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P . J . Budd

THE ROLE OF THE PRIESTHOOD IN THE PRESERVATION

AND PROPAGATION OF LAW

(Abstract Copy)

M.Litt. Thesis.   1971

Form-critical work on the origins of law, and a fuller appreciation of the place of the cult are two factors which have tended to undercut the older idea that prophecy was the fundamental factor in Yahwistic religion. Some re-assessment of the priestly role is therefore necessary, particularly as the priest in pre-exilic Israel was supremely a revealer of the divine will. In such a wide-ranging field the scope of this study is basically to map out the necessary ground for such investigation, but also to point out a genuinely creative role, and in certain areas a distinctive theological contribution.

Natural tendencies towards conservatism and traditionalism in the priestly office are acknowledged, but consideration of its history shows that the idea of the priest as an "institution-traditionalist" and the prophet as a "charisma-radical" is too simple. Many of the historical details remain elusive, but the fact of the priesthood as a dynamic influential group of men is clear.

Four types of priestly guidance are distinguished - "advice" (the answer of the oracle), "direction" (instruction on "holiness"), "proclamation" (recitation in a cultic assembly), and "verdict" (a declaration of guilt/innocence). Detailed consideration of the content, form and life-setting of these various types of guidance shows these distinctions to be justified. In each instance conclusions are drawn about the character of priestly influence, and the distinctiveness of its contribution.

This influence is shown to have flowered in the post-exilic

theocracy, and in the theological structure given to the Law. The main areas of creative priestly influence in that era are then defined.

P . J . Budd

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CONTENTS

List of Abbreviations

Abbreviations

A.B.	Anchor Bible.
A.N.E.T.	Ancient Near Eastern Texts relating to the Old Testament (ed. J. B. Pritchard 1955 (2nd edition)).
A.S.T.I.	Annual of the Swedish Theological Institute.
B.A.	The Biblical Archaeologist.
B.A.S.O.R.	Bulletin of the American Schools of Oriental Research.
B.Z.	Biblische Zeitschrift.
B.Z.A.W.	Beihefte zur Zeitschrift für die Alttestamentliche Wissenschaft.
C.B.	Cambridge Bible.
col.	column.
E.B.	Encyclopaedia Biblica.
ed.	edited.
E.T.	English Translation.
Ev. Th.	Evangelische Theologie.
Ex. T.	Expository Times.
H.C.L.	Hebrew-Chaldee Lexicon (W. Gesenius (rev. by S. P. Tregelles 1857)).
H.D.B.	Hastings Dictionary of the Bible.
H.U.C.A.	Hebrew Union College Annual.
I.C.C.	International Critical Commentary.
I.D.B.	Interpreters Dictionary of the Bible.

J.A.O.S.	Journal of the American Oriental Society.
J.B.L.	Journal of Biblical Literature.
J.N.E.S.	Journal of Near Eastern Studies.
J.T.S.	Journal of Theological Studies.
n.	note.
N.C.B.	New Century Bible.
N.E.B.	New English Bible.
O.T.S.	Oudtestamentische Studien.
para.	paragraph.
P.E.Q.	Palestine Exploration Quarterly.
rev.	revised.
R.S.V.	Revised Standard Version.
S.V.T.	Supplement to Vetus Testamentum.
T.C.	Torch Commentary.
U.H.	Ugaritic Handbook (C.H. Gordan 1947).
V.T.	Vetus Testamentum
Z.A.W.	Zeitschrift für die Alttestamentliche Wissenschaft.
Z.Th.K.	Zeitschrift für Theologie und Kirche.

Notes

English translations of Old Testament texts are those of the R.S.V. with "Yahweh" substituted for "the Lord".

Illustrative notes are to be found at the end of each Chapter.

The transliteration of Hebrew words follows the pattern in - H. H. Rowley (ed.) - "The Old Testament and Modern Study " 1951.

In other Semitic languages vowel length is indicated by a circumflex accent alone.

Where possible the Notes and Bibliography give details of English translations of German and French literature.

Chapter 1

Introduction. The Priest as Teacher

"For a long time Israel was without the true God,

and without a teaching priest, and without law."

(2 Chronicles 15 v. 3)

This particular grouping of concepts implies for the
Chronicler a profound interrelationship between them. The
"teaching priest" ("kōhēn mōreh") and "law" ("tōrāh") are virtually
synonymous (1), and both are a pre-requisite for a proper knowledge
of God. The priest had not always been a teacher of law in the
post-exilic sense, but behind the Chronicler's assertion there
stands the abiding fact that the priest had always had a decisive
role in communicating the divine will. He who preserved and
propagated law in the Chronicler's day was one whose word had
always carried divine authority.

This is a fact which Old Testament study has been quick to
recognise. Writing of the pre-exilic period J. Wellhausen observed
that:- "not because they sacrifice but because they teach do the
priests appear as pillars of the religious order of things" (2).
S. R. Driver suggested that priestly functions consisted largely
"in pronouncing Tōrāh ... pointing out what was to be done in some
special cases" (3). G. Buchanan Gray is making substantially the
same point when he claims that:- "the priesthood, especially in pre-
exilic Israel, was one of the most important organs of revelation" (4).

H. Wheeler Robinson also warns against underestimation of this priestly teaching function (5), while G. Östborn, in a comprehensive study, shows that, next to the divinity, "priest" is the most frequently recurring subject with the hiphil of the verb "yārāh", meaning "to teach" or "to impart tôrāh" (6).

In the ancient near-east as a whole all communicators of the divine will were in some sense "priestly" - that is, they were men of the sanctuary. In spite of the wealth of material from Ras Shamra detailed information about the Canaanite priests is disappointingly small. Nevertheless it does appear that they were organised in guilds, that they were sanctuary-custodians, and that they lived off tithes (7). We can also be reasonably sure that the Ugaritic "khnm" revealed the will of the gods. They probably had a part in the sophisticated divinatory procedures, and one of the texts (8) specifically cites the High Priest as an authority for a certain version of the Baal myth (9). The priest Atnprln is said to have "taught" ("lmd") the version of the myth inscribed by El-mlk. At Hittite temples the priests were first and foremost the deity's domestic staff ministering to his needs, but if the god was angry the priests would be questioned, and would teach the reason why:-"The feast ... has been neglected; the sittar (?) has not been decorated" (10). One of the key functions of the so-called "bārû"-priests of Mesopotamia was their capacity to communicate the will of the gods (11). The word "bārû" itself suggests "one who sees" or "one who has a vision", and in practice these men delivered oracles

concerning future events.   There are a number of synonymous expressions describing their work:- "bârûta epêšu" - "to perform divination"; "arkâta parâsu" - "to decide the future"; "purussâ parâsu" - "to declare a decision"; "amâta šakânu" - "to establish a word".   This kind of expertise involved divination rather than the teaching of divine regulations or laws, and yet it is perfectly clear that priesthood and the communication of the divine will are thought of as belonging together.

That the same held good for the Hebrews is easily demonstrated, quite apart from the testimony of the Chronicler.   An obvious starting-point is Deuteronomy 33 v. 10, where it is stated that the Levites are to:-

"teach ("hôrāh") Jacob thy ordinances ("mišpāṭîm") and Israel thy law ("tôrôṯ")".

This particular verse is easily detached from its context along with v. 9b, but the testimony to a pre-exilic priest-teaching relationship is indisputable (12).   The same fact is frequently asserted or implied in the prophetic literature.   Hosea speaks of the priests who have forgotten the "tôrāh" of their God (4 v. 6), and Micah complains of priests who teach ("hôrāh") "for hire" (3 v. 11).   The Book of Jeremiah makes it plain that in popular thinking "priest" and "tôrāh" go together as closely and naturally as do the wise man and his wisdom, or the prophet and his word (18 v. 18. c.f. Ezekiel 7 v. 26).

Another problem arising is the question of the antiquity of

this relationship. It must be conceded that much of the explicit evidence for a priest-teaching interconnection is either Deuteronomic or prophetic at the earliest. The teaching concept must of course be broadened to cover the whole range of divine instruction, but even then care must be taken to find the exact point of correspondence between the old Hebrew "priest" and his cultic contemporaries in the near-east as a whole. The Ugaritic "khnm" and the Mesopotamian "bârû"-priest belonged essentially to urban cultures; it cannot be assumed therefore that they provide a reliable guide to the functions of the Hebrew "kōhēn". A. Cody in fact suggests good grounds for believing that the real equivalent of the "bârû"-priest was the Hebrew "ro'eh" or "nābî'" (13). He prefers to look to the non-urban semi-nomadic cultures of Arabia for the fundamental points of similarity. There is an obvious etymological likeness between the Hebrew "kōhēn" and the Arabian "kâhin", yet even this, Cody insists, may be misleading. In practice the "kâhin" is a soothsayer, chieftain, and wise man, whereas the early Hebrew "kōhēn" has much more in common with the Arabian "sâdin" - a sanctuary attendant who operates the oracular arrows. The nearest equivalent in Mesopotamia would appear to be the "urigallu" (a sanctuary custodian) or the "šangû", who relied for his living upon the proceeds from some kind of altar service.

Cody's conclusions may well be correct; whatever else the early Hebrew priest was he certainly belonged to the shrine. The old narrative of Judges 17 records the appointment of just such a priest

to the service of a private sanctuary:-

> "Stay with me, and be to me a father and a priest, and I
> will give you ten pieces of silver a year, and a suit of
> apparel, and your living".

(Judges 17 v. 10)

The priest's responsibility as custodian is expressed in the Levite's concern for the sacred objects (Judges 18 v. 18), and in the account of his departure with the Danites:-

> "...he took the ephod, and the teraphim, and the graven
> image, and went in the midst of the people."

(Judges 18 v. 20)

Similarly the priests of Shiloh are essentially men of the sanctuary (1 Samuel 1 v. 9b), with special responsibility for the care of the ark (1 Samuel 3 v. 3). The duties of "ministry" assigned to Samuel (1 Samuel 2 v. 11) are probably simple caretaking responsibilities for which Eli was now too old.

On the other hand the Arabian "sadin" had duties which linked him with the various revealers of the divine will. In response to a question he manipulated the sacred arrows, and thereby supplied the answer of the gods. The same holds good in principle for the Hebrews and their early priests. Micah's Levite was approached with just such a question (Judges 18 vv. 5-6) - in this instance seeking the favour of God for a proposed journey. Similarly the priests in Saul's and David's day are depicted as essentially men of the oracle. This is clearly the role of Ahijah in 1 Samuel 14 -

note particularly vv. 3, 18-19, 36-37.   Abiathar likewise, armed
with the oracle, acts as David's private chaplain (c.f. e.g. 1
Samuel 23 v. 9).   This kind of evidence need not of course preclude
other priestly duties, but it does seem that in early days the real
marks of a priest were his responsibility for a shrine and his
capacity to interpret the oracle.   In view of the latter we are
well justified in assuming that the priestly role in divine
instruction was essential to the office, and went back to Israel's
beginnings.

Taking into account the whole range of Old Testament material
it is possible to distinguish four areas of priestly instruction;
there is justification in fact for thinking in terms of four distinct
types of guidance.   The titles chosen indicate in some measure the
kind of priestly work involved.

1. <u>Priestly Advice</u>.   This was essentially response to an enquiry,
   normally concerned with movement in general, and military matters
   in particular:-

> "And he (Joshua) shall stand before Eleazar the priest,
> who shall enquire for him by the judgement of the Urim
> before Yahweh;   at his word they shall go out, and at
> his word they shall come in, both he and all the people
> of Israel with him..."

(Numbers 27 v. 21)

2. <u>Priestly Direction</u>.   This again is essentially response to an
   enquiry, but is concerned particularly with problems such as the
   working of holiness:-

"... Ask the priests to decide this question, If one
carries holy flesh in the skirt of his garment, and
touches with his skirt bread, or pottage, or wine, or
oil, or any kind of food, does it become holy?   The
priests answered "No"".

<div align="right">(Haggai 2 vv. 11b-12)</div>

3. <u>Priestly Proclamation</u>.   This is essentially the declaration of
principles of conduct at a cultic assembly:-

"And the Levites shall declare to all the men of Israel
with a loud voice..."

<div align="right">(Deuteronomy 27 v. 14)</div>

4. <u>Priestly Verdict</u>.   This entails the giving of a judgement of
guilt or innocence, or guidance in a disputed case:-

"If any case arises requiring decision between ... one
kind of legal right and another ... then you shall arise...
and coming to the Levitical priests, and to the judge who
is in office in those days, you shall consult them, and
they shall declare to you the decision."

<div align="right">(Deuteronomy 17 vv. 8-9)</div>

These then are four important points at which the priest declared
the divine will.   They are sufficiently distinct to be considered
independently, though this does not preclude the possibility of
close historical interrelationship between them.

There is however an important question which arises from the
fact of the priest-teaching relationship.   It is a question which

is concerned partly with the nature of priesthood as an institution, but more particularly with the nature of priestly instruction itself.   To what extent was this teaching genuinely creative, the work of a free agent in direct and immediate contact with the deity?   Alternatively, to what degree is priestly instruction fundamentally a faithful passing on of traditions received?   What was the priest doing when he preserved and propagated "law"?   Was he a creative spirit, moulding the life of the community in accordance with certain ideals of his own, or was he rather handing on convictions committed to him, and acting as a bastion of the established order?

This question of the creative power of the priesthood is of great concern for several reasons.   The old idea that it was eighth century prophecy which created distinctive Yahwism is no longer easy to maintain (14);   nor is the notion of a sharp antithesis between lawgiving and prophetic ethics (15).   Form-critical investigation into the origins of law, together with a fuller appreciation of the place of the cult at the roots of Yahwism have both tended to under-cut these older positions.   If this is correct, then a full re-assessment of the nature of the priestly role is necessary.   Is there a "creative vacuum" which the priesthood can fill?   There is of course no question that priesthood both preceded and survived the rise and fall of prophecy.   There is a considerable period when the prophet - as classically conceived - was not a decisive factor, a period moreover within which Yahwism was a distinctive phenomenon,

involved at the outset in decisive processes of assimilation and interaction with the religion of Canaan.   Israel of course had always had its "leaders", from the days of Moses and Joshua, through the Judges and Samuel, to the time of the monarchy, but are these "leader"-types a sufficient explanation for the subsequent development of Hebrew faith?   It seems then that there is a need to think through the creative role of the priest, to know what he was doing when he pronounced the divine will.   The purpose of what follows is to map out the necessary ground for such an investigation, and to suggest some approaches to the problem involved.   An initial consideration of the priestly office is followed by investigations of the four areas of priestly instruction, and a summary of priestly achievement in the post-exilic era.

Notes to Chapter 1

(1)   c.f. E. L. Curtis & A. A. Madsen - "The Books of Chronicles" (I.C.C.) 1910 p. 385.

(2)   "Prolegomena to the History of Ancient Israel" (E.T. by J. Sutherland Black & A. Menzies 1885) p. 396.

(3)   "An Introduction to the Literature of the Old Testament" 1898 (7th edition) p. 153 (n.).

(4)   "Sacrifice in the Old Testament" 1924 p. 219.

(5)   "Inspiration and Revelation in the Old Testament" 1946 pp. 200f.

(6)   "Tora in the Old Testament: a Semantic Study" 1945. Pages 6ff. outline the main etymological problems.

(7)   For a detailed study c.f. A. Cody - "A History of Old Testament Priesthood" 1969 pp. 18ff.
D. Urie - "Officials of the Cult at Ugarit" (P.E.Q. 80 1948 pp. 42ff.)

(8)   "Gordon U.H. 62".

(9)   J. Gray - "The Legacy of Canaan: The Ras Shamra Texts and their Relevance to the Old Testament" (S.V.T. V) 1965 (2nd edition) p. 143.

(10)   Cited by O. R. Gurney - "The Hittites" 1954 (2nd edition) pp. 159f.

(11)   A comprehensive study has been made by A. Haldar - "Associations of Cult Prophets among the Ancient Semites" 1945. c.f. e.g. pp. 102ff.

(12)   For a detailed consideration c.f. F. M. Cross & D. N.

Freedman - "The Blessing of Moses" (J.B.L. LXVII 1948

pp. 191ff.)

(13)   op. cit. pp. 23ff.

(14)   B. Duhm - "Israels Propheten" 1916 p. 39 claims that the

transition from a cultic to an ethical religion was achieved

by eighth century prophets.   This is a typical older

standpoint.

(15)   c.f. again B. Duhm - op. cit. p. 391.

Chapter 2

The Priestly Office

There are certain facts about the priestly office which
might appear to preclude a decisively creative priestly influence.
Creative thinking is associated in the first instance with original
thinking, and originality is often the mark of the man unshackled
by precedent or tradition, the man endowed with a free charisma.
The Old Testament often gives the impression that in Israel such a
man would be found within the prophetic movement, and that, in
contrast, there was in the ministry of the priest a strong element
of institutionalism. It is important for our purposes to discover
whether this "impression" is an accurate reading of the facts; the
priesthood's capacity for creative influence must, after all, affect
our subsequent conclusions about the nature of its teaching.

This "impression" is based on the idea of an essential
difference between the work of the priest and that of the prophet,
in spite of the fact that both declare God's will. This is a
difference which scholars have frequently attempted to define more
exactly. J. Wellhausen wrote of the tôrāh of the priest as teaching
which could be likened to constantly flowing water, whereas that of
prophecy is that of an intermittent spring, sweeping away priestly
institutionalism. Others have expressed the contrast in the
sharpest terms as a difference between two conflicting religious
systems - a prophetic religion of the word, and a priestly religion

of the cult. (2).   Most modern distinctions are less radical than
this. (3).   H. Wheeler Robinson speaks of a "fundamental contrast
of method", the difference being between a physical and psychical
mediation of the divine will (4).   O. Plöger has also defined the
contrast in terms of varying method, but suggests in addition that
the prophet is in immediate contact with the deity, whereas the
priest, by virtue of his dependence upon an external technique, is,
as it were, one step removed (5).   He points out that the expression
"'iš 'ᵉlōhîm" is never used of a priest, and suggests that it denotes
a personal contact with God to which the priest did not lay claim.
In the priestly oracle the presence of the priest is obviously
essential, but as a man he is altogether in the background; it is
the technique which is of significance.   The authority of the
prophet, on the other hand, depends exclusively upon the rightness
of what he proclaims - "Die Autorität des Propheten beruht nicht
auf Rechten, die aus einem Amt hengeleitet werden, sondern auf,
seiner Verkündigung, deren Richtigkeit vom Inhalt, nicht aber von
der Zugehörigkeit zu einer amtlichen Institution abhängig ist" (6).
M. Noth believes that the essential difference can best be expressed
in terms of "Amt" and "Berufung": the distinction is neither simple
nor absolute, but in principle the priest holds an appointment while
the prophet receives a vocation (7).   W. Eichrodt expounds the
difference in more theological terms, contrasting the dynamic of the
prophetic world-view with the "patently static" character of priestly
faith (8).   The spiritual pattern of classical prophecy is that of

"a dynamic power released by a new sense of the reality of God"
(9), whereas the common factor in priestly assertions about God
and man is "the concept of permanent order" (10).   Though some-
times overstated, all of these attempts to define the contrast
between priestly and prophetic teaching present authentic insights
into the respective ministries.   In addition, J. Pedersen's
consideration of the priests shows how, as servants of the sanctuary,
they are the constant stabilising factor in the religious leader-
ship (11), and D. R. Jones has pointed out that historically priest-
hood ante-dates and post-dates both prophecy and monarchy (12).   If,
in substance, these insights and distinctions are the whole truth,
then they tend to point to the priesthood as the stable, permanent,
administrative factor in the religious leadership, and therefore to
an institutionalism that could easily be deficient in originality
and creative influence.

