

## CHAPTER ELEVEN LEVITICAL AND PRIESTLY REVENUES

Closely related to the question just discussed, is that concerning Levitical and priestly revenues. The measure of priestly authority and independence must necessarily have determined the priestly income. According to Graf and Wellhausen, the following modification in the latter respect is traceable in the Codes and in the corresponding history: —

A. The priest's part of the sacrifices.

In Deuteronomy: The shoulder, the two cheeks, the maw. From the analogy of the Levites, it may be supposed that priests shared in the sacrificial meals. Originally this was the only thing which the priests could lay claim to.

In the Priest Code: Sacrificial meals become subordinate. *Minchah* (meat-offering) and *chattath* (sin-offering) and *asham* (trespass-offering) (at least in some cases) fell, as a whole, to the priest. Of *olah* (burnt-offering), the skin was for him. Of the *shelamim* (peace-offerings), the breast and the right shoulder. Wellhausen finds an approach towards *chattath* and *asham* in the fines of money mentioned in 2 Kings 12:16, "the trespass-money and sin-money."

We remark on this,—

1. The difference between the Priest Code and Deuteronomy as to sacrificial meals is entirely due to the critics imposing on the latter their self-made theory, that all sacrifices were originally nothing but sacrificial meals. There is no warrant for this in the legislation, neither do the historical books favor the view.

2. All that needs reconciliation is the apparently contradictory statement, that, according to Deuteronomy, the priests obtained the shoulder, two cheeks, and maw; according to the Priest Code of *shelamim*, the breast and the right shoulder. Here every thing will depend on our interpretation of the passage Deut. 18:3. Two opinions can be and have been actually maintained concerning it: it has been taken either as a modification of the Levitical law, or as a supplementary new legislation. The context favors the latter, which is also the traditional interpretation followed by Josephus and the Mishna and the later practice. We then understand the passage to mean, that, of all animals slaughtered for food, these three parts fell to the priest. An additional reason why we should understand the verse of private slaughtering is found in ver. 1, where the income of the priests is said to consist in "the offerings of the Lord made by fire." The word **אֵשׁ** (*fire-offering*) occurs only here in Deuteronomy, and evidently refers back to the Priest Code, where it is of extensive currency. This would involve that Deuteronomy refers to the Levitical law for a more definite statement of the priest's share, and ver. 3 becomes of necessity a new, supplementary regulation.

B. The tithes.

According to the early *praxis* (Gen. 28:22; Amos 4:4, *seqq.*) and Deuteronomy (14:22-29), the tithes are not delivered to the priests, but are carried to the sanctuary for the purpose of being eaten in

sacrificial meals. Only corn, wine, and oil are tithed (ver. 23). Every third year the tithe was to be distributed among those who possessed no landed property. Wellhausen sees in the last appointment an innovation of the Deuteronomist, made in view of the destruction of the local sanctuaries.

In the Priest Code, the *clerus* lays claim to the whole tithe. At first the Deuteronomic regulations were disregarded. Afterwards a second tithe was added in conformity with the older and original *praxis*.

Another point of discrepancy is that the Priest Code extends the tithe system to cattle (Lev. 27:32), and in general to all products of husbandry. Wellhausen denies that this law was ever enforced.

1. The historical instances referred to by Wellhausen – viz., that of Jacob and the prophecy of Amos – do not prove any thing: unless we assume the narrative in Genesis to be proleptic and unhistorical, what Jacob did will not decide what was law centuries thereafter. And Amos, in the passage referred to, does not say what was done with the tithes brought to Bethel and Gilgal. Even if we admit that a joyful meal is referred to, all may be explained by finding the so-called second tithes of Deuteronomy mentioned here. See, however, under 2.

2. The tithes in Deuteronomy do not exclude these in Leviticus, or the reverse. There is nothing inconsistent or unnatural in the assumption of two tithes, the one for the priests, the other for the offerer himself. As Wellhausen himself reminds us, Jewish tradition harmonizes the passages in this way. Or if we prefer another explanation, which indeed seems to be favored by the analogy of the first-born, it may be suggested, that the priests restored to the offerer enough of his tribute to enable him to prepare his meal. From Deuteronomy we get the impression that the cases of tithes and firstlings were of similar character. Now, it is difficult to conceive of “second first-born,” so that the latter view seems to deserve the preference.

3. The very conception of *tithes*—i.e., of a definite and specified proportion of the produce – seems to involve the idea of a tribute paid to somebody. If they were destined for sacrificial meals exclusively, and had no further destination than the offerer’s enjoyment, we would not expect a specification of the amount to be consumed. This consideration favors the view proposed under 2 B.

#### C. The firstlings.

Here the same principle is assumed, that all the original gifts to the Deity were destined for religious meals. When Exod. 22:30, where the first-born are commanded to be given to Jehovah, seems to contradict this assumption, Wellhausen appeals to Deuteronomy in proof that “to give to Jehovah” need not mean “to pay to the priests,” but simply “to eat before Jehovah.” It is significant, however, that Deuteronomy never uses the phrase “to give to Jehovah” with reference to the tithes to be eaten at the sanctuary. We are not therefore warranted to understand the passages Exod. 22:30 and Deut. 15:19 as implying nothing more than that a sacrificial meal should be eaten. That this is called “a giving to Jehovah” makes it necessary to suppose that a part, at least, fell to the priest. What is intimated in Exodus is stated in Deuteronomy; for the eating which is required in 15:20, and the sacrificing which is forbidden in ver. 21, are not synonymous, but stand in juxtaposition, so that a twofold use of the firstlings is also implied here. Thus understood, both the Covenant-law

and Deuteronomy will bear out the fact, that the priest received the firstlings, but restored so much of them to the offerer as to enable him to prepare a meal. And this agrees fully with what the Priest Code teaches, Num. 18:15.

