

## CHAPTER TWELVE FEASTS

The last and most important point in regard to which the critics have attempted to point out a modification in the *praxis*, followed by a corresponding development in the laws, is that of the feasts. In the Jehovistic-Deuteronomic part of the Pentateuch, a cycle of three feasts is known (Exod. 23, 34; Deut. 16); and all these are designated by the name  $\text{זמן}$  (*pilgrimage festival*): Mazzoth, *unleavened bread*; Kazir, *harvest* (Shabuoth, *weeks*); and Asiph, *ingathering* (Succoth, *tabernacles*). Whilst, with respect to the two last-mentioned, there is perfect agreement between the Jehovist and Deuteronomy, a difference appears with reference to the first. Exod. 34 connects the offering of firstlings with Mazzoth: Deuteronomy uses the name Pesach (*passover*) for the first time. The inference is, that Pesach and Mazzoth are distinct and originally independent from each other, the latter by far the elder of the two, constituting a triad with Kazir and Asiph. All three are essentially agrarian feasts. Mazzoth indicates the beginning of harvest; and accordingly a sheaf is offered to Jahveh, as the first produce of the ground in its most simple form. This is also alleged to be the original meaning of Mazzoth; viz., that of hastily prepared, inartificial bread, symbolizing the new, fresh harvest, which men do not take time carefully to leaven, to knead, and to bake (Wellhausen). Kazir closes the grain-harvest, to which the loaves of wheat bread correspond. Finally, Asiph celebrates the autumnal ingathering of oil and wine; and here the agrarian character has been preserved by dwelling in booths of branches, as is indicated by the name Succoth.

A second point, in which Deuteronomy shows an advance upon the Covenant-law, is the more definite specification of the time at which the feasts are to be held. Exod. 23 and 34 prescribe in vague and general terms, Mazzoth in the month Abib, Kazir when the wheat is cut, Asiph when the ingathering of fruits is ended. The centralization of the cultus made a more fixed date necessary, as is found in the expressions, "The first day at even," 16:4; "At even, at the going down of the sun," ver. 6; "Thou shalt turn in the morning, and go unto thy tents," ver. 7; "Seven weeks shalt thou number," ver. 9; "The feast of tabernacles seven days," ver. 13.

Thirdly, the quantity of the gifts to be brought to the feasts was at first left to the choice of the individual, afterwards settled more definitely. Exodus does not require any precise amount of the firstlings or of the produce of the field: Deuteronomy requires the tithe. In case of the first-born, of course, no determination was needed.

Fourthly, in accordance with its centralizing tendency, Deuteronomy commands that all feasts shall be kept at the sanctuary of Jehovah. On the whole, the primitive cycle of feasts is said to have a purely agricultural basis: it is only in Deuteronomy that the first modest traces may be seen of that substituting history for nature, of which the later legislation is so fruitful.

The peculiarities and innovations of the Priest Code are by Wellhausen stated under the following heads: —

1. The sacrificial meals of the feasts have given place to minutely prescribed burnt- and sin-offerings (Num. 28).

2. The *aparchae* (*firstfruits* and *firstlings*) are separated from the feasts: they appear no longer as offerings, but have been transformed into priestly revenues.

3. The date of the harvest-feasts is now definitely settled, — Mazzoth on the fifteenth of the first month, Succoth on the fifteenth of the seventh month, Shabuoth seven weeks after Mazzoth. This shows that they have ceased to be purely agrarian feasts, which, as such, could never have been bound to a fixed date, but were dependent on the ripeness of the harvest.

4. The historical interpretation of the feasts is carried to the extreme. Succoth becomes a memorial of the dwelling in tents in the desert. Passover is not merely made a sacrament, but a sort of mass: it was celebrated, according to the Priest Code, in the night of the exodus, and effected the salvation of Israel. In the same manner, the keeping of Mazzoth is already commanded before the exodus. Only on Shabuoth no historical interpretation is imposed.

5. The Priest Code requires that all feasts from beginning to end shall be kept at Jerusalem, and in this respect advances upon Deuteronomy. For by requiring a Mikra Kodesh (holy convocation) on the seventh day of Mazzoth, visitors who did not live in the immediate neighborhood of Jerusalem were under the necessity of remaining there through the whole feast-week. To Succoth the Priest Code adds an eighth day. In Ezekiel, both Mazzoth and Succoth are still limited to seven days each (chap. 45).