It has to be admitted, of course, that recent investigations
into the cultic origins of prophecy have made it increasingly
difficult to establish the correct line of demarcation.   Some would
say that a precise enterprise of this kind is neither necessary nor
possible: the boundaries are altogether too fluid.   J. Lindblom
is content to distinguish certain areas of concern; priestly "tôrāh"
gives direction in cultic matters whereas prophetic "tôrāh" gives
instruction of a religious and ethical nature.   Insofar as prophets
were cultic the difference is reduced still further (13).   H.
Ringgren for his part believes the term "prophetical priests" to

be thoroughly acceptable (14). There are certainly clear
textual grounds for envisaging some kind of relationship between
priest and prophet. Despite its difficulties the text of 1 Samuel
9 v. 9 makes two significant points:-

> "Formerly in Israel, when a man went to enquire of God,
>
> he said, "Come, let us go to the seer"; for he who is
>
> now called a prophet was formerly called a seer".

In the first place the "seer" (rō'eh) is a man who functions at
a sanctuary or holy place; this seems to be implicit in the idea
of "enquiry". Secondly, some kind of direct relationship between
"seer" and "prophet" (nābî') is envisaged; the substance of the
claim is significant, whether historically it is accurate or not.
The full range of evidence linking prophecy with sanctuary and cult
has been impressively assembled, and does not require repetition
(15), but it does raise the possibility that originally at least the
priest was as much a man of the creative charisma as was the
prophet.

On the other hand, assumptions of that kind can be made too
easily. The whole question of cultic prophecy must be treated with
some circumspection (16), because whatever the ultimate origins of
the "nābî'" and the "rō'eh", the "kōhēn", in Israel at least, is
always distinguishable. The word itself therefore is a point of
distinctiveness. Altogether "kōhēn" occurs over seven hundred
times in the Old Testament, and is used of all kinds of priests,
though the word "kōmer" is occasionally used of certain idolatrous

holy men who were probably eunuchs (17). (c.f. e.g. 2 Kings 23 v. 5, Hosea 10 v. 5, Zephaniah 1 v. 4). Elsewhere "kōhēn" is used quite freely of Egyptian priests (c.f. e.g. Genesis 41 v. 45, 50), of priests of Dagon (c.f. e.g. 1 Samuel 5 v. 5), and also of priests of Baal and Chemosh (c.f. 2 Kings 10 v. 19, Jeremiah 48 v. 7, 2 Chronicles 34 v. 5). The etymology of the word is unknown. It occurs with the same meaning in Phoenician and Nabataean texts, along with those from Ras Shamra, but this material gives no certain etymological clues. Some have suggested that the word might be related to the Akkadian verb "kânu" (from the root k'n), and giving the sense "to incline before", and therefore "to bow" or "to do homage" (18). The technical accuracy of this suggestion is far from certain (19); it involves, among other things, a comparatively uncommon phonetic change from "ᵓ" to "h". Quite apart from the technicalities it is not at all clear that concepts such as "homage" or "obeisance" are characteristic of priesthood.

A slightly better sense is obtained if "kōhēn" is linked with the root "kwn" - meaning "to be firm, established, lasting" (20). This could mean that the priest is established before God - or stands before God - as his servant or minister. This kind of sense is explicit in Deuteronomy 10 v. 8:-

"At that time Yahweh set apart the tribe of Levi...

to stand before Yahweh to minister to him..."

It must be admitted that the verb "to stand" here is "ᶜmad", and it is not at all clear that the root "kwn" has any natural sense of

"standing" or "serving". A. Cody's discussion of the problem leads to the conclusion that if there is a link between the two roots then "kwn" must have been derived from "khn", rather than the reverse (21). Cody also considers the possibility of a link with the Syriac verb "kahhen", which apart from meaning "to be a priest", can also have the sense "to make prosperous" or "to cause to abound". If this were the sense of the original, then the priest could be the one who brings well-being and prosperity. The possibility of this cannot be excluded, but once again there are no substantial lines of evidence in support (22). Many have noted the cognate Arabic word "kāhin", and H. Wheeler Robinson declares, without discussion, that this is the etymological equivalent of "kōhēn" (23). The basic difficulty with this as an explanation for "kōhēn" is the fact, already noted, that the "kāhin" and the "kōhēn" are by no means functional equivalents. The problems as yet are insuperable, and yet this in itself is a reminder that we are dealing with a particular distinctive office. Nothing can be gained by confusing priesthood with other cultic roles, and the possibility of a strong static and traditionalist element in priestly instruction must remain. (24).

This question of the distinctiveness of the priestly office can be followed through in other ways; there are, for instance, special words which serve as characteristic descriptions of priestly work. One of the most obvious is the verb "šārat" - "to minister". This word does appear in secular contexts - in connection with "servants"

and "service" generally.   Joseph "ministers" to Pharoah (Genesis
39 v. 4), and to his butler and baker (Genesis 40 v. 4).   Solomon's
servants "minister" to him (1 Kings 10 v. 5).   The root also
describes the relationship between the servants of prophets or
similar leaders and their masters (c.f. e.g. Exodus 24 v. 13, Joshua
1 v. 1, 2 Kings 4 v. 43).   It can also denote service of Yahweh in
general (c.f. e.g. Psalm 101 v. 6, 103 v. 21, 104 v. 4, Isaiah 56
v. 6).   On the other hand, the word does seem to have a technical
sense in connection with priestly work at the altar.   As such it is
common in "P" where it occurs seventeen times and where it is
applicable to any priestly activity in "the holy place".   (c.f. e.g.
Exodus 28 v. 43, 30 v. 20).   The work of the Levite can also be
described as "ministry" (c.f. e.g. Numbers 8 v. 26, 16 v. 9, 18 v. 2).
The same holds good even for Ezekiel's apostate priests; for them
"ministry" involves general service in the Temple, and in particular,
oversight at the Temple gates (Ezekiel 44 v. 11).   This particular
use of "sarat" is not confined to "priestly" laws.   In Ezra 8 v. 17
the word "minister" in effect is a synonym for priest, and the same
is true in Isaiah 61 v. 6:-

    "You shall be called priests of Yahweh, men shall

    speak of you as the ministers of our God."

In Joel also, the priests are "ministers of Yahweh" (1 v. 9, 2 v.
17) or "ministers of the altar" (1 v. 13).   Nor is the language
exclusively post-exilic.   Jeremiah speaks of the priests as
"ministers" (33 vv. 21-22) in a passage which has some similarity

withtthe language of Deuteronomy. There too, there is a link between "ministry" and the priests (10 v. 8, 17 v. 12, 18 vv. 5, 7, 21 v. 5). In 2 Kings 25 v. 14 there is a list of the sacred objects used in the "ministry" of the Temple, while in 1 Kings 8 v. 11 it is claimed that the priests "could not stand to minister" on account of the divine glory. Finally, the work of Samuel at the sanctuary, is appropriately described as ministry "before Yahweh" (1 Samuel 2 vv. 11, 18, 3 v. 1) (25). This is then, in its technical sense, a priestly word. It effectively marks off priestly service from the work of other religious leaders. Furthermore, the very idea of "service" tends to suggest the work of one under authority, a permanent and enduring ministry of administration rather than an original ministry of decisively creative influence.

This impression gains a little more substance from the consideration of other distinctive priestly roles. Even the handling of the sacred oracle:-

"Give to Levi thy Thummim, and thy Urim to thy godly one."

(Deuteronomy 33 v. 8)

can be regarded as administrative work, aimed at meeting continuing needs. The priest's "direction" in matters of holiness:-

"Take heed, in an attack of leprosy, to be very careful to do according to all that the Levitical priests shall direct you..."

(Deuteronomy 24 v. 8)

is something given in the light of fixed "holiness" principles.

The giving of the verdict - a role often shared with "judges" or "elders" (c.f. e.g. Deuteronomy 17 vv. 8-9) - is essentially administrative.   The giving of the blessing was for a time at least a role shared with the king (c.f. e.g. 1 Kings 8 v. 55). The priestly material, however, makes it a peculiarly priestly role.   In Leviticus 9 v. 22 Aaron blessed the people, and the words of a blessing are preserved in Numbers 6 vv. 24-26. The words are pronounced by the priest, and this statement is interpreted as a putting of Yahweh's name upon the people (c.f. Numbers 6 v. 27, 1 Chronicles 23 v. 13).   The claim that this is a special priestly role is familiar to Deuteronomy:-

"At that time Yahweh set apart the tribe of Levi...
to bless in his name, to this day."

(10 v. 8. c.f. also
21 v. 5)

Here then is yet another administrative priestly role, meeting a continuing need.   Periodically the name of Yahweh must be put upon his people, and it is the priest's privilege to carry out this particular service (26).   All of these duties, in some way or another, bear the marks of a permanent on-going institution, and can add to this impression that the priestly approach was more traditional than creative.

The fact that the priestly office was hereditary is another point which tends in the same direction.   At the earliest period this may not have been a necessary part of the office.   The

evidence of Judges 17-18 tends to imply that the "priest" is one who acts as such. On the other hand, the knowledge and techniques required, together with an element of vested interest, made it certain that the hereditary factor would become an intrinsic part of the office. Fourteenth century texts from Ras Shamra list as many as twelve priestly families (27), and it is likely that the Canaanite "high places" were organised on similar, if somewhat smaller lines. A priesthood held on a family basis is certainly implied in the Eli-stories of 1 Samuel 1-4, applying to the sanctuary at Shiloh. Even the stories of Judges 17-18 indicate that Levite-pedigree was a valuable asset to a prospective priest (17 v. 13), and that the Danite sanctuary was staffed by an hereditary priesthood for a long period of time (18 v. 30). This latter text is obviously late, in that it speaks of "the captivity of the land", but there is no reason for doubting its substantial accuracy. To add to this evidence there are also indications of a priestly line descended from Abinadab (1 Samuel 7 v. 1, 2 Samuel 6 v. 3). Even in the early period the priesthood quickly becomes linked with particular families, and these families might stay at one sanctuary for a number of generations. An hereditary office of this kind would naturally have inbuilt institutional tendencies, and is liable to be a conservative force rather than a radically creative one.

This impression could be further enforced by that element in the priestly office which makes the man a "custodian". A simple accurate answer to the question - "What is a priest?" could easily

speak of him as "custodian of sacred things". He is of course more than this - a means of contact with the deity, and a medium through which the divine will is made known. Both of these roles, however, are dependent upon the fact that the priest is "the man at the holy place" or "the one in charge of the sacred oracle". An examination of the Biblical material relating to sanctuaries reveals an important three-fold interrelationship between priesthood, sanctuary and law traditions. That Kadesh was a holy place is clear enough from its name (28), and J. Wellhausen argued strongly that Moses started a "tôrāh" there which the priests of that place carried on after him (29). It seems likely that Marah is to be identified with Kadesh (c.f. Numbers 27 v. 14, Deuteronomy 32 v. 51, 33 v. 2), and if so there is Biblical support for the making of "a statute and ordinance" there (Exodus 15 vv. 25-26). There are of course a great many law-traditions linked with Sinai, the holy mountain (30). It remains a debated point as to what, if anything, was propagated as law at Sinai; what is important from our point of view is that the traditions link a substantial nucleus of law with that particular holy place. Shechem was another sanctuary with a long history (31). It claimed links with Abram (Genesis 12 v. 6), and in Deuteronomy 27 vv. 4-8 Moses is depicted as commanding the establishment of a sanctuary there. The name of Joshua is also linked with covenant-renewal ceremonies on the site (Joshua 8 vv. 30-35, 24 vv. 1-28). M. Noth identifies it as the focal point of

assembly for the tribal league (32).   The important point for

our purpose is that Shechem claimed to possess a written body of

law representing the work of Moses (Joshua 8 v. 32, Deuteronomy

27 v. 8).   This would, in any case, be a natural assumption, if

indeed it was the centre for the main festivals and ceremonies.

G. von Rad selects Shechem as the cult setting for the Sinai

traditions of the Pentateuch, which he distinguishes sharply from

the salvation-history of the Exodus-Conquest traditions (33).   His

reconstruction of the framework of the Shechem ceremony of law-

proclamation runs as follows:-

    1. Joshua's paraenesis (Joshua 24 v. 14-15)

    2. The Assent of the People (Joshua 24 v. 16-17, 24)

    3. The Proclamation of the Laws (Joshua 24 v. 25)

    4. The Covenant Seal (Joshua 24 v. 27)

    5. Blessings and Curses (Deuteronomy 27 vv. 12-26, Joshua 8 v. 34)

The third item is integral to the whole, and makes it plain that

the Shechem sanctuary would be a place where laws were given,

cherished, and on suitable occasions, proclaimed.   The idea of a

sharp distinction between the Sinai and Exodus traditions has its

problems (34), but the likelihood that Shechem was an early centre

for law preservation is unaffected.

    Gilgal is another sanctuary of some importance at an early

stage (35).   The traditions of Joshua 3-5 have a particular link

with this holy place.   The setting up of the twelve commemorative

stones (Joshua 4 v. 20), the circumcision of the new generation
(Joshua 5 vv. 2-9), and the celebration of the Passover (Joshua
5 v. 10) are particular points to which H. J. Kraus draws
attention, together with the fact that the ark was probably there
for a time (36). There must clearly have been laws or customs
regulating circumcision and Passover at the very least, and J.
Mauchline has argued in favour of Gilgal as an important amphictyonic
centre (37).

Shiloh must have been another leading sanctuary in the time of
the Judges (c.f. Judges 18 v. 31) (38). The stories of 1 Samuel
1-4 make it plain that ultimately the ark was taken there. These
chapters are of particular interest in that they indicate the
presence of priestly customs, which at some point were reckoned to
be faulty (c.f. 1 Samuel 2 vv. 12-17). Bethel is another sanctuary
where claims about the presence of the ark were made (c.f. Judges
20 v. 18, 26-28) (39). This also had its priests (c.f. 2 Kings
17 vv. 27-28), and judging by information from the oracles of Amos
must have possessed a wide-ranging body of regulations on such
matters as daily sacrifices and tithes (4 v. 4), free-will offerings
(4 v. 5), a variety of other offerings (5 v. 22), and several
festivals (5 v. 21, 8 v. 5). Among the other sanctuaries, Dan had
a priesthood which at some point claimed descent from Moses (Judges
18 v. 30) (40), and Ophrah, originally a Canaanite shrine, seems to
have had some kind of rule involving the use of meat, cakes, and
broth (Judges 6 vv. 19-24) (41). Another sanctuary of interest in

the early period is Nob with its large resident staff of eighty-five priests (1 Samuel 22 v. 18) (42).

This brief survey of some of the more important sanctuaries establishes well enough the three-fold link between holy place, priesthood and law. S. R. Driver has even sought to show that the teaching of regulations is integral to the whole concept of "holy place" (43). The fact that, in primitive times, trees, mountains, and even stones, served as sanctuaries is duly noted, and a connection between the tree-cult and very early methods of communicating "torah" is suggested. That which is taught consists, in part, of "signs" from holy trees, and Driver notes that in Genesis 12 v. 6 a terebinth is called "môreh" - a word which seems to be a participle from "hôrah" ("to impart "tôrah""). Thus the tree in question would become "tôrah-yielding", in the same way that a molten image can be described as a "teacher of lies" (Habakkuk 2 v. 18). J. Skinner, in support of this approach, renders "᾽elôn môreh" simply as "oracle-giving terebinth" (44).

This intimate link between priesthood, law, and holy place could easily imply that the priest is essentially a conservationist. He could be pictured as "the man at the sanctuary" collecting, preserving, and occasionally expounding the traditions committed to him by a different and possibly higher authority. Such a reconstruction might be based on certain texts from Deuteronomy. There the idea of the priest preserving given law is explicit, and even prominent:-

"And when he (the king) sits on the throne of his
kingdom, he shall write for himself in a book, a
copy of this law, from that which is in the charge
of the Levitical priests."

(Deuteronomy 17 v. 18)

Similarly, in the passage commanding the reading of the law at
the Feast of Booths, it is suggested that:-

"Moses wrote this law, and gave it to the priests,
the sons of Levi, who carried the ark of the
covenant of Yahweh, and to all the elders of Israel."

(Deuteronomy 31 v. 9)

The same chapter contains further instruction for those who
carry the ark:-

"Take this book of the law, and put it by the side of
the ark of the covenant of Yahweh your God, that it may
be there for a witness against you."

(Deuteronomy 31 v. 26)

Here the law is put into the keeping of the Levites, and its
presence in the holy place is a constant standard whereby
faithfulness in its propagation is to be measured.

Similar ideas, possibly reflecting Deuteronomic influence,
are to be found in the Book of Joshua.   There the priests are
frequently depicted as carriers of the ark (c.f. e.g. Joshua 3 v. 3,
3 v. 8, 4 v. 10, 4 v. 16, 8 v. 33).   As well as this, the covenant-
renewal ceremony of Joshua involves a writing of "statutes" and

"ordinances", which are then permanently consigned to the sanctuary as a "witness" against the people (vv. 26-27). The preservation of such laws would obviously be an important priestly responsibility. Further evidence of a similar kind is to be found in 1 Samuel 10 v. 25, where Samuel himself informs the people as to "the rights and duties of the kingship". He then writes the regulations in a book, and lays it up "before Yahweh". This phrase refers to a sanctuary, and the context seems to imply that this is Mizpah (1 Samuel 10 v. 17). It is therefore not surprising that Hilkiah should discover a book of the law "in the house of Yahweh" (2 Kings 22 v. 8). Laws belong to the sanctuary, and the priest is their 'guardian".

These then are the factors of any substance behind the "impression" that the priesthood was the institutional element in the religious leadership, the idea that the priests were essentially administrators, conservationists, and therefore traditionalists. To summarise, the argument hinges on the following points:-

1. Distinctive terminology, serving to mark off priesthood from other offices, which, at first sight, seem freer and more creative.

2. Consideration of priestly roles - in which the priest stands out as administrator rather than creative reformer.

3. The hereditary factor, pointing to a continuing, permanent kind of ministry, probably with a tendency towards traditionalism.

4. The priest-law-sanctuary relationship, pointing to the priest

as custodian of sacred things.

5.   A series of "Deuteronomic" texts, which indicate that priest
     and sanctuary had a major part to play in the conservation of
     law;   there is no stress on a creative role.

