : and

That which is left until the third day shall be burnt in the fire : and

If one eat of it at all on the third day, it is refuse, it shall not be accepted, and he that eateth of it shall bear his iniquity, because he hath profaned the holy thing of Yahweh, and that soul shall be cut off from the midst of its people.

**I AM YAHWEH.**

*And ye shall observe my commandments and do them : I am Yahweh : and ye shall not profane my holy name, and I will be hallowed in the midst of the sons of Israel : I am Yahweh, who hallow you, who have brought you out of the land of Egypt to be a God unto you : I am Yahweh.*