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Leviticus and the Critics.

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I.

THE Book of Leviticus as it has come down to us consists of seven parts: The law of sacrificial offerings with the priests' portions (i.-vii.) ; the consecration of Aaron, his sons, and the Tabernacle (viii.) ; the inauguration of the Tabernacle service, and the sin and punishment of Nadah and Abihu (ix., x.) ; the law of the daily life (xi.-xv.) ; the ceremonies of the great Day of Atonement (xvi.) ; the law of holiness (xvii.-xxvi.) ; and an appendix concerning vows (xxvii.).

This book has been known among the Jews from time immemorial by its first word, אלהים, "And He [*i.e.*, Jehovah] called," which closely connects Leviticus with Exodus. But the Mosaic origin and Divine inspiration of the former are not testified to by its first verse merely, but by the occurrence fifty-six times of the words: "And Jehovah spake unto Moses." With modern Higher Critics, however, such evidence carries, of course, no weight. "This verse (i. 1)," says Dr. Kennedy in the Century Bible, "has been prefixed by an editor in order to connect the manual of sacrifice with the situation described in Ex. xl. 34 ff." (p. 38). But this is pure presumption. As is well known, present-day critical theories suppose the Levitical legislation to be the work of exilic or post-exilic scribes, the law being so elaborated as to be practically a new thing. To this, it is asserted, was given an "historical setting," or, in plain words, a fictitious Mosaic dress. The tabernacle and its services, the consecration of Aaron and his sons, the choice and setting apart of the Levites, had no more solid foundation than the imagination of priests and scribes (*cf.* Kuenen, "Religion of Israel," ii., 171, etc.). A cycle of feasts with new historical meanings is established, and an annual day of atonement

appointed as complete novelties. For the first time tithes are now heard of for the support of priests and Levites, and forty-eight cities are assigned to the latter. Ezra's law-book was practically identical with our Pentateuch, according to Wellhausen ("History of Israel," p. 497), but according to other critics it was the Priests' Code only which was then read to the people; and the opposing critics find that neither can answer the others' reasons for their theory. Now, as the laws and institutions were attributed to Moses, Ezra must have been able to induce the men of his generation to believe that the whole complex system had been given by Moses, and had been in operation since his day, and yet had never been heard of before by anyone living in Ezra's time. Indeed, there is a manifest contradiction in the critical theory: "For they were not," says Kuenen, "laws which had been long in existence, and which were now proclaimed afresh and accepted by the people after having been forgotten for a while. The priestly ordinances were made known and imposed upon the Jewish nation *now for the first time* . . . no written ritual legislation yet existed in Ezekiel's time," etc. ("Religion of Israel," ii. 231).

Dr. Driver says that critical conclusions such as those expressed in his "Introduction to the Literature of the Old Testament" "affect not the fact of revelation, but only its form. They do not touch either the authority or the inspiration of the Scriptures of the Old Testament" (p. viii). We may be allowed to think differently, and to do more than hesitate to ascribe inspiration and Divine authority to a compilation of exilic priests, who had not the courage to give to it their own names. It is argued that it was a well recognized custom to attribute all new legislation to Moses. But where is the evidence of this custom? Circumcision was not attributed to Moses; the Chronicler ascribed the extensive ordinances in 1 Chron. xxiii., not to Moses, but to David; Ezra and Nehemiah are not found attributing any modifications of theirs to Moses, nor does Ezekiel assign to him any of the prophets' laws. But even if

the attribution to Moses on the part of exilic or post-exilic priests were an instance of a well-known literary custom, the morality of such a course here forbids the idea. For here was a knowingly false attribution, with the object of thereby gaining a real and authoritative advantage. Most certainly such men as Jeremiah, Ezekiel, and Ezra were as incapable of confusing truth and falsehood, zeal for God's honour and deceit, as any man since. Inspiration can be no friend to falsehood, nor could a revelation from the God of truth be conveyed by means of fraud and a lie.