The real point at issue, however, is whether any or all of these
arguments really preclude a creative priestly influence.   The
evidence which each of the points handled is genuine, and obviously
needed close examination, but the question of right inferences and
deductions needs further consideration.   Conclusions must be based,
not simply on "impressions" derived from a given body of evidence,
but on sound criteria which can aid the interpretation of such
evidence.   In these circumstances it could be that "administration"
and "conservation" do not imply a non-creative traditionalism;   it
could be that the hereditary factor spells out, not a static
institution, but an influential, living organism, with an obvious
element of permanence, but in other respects often changing and
adapting.   Conclusions along these lines would clearly present the
question of distinctive terminology in a new light;   there would
still be the element of "difference", but we should then be
reckoning with a different kind of creativity.

This raises the important question as to where adequate criteria
for correct interpretation are to be found.   Ultimately, the answer
to this must lie in a consideration of the priestly office in the
context of the history.   The priestly office was an historical
phenomenon, and a full understanding of its nature cannot be divorced

from historical events. In the last resort, the clue to the creative capacity of the priesthood must lie in the nature of its involvement with those events. In fact, a definitive history of Old Testament priesthood may never be written - the obscurities are many, and the problems complex (45). For our purposes, however, this need not be a deterrent. While differences of detail will probably remain, it is increasingly clear that any reasoned analysis of the history will show the priesthood, not as a static institution, but as a live, and often potent force in the land. The point can best be made by an examination of some of the likely stages of development in the priestly office during the pre-exilic period. This is bound to concern itself very largely with the history of the Levites, the progress from stage to stage indicating adaptability, the exertion of pressure, and other marks of a creatively influential group of men.

1. Levi as a Secular Tribe

A key point of dissension about the early history of the priesthood centres upon this very claim. It has sometimes been argued that the word "lewī" was always an appellative, and that the ascription of tribal origin to the priestly group is later and artificial (46). On the other hand, the arguments in favour of a secular grouping of Levites remain strong, and it is very doubtful whether they have ever been convincingly refuted.

a) The evidence of the early lists. The Pentateuch contains a number of lists of tribal names, many of which link Levi with the

sons of Jacob in such a way as to suggest that he is integral, and yet in no way exceptional. These lists are as follows - Genesis 35 vv. 23-26, 46 vv. 8-25, Exodus 1 vv. 2-4, Deuteronomy 27 vv. 12-13 (c.f. also Ezekiel 48 vv. 31-35, 1 Chronicles 2 vv. 1-2). It could be argued that a number of these lists are "priestly" collections and therefore relatively late, but this would be very difficult to maintain for Deuteronomy 27 vv. 12-13, where, in a cultic setting involving the blessing and the curse, Levi has no special status over and above that of the other eleven tribes. This is very difficult to explain as a late text; a more developed situation regarding the Levites seems to be implied in the following text (vv. 14-26), which itself must be old. The foundation for the priestly texts must therefore be either the list in Deuteronomy 27 vv. 12-13 or else the old J/E narrative of Genesis 29 v. 31 - 30 v. 24, 35 vv. 16-18, which recounts the birth of Jacob's sons. Here again Levi is not picked out in any exceptional way; even the etymology given has no priestly significance (Genesis 29 v. 34). This particular point is important because the etymologies them- selves are probably not original. J. Skinner describes them as "extremely forced" (47), yet no attempt is made to force that of Levi into a priestly mould. Alongside these lists, however, there are others which omit reference to Levi altogether, and replace Joseph by Ephraim and Manasseh. These include Numbers 1 vv. 5-15, 20-43, Numbers 2 vv. 3-31, Numbers 7 vv. 12-83, Numbers 13 vv. 4-15, Joshua 13-19, Joshua 21 vv. 4-7, 9-39. It cannot be shown that

any of this material is older than the first set of lists; it
presupposes land tenure as a qualification for inclusion, and
appears in contexts where the Levites are clearly depicted as
having a special status without land (c.f. e.g. Numbers 1 vv. 47-
54, Numbers 2 v. 17, Numbers 7 vv. 6-9, Joshua 13 vv. 14, 33,
Joshua 21 v. 3).   It is therefore very difficult to make sense of
those lists which include Levi, unless it is assumed that, for a
time, the Levites were a secular group alongside the other tribes.
A.H.J. Gunneweg's recent traditio-historical investigation spells
out these difficulties in detail (48).   His own reconstruction
suggests that the Levi-lists represent the facts of the amphictyonic
system, whereas the non-Levi lists are geographical descriptions
(49).

b)   The evidence of the Predictions of Jacob (Genesis 49).   In
general, this material supports our conclusions from the lists.   In
vv. 5-7 Levi is depicted as being on equal terms with his brothers,
and there is no trace of a priestly prediction at all.   That this
section is old, at least in part, cannot seriously be contested.
G. von Rad describes the tribal situation envisaged here as "pre-
Mosaic" (50).   W. F. Albright has suggested that the final form of
the whole complex is no later than the eleventh century (51).   At
all events, what it does suggest is that, at some period, Levi was
as secular as Simeon.   The allusions in vv. 5-7 are probably to
the events of Genesis 34, which recounts a tradition about the sack
of Shechem by Simeon and Levi.   It would appear then that Levi, in

the beginning, was not only an integral member of the twelve, but was also without special priestly status. This latter claim has, however, been contested by A.H.J. Gunneweg (52). He believes that this material can adequately be explained in terms of anti-Levitical polemic; in other words, it serves as a counterblast to the pro-Levitical polemic of Deuteronomy 33 vv. 8-11. What there is interpreted as zeal is here, in Genesis 49, viewed as uncontrolled anger, worthy of judgement. The Levites' lack of social and legal status is explained in Deuteronomy 33 as a fact stemming from their special relationship to Yahweh; here in Genesis 49 v. 7 it is the fruit of the curse. This stress on polemics is of especial interest; the history of the priesthood is, in part, the history of rival pressures and competing claims. On the other hand, the suggestion that Genesis 49 vv. 5-7 is polemical in intent does not really affect the question of its importance historically. After all, the most effective polemic is based on indisputable facts of history. Furthermore, any suggestion that the primary setting of Genesis 49 vv. 5-7 is a priestly dispute must cope adequately with the difficult fact that Simeon is here linked with Levi. The primary setting of these verses is probably in some kind of oracle, giving an aetiological explanation for the dispersion of these tribes throughout the land.

c)   Etymological evidence.   Various suggestions have been made in this connection.   Some have linked the word with the root "lwh" meaning "to join" (53), and the Biblical etymology in Genesis 29

v. 34 supports this.   The value of such support is dubious, but
several have built upon it the idea that in some way the Levite
is "joined", possibly to the ark (54), or to the sanctuary (55),
or else simply "one associated with worship" (56).   H. H. Rowley
quotes a suggestion of S. Mowinckel that "Levi" might have some
connection with the Arabic "lāwā", a root having the sense of "to
turn" or "to twist" (57).   If this were correct, the Levites would
originally have been cult dancers, but in general terms the
suggestion is too imaginative and most improbable.   There are no
grounds for supposing that the Levites had anything to do with
ecstasy or dancing.   A more convincing, and more popular line of
enquiry has focussed attention upon some Minaean inscriptions at
ancient Dedan, in which the term "lw'" and its feminine "lw't"
appear to denote some kind of cultic official (58).   If an
etymological relationship between this word and "Levite" can be
established, then it would be possible to suggest that the Levitical
priesthood was an early Arabian institution, taken over by the
Israelites (59).   If that were true, then it would follow that the
argument for a secular tribe of Levi is seriously weakened.   The
word "Levite" would simply denote from the outset a professional
priest.   This kind of meaning was probably familiar in Israel.
W. F. Albright has put forward grounds for believing that "Levite"
could mean "one pledged by vow" (60).   Numbers 3 vv. 11-13 reflects
the conviction that the Levite belongs to Yahweh in the same sense
that the first-born are his, and must be pledged to him.   There

remain, however, two serious objections to the supposition that originally "Levite" meant nothing more than "professional priest". In the first place, as already noted, it becomes very difficult to account for that Biblical material where Levi is apparently depicted as a secular tribe. The second substantial difficulty concerns the interpretation of the texts from Dedan. These texts are Minaean (i.e. South Arabian), and are written in that dialect and script. What is doubtful is whether Minaean influence could have extended to the north, at least to Dedan, before the fourth century B.C. R. de Vaux argues that "if anyone borrowed the word ... it was the Minaeans, who modified the sense of the term and gave it a feminine which did not exist in Hebrew" (61). All things considered, a much more promising line of enquiry follows the fact that in the Mari texts the name "Levi" occurs as an authentic personal name. It is now well-established that there are points of correspondence between the patriarchal narratives and the names and customs of north-west Mesopotamia (62); there is therefore much to favour the conviction that the name "Levi" is one more point of contact (63). In that case we are dealing with an ordinary Amorite name, which would of course support the view that originally the Levites were an ordinary secular tribe.

2. Levi's Priestly Prerogatives

The next outstanding fact is that this group of men rapidly acquires special status in connection with the priesthood. At first this was no exclusive prerogative, but the evidence leaves

us in no doubt that positive pressure to that end must have soon begun. Hence at a comparatively early stage Micah is able to say:-

"...Now I know that Yahweh will prosper me, because I have a Levite as priest."

(Judges 17 v. 13)

There must clearly have been some substantial basis upon which such claims could be made. It is difficult to determine with certainty what that basis was, but there are various indications that it could have been an ancient responsibility for the care of the ark.

a) In all probability the ark was a feature of pre-settlement Hebrew religion. It was portable, and belonged essentially to a mobile community. This also makes sound sense of David's removal of it to Jerusalem - an attempt to link the old desert traditions with the new sanctuary (64). Such an object would certainly need attendants or custodians of some kind, and not even the oldest traditions allow for its handling by a non-priestly person.

b) There are also reasons for believing that there were Levites in Egypt, possibly in some numbers. Moses himself is described as such (Exodus 2 vv. 1-10), and there are no substantial grounds for calling this in question (65). Furthermore, as J. G. Griffiths has shown, the name "Moses" itself is probably Egyptian (66), and the same is true of another Levite name - "Merari" (67). If indeed there were numerous Levites involved in the sojourn and exodus, this might account for their sparsity in Canaan in the

pre-settlement period, and their failure subsequently to establish for themselves territorial status.

c)   The Elide ark-attendants at Shiloh were also probably Levites. This supposition has possible support in the occurrence of Egyptian names once again - this time in Eli's sons, Hophni and Phinehas. None of the other tribes appear to use Egyptian personal names, and there is no convincing reason why they should be borrowed for Levi, unless such a naming-custom was well rooted in the facts.   The name "Hophni" is an uncommon Egyptian name, particularly after the middle of the second millenium B.C., and is therefore unlikely to be the artificial creation of later Hebrews (68).   The text of 1 Samuel 2 v. 27 explicitly links the house of Eli with Egypt, and can therefore be readily accepted, in spite of the problems raised by the oracle as a whole (69).   If the passage is essentially anti-Elide polemic, it is unlikely that the Eli-Egypt link would be conceded were it not known to be true.

If this reasoning is generally correct, then it would seem to imply that Moses favoured the Levites with special responsibilities, either for family reasons, or for some exploit of devotion to Yahweh (c.f. Exodus 32 vv. 25-29; c.f. also Deuteronomy 33 vv. 8b-9a). It must be acknowledged that much of the reasoning is conjectural, and yet it does, in general terms, make sound sense of the fact that Levites had some special connection with the Amphictyony (70), that they were making priestly claims, and that these were widely accepted.   It is equally clear that many Levites would not in fact

find posts as priests, and would therefore become "sojourners"
or turn to other employment.   What has also become clear is
that we are concerned with a dynamic, influential group of men,
who were more than likely to make a creative impact on their
contemporary situation.

3.   The Levites and the Monarchy

        If the reconstruction so far is broadly correct, then the
break-up of the Amphictyony must have been disastrous to the
Levitical priests.   The loss of the ark to the Philistines, and
its ultimate removal to the royal shrine must have meant a serious
loss of influence;   after all, their claim to authority depended
upon it.

        There may also be grounds for believing that the amphictyonic
priesthood had come into serious conflict with Saul.   The narratives
of 1 Samuel 13 vv. 8-14 and 1 Samuel 15 vv. 4-23 raise all sorts of
problems.   In the first it is not even easy to determine the nature
of Saul's error - so difficult, in fact, that H. W. Hertzberg
suggests the narrative might originally have been in favour of
Saul (71).   It is just possible that behind this story lies the
recollection of a royal misdemeanour in connection with the ephod.
The context is military (1 Samuel 13 v. 5), the tribes have been
summoned (v. 7), but are now on the point of returning home (v. 8).
Such a situation would demand a priestly "enquiry".   On the other
hand, it is not totally impossible to make sound sense of the story
in its present form.   The text of 1 Samuel 9 v. 13 makes it clear

that it was the norm for Samuel the seer to bless the sacrifice. In this case the story as it stands would represent one stage in the break-down of relationships between Samuel and Saul. The second story (1 Samuel 15 vv. 4-23) points to a failure on Saul's part to observe an integral element of "the holy war"; once again in the present form of the story it is Samuel, rather than a priest-hood, who is presented as Saul's opponent. Nevertheless, both incidents indicate a genuine conflict between the old Yahwism and the new monarchy, and the Levitical priests must have been involved in the tension. At all events, the story of the slaughter of the priests of Nob (1 Samuel 22 vv. 9-23), some of whom were probably descendents of Eli (72), indicates a final breach between Saul and the priesthood. Ahimelech's reception of David may not in fact have been as politically disinterested as A. Cody suggests (73).

The royal sanctuary itself must also have stifled Levitical influence, with the rival priesthood of Zadok in the ascendency (74). The power of the old priesthood was maintained for a time through Abiathar, but his expulsion (1 Kings 2 v. 27) must have represented the lowest point in its fortunes.

Apart from the Zadokites, the Levite priests also seem to have faced pressing competition from prophetic circles. The "man of God" is increasingly the representative of traditional Yahwism (c.f. e.g. 1 Kings 13 v. 1). Even the role of military consultation passes over to the prophets (c.f. e.g. 1 Kings 22 v. 6, 2 Kings 3 v. 11). David had habitually used Abiathar for such purposes

(c.f. e.g. 1 Samuel 30 vv. 7-8), though he also took advice from a seer/prophet on such matters (c.f. e.g. 1 Samuel 22 v. 5).

A final factor which must have increased the misfortunes of the Levite priests was the continuing process of settlement, with its steady shift in favour of agriculture. The priests of the ark were essentially the priests of a mobile community. The settlement, with its increasing use of agricultural festivals, would give to the native priesthoods of the sanctuaries and high places a new prominence. Some of these priesthoods might be Levitical, but many would not, and Deuteronomy seems to imply that many Levites were little more than "sojourners" (c.f. e.g. Deuteronomy 12 v. 12).

4.   The Levites and Deuteronomy

The establishment of the monarchy represented, therefore a substantial threat to the idea of a Levitical priesthood. Nevertheless, the Levites proved to be a remarkably resilient body; by the time of the Exile they had successfully established for themselves rights of a priestly kind. They appear to have achieved this by affirming a Levitical responsibility for an increasing range of duties, and by putting growing pressure on rival priesthoods. This success can best be illustrated from three particular areas:-

a)   The Blessing of Moses (Deuteronomy 33 vv. 8-11). However this section is to be dated, there are sound reasons for detaching vv. 9b-10. Their removal smooths the flow between v. 9a and v. 11,

and the change from the singular Levi (in vv. 8-9a) to the plural
Levites (in vv. 9b-10) is most marked. These later verses would
therefore represent a re-assertion of Levitical priestly rights
in new terms. The men who administered Urim and Thummim are
precisely those who now teach "mišpātîm" and "tôrôt", who offer
the incense, and who place the offerings on the altar. In their
present setting the "mišpātîm" and the "tôrôt" need not be
differentiated; they seem to be general terms for a diverse body
of regulations, of which the preceeding Deuteronomic collection is
typical. Ministry at the altar is also here marked out as the
right and responsibility of the Levites. This kind of claim must
owe something to an increasing stress on the "holiness" of sanctuary
and altar. Functions which previously might have been performed
by laymen are now the exclusive prerogative of the priests. The
claim might also owe something to priestly competition; at all
events, v. 10, in deliberate fashion, marks out a precise ministry
for the Levites.

b)   Exodus 32 vv. 25-29. This section can also be easily
detached from its context, and contains the impressive claim that
the Levitical right to priesthood - "the service of Yahweh" (v. 29) -
has full Mosaic authority. This "ordination" is not a matter of
annointing, filling the hand, or any such procedure; it arises,
rather, out of devotion to Yahweh, and a readiness to act without
question on his behalf.

c)   Deuteronomy. It is beyond our scope to consider in detail

the purpose of the Book.   Suffice it to say that, in general
terms, it is both a codification of old traditions and a programme
for reform.   Its basic aim is to re-present authentic traditional
Yahwism in the face of increasing syncretism.   This makes good
sense of the old laws, the evidence of modernisation in the old
traditions, and the idea of one sanctuary as a means of controlling
the nation's religious life.   An integral part of this re-
affirmation of old Mosaic traditions is the place accorded to the
Levites.   Two important claims are made on their behalf.   In the
first place, all Levites have the right to minister at the one
sanctuary:-

> "And if a Levite comes from any of your towns ... to the
> place which Yahweh will choose, then he may minister in
> the name of Yahweh his God..."

(Deuteronomy 18 vv. 6-7)

The accuracy of this as a reading of the Deuteronomic evidence has
been challenged by G. E. Wright, who is concerned to make a distinc-
tion between altar priests (the priests the Levites), and Levites
who lived as sojourners and whose sole duty was teaching (75).   The
argument seems to depend upon particular interpretations of two
rather uncertain points of evidence - the variety of official
terminology in Deuteronomy, and the somewhat ambiguous text of
Deuteronomy 18 v. 1.   The differences of status and function
between altar-priests and Levite-sojourners are readily conceded.
The important question, however, is what this difference implies,

and here J. A. Emerton's handling of the problems carries more conviction, particulary in connection with texts such as Deuteronomy 10 v. 8, and 18 vv. 1-8, where the whole tribe of Levi seems to be granted priestly rights and prerogatives (76). This should help to clarify the difference to which G. E. Wright correctly draws attention; what the sojourner-Levites lack is not "orders", but "livings".