6. The Priest Code has added two new feasts to the original cycle of three; viz., the feast of Teruah (trumpets), on the first of the seventh month, and the Yom Kippurim (Day of Atonement), on the tenth of the same month. During the exile the ecclesiastical new year began on the tenth of the seventh month. The Day of Atonement was not observed before the year 444 B.C., or even later, and had its origin in the commemoration of the days of Jerusalem's destruction during the exile by fasting. Ezekiel mentions two days of reconciliation, the one falling on the new moon of the seventh month (45:20, according to the Septuagint). Afterwards the Priest Code reversed the order of the new year and Kippurim by putting the latter on the tenth, and the former on the first, day of the seventh month.

7. The law of the Sabbath-year is modified by the Priest Code in two particulars (a) What was a relative year in Exod. 23:10, 11, is now absolutely fixed; all fields have to rest in the same year. (b) Not only reaping, but also sowing, is to be suspended. The Year of Jubilee is entirely an invention of the Priest Code.

The first attempt to establish the theory just stated, occupies itself with pointing out the naturalistic origin of the triad of main feasts. Wellhausen takes great pains to claim for all of them a purely agricultural basis. The *πρωτον ψευδος* of his reasoning consists in the assumption that this naturalistic basis would exclude an additional historical sanction or confirmation. We grant that its relation to the harvest was probably the only significance of Pentecost, and admit that such a relation exists with regard to Mazzoth and Succoth, but do not bind ourselves by this concession to the naturalistic denial of all other accessory historical associations.

More than this. We maintain that the imposition of this theory, on what the critics claim to be

the earliest legislation and the earliest history, cannot be accomplished without the most arbitrary methods of reconstructing history and of misinterpreting Scripture. This admits of demonstration in detail. We hope to show that the historical origin of the feasts, in addition to their natural basis, is not only possible, but absolutely required by all accessible evidence. What falls outside of this, is, of course, pure hypothesis.

Let us examine the primitive laws. For Pentecost, a historical basis is nowhere claimed. For Succoth, only in the Priest Code (Lev. 23:43). For Mazzoth and Pesach (Passover), however, in *all* the laws *without a single exception*: both are *always* brought in connection with the exodus (Exod. 23, 34; Deut. 16). This fact is a serious obstacle in the way of Wellhausen's naturalizing presentations. It is wonderful how innocently he tries to remove it, as if a mere incidental feature, and not a vital principle, were at stake. He remarks that the cycle presupposes the original similarity of all its members. Hence, if Kazir and Asiph are harvest-feasts, Mazzoth cannot have been a historical one. This critical "cannot" is weighty enough in Wellhausen's view to set aside the explicit testimony of both the Covenant-law and Deuteronomy. A semblance, indeed, of proof is adduced: "The feast proper is not called Hag-ha-Pesach, but Hag-ha-Mazzoth: only the latter stands co-ordinate with both the other harvest-feasts. . . . For a companion with Kazir and Asiph, only Mazzoth can come under consideration."

It is difficult to see what is gained by this violent separation of Mazzoth from Pesach. But let us suppose for a moment that the two could be severed. Would this alter the case with regard to Mazzoth? Not in the least; for in the Covenant-law the exodus is twice mentioned as the historical ground of *Mazzoth*, and *not of Pesach*. Wellhausen's language conveys the erroneous impression that the primitive laws brought only Pesach in connection with the exodus. The opposite is true: the passages in Exod. 23 and 34 do not so much as mention Pesach; and in Deuteronomy, though Pesach is made more prominent than Mazzoth, still the great fact of deliverance from Egypt is almost exclusively combined with the latter.

Let us now consider in how far the severance of Pesach and Mazzoth can be justified. In Exod. 23:15 no allusion to the Passover appears. But in ver. 18 it is said, "Thou shalt not offer the blood of my sacrifice with leavened bread; neither shall the fat of my sacrifice remain until the morning." We do not know how Wellhausen understands this verse, but to us every other explanation but that which refers it to the Passover-lamb seems unnatural: ver. 18 is evidently an appendix to ver. 15 (Mazzoth), ver. 19a to ver. 16 (Kazir), ver. 19b to ver. 16b (Asiph). So Hengstenberg, Bertheau, Knobel, Bachmann, Keil. The passage 34:25 is parallel. Moreover, in Exod. 34:19, 20, the command to give the male first-born of men and animals to Jehovah is immediately subjoined to the Mazzoth-law. The offering of the first-born belongs to Pesach, so that also in this passage the two appear inseparably connected. Deuteronomy makes Mazzoth already subordinate to Pesach. So they must have co-existed already for a considerable time, and not only this, but have been intimately connected.