Again, a hypothetical set of exilian scribes elaborated details of tabernacle and ceremonial, framed new laws, and appointed unheard-of festivals for situations wholly imaginary, so perfectly that no real anachronism can be detected. But by what means did they get their carefully concocted scheme accepted? Would a people submit without a single objection to the sudden levying of a heavy system of tithe never heard of before? Would the elaborate ritual of a solemn day of atonement never before known have been accepted at once without question? Levites hear for the first time that their tribe was set apart for Jehovah's service even in the wilderness, and had cities assigned to them as their dwelling-places, yet they are not astonished. Further, as a matter of fact, a large portion of this law was already in operation at the time of the first return under Zerubbabel (B.C. 536). There was *then* an organization of worship, there were *then* priests and Levites. Whence were they derived if the Levitical law was a post-exilic priestly fabrication? Once more, although a so-called "historical setting" is conceivable as necessary to the plan of fraudulent priests endeavouring to foist upon the people a Mosaic system which was not Mosaic, yet why should the priests go so far as to frame so many laws which were entirely unsuitable to present requirements? This Code must have been drawn up during the exile in Babylon, to be put in practice after the return. Surely a simpler historical framework than the whole elaborate wilderness setting would have been sufficient. Is it conceivable that trouble should have

been taken to frame such a law as that of Lev. xviii. 4, enacting the penalty of excommunication for the slaying of an animal anywhere than at the door of the tent of meeting, when the sanctuary would be no longer a tent but a temple? By the Levitical Law (Num. xviii. 24-26) the tithes were to be paid to the Levites, who themselves were to pay tithes on what they received to the priests. This law is grounded on the assumption of a large body of Levites and a comparatively small number of priests. But the Book of Ezra shows that the reverse was the case after the return. Instead of ten Levites to one priest, there were twelve or thirteen priests to one Levite (Ezra ii. ; viii. 15 ff.). The arrangements of the Code, therefore, were useless in this respect. How comes it again that under Nehemiah we hear of tithes of produce of the field only (Neh. x. 3 ; xiii. 5), whereas, according to the theory, the priestly document mentions tithes of cattle (Lev. xxvii. 32)? Much use is made by the critics of the argument from silence, viz., with regard to absence of mention of the institutions of the Code—*e.g.*, the existence of the Levites as a class and the observance of the Day of Atonement. While this form of argument is proverbially unsafe, it may be added that there are references to the Levites in 1 Sam. vi. 15 and (when the text is fairly dealt with) 2 Sam. xv. 24, and Samuel himself seems to have served Eli in the capacity of a Levite. But the fact is there are few references to the Levites in the Priestly Code itself; a large part contains no reference at all to them. Only once in Leviticus itself are they named (xxv. 32, 33). And if we are to argue from silence, we must note that, not only pre-exilian but post-exilian literature is largely silent on these topics. There are but three references to Levites in the New Testament—Luke x. 32, John i. 19, Acts iv. 36. As to no pre-exilic notice of the Day of Atonement, this does not stand alone. The observance of the Sabbatic year, the year of Jubilee, and of many other institutions, is not recorded. The Day of Atonement is not mentioned by any of the post-exilic prophets, nor by Ezra or Nehemiah, nor in any of the Gospels

or the Acts. Yet the Epistle to the Hebrews shows how familiar were the rites of that solemn day.

To the salt which accompanied the sacrifice our Lord Himself alludes in one of His most solemn and difficult utterances (Mark ix. 39), the importance of which must surely be based on a Divine command. But Dr. Kennedy's view is that "for the school of P. . . . the salt of the sacrifice has become a symbol of the irrevocable character of Jahweh's covenant with Israel" (ii. 13, p. 43). But why not for Jahweh Himself, "Who is not a man that he should lie nor repent?" We said above that no real anachronism was discoverable in the Priestly Code. Commenting, however, on Lev. xviii. 25, where the Hebrew tenses are in the past—"visited," "vomited"—Dr. Kennedy quotes Dr. Driver with approval "an interesting anachronism of the compiler." But even if the tenses must be rendered in the past, Israel's contemplated standpoint being that of their establishment in Canaan explains all. Dr. Kennedy allows that chap. xix. 26-31 are "a series of prohibitions directed mainly against the adoption of Canaanitish practices" (p. 133). But what need for such a series if we have before us a priestly compilation of late date? Is this part of the "historical setting"? If so, it is a quite fraudulent one. On chap. xxv. 8-13, the law of the Jubilee year, Dr. Kennedy says: "The probability is . . . that we have here the ideal of a later legislator, in which the Sabbath principle is carried to its extreme limits. Even Jewish tradition admits that the provisions of this and allied sections were never carried out as here detailed." And why? Because of Israel's want of faith and hardness of heart. We are moved to exclaim: "Let the signs of authenticity and genuineness in the narrative be ever so strong, these will be made only the occasion of charges against it." Of what use for Moses to write history! Dr. Kennedy writes: "It is important to observe that the institutions we have cited"—those of the Sabbath, "the blood taboo" (*ibid.* ix. 4, *cf.* Lev. xvii. 10 ff.), "the rite of circumcision" (Gen. xviii. 10-14)—"are all introduced in a definite historical setting, for this is one of the most

useful texts for distinguishing the ritual law of P.J. from those of the legislative sections of the composite Priests' Code" (Introduction, p. 22).