The second claim, which is implicit, is that all priests should be Levites. Parts of the law-collection speak simply of "the priest" (c.f. e.g. Deuteronomy 20 v. 2, 26 v. 3) - this may indicate an earlier stratum - but many others specify in terms of "the Levitical priests" (e.g. Deuteronomy 17 v. 9, 18 v. 1 etc.) or "the priests the sons of Levi" (e.g. Deuteronomy 21 v. 5). G. von Rad believes that behind the whole Book there is the work of Levitical preaching (77). There are two main points in favour of such an argument. Access to such a wide range of traditional cultic and military matter could only have belonged to priests, and there are Biblical traditions - to be considered later - to the effect that the Levites taught law. More recently E. W. Nicholson has revived the view that the real origins of the Book are to be found in prophetic circles (78). The main factors in the argument are the claim that there was in the north a sufficiently influential prophetic movement possessing links with Samuel to account for the range and antiquity of Deuteromic material, and that Deuteronomy itself thinks of its central figure, Moses, as "the prophet par

excellence". What cannot be disputed is the fact that Deuteronomy comes from Yahwistic circles in touch with Israel's ancient traditions, and it may be a mistake to attempt a greater precision in this matter. The final promulgation of the Book involved the collection, editing and re-presentation of a wide range of Yahwistic material; and this could have come from various loyal sources (79). In any event Deuteronomy certainly served to support and affirm Levitical claims to particular duties. In an attack of leprosy it is to the Levitical priests that attention must be paid (Deuteronomy 24 v. 8); similarly, it is to them that cases of dispute requiring decision are to be brought (Deuteronomy 17 vv. 8-9). The priests, the sons of Levi, are those who carry the ark, and read the book of the law (Deuteronomy 31 vv. 9-13). Chapter 10 vv. 8-9 mentions the work of ministry, and adds to it the priestly blessing in Yahweh's name. The lack of portion or inheritance, which in some circles would have been regarded as cause for shame, is here theologised in terms of an act of separation by God himself.

"Yahweh is his inheritance."

(Deuteronomy 10 v. 9)

These assertions indicate a real vitality on the part of the Levites, and a positive attempt to re-assert their authority and influence as the priesthood of Yahweh. Even if Deuteronomy itself does not come from Levitical sources, there must have been sufficient

life on their part to make such claims credible.

Yet if this is true of the Levites, then it must also be true of other priesthoods, in particular of the Zadokite priests who were joint-founders of the Yahwistic sanctuary at Jerusalem, and who still held office in post-exilic times.   The question of the origin of the Zadokites remains an insoluble problem (80); what does seem certain is that they were not Levitical.   Their power and vitality is clear enough from their successful resistance to the well-based claims of the Levites, for whom the Josianic reformation was only a partial success.   The priests from the high places and the cities of Judah were removed (2 Kings 23 v. 8), but they did not exercise an altar ministry in Jerusalem (2 Kings 23 v. 9); Zadokite influence was apparently exclusive.   The ensuing state of tension concerning priestly claims was not finally resolved until the post-exilic times.   The question of the final solution can be left for the time being.   What has become clear is that, when we talk of the priesthood, we are concerned, not with a moribund institution built upon a uniform structure, but with a living organism, adapting and adjusting itself to new situations, and sometimes even in competition or conflict within itself.

It must be conceded of course that some of the details of this reconstruction in pre-exilic Israel are open to debate; the significant fact is that any reasoned reconstruction will reveal the same kind of pressure and adaptation.   A.H.J. Gunneweg, for

example, is inclined to think in terms of many more rival priest-
hoods, separating as he does both Elides and the priests of Nob
from the Levites, and these two priesthoods from one another. Add
to this the influence of pre-exilic Aaronides, and we are confronted
with a far more complex situation, which must have been contested
far more fiercely (81).   In this event, Deuteronomy 33 v. 11 would
reveal something of the spirit in which the debate was conducted:-

"...crush the loins of his (Levi's) adversaries, of

those that hate him, that they rise not again."

It may be that Gunneweg envisages a situation more complex than the
facts require, but whatever the truth about the details, the
fundamental conclusion stands secure.   To set the institutionalism
and traditionalism of the priestly office in its historical context
is to see it in a totally new light.   It is to discover a movement
capable of adaptation, pressure, adjustment, and competition, and
it is most unlikely that such a movement should be without a genuine
and far-reaching creative influence.

Notes to Chapter 2

(1)   "Prolegomena to the History of Ancient Israel" (E.T. by
        J. Sutherland Black & A. Menzies 1885) p. 397.

(2)   c.f. e.g. P. Volz - "Prophetengestalten des Alten Testaments"
        1938 p. 19.

(3)   This is largely due to the influence of S. Mowinckel - c.f.
        e.g. "Psalmenstudien" III/V 1922/3 and that of the "Myth and
        Ritual School" - c.f. e.g. S. H. Hooke (ed.) - "Myth and
        Ritual" 1933.

(4)   "Inspiration and Revelation in the Old Testament" 1946 p.
        172.
        c.f. also J. Pedersen - "Israel" (E.T. by A. Fausbøll 1940)
        III-IV p. 159 - "The prophet spoke out of the strength
        filling his own soul, the priest made the sacred objects
        speak by the force that pervaded them."

(5)   "Priester und Prophet" (Z.A.W. 63 1951 pp. 157ff.)

(6)   op. cit. p. 159.

(7)   "Office and Vocation in the Old Testament" ("The Laws in the
        Pentateuch and Other Essays" (E.T. by D. R. Ap-Thomas 1966)
        pp. 229ff.)

(8)   "Theology of the Old Testament" (E.T. by J. A. Baker 1961)
        I p. 433.

(9)   op. cit. p. 387.

(10)   op. cit. p. 433.

(11)   op. cit. pp. 150ff.

(12)   "Priests and Levites" (H.D.B. 1963 (rev. edition) pp. 793ff.)

(13)   "Prophecy in Ancient Israel" 1962 p. 157.

(14)   "Israelite Religion" (E.T. by D. Green 1966) p. 218.

(15)   c.f. e.g. A. R. Johnson - "The Cultic Prophet in Ancient Israel" 1962 (2nd edition).

(16)   A thorough and judicious consideration of the problem is given by H. H. Rowley - "Worship in Ancient Israel" 1967 pp. 144ff.

(17)   c.f. W. F. Albright - "From the Stone Age to Christianity" 1957 (2nd edition) p. 234 (n.46).

(18)   M. J. Lagrange - "Études sur les Religions Semitiques" (2nd edition) p. 215 (n.5).

(19)   c.f. e.g. A. Cody - "A History of Old Testament Priesthood" 1969 p. 27.

(20)   c.f. e.g. W. W. von Baudissin - "Die Geschichte des alttestamentlichen Priesterthums" 1889 p. 269.

(21)   op. cit. pp. 26f.

(22)   This point is discussed in detail by A. Cody - op. cit. p. 28.

(23)   op. cit. p. 201 (n.1).

(24)   I. Engnell's claim that "prophet and priest have come to be understood as more or less equivalent" has not been adequately substantiated. c.f. - "Critical Essays on the Old Testament" (E.T. by J. T. Willis 1970) p. 124.

(25) There are other "priestly" words of this kind - e.g. "nāgaš" ("to come near").

(26) For a detailed consideration of priestly blessings c.f. the unpublished Thesis of S. Rudman - "Forms of Priestly Blessings, Cursings and Toroth in Ancient Israel" 1967 pp. 20ff. (Durham University).

(27) c.f. J. Gray - "The Canaanites" 1964 pp. 126ff.

(28) Thought to fit the location of Qudeirat/Qudeis, some 60 miles south-west of the south end of the Dead Sea.

(29) op. cit. p. 397 (n.).

(30) Its site is still uncertain. For arguments against the traditional location in the Sinai Peninsula c.f. S. H. Hooke - "Sinai" (H.D.B. 1963 (rev. edition) p. 923)

(31) The site of Tell Balata, about 31 miles north of Jerusalem.

(32) "The History of Israel" (E.T. by P. R. Ackroyd 1960 (rev. edition)) pp. 91ff.

(33) "The Form Critical Problem of the Hexateuch" ("The Problem of the Hexateuch and Other Essays" (E.T. by E. W. Trueman Dicken 1966) pp. 1ff.)

(34) That this is a false distinction is one of the main conclusions of W. Beyerlin - "Origins and History of the Oldest Sinaitic Traditions" (E.T. by S. Rudman 1965).

(35) Somewhere to the east of Jericho - its exact site is uncertain. c.f. J. Muilenberg - "The Site of Ancient Gilgal" (B.A.S.O.R. 140 1955 pp. 11ff.)

(36)   "Gilgal-ein Beitrag zur Kultusgeschichte Israels" (V.T. I
        1951 pp. 181ff.)

(37)   "Gilead and Gilgal: Some Reflections on the Israelite
        Occupation of Palestine" (V.T. VI 1956 pp. 19ff.)

(38)   The modern Seilun.

(39)   Tell Beitin - about 12 miles north of Jerusalem.

(40)   Probably Tell el-Qadi in the extreme north of Palestine.

(41)   The site is uncertain.

(42)   Probably a few miles to the north of the Mount of Olives.

(43)   "The Book of Genesis" 1904 (2nd edition) pp. 146f.

(44)   "Genesis" (I.C.C.) 1910 p. 246.

(45)   The first attempt was made by W. W. von Baudissin - op. cit.
        The most recent is probably that of A. Cody - op. cit.

(46)   c.f. e.g. H. Gressmann - "Mose und seine Zeit" 1913 p. 214.
        E. Nielsen - "Shechem: a Traditio-historical Investigation"
        1955 pp. 280ff.

(47)   op. cit. p. 384.

(48)   "Leviten und Priester" 1965 pp. 55f.

(49)   op. cit. pp. 52ff.

(50)   "Genesis" (E.T. by J. H. Marks 1961) p. 419.

(51)   "Yahweh and the Gods of Canaan" 1968 p. 29.

(52)   op. cit. pp. 44ff.

(53)   c.f. e.g. W. W. von Baudissin - op. cit. p. 74.

(54)   c.f. W. W. von Baudissin - op. cit. p. 74.

(55)   c.f. K. Budde - "Die altisraelitische Religion" 1912 (3rd
        edition) pp. 45f., 137 (n.6).

(56)   c.f. E. Dhorme - "L'Évolution Religieuse d'Israel" I
         1937 pp. 226f.

(57)   "From Joseph to Joshua" 1950 p. 8 (n. 1).

(58)   c.f. e.g. T. J. Meek - "Hebrew Origins" 1950 (Torchbook
         edition) pp. 121ff.

(59)   An influential exponent of this view was G. Hölscher - "Levi"
         (Pauly-Wissowa; Real-Encyclopadie der classichen Altertums-
         wissenschaft 1924 col. 2160)

(60)   "Archaeology and the Religion of Israel" 1942 p. 109, pp.
         204ff.

(61)   "Ancient Israel: its Life and Institutions" (E.T. by J.
         McHugh 1961) p. 370.

(62)   c.f. e.g. W. F. Albright - "Yahweh and the Gods of Canaan"
         1968 pp. 47ff.

(63)   c.f. e.g. H. B. Huffmon - "Amorite Personal Names in the
         Mari Texts" 1965 pp. 225f.

(64)   For comment and references on the accuracy of the link
         between ark and desert c.f. Th.C.Vriezen - "The Religion of
         Ancient Israel" (E.T. by H. Hoskins 1967) p. 142.

(65)   c.f. A. Cody - op. cit. pp. 39ff; A.H.J. Gunneweg - op. cit.
         pp. 65ff.

(66)   "The Egyptian Derivation of the Name Moses" (J.N.E.S. 12
         1953 pp. 225ff.)

(67)   c.f. A. Cody - op. cit. p. 40 (n.4).

(68)   c.f. A. Cody - op. cit. pp. 70f.

(69)   c.f. A. Cody - op. cit. pp. 66ff;   A.H.J. Gunneweg - op. cit. pp. 109ff.

(70)   c.f. A.H.J. Gunneweg - op. cit. pp. 25ff.

H. Strauss - "Untersuchung zu den Überlieferungen der vorexilischen Leviten" 1960 pp. 109ff.

(71)   "I & II Samuel" (E.T. by J. S. Bowden 1964) pp. 105ff.

(72)   This assumption is based partly on the accuracy of the genealogical link in 1 Samuel 14 v. 3.   Some contest this -.

c.f. e.g. R. H. Pfeiffer - "An Introduction to the Old Testament" 1952 (1st British edition) p. 369. A.H.J. Gunneweg - op. cit. p. 116.

Many accept it (c.f. e.g. A. Cody - op. cit. pp. 82f.).

The fact that the family tree has to be built up from a variety of texts (1 Samuel 4 vv. 19-22, 1 Samuel 22 v. 9, 1 Samuel 22 v. 20 as well as 1 Samuel 14 v. 3) tends to tell in its favour.   If there was a deliberate unfounded attempt to link Nob with Shiloh, either for dogmatic or polemical reasons, we should expect to see it in a single text.

(73)   op. cit. pp. 184ff.

(74)   The oracle of 1 Samuel 2 vv. 27-36 is usually thought to reflect pro-Zadokite interests - c.f. e.g. H. W. Hertberg - op. cit. pp. 37ff.

(75)   "The Levites in Deuteronomy" (V.T. IV 1954 pp. 325ff.)

(76)   "Priests and Levites in Deuteronomy" (V.T. XII 1962 pp. 129ff.)

(77)   c.f. "Studies in Deuteronomy" (E.T. by D. Stalker 1953)

        pp. 60ff.

        H. W. Wolff - "Hoseas geistige Heimat" ("Gesammelte Studien"

        1964 pp. 232ff.)

(78)   "Deuteronomy and Tradition" 1967 pp. 73ff.

(79)   c.f. e.g. A. Bentzen - "Introduction to the Old Testament"

        II 1957 (3rd edition) pp. 44 (n.1).

(80)   For recent discussion of the problems c.f. A. Cody - op. cit.

        pp. 88ff.   A.H.J. Gunneweg - op. cit. pp. 98ff.

(81)   "Leviten und Priesterschaften stehen vielmehr in einem

        Konkurrenzverhältnis." (A.H.J. Gunneweg - op. cit. p. 116).

Chapter 3

Priestly Advice

1. ## Content

It is now necessary to consider in detail the four areas of priestly instruction outlined in Chapter 1, and to assess, if possible, the creative impact of such teaching. The first was called "priestly advice", and is concerned with the handling of the priestly oracle. This, as will be seen, involved some kind of lot-casting procedure; the priestly technique with "Urim" and "Thummim" was simply one technique among many (1). The immediate problem, however, is to discover the content of priestly "advice", to outline the circumstances in which men might resort to the priest, and to consider the nature of the directive given. Examination of the relevant material reveals one outstanding fact - that there is an intimate link between the use of the oracle and a desire for guidance on military matters.

a)   Numbers 27 v. 21 (P)

> "And he (Joshua) shall stand before Eleazar the priest,
> who shall enquire for him by the judgement of the Urim
> (šāʾal lô mišpaṭ hāʾûrîm) before Yahweh: at his word
> they shall go out, and at his word they shall come in".

This text is best regarded as an accurate and deliberate archaism on the part of "P" (c.f. also Ezra 2 v. 63, Nehemiah 7 v. 65). The lack of the relative "who" in the Hebrew makes for difficulties

concerning the identity of "lŏ" and the subject of "ša᾽al", but the RSV reading makes excellent sense, and is thoroughly acceptable. It has the effect, therefore, of putting Joshua under the priesthood in certain important respects. Though he is leader the questions of "when?" and "how?" are questions to be addressed to the judgement of the priestly oracle (3). This judgement is clearly intended to regulate the movement of the people, though, in its present context, there is a distinctly pastoral air about Joshua's leadership:-

> "that the congregation of Yahweh may not be as sheep
>
> which have no shepherd".

(Numbers 27 v. 17)

This, as will be seen, is almost certainly a priestly transformation of the old oracle-enquiry addressed to the priest in a military situation, and still evident in the idea of "going out" and "coming in".

b)   Judges 1 vv. 1-2

> "... the people of Israel enquired of Yahweh, "Who shall
>
> go up first for us against the Canaanites, to fight against
>
> them?"   Yahweh said, "Judah shall go up...""

It is true that there is no explicit reference here either to the priest or to his oracle, but it is generally agreed that both are implied (4). The word of enquiry is used elsewhere of special objects associated with holy places; it can be addressed to "a thing of wood" (Hosea 4 v. 12) or to "teraphim" (Ezekiel 21 v. 26). It is

also a distinctively priestly duty at the sanctuary, as will shortly become clear. If these assumptions are correct then the sanctuary in question could be Gilgal (c.f. Judges 2 v. 1) (5), or possibly Shiloh (c.f. Joshua 18 v. 1). Two points to note in passing are the oracle's capacity to specify - "Judah shall go up" - and the declaratory perfect which characterises the subsequent word of encouragement - "behold, I have given the land into his hand" (v. 2). The main point of concern here is that this is a military situation, and that the enquiry calls for specific advice of a military nature.

c)   Judges 18 vv. 5-6

> "And they said to him (the priest), "Enquire of God, we
> pray thee, that we may know whether the journey on which
> we are setting out will succeed." And the priest said
> to them, "Go in peace. The journey on which you go is
> under the eye of Yahweh.""

The suggestion that enquiry was frequently made through a priest is here confirmed. There is no reference to Urim and Thummim, but the priest does have in his possession an ephod (Judges 18 v. 20), and this, as will be seen, is certainly an object involved in this kind of priestly consultation. In his reply, the Levite-priest makes it clear that he regards himself as a priest of Yahweh, and again, there is a distinctive word of encouragement. This particular enquiry is concerned with the migration of an individual tribe, rather than with the Amphictyony engaged in Yahweh's war, but it is the kind of

enquiry which sought advice on the type of journey which might clearly involve military action.

d)   Judges 20 v 18

> "The people of Israel arose and went up to Bethel,
> and enquired of God, "Which of us shall go up first
> to battle against the Benjaminites?"   And Yahweh said,
> "Judah shall go up first.""

There are three points here of particular interest.   The enquiry is at a sanctuary, and therefore suggests a priesthood;   the oracle is once again able to specify with precision - "Judah shall go up first";   the context here is explicitly military.   The same points are clear in the second enquiry, recorded in v. 23.   In this case the reply is simply "Go up against them"; and could therefore be based on some simple affirmative/negative technique.   This is also true of the third enquiry in v. 28;   in this instance the word of encouragement follows the oracular reply - "for tomorrow I will give them into your hand".   In its present form this third text refers to the presence of the ark at Bethel, the sanctuary in question, and also introduces a priesthood, that of "Phinehas the son of Eleazar, son of Aaron".   This section (vv. 27b-28a) interrupts the flow of the narrative and is very easily detached.   J. Gray sees within it a "Deuteronomic theology of the ark" and a "post-exilic redactional insertion" regarding the priests (6), but all the same, the instincts are probably correct.   As we have suggested the ark was probably integral to the tribal confederation, the Levite priests were

probably its attendants, and the enquiry probably required a priestly technique for its answer. What is beyond question in all the enquiries of Chapter 20 is the military context.

e)   1 Samuel 14 v. 37

> "And Saul enquired of God, "Shall I go down after the Philistines? Wilt thou give them into the hand of Israel?" But he did not answer him that day."

This enquiry makes explicit the two-fold concern that would be in the mind of the military commander; Saul wants to know both how he should act, and also what will be the outcome. A word of encouragement is clearly expected along with the oracular reply itself. Another important point in this particular text is the fact that the oracle might not reply, a fact which Saul interprets in terms of sin among the people (v. 38).