We take it to be established beyond doubt, that, according to the Covenant-law and Deuteronomy, the institution of Mazzoth rested on a divine act of deliverance that, though in part an agricultural feast, it had at the same time a national and historic character. If, however, Pesach is so closely allied to Mazzoth, that the two always appear together, it would seem fair to infer the historical basis of the latter from that of the former.

On the other hand, the question of Pesach is one of the most intricate and difficult problems which the newer criticism will have to solve. The numerous hypotheses proposed in explanation of this mystery may help us to form an estimate of the hopelessness of the task. We cannot enter into a discussion of all these, for the simple reason, that none of them rests on either exegetical or historical warrant, or even claims to rest on such; they are hypotheses in the true sense of the word, products of the critical imagination: and we shall confine ourselves to scriptural facts.

The name even is not clear. No satisfactory etymology, besides the scriptural one, has as yet been given. Wellhausen says, "Essentially Pesach is the feast of the offering of the first-born." The natural inference would seem to be, that this definition confirms our view of the historical origin of the feast. For the right of Jehovah to Israel's first-born is, so far as we know, everywhere founded on his sparing them when he slew the first-born of the Egyptians. This is not only the case in the Priest Code, but also in the Jehovist (Exod. 13:11, *seqq.*). Wellhausen is candid enough to admit this. How, then, does he avoid the inference fatal to his theory? His first recourse is to the dissecting-knife of analytical criticism. He declares that (also on other grounds) the whole section (13:1-16) does not belong to the sources of the Jehovist, but was added by a Deuteronomic redactor. We cannot follow him into this labyrinth of divisive operations. But let us suppose that the passage be Deuteronomic. It is in any case, together with Deut. 16, according to Wellhausen's own view, the first explicit statement concerning Pesach. As such, it has the right to be heard as the oldest historical testimony accessible. That the critics refuse to recognize the historic credibility of Deuteronomy, we cannot help. Still, a reason must be given why the Deuteronomist, seeking an historical ground for the origin of Pesach, hit exactly upon this point, Israel's exodus from Egypt.

Wellhausen helps himself by the following hypothesis: The exodus occurred, according to early tradition, about the time of the ancient spring-festival. Exod. 5:1, Moses and Aaron ask from Pharaoh, "Let my people go, that they may hold a feast unto me in the wilderness." This is made to prove that the feast existed before the historical occasion assigned to it in the law. Also chap. 12 ver. 21 is quoted, where Moses addresses the elders of Israel with the words, "Kill *the* Passover." The feast was the occasion of the exodus. Afterwards the order was reversed; and after the feast had thus been supplied with an historical basis, its main and original feature, the offering of the first-born, required an explanation also. This was found in the narrative of God's slaying the first-born of Egypt. And he adds, "Unless we assume the existence of the custom to offer the firstborn, the narrative becomes unexplainable and no reason is given why the pestilence made such a strange selection."

That this is unscrupulously distorting facts to suit a theory, the critic seems not to feel. Not a particle of evidence, either in law or in history, can be claimed to favor this hypothesis. That it is the only thing "which suits the nature of the case," is true, if the transactions were purely natural. This is exactly what we deny, the very point at issue: to assume it, is openly begging the question. To those who believe in the supernatural element in history, it may be somewhat easier than for Wellhausen to explain why the pestilence made such a strange selection among the Egyptians.

The two passages quoted from Exodus decide nothing. Exod. 5:1 only proves that the Israelites desired to keep a feast. That it was an annually recurring feast, is not stated, and rather doubtful. But if we grant that a spring-festival was observed, this cannot warrant Wellhausen in discarding all additional historical explanation. That Moses said to the elders, "Kill *the* Passover," is due to the

writer unconsciously putting a term familiar to himself into the mouth of the speaker. Of course, the narrative does not pretend to give the *ipsissima verba* of Moses' communication to the elders.