#### D. The Levitical cities.

Num. 35 assigns forty-eight cities to the Levites, of which thirteen fell to the priests. That the right of full possession is intended, admits of no doubt. Compare the execution of the command, Josh. 21. In addition to each city, a square of two thousand cubits was set apart, to serve for suburbs or commons.

1. The principal objection raised by critics against these appointments regards the practical impossibility of carrying them out. So first Gramberg, and afterwards Graf and Wellhausen. The latter says, "The directions to set apart a common of two thousand cubits square around the cities (in which the latter are considered as mere points), to serve as pasture-ground for the Levites, could perhaps be executed in a South-Russian steppe, or in the case of newly built cities in the West of North America, but by no means in mountainous Palestine, where such a geometrical space is nowhere to be found," etc.

2. Historical traces of the existence of these Levitical cities do not appear outside of the Book of Joshua. A considerable number of them was still in the possession of the Canaanites during the period of Judges and the early kings; e.g., Gibeon, Gezer, Taanach, Shechem.

3. In the Deuteronomic time the Levites lived scattered over all Judah: each place had its own, nowhere did they live together in a compact mass.

4. Even after the exile the situation of the Levites was not materially changed. The execution of this command was deferred until Messianic days: indeed, it did not lie within the compass of human power, and cannot have been demanded in full earnest by the Priest Code itself.

5. The first historical germs of the whole conception must be sought in the cities of asylum of Deuteronomy. All altars were originally *asyla*. But whilst the former were destroyed by Josiah's reform, of course the need of the latter remained, and was provided for by the appointment of these cities of refuge. The truth is, that all of them were priestly or Levitical cities, moreover famous seats of the old cultus. Hence the suggestion, that the law of the Priest Code arose from nothing but the reminiscences of the pre-exilic plurality of places of worship. The idea of altar and priesthood was associated with many a city, and found natural expression in declaring the forty-eight places to have been the peculiar inheritance of the *clerus* ever since the Mosaic times.

Let us briefly see what these serious charges amount to. The impracticability of the command might be considerably less than Wellhausen imagines. His objection, that the arithmetical precision with which every thing is described proves an ideal character, falls immediately away as soon as we consider the numbers given as indicating the average allowance to be made for pasture-ground, nothing more than a general limit, a minimum which might be modified according to the circumstances or the geographical condition of the country. That the cities are considered as a point is true, if we take

the point, not in its geometrical sense, but as having the size of each individual city. If Wellhausen means that the square of two thousand cubits included the city, there is nothing in the text to justify this view. The comparison with newly built cities is not entirely out of place; since in the conquest of Canaan many a city must have been destroyed, and a clean sweep made. That Levitical cities remained in possession of the Canaanites is nothing remarkable, and may at the same time account for the statement of Deuteronomy and later historical facts, which presuppose a partial scattering of the Levites all over the country. Wellhausen's remark, that no traces of the existence of Levitical cities appear in subsequent time, is most positively untrue. The fact is, that some very striking coincidences make the existence of this law highly probable. We refer to what happened in Beth-shemesh; to the fact that Jeremiah, of priestly descent, was born in Anathoth; that Abiathar, when dismissed by Solomon, was told to go to Anathoth; that Nob was a residence of priests. To see in the mention of all these cities in Joshua, not the origin of their priestly character, but simply the reminiscence of it, is possible indeed; but the critics should never forget that such statements are mere applications, not proofs, of their theory. That, according to Deuteronomy, the Levites lived scattered all over the country, may be attributed to various causes. If we could grant that the critical opinion of the late origin of the book was true, the natural explanation would be, that at the schism under Jeroboam I the Levites of the Northern kingdom emigrated to Judah. This shows, however, from their own premises, that the critics have no right to conclude the non-existence of the law. But it will suffice to assume only so much prophetic foresight in Moses as enabled him to see that the Levites might not immediately or perpetually enjoy the full possession of their patrimony. For a believer in prophecy, it is not impossible to suppose that Moses, under the inspiration of God's spirit, penetrated the future, even so far as to take in the time of Jeroboam and Josiah. Deuteronomy seems to allude to the Levitical cities in chap. 18:8b: "beside that which cometh of the sale of his patrimony" (compare Keil *in loco*, from whom Schultz differs). If it must be admitted that these laws did not go into operation after the exile, what can hinder us from putting them back into the Mosaic time, and assuming that they were never fully lived up to for the same reasons that prevented their execution after the exile? As to ineffectiveness, the case stands alike; and as to historical inducements to frame such regulations, the Mosaic period certainly offered more of them than the time of Ezra. The latter must have *known* that the law was impracticable: the Israelites in the desert need not. The analogy with the cities of refuge in Deuteronomy and the division of the land in Ezekiel is so far-fetched, and there are so many discrepancies between the latter and the Priest Code, that it is impossible to assume any other real connection, than that the prophet in a free manner reproduced what was known to him from the Priest Code. That such an institution as the cities of refuge could not have taken its rise in the reign of Josiah, but must at the very least be anterior to the establishment of the kingdom, is strongly argued by Dr. A. P. Bissell, in "The Law of Asylum in Israel," Leipzig, 1884.