There are several other useful points of information which can be gathered from the immediate context. In 1 Samuel 14 v. 3 it is stated that Ahijah the priest is with the army "wearing an ephod", making it clear enough that he is the man of the oracle. There is another revealing incident a little later (vv. 18-19), where Saul summons Ahijah, and demands that he bring forward "the ark of God". The Septuagint reading here has "ephod", and has gained wide acceptance (7). There are two strong points in its favour. In the first place, the ark appears to have been laid up at the house of Abinadab during these years (c.f. 1 Samuel 7 v. 1 and compare with 2 Samuel 6 v. 3). While it is possible that the ark was still

taken out into battle, it does seem that the sons of Abinadab
rather than Ahijah are responsible for its care (1 Samuel 7 v. 1).
In the second place the sense of vv. 18-19 seems to require the
ephod, as referred to in v. 3.   Saul seems to consult the priest
(v. 19), and his command "Withdraw your hand" suggests that the
priest is either at the point or in the process of manipulating the
sacred oracle.   Saul prefers not to enquire, but to take immediate
advantage of the situation (v. 20).   Once again, the enquiry-
context is military.

f)   1 Samuel 22 v. 10

> "and he (Ahimelech) enquired of Yahweh for him (David),
> and gave him provisions, and gave him the sword of
> Goliath the Philistine".

This is part of Doeg's report to Saul, and though enquiry is not
mentioned in the preceding narrative, there is no reason to suppose
that Ahimelech did not help David in that way.   Here again we have
enquiry of a priest at a sanctuary, and again in a military setting.
David's expedition (1 Samuel 22 v. 5) is apparently of this kind, and
the priest's willingness to supply weapons enforces the point. Saul's
interpretation ofthis as conspiracy and treason (1 Samuel 22 v. 13) is
therefore intelligible.

g)   1 Samuel 23 v. 2

> "... David enquired of Yahweh, "Shall I go and attack
> these Philistines?"   And Yahweh said to David, "Go and
> attack the Philistines and save Keilah."

This is the first of a series of four enquiries by David in this Chapter, all of which are concerned with military matters. The second enquiry (v. 4), David's reaction to the fear of his men, is answered in the same way, but also includes a word of encouragement - "I will give the Philistines into your hand." The consultation-technique is made perfectly clear in vv. 9-10, where David summons Abiathar the priest with the words - "Bring the ephod here". The third and fourth enquiries (vv. 11-12) are concerned with what David's adversaries will do - "Will Saul come down ... ?", "Will the men of Keilah surrender me and my men into the hand of Saul?" The priestly part in this kind of enquiry is therefore confirmed. The text of 1 Samuel 23 v. 6 goes out of its way to mention the fact that when Abiathar joined David he came "with an ephod in his hand". H. P. Smith suggested that this might previously be implied in the difficult text of 1 Samuel 22 v. 23, where he reads the last clause as - "thou art a deposit with me" (8), with "deposit" understood to be the ephod.

h)   1 Samuel 28 v. 6

>   "And when Saul enquired of Yahweh, Yahweh did not
>   answer him, either by dreams, or by Urim, or by
>   prophets".

This text points to other current consultative techniques, and the Urim, as the priestly method of revelation, is clearly distinguished. The fact, already noted, that the priestly oracle might fail to reply is here confirmed. The other important point is that Saul's

concern arises once again from a military situation. The
Philistines are assembled and have encamped at Shunem, while the
Israelites are at Gilboa (v. 4); Saul's prime concern is to know
what to do (v. 15).

i)   1 Samuel 30 vv. 7-8

> "And David said to Abiathar the priest... "Bring me
> the ephod." So Abiathar brought the ephod to David.
> And David enquired of Yahweh, "Shall I pursue after
> this band? Shall I overtake them?" He answered him,
> "Pursue; for you shall surely overtake and shall surely
> rescue."

This confirms many of the points already made, and serves as a
suitable summary, establishing the link between ephod and enquiry,
the importance of the priest, and the military nature of the
question, which asks both for immediate guidance, and also for a
prediction of the outcome (c.f. 2 Samuel 5 v. 19).

j)   2 Samuel 2 v. 1

> "After this David enquired of Yahweh, "Shall I go up
> into any of the cities of Judah?" And Yahweh said to
> him, "Go up." David said, "To which shall I go up?"
> And he said, "To Hebron.""

Here there are two questions. The answer to the first is straight-
forward, demanding only an affirmative/negative technique, but the
second demands more particular specification from the oracle. This
enquiry is not concerned with an immediate military matter, but

like that in Judges 1 vv. 1-2 it is concerned with a journey which might well have military consequences.   David, as outlaw and exile, and as leader of a mixed group of men, had reason to be uncertain of his reception in Judah.

k)   2 Samuel 5 v. 23

> "And when David enquired of Yahweh, he said, "You shall not go up; go round to their rear, and come upon them opposite the balsam trees..."

The context here is military; the Philistines are spread out in the valley of Rephaim, ready for battle (v. 22).   When David enquires as to what he should do he receives, not only a simple response, but also a piece of detailed tactical strategy - "when you hear the sound of marching in the tops of the balsam trees, then bestir yourself; for then Yahweh has gone out before you to smite the army of the Philistines" (v. 24).   This is in essence both a prediction of the outcome, and a word of encouragement, but the amount of detail given is something new.   It is difficult to know whether this would be part of the priestly interpretation of the oracle, or whether it might indicate the intervention of a prophetic word. Another possibility is that the text is simply a theological explanation of a cunning piece of strategy on David's part.

. These eleven texts represent the bulk of the early evidence regarding the use of the priestly oracle.   The common factor is that they are all set in some kind of military context.   The presence of the priests has sometimes to be assumed, but the support

of other texts has shown that assumption to be abundantly justified.

This raises an important question as to whether the use of the priestly oracle is to be limited to this rather narrow context. Is there any indication that it might be used for other purposes? The casting of lots was a familiar device in Old Testament times for selecting one option from among many. Is there any ground for believing that priestly "advice" was integral to all or some of these procedures? In the early material there are three particularly important passages for consideration in this connection.

a)   1 Samuel 14 vv. 38-42

This passage describes how Saul, by means of lots, solves the problem of hidden guilt. According to the Septuagint reading, Saul prays:-

> "If this guilt is in me or in Jonathan my son, O Yahweh
>
> God of Israel, give Urim; but if this guilt is in thy
>
> people Israel, give Thummim."

This reading has often been preferred to the rather puzzling Hebrew text (9), and if this is correct, then the use of the priestly oracle must also have extended to judicial situations. H.P. Smith gives five reasons for preferring the Septuagint text (10):-

1.   A late author is unlikely to have invented a reference to the ancient and outdated priestly oracle.

2.   It is difficult to make sense of the Hebrew text as it stands.

3.   If a Hebrew text is reconstructed on the basis of the

Septuagint, then the loss of part through homeoteleuton is feasable.

4. The word "ṭāmîm" alone is not sufficient textual evidence to suggest to a later writer the need to refer to the priestly oracle.

5. Some procedure, like the priestly oracle, is presupposed. Since the discoveries at Qumran, general estimation of the Septuagint has become more favourable, and its reading here gives such a good impression that a number of modern translations adopt it (11).

On the other hand there is always good reason for taking the harder reading seriously, and Smith's reasoning, in this instance, cannot be regarded as conclusive. It is not unreasonable to suppose that a late translator found a difficult Hebrew text which he sought to interpret. The reference to the priestly oracle in vv. 36-37 and the awareness that some such procedure is presupposed could be a sufficient combination of facts to suggest to the thoughtful writer that "ṭāmîm" might be rendered "Urim" and "Thummim". The third point in Smith's argument is wholly dependent upon the conclusiveness of the others, and therefore could only be of corroborative value. The Hebrew text has a recent champion in J. Lindblöm, who strongly resists the idea that the text, though difficult, is meaningless (12). The difficulty is concerned with two words only - "hābāh ṭāmîm" - which suggest the giving of "blamelessness" or "completeness". This could readily be rendered

as "give a true/correct decision"; the peculiarity of the
expression might indicate therefore some ancient technical
terminology otherwise unknown to us.   If this reasoning is
correct then it could well be that the Septuagint has failed to
distinguish between two types of lot-casting, that of the priest
in vv. 36-37, and a different kind, performed possibly by the laity,
in vv. 38-42.   Lindblom adds that the Septuagint rendering of Ezra
2 v. 63 tends to show that the Greek translators had little real
knowledge of the significance of Hebrew oracle-terminology.
Terminology and procedure also tend to suggest that the answer-
giving of vv. 38-42 is rather different from that of vv. 36-37.
The term "taken" (from the root lkd) (c.f. vv. 41, 42) appears to
be technical, describing the result of the lot-casting procedure;
it does not appear in any of the eleven texts hitherto considered.
The other distinctive feature is the setting of possible options
over against one another (v. 40), and the casting of the lots
between them.   In those instances where the priestly oracle specifies
a particular option (c.f. e.g. Judges 1 vv. 1-2) some such procedure
is possibly implied, but this does not hold good for vv. 36-37.

b)   1 Samuel 10 vv. 20-24.

This passage describes another lot-casting incident.   Here Saul
is selected to be king.   The procedure seems to be precisely that
of 1 Samuel 14 vv. 38-42.   An individual is selected from among many,
and in vv. 20-24 there is no reference to the priest.   There is the
same distinctive terminology with the word "taken" (lkd), and in

addition, the phrase "brought near" (from the root k̲r̲b̲).   It
would seem to follow that if the procedure of 1 Samuel 14 vv. 38-
42 is priestly, then this must be too, yet nothing in vv. 20-24
demands it.   In fact, the second enquiry (v. 22) produces the kind
of answer that the seer would probably give - "Behold he has hidden
himself among the baggage."   It is of course to the seer that Saul
himself turns when looking for the lost asses (1 Samuel 9 v. 11).

c) Joshua 7 vv. 16-18

These verses describe the selection of Achan by lot.   As in 1
Samuel 14 vv. 38-42 the problem is the determination of guilt.   The
procedure is once again a matter of steady elimination, and there
is the same technical terminology as is present in the preceding
passages - "brought near" (k̲r̲b̲) and "taken" (l̲k̲d̲).   Once again,
there is nothing that demands the presence of the priest and his
instruments.

There may be no final answer to the problem, but there do seem
to be grounds for distinguishing the procedures of these three
passages from that involved in the giving of priestly advice.   There
is no reason for supposing that Saul, Samuel and Joshua were not
themselves the men in charge.   The priest clearly had a role in the
administration of justice, but, as we shall see, this appears to have
been more a matter of "ordeal" than of "lot".   Whether this reasoning
is generally correct or not, it does seem likely that essentially
priestly "advice" was an oracular response to an enquiry seeking

Yahweh's favour and guidance in a military situation.

2.   Method and Form

It is clear enough that priestly "advice" was given on the basis of some manipulative technique, and that the objects handled were "Ephod", "Urim" and "Thummim".   The etymological significance of these words, however, remains obscure.   For "Urim" the Septuagint uses the word "delosis" ("manifestation"), or else the verb "photizo" ("to illumine"), while the Greek versions use "photismos" ("illumin-ation") or "didache" ("teaching").   The Septuagint is equally unpredictable in its rendering of "Thummim" with words such as "aletheia" ("truth"), "hosiotes" ("holiness"), and "teleia" ("complete", "perfect").   The idea of "perfection" is also prominent in some of the Versions.   The Latin renderings are equally varied, and follow the same pattern.   All told, these readings are probably not very helpful, though it is just possible that the rendering "the Lights and the Perfections" (c.f. R.V. footnote to Exodus 28 v. 30) has some value.   In this event the word "Urim" would have connections with the root "'ôr" ("be light"), and "Thummim" with "tāmam" ("be perfect").   On the other hand, these readings give no useful clue as to the nature of the objects in question, and J. Wellhausen, among others, sought a more effective contrast by suggesting that "Urim" might be derived from the verb "'ārar" ("to curse") (13). This would mean that that part of the oracle gave the negative reply, and that "Thummim" gave the "perfect" response - that which approved of the proposed course of action.   This rendering is more intelligible,

but the identification of "perfection" with an affirmative is somewhat tenuous. To set "cursing" over against "perfection" might suggest ideas of "guilt" and "innocence", but, as we have seen, it is not at all clear that the priestly oracle was essentially a means of making such judgements. A rather different reading of the situation makes it possible for "Urim" to be the affirmative response. Assuming a connection with the root "ʾôr", the point of contrast could be between "light" and "darkness"; in this case "tāmam" would have the sense of "completion", and would refer to the cessation of light at the end of the day. This, however, seems particularly forced, and therefore improbable (14). W. E. Muss-Arnolt links "Urim" with the Assyrian forms "urtû" and "ertû", meaning "divine decision", whereas "Thummim" might be connected with the Assyrian "tamâtû", meaning "oracle". (15). This would suggest that the words "Urim" and "Thummim" are a hendiadys, an approach favoured by I. Engnell (16). This suggestion is not impossible, but if correct, still leaves unexplained the element of contrast (affirmative or negative) which seems to be required in the priestly oracle. It is clear enough that, as yet, there is no final solution to the problem of the meaning of the words. W. Eichrodt makes the further observation that there might be some connection with the first and last letters of the alphabet, which could be inscribed on the oracle, and would serve as the "heads" and "tails" in modern coin-tossing procedures (16). One of the most recent ideas is that of E. Robertson, who suggests that the words "Urim" and "Thummim"

refer to the whole alphabet (18). The numerical status of the letters could supply an affirmative or negative response, depending upon whether the chosen letter was odd or even. Since the basis of the Hebrew language is a triliteral root, it would even be possible to produce meaningful words. This has some attractive features, but is no less conjectural than many other suggestions, and it is clear enough that the question remains an open one. The real solution may well be unattainable (19), but if a choice is to be made the link with the verbs "'arār" and "tāmam" probably has most to commend it (20).

There are other difficulties in determining what the oracle was. (21). In general, there are two main possibilities. H. Wheeler Robinson draws attention to the Arabian custom of divination with headless arrows before an image of the deity, and suggests that the Hebrew custom involved similar objects (22). This is supported, among others, by W. Eichrodt (23) and R. de Vaux (24) who write of the oracle as small sticks, with the alternatives presumably inscribed upon them. Hosea 4 v. 12 refers to such a custom. A second possibility is that the oracle consisted of two flat objects or discs, a view preferred, among others, by H. P. Smith (25), W.O.E. Oesterley and T. H. Robinson (26), and H. H. Rowley (27). In this event, one side of each "disc" would be negative, and the other positive - with one side called "Urim" and the other "Thummim". This supposition has two particular advantages; it accounts for the

plural form of the names, and makes possible a "no reply" - that is, when the two "discs" give different answers. Another possibility that this suggests is the separation of the names "Urim" and "Thummim" from the negative/affirmative response. In this case "Urim" and "Thummim" would be the names of the discs themselves, rather than the names of the sides revealed (28). This would require some further explanation of the plural forms, and also the setting aside of the Septuagint reading of 1 Samuel 14 vv. 38-42. On the other hand it would make the parallelism of the Assyrian etymology credible - one "disc" being "divine decision", and the other "oracle". In either event the two sides of the "discs" must have been distinguished in some way, possibly by an inscription, or, as some think, by means of different colours (29).

Another problem concerns the nature of the "ephod" and its relationship to "Urim" and "Thummim". The priestly laws are quite explicit on both these points. The "ephod" in Exodus 28 vv. 5-14 is a decorated vestment in the form of an apron with shoulder straps. Attached to it is a breastpiece or pouch (Exodus 28 vv. 15-30) containing the "Urim" and the "Thummim". The "ephod" itself was made of coloured material woven together with "fine twined linen". The problems arise when the attempt is made to penetrate behind this tradition to earlier historical situations. Here again there are indications that it was a garment, though different in kind, and not distinctively priestly. It is described simply as a "linen ephod", and is probably simply a special waistcloth. Among older exponents of this understanding of "ephod" are T. C. Foote (30) and E. Sellin

(31). The wearers - Samuel (1 Samuel 2 v. 18) and David (2
Samuel 6 v. 14) - are in close proximity to the ark, but at that
stage are not performing distinctively priestly functions. There
are good grounds for rejecting the reference to linen in 1 Samuel
22 v. 18 (32), but even if the Hebrew is accepted the text does not
necessarily preclude the wearing of the "ephod" by worshippers other
than the priest. There is other evidence, however, to suggest that
the word could be applied to different cultic objects. In Judges
8 v. 27 Gideon is said to have made an "ephod" from a considerable
quantity of gold and various ornaments. It distracts Israel from
her loyalty to Yahweh, and would therefore appear to be an idol of
some kind (33), or at least some special instrument of divination,
rather than a garment (34). The same could be deduced from those
texts which establish a close link between "ephod" and "teraphim"
(c.f. e.g. Judges 17 v. 5, 18 vv. 14, 17-18, 20, Hosea 3 v. 4). In
this case the oracular stones might be shaken from the object (35).
Another allusion, in 1 Samuel 21 v. 10, has the words "behind the
ephod", and in its context seems to make best sense, either as an
image, or as some object used for "enquiry". If the latter is the
case, then we should link this text with those already considered
which make the "ephod" an integral part of the priestly oracle -
something to be carried ("nāsāʾ" - 1 Samuel 2 v. 28, 14 v. 3, 22 v.
18; c.f. also 23 v. 6) and brought near ("nāḡas" - 1 Samuel 14 v.
18, 23 v. 9, 30 v. 7).

This evidence, varied as it is, is difficult to assess. The

word may have been used loosely, or there may be confusions in the tradition. A distinctive solution was offered by W. R. Arnold (36), who accepted the Hebrew text of 1 Samuel 14 v. 18, and argued that "ephod" in the Septuagint was a scribal attempt to harmonise a factual multiplicity of arks with the tradition that there was but one constructed by Moses. This means that all early references to "ephod" should be read as "ark". The word "ephod" possessed priestly connections, and involved only a slight textual alteration. The simplicity of this solution however should not obscure the fact that it has meagre and dubious support from a single text, and that it fails totally to account for David's recommissioning of the neglected ark at Kiriath-jearim. J. Morgenstern has drawn attention to the "'otfe" of certain Bedouin tribes - a tent-like structure carried by a camel which was both a palladium of the tribe in battle and a source for oracular decisions (37). He suggests that "ephod" is simply a general name for such a cultic object, and that the "Ark of God" and the "Tent of Meeting" are the "ephods" of Ephraim and Judah respectively. The theory has a certain attractive-ness as a neat solution to complex problems, but like that of Arnold has no substantial basis in the Biblical text. Some of the most likely approaches have, like Morgenstern, made use of comparative studies. H. Thiersch has drawn attention to similarities of form and function between the "ephod" as a garment and the clothing of Greek deities (38). More recently and more relevantly W. F. Albright has pointed to the word "epâdum" - almost certainly a robe of some

kind - in Assyrian sources, and the word "ᵓepâdu" in Ugaritic texts meaning a woman's robe, and in one context worn probably by Anath (39).   In Albright's view the ephod, taken over from Canaan, would be both garment and cult object so that the varied usage in the Old Testament is not wholly unintelligible.   J. Gray has suggested that the "ephod" in Judges 8 v. 27 may refer to a covering laid over some sacred image or symbol (40).   He also points to Ras Shamra for evidence of such coverings in sheet metal or metal brocade.   In this event, the "ephod", as in other texts, would be a kind of holy garment.   This still leaves the link between "ephod" and consultation an indeterminate one, but it could be that the "ephod" in such contexts would be a special garment with pockets to hold the oracular objects (41).   These would be drawn by hand from the worn garment.