After all, the former of these passages would make strongly against Wellhausen's theory of Mazzoth being an agricultural feast. The Israelites desired to hold a festival in the desert. And a rural festival in the wilderness is a downright absurdity. How impossible it is to put Mazzoth on a par with Kazir and Asiph, is seen from two other features: (a) Mazzoth occupied seven days, Kazir only one: had both been rural festivals, the one to celebrate the beginning, the other the completion, of harvest, we would expect the latter to have lasted the longer. (b) Wellhausen's explanation touching the origin of eating unleavened bread, leaves out of view that *all leaven bread had to be removed out of the houses*. How this feature will ever be explained on naturalistic principles, it is not easy to determine.

Another consideration would be enough to disprove the naturalistic element, which all newer hypotheses with regard to Pesach have in common; viz., that it was simply a sacrificial feast, on which the first-born, either in reality or by substitution, were offered to God. We refer to the fact, that, in connection with it, the male first-born of *men* are claimed for Jehovah. If the offering of the firstborn was the occasion of a spring-feast, and this the origin of Pesach, we must logically infer that at this spring-festival also human sacrifices were brought. The two commands stand on a par, and logic is severe. It is impossible to see how the idea of offering human first-born could ever arise in connection with Pesach, at so early a time that the Jehovist already combines the two, unless they were actually combined. We must, then, assume that this primitive prehistoric rural feast witnessed the terrible scenes of manslaughter in honor of the Deity. In spite of all his naturalism, Wellhausen is not inclined to follow others, who actually hold that human sacrifices were more or less common among the Israelites. He is candid enough to admit, that only a few examples of such a horrible practice are found, and that it appears as throughout voluntary and exceptional. Not until shortly before the exile did the burning of children become more customary.

It must be necessary to account for the combination in some other way. We look for this in vain. All that Wellhausen gives us is contained in this sentence: "When the human first-born are also claimed, this is nothing but a later generalization. It will not escape the thoughtful reader, that *this* is nothing but a groundless assertion. And, at any rate, the generalization needs an explanation just as much as the practice.

Under these circumstances, where all the evidence is on our side, and on the other hand the critics are obliged to support one assumption by another, we must protest against all naturalistic explanations of Pesach which make any higher pretensions than that of being logically possible. The old historical view, given by the Bible in Exod 12, accounts fully for all the facts, gives a plausible etymology of the name, is not half so one-sided as that of the critics, since it does not exclude the connection between Passover and the incipient harvest.

That neither the Covenant-law nor Deuteronomy alludes to the historical associations of Succoth, cannot be made to speak for a later origin of this historical idea. Even in the Priest Code these historical associations are not made prominent. The whole tenor of the law, Lev. 23:39-43, shows that the main end of the feast was to celebrate the autumnal ingathering of fruit. The customary dwelling in booths in memory of the desert-journey was secondary, and is only incidentally referred

to at the end in a single verse. And here also it appears what the *argumentum e silentio* is worth. The remarkable fact is, that both the Jehovist and Deuteronomist place Pesach or Mazzoth in a historical light; the Priest Code, on the contrary, does not so much as allude to its historical character in Lev. 23, — in both cases, exactly the opposite of what the critical theory would lead us to expect. Surely, no critic would infer from this silence that the agricultural significance of Mazzoth was unknown to the Jehovist and the Deuteronomist. Just as little need we infer from their silence as to the historical character of Succoth, that this must have been the fruit of a later development.

We turn to Deuteronomy, and ask in what the pretended advance upon the Covenant-law consists. The dates of the feasts are said to have been more definitely fixed, in accordance with the centralization of the cultus. The truth is, that no dates are given besides a single relative one; viz., that Shabuoth shall be seven weeks from Pesach. But this is no advance, nor is the specification new in Deuteronomy; since Exod. 34 already uses the name Shabuoth, which implies the dependence of the feast for its computation upon Mazzoth. All the other specifications of time regard only the duration of the feast, or the exact time of day to begin its observance, all which cannot have had any thing to do with the centralization of the cultus. On the contrary, where a specification for this purpose might be expected, it is not made. Chap. 16:1, "Observe the month of Abib," is even more indefinite than the Jehovistic phrase, "in the time appointed of the month Abib," Exod. 23:15. Indeed, it is hardly conceivable, if Deuteronomy was written with the tendency ascribed to it by the critics, that the author would have failed to secure what was first of all necessary to centralization; viz., to fix for each feast a definite date.