That portion of Leviticus now commonly styled the Holiness Code (xvii.-xxvi.), part of the so-called Priestly Code, has many striking correspondences with the prophecy of Ezekiel, and it has been contended—*e.g.*, by Graf, Kayser, and Colenso—that the prophet himself wrote this section of Leviticus, and subsequently, by other critics, that someone acquainted with Ezekiel, and working in his spirit, wrote it. So strong are the resemblances of phrase and thought, particularly in the case of Lev. xxvi., that no one doubts that one of the writings depends on the other, but the question is which. Dr. Driver gives a list of many such identical expressions in his Introduction (pp. 146, 147, seventh edition). But, "notwithstanding the omnipotence which resides in the ink of a German scholar," it has not been found possible to maintain the positions confidently assumed by the critics. There are differences in the two Books both in vocabulary and representation as well as resemblance. "That the Law of Holiness is formed after the model of Ezekiel's speech," says Delitzsch, "is to unprejudiced literary criticism a sheer impossibility" (Luthardt's *Zeitschrift*, 1880, p. 619). Dr. Driver himself says of Ezekiel: "In each instance he expresses himself in terms agreeing with the law of holiness in such a manner as only to be reasonably explained by the supposition that it formed a body of precepts with which he was familiar, and which he regarded as an authoritative basis of moral and religious life" (*ibid.*, p. 146). Why need we look further than the simple explanation that the prophet was well acquainted with the Law, and made much use of it? This suits well with the character of his writings, which, unlike the prophecies of Isaiah and Jeremiah and more of the other prophets, betray no trace of spontaneity, but many of study, reflection, meditation, and methodical arrangement. But if this be the case, then it is demonstrated that there was at least one code of priestly law, and an important code, prior to the exile.

If there was one, why should it not have been of greater extent than that portion which Ezekiel studied, and why should not many institutions, whose existence in pre-exilic times is disputed, have existed nevertheless? Professor James Orr has well said: "This Code is in a very real sense the quintessence of Levitical law. We find in it, to adduce only main instances, the Aaronic priesthood, the high priest, sin and trespass offerings, the Day of Atonement, the three historical feasts, the Sabbatic year, the year of Jubilee, the Levitical cities, etc. We shall think twice and require strong evidence before surrendering all this at the bidding of critical theory to post-exilian hands" ("The Problem of the Old Testament," p. 311). Dr. A. B. Davidson, in his Introduction to Ezekiel in the Cambridge Bible, says: "It is evident that the ritual in his book had long been a matter of consuetudinary law. . . . The people's dues to the priests are also so customary that no rules are needful to regulate them (xliv. 30). Ezekiel is no more a 'legislator' than he is the founder of the temple" (pp. liii, liv).

One of the most recent books connected with the Levitical law is "Israel's Laws and Legal Precedents," by Charles Foster Kent, Ph.D., Woolsey Professor of Biblical Literature in Yale University. In an elaborate diagram in black and red at the commencement of his book Dr. Kent professes to trace the gradual growth, and approximately fixes the dates, of the Old Testament laws and legal precedents. Moses is responsible for oral teachings only, though our Lord explicitly declared "he wrote of Me" (John v. 46). The Decalogue of the Two Tables was never written either by God or Moses on tables of stone, for it was not committed to writing until the time of Solomon. The law did not exist as a whole and was not adopted by the Judæan community till, at the earliest, the fifth century B.C., and the most important sources of that law are the Primitive Codes of the time of Amos (750-740 B.C.) and the Deuteronomic Code (Book of Deuteronomy), the Holiness Code (Lev. xvii.-xxvi.), and Ezekiel's Code (Ezek. xl.-xlviii.), which are placed between 597 and 560. The diagram is all so beautifully arranged and