The conclusion of G. Henton Davies has much to commend it in the present state of knowledge - "Since a garment is assumed for some uses of the word, it is the feasable explanation of all references, except that when placed in the shrine it may have been thought of as a sacral covering" (42).

It is also worth observing that "ephod" and "Urim and Thummim" are only explicitly linked in the priestly literature.   The "ephod" carried about by priests such as Ahijah and Abiathar need not have contained "Urim" and "Thummim".   If this "ephod" was capable of holding several sticks or similar objects, then that would account for its capacity to specify a particular choice among many - the

tribe of Judah, for example, in Judges 1 vv. 1-2.   On the other hand, there is of course no a priori reason why originally "Urim" and "Thummim" should be two oracular "lots" rather than many. The possibilities are almost endless, and the solution elusive; what is certain is that "Urim", "Thummim", and "ephod" together were integral parts of the mechanical techniques used by the priest in discovering the divine will.

Taking the evidence of the eleven texts as a whole there appear to be two types of priestly "advice", depending on the kind of question asked.   Often the response would be a simple negative or affirmative, with the additional possibility of silence.   On other occasions, when necessary, the oracle could make a specific choice out of many options.   This could of course be achieved by a laborious series of questions to a "yes/no" type of oracle, but there is no particular reason for assuming that the priestly oracle was exclusively of that type.   Another important point about the form of the answer is the word of encouragement which appears to accompany the divine response.   Over half of the eleven texts contain such words of encouragement, and others seem to imply it. This word of encouragement might include a declaration of Yahweh's favour:-

> "Go in peace.   The journey on which you go is under
> the eye of Yahweh."

(Judges 18 v. 6)

Sometimes it could be a declaration of Yahweh's success, framed in the so-called prophetic perfect:-

> "Behold I have given the land into his hand."

(Judges 1 v. 2)

Often it is simply a prediction of what Yahweh is going to do on the enquirers' behalf:-

"For tomorrow I will give them into your hand."

(c.f. also 1 Samuel 23 v. 4, 30 v. 8, 2 Samuel 5 vv. 23-24). There is then a close link between enquiry, "advice", and encouragement. Indeed, the encouragement appears to be an integral part of the "advice"; it is an explicitly priestly word in Judges 18 vv. 5-6. It is interesting that many other military narratives contain just such words of encouragement, usually to the effect that Yahweh has given the enemy into Israel's hands. Such words are spoken to Joshua at Jericho (Joshua 6 v. 2) and at Ai (Joshua 8 v. 1, 18), and also to some of the Judges (c.f. e.g. Judges 4 v. 7, 7 v. 9 etc.). It would seem likely that these also reflect some kind of priestly enquiry and reply, the two points of contact being the substance of the encouragement, and the military context. Deuteronomy gives substantial support to the conviction that the form of priestly "advice" included a word of encouragement. The text of Deuteronomy 20 vv. 2-4 is explicit on this matter:-

"And when you draw near to the battle, the priest shall come forward and speak to the people, and shall say to them, "Hear O Israel, you draw near this day to battle against your enemies; let not your heart faint; do not fear or tremble, or be in dread of them; for Yahweh your God is he that goes with you, to fight for you against your enemies, to give you the victory.""

The style here is distinctively Deuteronomic, but the ascription of such words to the priest is clearly deliberate, and makes little sense except as a reflection of ancient tradition (43).   There are other "war sermons" in Deuteronomy (c.f. e.g. 9 vv. 1-5, 31 vv. 3-6), and taking this material as a whole, there are three common factors:-

1) "Do not be afraid."   2) "Yahweh goes with you to fight."

3) "Yahweh gives you victory."

These common elements seem to constitute the essentials of a pre-Deuteronomic priestly role, and they therefore strongly support our conclusion that priestly "advice" normally included some word of encouragement.

3.   Life Situation

Our investigations so far point unanimously to the "holy war" as the essential setting for priestly "advice".   The contexts are invariably military, and the enquiries hinge upon such success.   In the ancient world, and in the Old Testament itself, lot-casting is used for many different purposes.   We have already noted that guilt could be determined in this way, but there are also traditions to the effect that Canaan was divided among the tribes by lot (c.f. e.g. Numbers 26 v. 55).   The choice of cities for priests and Levites (c.f. e.g. Joshua 21 v. 4), and the organisation of Temple personnel are also made by lot (c.f. e.g. 1 Chronicles 24 v. 5).   The distinction between the goats in the Day of Atonement ritual is determined by lot (Leviticus 16 v. 8), while its familiarity in

secular contexts is clear enough in Proverbs 1 v. 14, where
casting lots together is a sign of friendship.   Such procedures
were therefore common-place, and yet, as we have seen, priestly
"advice" appears to have this very definite and specific link with
the "holy war".   The tribes might make such consultations either
individually or collectively;   later on, it was the privilege of the
military leader.   The origins of the oracle are unknown.   As the
possession of a mobile fighting community it was probably a pre-
settlement phenomenon.   W. Eichrodt suggests that it was already
in the possession of the Kadesh priesthood in pre-Mosaic times (44).

The really important question that arises is whether priestly
"advice" was the historical fore-runner of "tōrāh-direction".   This
is frequently assumed and at first sight seems reasonable.   Oracular
decisions become "tōrōt" or oral teaching, which in due course
becomes established in writing.   As J. Wellhausen asserts:-

> "...for the Torah was not originally a written law,
>
> but the oral decisions of the priests at the sanctuary...
>
> their torah was their instruction to others from their
>
> lips, not at all a written document in their hands,
>
> guaranteeing their own status, and instructing themselves
>
> how to proceed in the sacrifical ritual..." (45).

Even in Malachi's time true instruction is found "at the mouth of
the priest" (Malachi 2 v. 6).   That priestly teaching, like priestly
"advice", was essentially oral is clear enough, but this of itself
is insufficient reason for assuming an historical link between the

two.   Such a link, however, is frequently taken for granted.
H. Wheeler Robinson traces the development of "tôrāh" by first
referring to the casting of the sacred lot, and by tracing a
development from this to the idea of "tôrāh" as any revelation
of the divine will, and ultimately to any God-given teaching (46).
A. Bentzen also argues for a clear connection between the law
literature and the priestly oracle, citing the evidence of Deuter-
onomy 33 vv. 8-11, where oracle and teaching are mentioned together
(47).   Similarly, J. Lindblom argues that "Urim" and "Thummim"
must yield to "Torah".   For several reasons the assumption of such
a connection is worth questioning.

a)   While it is true that Deuteronomy 33 vv. 8-11 refers to both
"Urim and Thummim" and the teaching of "judgements" and "laws" it
is not at all clear that an historical link is implied.   The context
by no means suggests that the giving of oracles is ultimately
tantamount to the creation of law.   There is no more a necessary
link in the text between the teaching of law and the giving of
oracles, than there is between altar ministry (v. 10b) and the oracle.

b)   Certain philological arguments must be regarded as dubious.
An important part of J. Welhausen's argument is the claim that the
verb from which "tôrāh" is derived means "to give direction", and
that the participle signifies "giver of oracles" (48).   Many others
have also held the view that the stem of "hôrāh" ("to instruct") was
"yārāh" ("to throw"), and that therefore an intimate link with the
throwing of lots is implied (49).   It was therefore inferred that

priestly "tôrāh" grew out of the answers received from enquiries of the sacred oracle. Originally, therefore, "tôrāh" meant simply "casting lots"; it was then referred to the directives obtained in this way, and finally becomes a word for "direction" or "instruction". Apart from the fact that this kind of inference, as procedure, is open to serious objection (50), there are many other possibilities. Even those who suspect a link between "hôrāh" and "yārāh" do not always see a necessary connection with the casting of lots (51). J. Begrich, among others, prefers to think of "tôrāh" as a loan word (52), and a number of scholars have suggested some kind of link with the Akkadian word "têrtû" (53), a word which can mean "command", "law", or "oracle". W. F. Albright has strongly supported a derivation of this kind, suggesting that "tôrāh" is probably the Hebrew equivalent of "têrtû", and that "hôrāh" is derived from it, rather than vice versa (54). This question could of course be examined in greater detail, but there is sufficient reason here to believe that, from the philological point of view, there is no necessary link between "tôrāh" and the casting of lots.

c) Another point to be noticed is the fact that the oracular answers given by the deity are never called "tôrāh". The words "yārāh" and "hôrāh" are never used in these contexts. Instead, the characteristic verbs are "ʾāmar" and "ʿanāh". The verb "ʾāmar" predominates, occuring at least nine times (Judges 1 v. 2, 18 v. 6, 20 v. 18, 20 v. 28, 1 Samuel 23 v. 2, 30 v. 8, 2 Samuel 2 v. 1 (twice), 5 v. 19, 5 v. 23). Occasionally the verb "ʿanāh" is preferred (1

Samuel 14 v. 37, 23 v. 4, 28 v. 6).   If there were a direct

link between priestly lot-casting and priestly "tôrah", it would

be reasonable to expect the verb "hôrah" with its sense of "instruc-

tion" or "direction".

d)   A more important consideration deals with the substance of the

answers.   The divine word to "go out" and to "come in" is a word

for the situation; it is not "tôrah", and it is difficult to see

how such a word could ever so become (Numbers 27 v. 21).   The same

is true of the enquiry made by the Danites in Judges 18 vv. 5-6.

The priest gives them the divine blessing:-   "Go in peace.   The

journey on which you go is under the eye of Yahweh."   Is this

really a basis for future priestly "tôrah?   The words:-   "He will

come down" and "They will surrender you" (1 Samuel 23 vv. 11, 12)

are no more "law-like" in substance; they are not teaching or

instruction so much as simple pieces of "advice" for an immediate

and distinctive situation.   Precisely the same is true of 1 Samuel

30 vv. 7-8:-   "Pursue; for you shall surely overtake and shall

surely rescue."   Again, it is "advice" for a particular situation

which Saul is seeking, when he fails to obtain a reply (1 Samuel

14 v. 37, 28 v. 6).   This kind of observation is true of all the

material examined, and no matter how many such decisions were

collected, formulated and transmitted for posterity, they could never

form a basis for priestly "tôrah".   The problem is that they are not

a primitive or embryo "tôrah", but that they are basically different

in kind.   The answers given are pieces of "advice" for particular

situations, and they do not embody obvious principles of permanent

validity which might conceivably be a basis for "tôrāh". They set

no precedent which could be applied or re-interpreted to a

different and later situation. In several instances they answer

the question - "What is going to happen?", rather than the question -

"What ought we to do?", and even where duty is the foremost element,

it is impossible to detect any principle of behaviour which could

ever have permanent validity.

e) The final factor is more compelling still. The truth of the

matter seems to be that "Urim" and "Thummim" must yield, not to

"tôrāh", but to prophecy. It is no coincidence that, from the time of

the early monarchy, the use of the sacred oracle appears to vanish -

at precisely the point that prophecy, as an established means of

discovering the divine will, is gathering momentum. This process

of change is discernable within the Samuel/Kings history itself.

The kind of question normally referred to the oracle is increasingly

brought to the prophet, or to some other kind of visionary or

charismatic figure. There is of course the parenthetical note

in 1 Samuel 9 v. 9, to the effect that:- "formerly in Israel, when

a man went to enquire of God, he said, "Come, let us go to the

seer"; for he who is now called a prophet was formerly called

a seer." This indicates that in certain circumstances enquiry

could be made at a non-priestly source, and though it is a

later insertion, it is thoroughly in line with the account of

Saul's decision to seek "the man of God" in his search for the asses (1 Samuel 9 v. 6). The context here of course is not a military one, but in 1 Samuel 28 v. 7, where he is concerned about the outcome of an impending battle, he is prepared to resort to a medium, having failed to obtain satisfaction from both priestly and prophetic sources. In the course of time the sacred oracle appears to give place completely to the man of immediate inspiration. In 1 Kings 22 vv. 5-6 Jehoshaphat is anxious to ensure that the proposed military expedition has the favour of Yahweh. Ahab's reaction is not to consult the oracle - there is no mention of it here - but rather to gather together four hundred prophets. Michaiah's role in this story, along with that of Zedekiah and the other prophets, is precisely that of the sacred oracle. Another military enquiry is to be found in 2 Kings 3 v. 11. Here Jehoshaphat wishes to know about the outcome of the campaign against the three kings. It is to Elisha the prophet that he refers the matter. Elisha, for his part, secures an answer, not by means of an oracle, but through some kind of musical stimulation (v. 15). This again is precisely the kind of question which David would have put to ephod and priest. The word of enquiry with prophets is usually different ("dāraš" is normal rather than "ša'al" which is usually used of the priest), but the function is the same. The prophet also seems to be consulted on a wider range of problems, particularly with questions of sickness and recovery (c.f. e.g. 1 Kings 14 v. 5, 2 Kings 8 v. 8). The true conclusion seems to be that priestly "advice" gives way not

to "tôrāh", but to prophecy.   The loss of this distinctive function may well have led to a new priestly emphasis on "tôrāh", but this appears to be a re-adjustment - a different area of ministry - rather than a natural and progressive development of an old role.

4.   Creative Influence

It should now be possible to make some sort of assessment of the creative effects of priestly "advice".   This examination of the priest's work in terms of its content, method and form, and life-setting, suggests several ways in which the priest had a decisively influential impact on the life of the community.

a)   He encouraged a concern for the knowledge of Yahweh's will. The fighting man's enquiry was not a matter of idle curiosity.   It was his duty as leader - the man fighting Yahweh's war - to place himself without reserve under Yahweh, and to act in unquestioned obedience to him.   The priest stands out therefore as Yahweh's man in the middle of Yahweh's battle.   He is the decisive link between Yahweh and his people, steering their course in accordance with his will.   This kind of influence must have been deep and far-reaching. The idea that Yahweh is always a God to be reckoned with and obeyed, and the conviction that he is active, not only in past deliverances, but in present situations, however unpromising, are ideas that owe much of their inspiration to the word of "advice" that it was the priest's duty to give.

b)   He helped to create a sense of confidence in Yahweh.   His

interpretation of the oracle and his word of encouragement served
as a stimulus to achieve great successes in Yahweh's name. The
knowledge that Yahweh was concerned to vindicate himself and to
deliver his people was an essential ingredient in Hebrew faith,
and here again the priest's influence must have been considerable.
With the disintegration of the structure of the "holy war" as a
vital element in Hebrew faith, there also went a threat to the priest's
creative influence as the man who inspires confidence in Yahweh. It
may be, though, that the conjectural "Heilsorakel" is the sphere in
which the priest was able to adjust, and continue this ministry of
encouragement (55). The evidence for this kind of oracle is drawn
largely from the form of certain psalms, and the shaping of numerous
oracles in Deutero-Isaiah, but some external substance for the theory
is to be found in the narrative of 1 Samuel 1 vv. 9ff. Here Hannah
is "deeply distressed", and prays to Yahweh, weeping bitterly (a
kind of individual lament), and after she has explained the situation
to him, Eli apparently gives a divine response, along with a word of
encouragement:-

> "Go in peace, and the God of Israel grant your
>
> petition which you have made to him."

<div align="right">(1 Samuel 1 v. 17)</div>

There must, of course, be caution here. The individual lament is
not the same thing as an enquiry regarding the divine will, nor are
there any obvious linguistic links between that and the "Heilsorakel".
(56). Nevertheless, there is a suggestive similarity of structure.

In each case Yahweh is approached, followed by a divine response, and then a word of encouragement. Some of S. Mowinckel's work points in the same direction (57), suggesting that priestly oracles later became the cult oracles of salvation. He picks out the following integral elements in the priestly "Heilsorakel":-

1. A word of encouragement not to be afraid.

2. A statement that Yahweh has heard the prayer of the supplicant.

3. A word promising help and salvation, possibly with a word of corroboration - "I am your redeemer."

It is interesting that this structure corresponds very closely with that already discovered in the Deuteronomic traditions regarding the priest's encouragement in time of war. It may well be, therefore, that this was one way in which the priest was able to adapt to a new situation, and continue to exert an influence on the life and thinking of the people.

c) He helped to create a sense of Yahweh's presence among his people. The effect of priestly "advice" was not only to encourage an awareness of Yahweh's continuing activity, but also of his very presence within the camp. That priestly "advice" had such an effect is clear enough in the implicit criticisms of 1 Samuel 4. Here, in verse 3, it is assumed that the presence of priest and ark, and presumably ephod, is sufficient guarantee against defeat. This kind of priestly influence obviously fostered localised attitudes regarding the presence of God, notions which were always open to

prophetic criticism (c.f. e.g. Jeremiah 7 v. 4).   Yet, in its way, the priestly contribution was probably a necessary cornerstone upon which more sophisticated conceptions of God's presence among his people, and in the world at large, could be built (58).

d)   The final point concerns the fact that prophecy took over the essentials of this priestly role.   In other words, the priest created an important basis for prophetic ministry.   Above all else he established the principle of a recognised source of authority, from which guidance must be sought for contemporary situations. W. Zimmerli describes the prophets as "ambassadors of the God who stood above ... history and who controlled it ... the God who foretold the events of history, but who also retained the freedom to change a given announcement, and to make another...behind their preaching stood the Lord of freedom" (59).   This is not to say that there was not a substantial difference in the thinking of priest and prophet, but in this respect, the priest's convictions as he handled the sacred oracle, gave the reply, and the encouragement, must have been substantially the same.   The God who speaks through the oracle is the master of history, able to predict its course, and to act freely and decisively within it.   To deny that the priest was a creative influence in Hebrew faith regarding God and his will is to miss the deep implications of this narrow, transitory, but highly significant priestly role.

Notes to Chapter 3

(1)   c.f. J. Lindblom - "Lot-Casting in the Old Testament" (V.T. XII 1962 pp. 164ff.)

(2)   c.f. M. Noth - "Numbers" (E.T. by J. D. Martin 1968) p. 215.

(3)   c.f. G. B. Gray - "Numbers" (I.C.C.) 1903 p. 402.

(4)   c.f. e.g. C. F. Burney - "The Book of Judges" 1920 (2nd edition) p. 3.   J. Gray - "Joshua, Judges, Ruth" (N.C.B.) 1967 p. 245.

(5)   c.f. G. F. Moore - "Judges" (I.C.C.) 1898 (2nd edition) p. 11.

(6)   op. cit. p. 386.

(7)   c.f. e.g. H. P. Smith - "The Books of Samuel" (I.C.C.) 1912 p. 104.   S. R. Driver - "Notes on the Hebrew Text of the Books of Samuel" 1890 pp. 83-4.

(8)   op. cit. p. 209.

(9)   c.f. e.g. S. R. Driver - op. cit. p. 89.

(10)   op. cit. p. 122.

(11)   c.f. e.g. R.S.V. and N.E.B.

(12)   op. cit.