Deuteronomy, it is alleged, shows an advance by defining the exact quantity of the produce of the field which had to be brought to the feasts. It does not appear, however, that Deuteronomy identifies the first-fruits and the tithes in this way. They were distinct, and are kept so in chap. 26, where ver. 1-11 treat of the first-fruits, ver. 12-15 of the third year's tithe. Naturally the first-fruits, the quantity of which is nowhere determined (chap. 26, a basket), would be taken along at the occasion of a feast still, this is nowhere prescribed. The command to give the first-born to Jehovah is in Exod. 34:19 subjoined to that of Mazzoth on account of the historical connection. Chap. 22:30 seems even to preclude the offering at a feast; as it says, "The eighth day thou shalt give it me." Exod. 23:19 refers probably to the single sheaf of Shabuoth. The only evidence in favor of this view lies in the position of Deut. 15:19-23 immediately before the Passover-law. Indeed, when we combine this with the injunction to sacrifice the Passover to the Lord of the flock and the herd, the suggestion gains in plausibility that the firstlings were offered at Passover or Mazzoth. But this is far from proving Wellhausen's theory, that the feasts were originally nothing else than occasions to offer the *aparchae*. The law knows nothing of such an identification of the two, any more than it identifies tithes and first-fruits. An explicit statement would in both cases have been necessary, as Wellhausen himself admits. "In the Jehovistic and Deuteronomic Codes, the connection between *aparchae* and feasts is rather assumed than expressed." And assumed it is, not, however, by the laws, but by the critic himself.

With regard to the four peculiarities of the Priest Code first mentioned, little need be said. That sacrificial meals were changed into minutely defined sin- and burnt-offerings, rests on the utterly fallacious notion, that, until shortly before the exile, all sacrifices were sacrificial meals. We have spoken of this before. It is self-evident that the feast-offerings of the Priest Code (Num. 28) do not



exclude the צאן ובהמה (*flock and herd*), which Deuteronomy commands to be freely offered, and then to be eaten before the LORD. The whole passage in Deuteronomy does not purport to give complete regulations concerning the feasts and their ceremonies and sacrifices, but simply considers them under the one great aspect, that of unity of cultus, for the maintenance of which they were one of the most effectual and important means.

The *aparchae*, it is further alleged, are separated from the feasts: they appear no longer as offerings, but have been transformed into priestly revenues. We have already seen that Deut. 15:19-23 furnishes the only support to the view that the *aparchae* were connected with the feasts at all. Historical probability is all that can be claimed here. But that the Priest Code severs the *aparchae* from the feasts is positively untrue. It simply does not specify a time when they shall be offered, and this for the obvious reason, that the words, Num. 18, are addressed to the priests, who were the receivers, and not to the people. The other half of Wellhausen's statement is equally inaccurate. It is true that the Priest Code makes the *aparchae* priestly revenues. Compare Num. 18:13, 15. Still, the context itself shows that this is not meant in such a sense as would be inconsistent with the evident purpose indicated in Deut. 14 and 15, that they should serve as a joyful meal to the offerer. Num. 18:17, 18, shows that the first-born were to be offered as *shelamim*, with this distinction only, that not only breast and shoulder, but all the flesh, fell to the priests. Now, when we remember that probably all the first-born came in at the same time of Passover, it becomes almost impossible that the priests should have kept all this to themselves. The most natural inference is, that they restored a portion of the meat to the offerer, sufficiently large to enable him to keep the meal mentioned in Deuteronomy.

Thirdly, the critics discover an advance in the fact that the Priest Code has finally settled the dates of all the feasts. The main point is, to show that the original conception of agricultural feasts has been entirely lost. The latter, depending on the ripeness of the harvest, cannot be bound to any definite date.

The critics must admit that the Priest Code does not only recognize an agricultural element in its feast-laws, but dwells upon it with special emphasis in the case of both Mazzoth and Succoth (Lev. 23). Still, it assigns to each a fixed date. Is any thing more required to show that both are perfectly consistent, and that the law could definitely appoint the time of observance without giving the skeptical critics any well-grounded suspicion that the two could not go together? How impracticable that Priest Code must have been!

But in the fourth place, still graver charges are made against it. It is accused of fictitiously substituting historical combinations for the natural basis of the feasts. We saw how little this is the case. Lev. 23 does not mention the historical occasion of the institution of Pesach and Mazzoth, whereas both the Jehovist and the Deuteronomist do so. Also in the case of Succoth, the historical element is given only a secondary importance. Succoth is the only feast for whose historical significance we have independent testimony outside of the law in Hos. 12:10.