precisely drawn that one feels as though Dr. Kent must have been present in spirit during all those centuries in which, according to him and some other critics, the so-called Law of Moses was growing up. The "critical" dislike to the idea of direct revelation from God to Moses, or indeed anyone previous to the prophetic period, comes out very plainly in Dr. Kent's book. Thus he says: "The declaration that Jehovah talked face to face with Moses, or wrote with His finger on tables of stone, reflects the primitive anthropomorphic conceptions of God which are so prominent in the story of the Garden of Eden and the earliest patriarchal narratives. But this is only the early graphic manner of stating the eternal fact that God communicated His truth directly to His prophets and people, and inscribed a knowledge of His law, not with His finger on perishable stone, but by means of individual and national experiences upon the imperishable consciousness of the Israelitish race" (p. 9). But if God communicated His truth "directly"—*i.e.*, we suppose by personal internal inspiration—why may it not be said that God "talked face to face" with Moses? No one is so foolish as to believe that such language means that the invisible God has fingers or a face—unless, indeed, there were here a theophany of the Messenger of the Covenant. What, again, on Dr. Kent's supposition, becomes of the narrative of Moses breaking the first pair of stone tablets, and subsequently bringing Israel a second pair? Again, Dr. Kent says: "There is no reason for doubting that through Israel's first great prophet there was transmitted a primitive decalogue—and possibly several—which defined in ten brief sentences the nation's obligation to its God. It is probable that these ten words were not originally inscribed on two tablets of stone by the finger of Jehovah, but upon the memory of each individual Israelite by association with the fingers of his two hands" (p. 29). Thus the various torahs which are asserted to be at the base of the Mosaic legislation were framed apparently, on Dr. Kent's theory, upon the Code of Hammurabi (dated 2250 B.C.), which "for more than 1,500 years continued to be the fundamental

law of the Babylonian and Assyrian Empires" . . . and "was in force through a large part of South-Western Asia for over a thousand years before the advent of the Hebrews, and bears a striking analogy in theme and content and form to many Old Testament laws" (p. 6). But why should not God, through Moses, have made use of some existing laws which His Spirit had put into the hearts of some outside His chosen people? Indeed, Dr. Kent has presently to confess, somewhat inconsistently: "Striking as are the external analogies with the laws of other ancient peoples, especially in ceremonial regulations, the majority of the Old Testament laws are informed by a spirit and purpose which have no ancient parallel" (p. 7). In support of the post-exilic authorship of the so-called Priestly Codes, the Yale Professor of Biblical Literature asserts: "Their vocabulary and conception of the ritual, as compared with those of the pre-exilic law-givers, have undergone a fundamental transformation. Thus, for example, the earlier word for sacrificial gift (*minhah*), a word that signified both vegetable and animal offerings, is used fully ninety times, but always with the restricted meaning of *cereal offering*" (p. 43). In reply, it may be pointed out, first, that the original alleged basis for the post-exilic date of the Code was not linguistic, but historical; the grounds of vocabulary, etc., came afterwards. The highly unsatisfactory nature of these is shown by so many critical writers, such as Dillman, Kittel, Baudissen, etc., rejecting them. Comparison between the language of Leviticus and other legal sections is impossible, no data existing to enable theories to be built on certain expressions as pre-exilic or post-exilic. With regard to the word *minhah* (מִנְחָה), for instance, it is used in its broader sense in Ps. xl. 6, xcvi. 8, which the critics tell us are post-exilic; while, on the other hand, in the historical books its occurrence in any sense but the technical one, which was evidently familiar in pre-exilic times, is rare.

In the light of the knowledge that writing was practised millenniums before Abraham's time, it can no longer be contended that the Mosaic law could not have been written in Moses'

day. Therefore the critics again change their front. Dr. Kent says: "During the nomadic period there was no need for written laws" (p. 13). This is a purely gratuitous assumption, and there are many positive testimonies to the contrary in the Biblical narrative. Are these to go for nothing? And if so, why? For "it is not to be thought of," as Professor James Orr has said, "that while every scrap of testimony from profane sources is welcomed and made the most of, the Scriptures alone are to be treated like criminal suspects, whose every word is to be doubted unless hostile cross-examination fails to shake it, or independent confirmation of it can be produced" ("Problem of the Old Testament," p. 80). Moses, then, we are told in the Pentateuch itself, "wrote all the words of Jehovah. . . . And he took the Book of the Covenant and read in the audience of the people" (Exod. xxiv. 4, 7). He was bidden to write in a (the) book God's decree against Amalek (Exod. xvii. 4); wrote Israel's "goings out" from Egypt according to their journeyings (Num. xxxiii. 2); wrote "the words of this law" at Moab "in a book until they were finished" (Deut. xxxi. 9, 24, 26); wrote his "Song" and "taught it to the children of Israel" (Deut. xxxvi. 8); and "all the words of this law" were to be written on stones at Mount Ebal (Deut. xxvii. 8). If Moses wrote so much, we cannot say how much more he and his contemporaries and immediate successors may have written. But the Yale Professor is considerate. For "the later editors," he says, "of the Jewish law not to have acknowledged the supreme debt to Moses would have been unwarranted. It is but fair to say that they represent what the great prophet would have taught had he been confronted by the later needs and stood in the light of later revelation" (p. 32).

(To be continued.)