(13)   "Prolegomena to the History of Ancient Israel" (E.T. by J. Sutherland Black & A. Menzies 1885) p. 394 (n.). This is also favoured by G. F. Moore - "Urim and Thummim" (E.B. IV 1903 col. 5236)

(14)   Quoted with references by J. Paterson - "Urim and Thummim" (H.D.B. 1963 (rev. edition) pp. 1019f.)

(15)   c.f. J. Paterson - op. cit.   A.R.S. Kennedy - "Urim and
         Thummim" (H.D.B. IV 1902 pp. 838ff.)

(16)   c.f. H. H. Rowley - "Worship in Ancient Israel" 1967 p. 67
         (n.5).

(17)   "Theology of the Old Testament" (E.T. by J. A. Baker 1961)
         I p. 113 (n.4).

(18)   "Urim and Thummim; what were they?" (V.T. XIV 1964 pp.
         67ff.)

(19)   c.f. R. de Vaux - "Ancient Israel: its Life and Institutions"
         (E.T. by J. McHugh 1961) p. 352.

(20)   c.f. A. R. Johnson - "The Cultic Prophet in Ancient Israel"
         1962 (2nd edition) p. 6 (n.2).

(21)   For a survey of early suggestions c.f. A.R.S. Kennedy - op. cit.

(22)   "Inspiration and Revelation in the Old Testament" 1946 p.
         202 (n.3).

(23)   op. cit. p. 113.

(24)   op. cit. pp. 352f.

(25)   "The Religion of Israel" 1914 p. 122.

(26)   "Hebrew Religion" 1937 (2nd edition) p. 166.

(27)   "The Faith of Israel" 1956 p. 29.
         "Worship in Ancient Israel" 1967 pp. 66ff. (with full
         bibliography).

(28)   c.f. G. F. Moore - op. cit.

(29)   c.f. e.g. W.O.E. Oesterley & T. H. Robinson - op. cit. p. 166.
         N. H. Snaith - "Leviticus and Numbers" (N.C.B.) 1967 p. 65.

(30)   "The Ephod" (J.B.L. XXI 1902 pp. 1ff.)

(31)   "Das israelitischen Ephod" (Orient. Studien für T. Nöldeke
         II 1906 pp. 701f.)
         c.f. also "Zu Efod und Terafim" (Z.A.W. 55 1937 pp. 296ff.)

(32)   c.f. A. Cody - "A History of Old Testament Priesthood" 1969
         p. 75.

(33)   c.f. e.g. G. F. Moore - "Judges" (I.C.C.) 1898 (2nd edition)
         p. 379.

(34)   c.f. C. F. Burney - op. cit. pp. 236ff.

(35)   c.f. the suggestions of J. Pedersen - "Israel" (E.T. by A.
         Fausbøll 1940)III-IV p. 224.

(36)   "Ephod and Ark" 1917.

(37)   "The Ark, the Ephod, and the Tent of Meeting" 1945.

(38)   c.f. e.g. "Ependytes und Ephod" (Z.A.W. 53 1935 pp. 180ff.)

(39)   "Yahweh and the Gods of Canaan" 1968 pp. 174ff.

(40)   op. cit. p. 314.

(41)   c.f. e.g. W. Eichrodt - op. cit. p. 113 (n.5).

(42)   "Ephod" (I.D.E. I 1962 pp. 118f.)

(43)   c.f. G. von Rad - "Deuteronomy" (E.T. by D. Barton 1966)
         p. 131.

(44)   op. cit. p. 113.

(45)   "Israel" ("Encyclopaedia Britannica" XIII 1880 (9th edition)
         pp. 396ff.)

(46)   op. cit. pp. 393ff.

(47)   "Introduction to the Old Testament" I 1957 (3rd edition)
         p. 215.

(48) "Prolegomena to the History of Ancient Israel" (E.T. by

      J. Sutherland Black & A. Menzies 1885) p. 394.

(49) c.f. e.g. A. Lods - "Israel" (E.T. by S. H. Hooke 1932) p. 297.

      L. Köhler - "Old Testament Theology" (E.T. by A. S. Todd 1957)

      p. 205.

(50) c.f. in general J. Barr - "The Semantics of Biblical

      Language". 1961.

(51) W. Gesenius took "hôrāh" to be the hiphil of "yārāh" and

      meaning "to point out the way", or "to stretch the finger".

      Hence "tôrāh" became "instruction" (H.C.L. 1857 (rev. by S. P.

      Tregelles) p. 860).   G. Östborn rejects the idea of a link

      with lot-casting - "Tora in the Old Testament: a Semantic

      Study" 1945 pp. 6ff.

(52) "Die priesterliche Tora" (B.Z.A.W. 66. 1936 pp. 63ff.)

(53) c.f. e.g. G. R. Driver - "The Modern Study of the Hebrew

      Language" 1925 p. 90.   W. C. Wood - "The Religion of Canaan"

      1946 pp. 44, 56.

(54) "The Names "Israel" and "Judah" with an Excursus on the

      Etymology of todah and torah".   (J.B.L. XLVI 1927 pp. 155ff.)

(55) c.f. e.g. J. Begrich - "Das priesterliche Heilsorakel" (Z.A.W.

      52 1934 pp. 81ff.)

(56) For further confirmation of difference and similarity c.f.

      S. Rudman - "Forms of Priestly Blessings, Cursings and Toroth

      in Ancient Israel" (op. cit. Durham University) pp. 20ff.

(57) c.f. e.g. "The Psalms in Israel's Worship" (E.T. by D. R.

      Ap-Thomas 1962) II pp. 53ff.

(58) c.f. e.g. Isaiah 2 vv. 2-4. c.f. in general R. E.
Clements - "God and Temple" 1965.

(59) "The Law and the Prophets" (E.T. by R. E. Clements 1965)
p. 66.

Chapter 4

Priestly Direction

1. Content

J. Wellhausen was one of the first to discuss the development
of a pre-exilic ritual tradition on the subject of "how to fear God"
(c.f. 2 Kings 17 v. 28). (1).   He pointed out the distinction,
evident in Leviticus, between matters of specifically priestly concern,
and material which the priest was obliged to teach others.   This
teaching material is "tôrāh", and contains a wide range of information
on ritual matters.   A further detailed investigation of the subject
has been carried out by J. Begrich, and his conclusions have tended to
support those of Wellhausen (2).   Their particular value is that they
pick out a distinct type of priestly teaching, with distinctive subject
matter, and which corresponds in broad detail with what we have called
"direction".

It has often been pointed out that there is a development in the
use of the word "tôrāh" within the Old Testament itself.   In the
earliest narratives it occurs only rarely, and invariably in contexts
where other critical problems raise queries about the date of the
material (c.f. e.g. Exodus 13 v. 9, 16 v. 4, 18 v. 16, 20, 24 v. 12).
In pre-exilic prophecy it occurs with reasonable frequency (c.f. e.g.
Hosea 4 v. 6, Zephaniah 3 v. 4, Jeremiah 18 v. 18, c.f. Ezekiel 7 v.
26, 22 v. 26), often as a priestly function, but invariably without
the article, implying the idea of "teaching" or "divine instruction".

Although in Jeremiah "tôrāh" seems to be the special prerogative of the priest (c.f. e.g. Jeremiah 18 v. 18), Isaiah of Jerusalem readily uses it of his own words (c.f. e.g. Isaiah 8 v. 16), again most easily read in terms of "teaching". The idea of "tôrāh" as "law", employing the definite article, and embracing a clearly specified authoritative content, is typical of Deuteronomy (c.f. e.g. Deuteronomy 31 v. 9), and thereafter becomes the norm, though Malachi can still assert that "true "tôrāh"" ("instruction") is to be found in the mouth of the priest (Malachi 2 v. 6) (3). It is obviously important that the content of such teaching be examined.

A useful starting-point is the text of Ezekiel 44 v. 23 (c.f. Ezekiel 22 v. 26):-

> "They (the priests) shall teach my people the difference
> between the holy and the common, and show them how to
> distinguish between the unclean and the clean."

It is not precisely certain how these four categories are to be distinguished, but the following assessment makes good sense of all the evidence. The "holy" ("kōdeš") is that which is separated to God, and therefore belongs exclusively to Yahweh or his priests. The "common" ("hôl") is its antithesis. The word has no particular ethical or spiritual content; it simply indicates that a particular item or object does not belong to God. The word "clean" ("tāhôr") indicates that a "common" thing is free for a man to handle and use. Its opposite - "unclean" ("tāmē") means that a "common" thing is taboo for a man (4). To summarise, this means that there is a basic

antithesis between the "holy" and the "common", and a secondary
antithesis ("clean"/"unclean") within the "common" category. J. W.
Wevers describes the "P" legislation as the priestly attempt to keep
these distinctions clear in all realms of life (5).   In Ezekiel 22
v. 26 Sabbath desecration is quoted as a prime example of failure in
this respect.

> The "P" legislation itself makes the same demands of the priests:-
>
>> "You are to distinguish between the holy and the common,
>>
>> and between the unclean and the clean; and you are to
>>
>> teach the people of Israel all the statutes which Yahweh
>>
>> has spoken to them by Moses."

(Leviticus 10 vv. 10-11)

The fundamental original role is outlined in v. 10, and to this is
added in v. 11 a responsibility for the propagation of the whole
range of priestly statutes.   The context here in vv. 8-9 is the ban,
as far as the priests are concerned, on "wine" and "strong drink".
The command to avoid the cultic intoxication of alien cults is
essential if correct distinctions are to be made (6).

The priest was required therefore to make certain kinds of
distinction, but the question then arises as to the areas in which
such distinctions would be made.   On what kind of subject would the
priest give his "direction"?   It is possible to pick out five
particularly important areas in this connection.

a) Sexual Relationships.   In special circumstances, particularly in
the context of Yahweh's immediate presence or appearance, such

relationships would render a man "unclean". This is true of the
ceremony celebrating the Sinai theophany (Exodus 19 v. 15), but is
a particular mark of the rules regulating the conduct of the "holy
war". This seems to be the implication of the Deuteronomic law
concerning the year's freedom from military service (Deuteronomy
24 v. 5), but the idea is clearest in David's words to Ahimelech at
Nob:-

> "Of a truth women have been kept from us as always
>
> when I go on an expedition; the vessels of the young
>
> men are holy, even when it is a common journey."

> (1 Samuel 21 v. 6)

Uriah's response to David on another occasion reflects the same
convictions (2 Samuel 11 v. 11). Some of the "P" laws themselves
indicate that this was an area where the priest was required to give
specific direction. The ritual effects of a semenal emission are
taught (Leviticus 15 vv. 16-18). The "uncleanness" attendant upon
childbirth (Leviticus 12 vv. 1-8) is probably to be viewed in the
same light.

b) Blood. The ancient ban on the consumption of blood is prominent
in the law collections (c.f. e.g. Deuteronomy 12 v. 23, Leviticus 17
v. 10), and possibly accounts for other laws commanding the avoidance
of beasts of prey and carrion (c.f. e.g. Exodus 22 v. 30, Leviticus
17 v. 15). One of the old Saul-narratives reveals the same fear and
concern:-

> "Then they told Saul, "Behold, the people are sinning

against Yahweh, by eating with the blood.""

<div align="right">(1 Samuel 14 v. 33)</div>

This idea of blood as the seat of life also lies behind the notion of blood-guilt, with its many ramifications (c.f. e.g. Deuteronomy 22 v. 8). That the priest himself was bound to give "direction" in such matters is clear enough from Leviticus 17 v. 15 where the concept of "uncleanness" enters in. Similarly, the detailed laws on menstruation (Leviticus 15 vv. 19-30) indicate that the priest's capacity to distinguish and direct is important in this area.

c) Food. Deuteronomy 14 vv. 3-20 and Leviticus 11 vv. 1-47 give detailed distinctions between "clean" and "unclean" creatures. The ban on certain animals rather than others is not thoroughly understood, and there may be no single explanation (7). Some of the bans may have arisen through connections with alien cults; others, particularly those involving birds of prey, through their association with "blood". A recent contribution to the debate comes from the anthropologist M. Douglas who suggests that the ban is applied to all creatures which infringe particular concepts of wholeness and order (8). Those species are unclean which are in some respect imperfect members of their class, or whose class itself confounds the three-fold scheme of the world - earth, waters and the firmament. The strength of such an approach is its discovery of a consistent principle - which would be expected in priestly laws - and its point of contact with the other laws on uncleanness, where concepts of "wholeness" and "order" are dominant, as in the case of leprosy.

At all events, here is another area where the priest had to give "direction":-

> "to make a distinction between the unclean and the
> clean and between the living creature that may be
> eaten and the living creature that may not be eaten."
>
> (Leviticus 11 v. 47)

d) Death.   Other old taboos were concerned with the corpse and the carcase.   Here again problems could arise which would require priestly "direction":-

> "And if an animal of which you may eat dies, he who
> touches its carcase shall be unclean until the
> evening..."
>
> (Leviticus 11 v. 39)

The effect is more serious if contact with a human corpse is the problem:-

> "He who touches the dead body of any person shall be
> unclean seven days."
>
> (Numbers 19 v. 11)

Such problems are obviously heightened in time of war, but the "P" directives are no less strict.   To kill is to become unclean, and this must mean seven days outside the camp, and rigourous purification procedures (c.f. Numbers 31 vv. 19-20).

e) Skin Disease.   This covers a wide range of such ailments (Leviticus 13 vv. 1-46), and extends even to garments (Leviticus 13 vv. 47-59), and buildings (Leviticus 14 vv. 33-57).   The role of the

priest in this is explicit:-

> "...the priest must pronounce him unclean."

> (Leviticus 13 v. 44)

Throughout the procedures the priest takes the leading role, in the examination, declaration of uncleanness, and conduct of restoration rituals.

Here then are five important areas in which the priest would make his distinctions and give his "direction". It is also clear that behind such "direction" there must have been considerable knowledge about the effects of contact with objects in particular ritual conditions. A good illustration of this is the question put by Haggai to the priests (Haggai 2 v. 12):-

> "If one carries holy flesh in the skirt of his garment,
>
> and touches with his skirt bread, or pottage...or any
>
> kind of food, does it become holy?"

The priests' answer to this indicates that "holiness" from their point of view has no contagious properties. The second question (Haggai 2 v. 13) makes it clear that the effects of contact apply in the realm of "uncleanness", because the man unclean through contact with a corpse could also render food "unclean". This theory about the working of "uncleanness" could have complex implications, as is apparent in the regulations concerning small earth-bound creatures (Leviticus 11 vv. 29-38). Contact of the corpse with any household implement will make the latter "unclean", but this principle does not apply if there is contact with running water or with seed

ready to be sown.   On the other hand, there is "uncleanness" if
the corpse falls upon wet seed.   It is therefore clear that the
application of these principles of contact could become quite
sophisticated.

We have seen so far that priestly "direction" dealt in certain
categories, and operated in certain well-defined areas.   It should
also be clear, however, that the concepts holy/common and clean/
unclean had important implications for the cult.   To be "unclean"
was to be excluded from the holy place, and this gave to the priest
supreme authority at the sanctuary.   Furthermore, once priestly
jurisdiction in the offering of sacrifices had been established, then
a new area, calling for priestly "direction" would be opened up.
With the priest as master of the realm of the holy, there would be
much more that the laity needed to be taught.   This would extend to
the various kinds of offering, the purpose of each, and how they were
to be offered, and whether ultimately a particular sacrifice was
acceptable or not.   There were also matters regarding "holy" days
and seasons which the laity would need to know, and with the priest
as "holy" man, he would be the undisputed expert.   This, therefore,
must also be classed as priestly "direction".   It is quite
possible that the apparent extension of the priest's jurisdiction to
sacrificial matters arises naturally out of his basic distinguishing
role.   He needed, not only to make a distinction between the "clean"
and the "unclean", but also to know how "uncleanness" worked.   Yet
this very knowledge called for teaching about how men could be

preserved from it, and how the "unclean" man could be restored to the "holy" community. As is clear from all the relevant passages in Leviticus 11-15 restoration frequently involved the offering of sacrifice. The priestly command to offer would therefore imply and constitute a priestly authority in such areas.

It also seems likely that priestly "direction" would have emphasised the dangers of profanation. An early illustration of this occurs in 1 Samuel 21 v. 5 where Ahimelech answers David:-

> "... I have no common bread at hand, but there is
> holy bread; if only the young men have kept themselves
> from women."

The same concern would underlie similar warnings against profanation - in connection with the sanctuary (Leviticus 19 v. 8, Ezekiel 7 v. 24), with the offering (Ezekiel 22 v. 26), with the vow (Ezekiel 39 v. 7), and with the Sabbath (Ezekiel 20 v. 13). To summarise, priestly "direction" would cover anything the laity needed to know in connection with the cult, and their own relationship to God. It has its roots, however, in the priest's capacity to make right distinctions in the ritual realm. This capacity involved an intricate knowledge of the workings of "uncleanness", and an awareness of how such "uncleanness" could be overcome. By virtue of this knowledge the priest possessed in principle an authority to speak in all cultic matters.

An important question that arises is whether the content of priestly "direction" covered a still wider range of themes. R. de

Vaux, for example, resists any supposition that priestly teaching was confined to casuistry regarding the "clean" and "unclean", and claims that it must have covered moral matters too (9). J. Begrich, however, was insistent that priestly "tôrāh" at least should be limited to the realm of ritual distinctions. He sought to justify this by drawing a distinction in the "P" material between "tôrāh" (matters which the laity would need to know) and "dāʿat" (matters which were the sole concern of the priests). Begrich attempted to confirm this from certain texts in the prophetic literature. In Hosea 4 v. 6, for example, the two words are used of priestly work:-

> "You have rejected "dāʿat", therefore I reject you from
>
> being a priest to me. You have forgotten the "tôrāh"
>
> of your God, therefore I will also forget your sons."

A similar kind of parallelism can be found in Malachi:-

> "The lips of the priest should guard "dāʿat"..."

(i.e. that which concerns the priests alone).

> "...and men should seek "tôrāh" from his mouth."

(i.e. that which the priest teaches the people in general)

(Malachi 2 v. 7)

Begrich assumes that the parallelism here is one of contrast, but such an assumption is not easy to maintain. The prophetic use of both "tôrāh" and "dāʿat" often seems to have moral overtones. In Hosea 4 v. 1, for example, it is clear that "dāʿat" has to do particularly with "swearing, lying, killing, stealing, and committing adultery" (v. 2). Is not this then the "dāʿat" which the priests

are said to have rejected in v. 6?   The assumption that it is

seems to be supported by Hosea 6 v. 6 where "dāʿat" is set over

against burnt-offerings:-

> "For I desire steadfast love and not sacrifice,
>
> the knowledge ("dāʿat") of God, rather than burnt-
>
> offerings."

H. W. Wolff has shown how in this chapter "dāʿat" is closely

coupled with "ʾemet" and "hesed" (10) and he suggests that in Hosea

as a whole the word means a knowledge of the salvation-history

traditions.   What concerns the prophet is not so much a lack of

"knowledge of God" in the cult, but rather with such a lack in

ordinary day-to-day life.   The priests, along with the rest, have

failed in simple moral obedience.   The same kind of observation has

to be made of other prophetic texts.   In Isaiah 5 v. 13, the people

go into exile "for want of "dāʿat"", which, in terms of 5 v. 7, can

only be understood as lack of justice and righteousness.   In Jere-

miah's view true "dāʿat" involves judging the cause of the poor and

needy:-

> "He judged the cause of the poor and needy;   then it
>
> was well.   "Is not this to know me?" says Yahweh."