That in Exod. 12, Pesach and Mazzoth are instituted not merely in commemoration of the exodus, but as an effectual means of saving Israel, is true. The cause, however, lies not in any tendency pursued by the author, but in the peculiar position of Israel. Their whole history, and relation to the Gentiles, were typical of the relation of God's saved people to the world. Hence, that which distinguished

them from the Egyptians, and secured their safety from the slaying angel, could be nothing else than a type of that great Passover-lamb, participation in which would one day distinguish the spiritual Israel from the world under condemnation. The case finds a parallel in the institution of our Lord's supper before the crucifixion.

By prescribing a Mikra Kodesh (holy convocation) on the seventh day of Mazzoth, the Priest Code makes it obligatory for all Israelites to spend the whole feast in Jerusalem. Critics find in this a new advance upon Deuteronomy. Stähelin, Von Lengerke, De Wette, Hupfeld, and Knobel understand by Mikra Kodesh a holy convocation at the central sanctuary, so that a pilgrimage thither was required.

Though the words in themselves might have this meaning, the view becomes untenable when we see that a Mikra Kodesh was appointed not less than three times for one – viz., the seventh – month. Since it would have been impossible to demand three pilgrimages to Jerusalem in one month, the phrase must necessarily denote any convocation in a local place of worship, for the purpose of observing the day. Hence we reach the conclusion, that neither in Leviticus nor in Deuteronomy does the law determine how long the Israelites were to remain at the sanctuary at the annual feasts. That the prevalent custom was to stay all seven days, is probable. Still, the law does not expressly demand it. Deut. 16:7 seems even to indicate the contrary: "Thou shalt turn in the morning, and go unto thy tents." As they suppose that the laws require a seven days' stay, Keil and Riehm take this as signifying a return to their homes and lodgings at the place of the sanctuary. This involves the assumption, that the Passover was eaten in the court of the sanctuary by all Israelites, which would have been hardly practicable. We understand ver. 7 as containing a permission to return after the first night. That the custom was to remain during the whole feast, is not denied. But the law allowing this return in the morning, evidently tries to emphasize the absolute necessity of being at the place of the sanctuary at least during that one night.

To both Mazzoth and Succoth, the Priest Code adds one day, according to Wellhausen. That Lev. 23 assigns eight days to Succoth is clear. On the other hand, Deuteronomy speaks only of seven days of the feast. Its silence respecting the eighth day of *עֲצֵרֶת* (*solemn assembly*) is easily accounted for. The purpose of Deuteronomy was not to lay down minute rules for feast-observance. So only the feast proper, consisting of seven days, is summarily referred to. And even the Priest Code does not consider the eighth day as an essential part of the feast. It is rather a close to the whole cycle of feasts, and consequently added to the last. Num. 29:35, in assigning to it fewer sacrifices than to the feast proper, puts this beyond doubt. The notion that the Priest Code makes Mazzoth one day longer than Deuteronomy, arises simply from the popular use of the date in Lev. 23:5, "On the fourteenth day of the first month at eve," evidently meaning, "On the evening with which the fifteenth day begins." This was also the of the first Mazzoth-day, and so no contradiction exists.

We come now to the last and most serious charge against the Priest Code viz., that it has added two new feasts, unknown before, that of Teruah (trumpets) and the Yom Kippurim (Day of Atonement). That the Priest Code adds new feasts, is inaccurate. Lev. 23 does not enumerate the feasts, but simply the Moedim (appointed seasons) on which a Mikra Kodesh (holy convocation) was held. That neither the Covenant-law nor Deuteronomy makes mention of these two Moedim, is in consequence of their enumerating only such feasts as required an appearance before the LORD at the sanctuary.



Hence the Sabbath is not even alluded to in connection with the feast-laws. Since Teruah and Yom Kippurim required only a Mikra Kodesh, they are omitted.

In so far as Wellhausen holds that before the exile the Jewish year began in the autumn, it is strange that he should consider Teruah as of post-exilic origin. It is highly probable *a priori*, that the beginning of the harvest-year was celebrated by a feast, the more so since the ordinary observance of the new moons would naturally lead to it. But this point also must be utilized to prove the late origin of the Priest Code. During the exile, the Jews derived their spring-era from the Babylonians, whose year, according to Assyriologists, began in the spring. The Priest Code wishing to preserve the old autumn-year, made a distinction between the civil and the ecclesiastical year. Against this hypothesis of Wellhausen, the simple reference to such passages as 2 Sam. 11:1; 1 Kings 20:22, 26; Jer. 36:9, 22, and *passim*, may suffice. For the rest, even Graf admits (p. 40), that, from the silence of the previous Codes, no conclusion as to the non-existence of Teruah can be drawn.

The argument against a pre-exilic existence of the Day of Atonement is twofold. First, the common *argumentum e silentio*. Little need be said about this. The critics agree that the cycle of the three great feasts dates back to the earliest times of the possession of Canaan. Instead of repeated mention, as we would expect, we find the observance of Shabuoth but once stated before the exile (2 Chron. 8:13), Succoth four times (probably Judg. 21:19 and 1 Sam. 1:20, 21; 1 Kings 8:2, 12:32), Pesach twice (probably Isa. 30:29; 2 Kings 23:21), the three together (1 Kings 9:25 and 2 Chron. 8:13). At the same time the prophets speak in terms which presuppose a fixed cycle of yearly feasts (Isa. 29:1). When we add to this, that the *argumentum e silentio*, strictly applied, would bring the origin of the Day of Atonement down to the time of John Hyrcanus, or even of Herod the Great (37 B.C.), little more need be added.

In Ezek. 40:1, we read that the prophet received his vision in “the beginning of the year, in the tenth day of the month.” Ezekiel follows the autumn-era in other instances (compare chap. 45:18, 20). Accordingly, Lev. 25:9 would be parallel, where the Year of Jubilee is said to begin on the tenth day of the seventh month, in the Day of Atonement. As the critics recognize a close relationship between Lev. 18-26 and Ezekiel, the inference would not be rash, that Ezekiel takes “the beginning of the year” and “the tenth day of the month” as synonymous; was acquainted with the Year of Jubilee as beginning on that particular day, and consequently with the Day of Atonement itself, since its connection with the beginning of the year of release was not incidental, but of deep significance (compare Isa. 58, especially ver. 5). Wellhausen avoids the inference by declaring **בְּיוֹם הַכִּפּוּרִים** (*in the Day of Atonement*) an interpolation of a later hand, and is consequently obliged to assume that to Ezekiel the new year began on the 10th of Tisri. How this happened to fall on the tenth of a month, he does not explain; for what is said on p. 114 hardly deserves the name of an explanation. That it became easy, after the beginning of the civil year had been transferred to spring, to fix upon any date whatever, is not true. The old date, Tisri 1, was there; and what could have occasioned its change from the beginning to the middle of the month, it is not easy to see.

But there is another way of arguing *e silentio*. It is alleged that there are certain pre-exilic passages, where mention of the day would have been appropriate, or even necessary, had it been in existence. We give them in their order of occurrence, and add a few explanatory remarks to each respectively:

In 1 Kings 8:68, the consecration of the temple is said to have occasioned a double feast. The feast referred to in ver. 2 must have been Succoth. The chronicler gives his comment upon this in his second book (7:7-10). According to him, the last seven days closed on the twenty-third of the seventh month. Hence the additional seven days preceded the common Succoth-week. But then they extended from the eighth of the month onward, and the feast of consecrating the temple coincided with the Day of Atonement. Since the latter was a day of affliction, this would have been impossible and critics claim to have here the most conclusive argument, that no Day of Atonement existed either in Solomon's time or in that of the chronicler. For the chronicler would not have failed to notice and correct the incongruity, had it really existed. We remark,—

1. The conception of the Day of Atonement was not so much that of sadness and gloom, as to be entirely inconsistent with the consecration of the temple (compare Isa. 58). Both the Mishna and Gemara present it as a day of joy.

2. If the consecration of the temple was going on, and no rites and ceremonies could be legally performed before this came to an end, it was not strange if the observance of the Day of Atonement was disregarded for once. The idea of purifying a sanctuary newly built, not yet quite consecrated, and filled with the glorious presence of God, is absurd.

3. That, according to the chronicler, Solomon put this initiatory feast at the time of the yearly atonement, is highly significant, and contained rather an allusion to the day than a proof of its non-existence.

Ezra 3:1-6. From Tisri 536 the full sacrificial service commenced. Accordingly, neither Yom Teruah nor Yom Kippurim was observed. But how could the latter, when, according to ver. 6b, the foundation of the temple of the LORD had not yet been laid?

In Neh. 8:13-17, which speaks of the year B.C. 444, the feast of tabernacles is observed, but as something new. This shows, says Wellhausen, that the Thora, which contained Lev. 23 (with the exception of ver. 26-32), had not yet been promulgated, and was now published by Ezra and Nehemiah in this very year 444.

From Ezra 3:4, it is clear that an absolute ignorance of Succoth cannot be assumed. The emphasis in the passage referred to, lies evidently in the *so* (8:17). Hence the theory, that Ezra now published the Code for the first time, finds no support in this fact; and no inference of the non-existence of the Day of Atonement can be drawn. Compare, for a parallel case, Deut.23:4-6 with Neh. 13:1. The fast-day in Neh. 9 is radically different in conception from the Day of Atonement.

Ezekiel mentions no Day of Atonement, but only two days of reconciliation, on the first of the first and seventh month respectively. Apart from the fact that Ezekiel is also silent with regard to other feasts, of which we know he was not ignorant (e.g., Shabuoth), we have seen already that chap. 40:1 contains probably an allusion to this day. And it is far more probable, that the two days of reconciliation were a modification of the Day of Atonement than the reverse.

Even the post-exilic Zechariah is summoned as a witness against this day. Graf says, "When interrogated concerning the commemorative fast-days, he does not even allude to the Day of Atonement" (chap 7 and 8). The simple reason is, that he had no occasion to do so. For the Day of Atonement was not a day of sad historical remembrance, not a "*dies ater*" in the sense in which the four referred to were.

There are several considerations which make the high antiquity of this day very plausible.

1. All ancient peoples had special feasts of purification. It is not likely that the Israelites formed an exception.
2. It is difficult to conceive how, without any precedent in the practice before the exile, such a fiction could, after the exile, have found immediate acceptance.
3. That the Day of Atonement was not so universally observed, and did not make such a deep impression upon the national life of the people, must be attributed to its deep spiritual significance. The joyful agricultural feasts appealed more to the national inclinations than the day of affliction to the consciousness of sin.
4. That, especially after the exile, more traces of such a consciousness appear, must be explained on the same ground. The judgment of the captivity had greatly deepened the sense of sin, and taught them better to appreciate this atoning feast.
5. The ceremony with the goat for Azazel points to a high antiquity. So also other forms of language.
6. The most incredible feature of the newer theory is, that at a time when no ark or mercy-seat existed any longer, or could be hoped ever to exist again, the law should have been framed in which they play such a prominent, almost exclusive, part.
7. The critics cannot help themselves by merely removing Lev. 16 from the Priest Code. The whole Code in all its parts abounds in references to it (compare Exod. 30:10, Lev. 23, 25). Num. 8:7 is very striking. Also the name of the mercy-seat, כַּפֹּרֶת reminds us of the solemn ceremony of sprinkling atoning blood on the cover of the ark once a year.

Finally, Wellhausen asserts that the Priest Code makes of the relative Sabbath-year an absolute one, which required all fields to rest at the same time. But the expressions in Exod. 23:10, 11, do not decide either for or against Wellhausen's theory, that at first the year was chosen arbitrarily by each individual for each separate field. And his second statement, that the Priest Code advances upon the Covenant-law by requiring the suspension of sowing also, rests on a mistaken exegesis of Exod. 23:11, which refers the suffix (it), not to אֶרֶץ (*land*), but to תְּבוּאָה (*fruit*), of the preceding verse. That the Year of Jubilee does not appear in any previous legislation, need not awake surprise. Neither does the Covenant-law mention new moons. It is true, history offers no instance in which the law was observed; but this simply shows that it was in a certain sense very *impracticable*, and difficult to carry out. Still, the prophets allude to it (compare Isa. 58, 61:1; Ezek. 46:17).

We have reached the end of our discussion of the pretended development in the cultus of Israel. However deficient it may have been, we hope it shows that the newest Pentateuchal criticism has weak points in its very strongholds. No single point has been discovered which was utterly inconsistent with the unity of the Codes. We approach a new topic now. Having found the unity of the laws in Exodus-Numbers confirmed by positive proof, and the objections brought against it unfounded, we may proceed to consider the relation of this body of the law to Deuteronomy.

(Footnotes)

<sup>1</sup> For much on this point, we are indebted to the paper of Dr. Delitzsch in Luthardt's Zeitschrift, 1880, Heft. iv.