> (Jeremiah 22 v. 16)

It seems that the prophetic conception of "dāʿat" has more in

common with the Egyptian idea of "maat" (11) - an overarching

principle of divine order in the universe with strong ethical content -

than it does with priestly "direction".   The prophets certainly

felt that priestly teaching was tending to undercut moral principle, and their objections could only be sustained on the assumption that the priesthood had responsibilities in such matters. Begrich is right in drawing attention to the different kinds of material within the "P" laws, and for the sake of convenience these could be called "tôrāh" and "dāᶜaṭ", but his handling of the prophetic texts does not of itself justify the exclusion of a moral content from "tôrāh".

Begrich also seeks to exclude from priestly "tôrāh" the concept of "law" along with that of "morality", and this requires a distinctive handling of the word "mišpāṭ" in 2 Kings 17 v. 27 and Deuteronomy 33 v. 10. In the first, Begrich claims that "môreh" is the technical term for "to give tôrāh", and points out that this occurs in close association with "mišpāṭ ᵓᵉlōhê hāᵓāreṣ". On this basis it is argued that "mišpāṭ" here can only refer to priestly "tôrāh". In the same way "mišpāṭîm" in Deuteronomy 33 v. 10 is taken as a piece of synonymous parallelism with "tôrōṭ", and therefore does not imply that priestly teaching had anything to do with "law" or with a wider range of moral matters. Handling the texts in this way it is possible for Begrich to say that murder, for example, would only be of interest to priestly "tôrāh" in that it rendered a man "unclean", with his hands "full of blood". Legal questions as to whether the death was intentional or not, or what punishment must be inflicted, are of no immediate interest. "Tôrāh", therefore, has only a flimsy connection with "morality" and "law".

On the other hand, it is difficult to avoid the conclusion that

Begrich's handling of the two texts involves some dubious
assumptions.   The word "mišpātîm" generally conveys the sense
of "judgements", and is a broad term for a wide range of regulations.
It cannot therefore be assumed, without justification, that in
Deuteronomy 33 v. 10 it is synonymous with "tôrôt".   Nor is it
obvious that "môreh" in 2 Kings 17 v. 28 is the technical term for
"giving tôrāh".   The general meaning "teach" is perfectly adequate
in the context.   It is true that the problem of deciding whether
death was intentional or not is not the first concern of priestly
"tôrāh", but this in itself is insufficient ground for supposing that
"law" and "morality" are alien concepts.   The fact that a particular
"immoral" action can render a man "unclean" presupposes a "morality"
of sorts, even if this "morality" is inspired by an interest in
cultic acceptability.   Again, it is true that priestly "direction"
was concerned about the ways and means by which an "unclean" man
might be rendered "clean", and become an acceptable member of the
"holy" community, but this should never obscure the fact that for
many situations there was no such way.   Such a person must be "cut
off from among his people" (Leviticus 17 v. 4, 9, 18 v. 29) or
"stoned with stones" (Leviticus 20 v. 27 c.f. 24 v. 13-23).   To be
accurate it seems that "holiness" was taught as a moral obligation.
The inextricable mixture in Leviticus 17-26 confirms the view that an
easy separation of "morality", "law", and "holiness" is not admissable.
Nevertheless, with this kind of complexity, it is easy to see how
certain emphases could become excessively prominent, and how in

certain circumstances "direction" might render real morality null and void. Insofar as the essence of priestly "direction" was the capacity to distinguish various states, to that extent "holiness" would stand out as the overriding moral obligation. The danger implicit in this probably lies at the heart of prophetic criticism of priestly teaching. The priest, as a man of influence, was held to be responsible for the whole range of human obligation, but, as far as his "direction" was concerned, he would never think of "morality" apart from "holiness", and would be particularly concerned about its ritual effects.

2. Method and Form

Priestly "direction" did not involve any manipulative technique, but an assessment of the creative influence of the priesthood requires some investigation into the "form" of such teaching. All of the "priestly" material in the Pentateuch has been subjected to close form-critical scrutiny, and it would seem to follow that if the underlying structure of the present material can be uncovered, then we have a promising line of approach. If the original forms can be isolated, then the primary and secondary elaborations would represent creative priestly work - the re-presentation of existing material for new situations.

For several reasons, however, this search for original structures, whether on literary or form-critical grounds, is difficult and probably illusory.

a) The search is plagued by exceptional material. Thus, for example, R. Rendtorff isolates a reasonable, and in some respects

convincing system of ritual acts in the laws of Leviticus 1-5 (12):-

1. The Presentation of the Victim (statement regarding its kind and condition).

2. The Laying on of Hands.

3. The Killing of the Victim.

4. The Sprinkling of the Blood.

5. The Further Dissection of the Sacrifical Victim.

6. The Burning of the Remains.

Yet the regulation concerning the bird-offering (Leviticus 1 vv. 14-17) is constructed differently, as Rendtorff readily concedes. The form of the verbs in the various rituals can be compared, and certain general similarities are evident. The use of the imperfect is a common factor, and generally the same verb is used for each of the ritual acts:-

1. "krḇ". 2. "smk". 3. "šhṭ". 4. "zrḳ". 5. "krḇ". 6. "ḳṭr". On the other hand, it has to be conceded that there is no fully consistent usage with respect to "5". The word "wᵉhikrîḇ" is used on three occasions in Chapter 3 (vv. 3, 9, 14), but in 1 v. 6 there is the verb "wᵉhipšîṭ", and in 1 v. 12 "wᵉnitah". The subject for each of the rituals is usually the same, with the offerer as subject in "1", "2", "3" and "5", but "the sons of Aaron" in "4". In "6" "the priest" is normally the subject. Yet here again there is an exception. In Leviticus 3 v. 5 the agent burning the remains is not "the priest", as would be expected, but the plural form "the sons of Aaron". The whole idea of an original structure is further

confused by the varied language denoting the place of sacrifice. Sometimes this is to be "before Yahweh", sometimes "at the door of the Tent of Meeting", and sometimes "before the door of the Tent of Meeting". This degree of variety and exceptional usage makes a confident reconstruction of the basic structure very difficult.

b) Reasoned conclusions are liable to conflict, and there is no secure basis upon which an accurate choice can be made. This can be illustrated simply enough from two detailed studies of Leviticus 17. Here H. Reventlow discovers an "original" kernel of apodictic law, with its primary sitz-im-leben in the old covenant festival (13). On the other hand R. Kilian's original stratum is nothing of the kind; it is rather a short series of casuistically formulated laws. (14). There is in his view no strong apodictic basis. The treatment of vv. 5-7 focuses the problem. Kilian distinguishes them from the parenesis of vv. 11, 12, 14 on stylistic grounds. They are in the third person, and lack what he calls some of the characteristic phraseology of genuine parenesis. Reventlow, on the other hand is happy to term vv. 5 and 7 "sermonic", and unlike Kilian, sees no objection to treating v. 6 as a unity. Here Kilian and also K. H. Rabast (15) discover two independent groups of apodictic law - one series in the singular and the other in the plural. Reventlow, on the other hand, regards such variation as perfectly natural within the decalogue form; he sees no ground for supposing that certain varieties of form cannot co-exist as part of

a larger and original form.   In vv. 2ab-4 Reventlow suggests
we have part of the old decalogue kernel of the chapter;   the
basis for the claim is the fact that parallels for these verses
can be found in other Pentateuchal decalogues.   Kilian, on the
other hand, takes these verses to be a later expansion by Rh of
the original apodictic series;   the basis for the claim is his view
that the long formula - "I am Yahweh your God" - is the marker for
later material.   Once again then, there is no means of knowing
which basis, if either, is correct.   This is the kind of problem
which constantly bedevils the search for an original structure,
often at its most crucial points.

c) Too many assumptions have to be made about the form of an original
structure.   The whole idea of a rigid stylised "form" which can be
neatly isolated as "original" involves an assumption which itself
needs to be tested.   The fact that the present text has undergone
extensive "editorial" work does not of itself justify the assumption
that mere irregularity of form or unevenness in the tradition is not
original.   The evidence as it stands can sometimes be immensely
complex.   R. Rendtorff's consideration of Leviticus 2 demonstrates
this clearly enough.   The isolation of a basic scheme of ritual
acts presents no problem:-

    1) The Offering (v.1a)

    2) The Preparation (v.1b)

    3) The Presentation to the Priest (v. 2aa)

    4) The Removal of the Handful. (v. 2ab)

5) The Burning of the Offering by the Priest (v. 2ba)

6) The Closing Phrase (v. 2bb)

The priestly portion (vv. 3, 10) is also treated as a piece of "ritual", but the rest of the chapter has its complications. Thus vv. 14-16 are said to be of the ritual type, in spite of the fact that in their present form they stand in the second person singular, and the same has to be said of vv. 7-10. The second person singular form also intrudes in vv. 4-5, and again in v. 13 in connection with the salting of the offering. Then, to confuse the issue further, vv. 11-12, forbidding the use of leaven with the cereal offering, are set in the second person plural. The problems are even more baffling in Leviticus 6 vv. 9-15, which as Rendtorff observes, betray a scanty interest in form. Within the regulations can be found as follows:-

6 v. 9 - third person singular passive;

6 v. 10 - first person singular active;

6 v. 11 - second person plural active;

6 v. 13 - third person plural active;

6 v. 14a - third person singular passive;

6 v. 14b - second person singular active;

6 v. 15a - third person singular active;

6 v. 15b - third person singular passive;

The problem here is whether this variety necessarily betrays a highly complex development, or whether a measure of "unevenness" is natural and therefore to be expected even in original structures.

A reasonable approach in this kind of context is to look for
"Aaronite intrusions", but even on this basis the fact has to be
faced that neither the "intrusions" nor the material remaining has
consistency of form.   The same kind of problem arises in connection
with the Red Heiffer ritual of Numbers 19.   In v. 2b the officiating
priest is "you" (singular) - presumably either Moses or Aaron -
whereas in vv. 3a and 4a he is "Eleazar the priest" and in vv. 6-7
simply "the priest".   The form by which the offerers are described
also varies.   In v. 2b the Israelites (third person plural) are
the offerers, while in v. 3a the second person plural is used, and
in vv. 3b and 5 the third person singular.   The reconstruction of
a "ground-plan" for this ritual is very difficult indeed.
d) There are invariably difficult passages which do not easily fit
the theories.   There are some which according to "form" ought to
be priestly "direction" for the laity, and yet which, according to
subject-matter have little to do with the laity.   One such
passage is Exodus 12 vv. 16-18, which is formulated in the second
person plural throughout, yet which, according to Rendtorff, is not
"direction" because it has to do with the regulation of a fixed
time for the cult celebration.   This kind of subject, he feels,
would fall outside the scope of instruction for the laity.   This
feeling might possibly be disputed, but there can be no doubts about
Leviticus 10 vv. 12-15.   Here are regulations, of exclusively
priestly interest, formulated as direct address in the second person
plural.   The problem recurs in Numbers 6 vv. 9-12, where, as

Rendtorff notes, there is "ritual style" in material which is not "ritual".

e) It is not certain that stylistic rigidity is a necessary mark of an original structure in Semitic usage generally. This is a vast subject in its own right, and can only be touched upon here; it is complicated by the fact that in extant near-eastern literature there are no clear and obvious parallels to the priestly material in the Pentateuch. Nevertheless, even the most cursory survey of contemporary literature reveals a wide measure of grammatical and syntactical freedom in composition (16). Changes of tense, and moves from personal to impersonal modes of address are common. Intrusions of narrative, liturgical and rhetorical material can be found mingling with stipulations and regulations of various kinds. This might indicate a complex pre-history for this material too, but the whole idea of unilinear evolution from small primitive units to larger more complex entities has been challenged, at least for the period from the mid-third millenium onwards (17). The matter requires further detailed investigation; in the mean-time a non-committal attitude to the style of original structures seems amply justified.

The crux of the problem, therefore, is a simple uncertainty as to whether grammatical and syntactical criteria are an adequate basis for the determination of <u>independent</u> units of tradition. Form-criticism is obviously a valuable tool (18), but the isolation of certain "forms" does not of itself demonstrate that they are

independent of one another in origin and use. What is required are sound external criteria by which the evidence of form-variety can be accurately interpreted. If these criteria are lacking, then too many questions remain unanswered. Such problems of interpretation can easily be illustrated. Thus form-variety within a single context might indicate an original form which for some reason has escaped later systematisation and style-levelling. Is the simpler form necessarily the more primitive? Unless such issues are faced there is the danger of circular argument and subjective inference. To resolve a text into certain constituent elements, is not, of itself, to explain them or their origins.

It would seem, therefore, that what is needed is some external evidence by which the forms of the priestly material can be interpreted. Fortunately there is one particularly valuable section within the Old Testament itself. As we have seen Haggai 2 vv. 10-13 provides an important illustration of priestly "direction" in operation. The two questions ask for guidance as to the contagious effects of "holiness" and "uncleanness". The answers given to these questions have two distinct forms. In reply to the first there is a simple negative - "No" ("lō'"). In the second there is an affirmative reply, but expressed in fuller form - "It does become unclean" ("yiṭmā'"). The most obvious fact about this "direction" is its thoroughly impersonal form. Any assumption that the basic form of such teaching was set in the second person is not immediately substantiated here. On the other

hand, it probably ought not to be assumed that there is a basic
impersonal form; it is surely likely that the form of priestly
"direction" was determined simply and solely by the form of the
question.   Nevertheless the evidence of Haggai 2 vv. 10-13 gives
evidence of one type of form, and further illustrations of this
become evident within the Pentateuchal laws.   At this point,
therefore, the form-critical evidence has its genuine value. Taking
the answers of Haggai 2 vv. 10-13 as typical, the closest parallels
are to be found in the short declaratory formulae within the
priestly legislation. (19)   A few examples will suffice:-

Leviticus 13 v. 8   "It is leprosy."

Leviticus 13 v. 17   "He is clean."

Both of these statements, like those in Haggai 2 vv. 10-13 make a
declaration about a condition.   The priestly investigation of a
situation would be concluded with such a declaration, and on the
basis of that a further statement about the ritual condition in
question would be made.   Other declarations with a similar form
occur at the end of the offering laws, making judgements about the
nature of the sacrifice:-

Leviticus 1 v. 13   "It is a burnt offering."

"(It is) an offering by fire."

Other declarations, of a similar kind, might make a judgement on
a man's actions, and this would lead on to the usual statement
about his subsequent ritual condition:-

Leviticus 17 v. 4   "He has shed blood."

Implied in all such declarations is a judgement about the
acceptability, or otherwise, of the condition, offering or action,
and there are similar forms which make such judgements explicit:-

Leviticus 1 v. 4   "It shall be accepted for him."

"(It shall) make atonement for him."

Leviticus 1 v. 13   "It is ... a pleasing odour to Yahweh."

Leviticus 19 v. 7   "It is an abomination."

"It will not be accepted."

Judgements of this type would obviously pose the question - "What
must be done now?" - and brief directives in reply to this, styled
in the same impersonal form, have also been preserved at various
points within the priestly laws:-

Leviticus 13 v. 52   "It shall be burned in the fire."

Leviticus 17 v. 4   "That man shall be cut off from
                         among his people."

While it is likely that priestly "direction" was generally
brief, there is no reason to suppose that it would always be
impersonal. If the form of the question required it, then presum-
ably the answer would follow that pattern. Questions by individuals
or groups on matters concerning themselves would naturally take this
form, and it is likely that such a situation is reflected in
Zechariah 7 v. 3:-

"Should I mourn and fast in the fifth month, as I have
done for so many years?"

As D. R. Jones points out this question seems to be concerned with

the revision of the calendar of fast days for a distinctively new situation (20). The answer, in Zechariah 7 vv. 4-7, is more a prophetic "word" than priestly "direction", but any priestly reply to such a question would naturally be framed in the second person. This is clearly the case in 1 Samuel 6 vv. 3-9 where the priests of the Philistines are declaring what must be done with the ark. It is not surprising, therefore, to find material framed in this way within the priestly laws. The sacrificial rituals of Leviticus 1-5 contain such material at numerous points. In Leviticus 1 v. 2 the form creates a somewhat clumsy syntactical effect when linked to the foregoing impersonal phrase:-

"When any man (of you) brings an offering to Yahweh, you shall bring your offering of cattle from the herd..."

Similarly, in Leviticus 2 there are a number of apodictic regulations which stand quite independently of other forms:-

v. 6 - "you shall break it in pieces and pour oil on it."

v. 8 - "you shall bring the cereal offering ... to Yahweh."

v. 13 - "you shall season all your cereal offerings with salt."

v. 15 - "you shall put oil upon it..."

These are framed in the second person singular, but some apodictic regulations in the same chapter are expressed in the plural:-

v. 11 - "you shall burn no leaven ... as an offering by fire to Yahweh."

The same feature is present in what Rendtorff calls "the tora-style" of Leviticus 3 v. 17:-

"It shall be a perpetual statute throughout your
generations in all your dwelling places, that you
eat neither fat nor blood."

(c.f. also Leviticus 7 v. 23, 26.)

As with the impersonal declarations a judgement about subsequent
action is sometimes required.   So in Leviticus 7 v. 27:-

"Whoever eats any blood, that person shall be cut off
from his people."

An extended section, framed in the second person plural, deals with
the question of clean and unclean animals (c.f. Leviticus 11 vv. 1-
24a).

Personal address, however, is not confined to the "P" laws of
Leviticus.   G. von Rad conducted an exhaustive survey of all the
priestly literature, and isolated what he believed to be a distinct
strand of apodictic law, and which he called "Pa" (21).   In Exodus
12 there are at least eight distinct regulations framed in the
second person plural, as for example:-

v. 6a - "You shall keep it until the fourteenth day of this month."

v. 9 - "Do not eat any of it raw, or boiled with water, but
roasted..."

v. 10 - "You shall let none of it remain until the morning..."

v. 11 - "In this manner you shall eat it: your loins girded..."

The same stylistic features are present in Exodus 25, where in vv.
2b, 3-7, and 9 Yahweh speaks to Moses and the people in the second

person plural, in contrast to the third person plural form of vv. 2a and 8. A recent detailed investigation of this and subsequent chapters has been conducted by K. Koch (22). He finds at various points distinct groupings of apodictic regulations, there being twelve such in Exodus 25 vv. 23-30:-

I	v. 23a	"You shall make a table of acacia wood."
II	v. 24	"You shall overlay it with pure gold."
III		"You shall make a molding of gold around it."
IV	v. 25	"You shall make around it a frame."
V		"You shall make a molding of gold around the frame."
VI	v. 26	"You shall make for it four rings."
VII		"You shall fasten the rings to the corners."
VIII	v. 28	"You shall make the poles of acacia wood."
IX		"You shall overlay them with gold."
X		"(One) shall carry the table with these."
XI	v. 29	"You shall make its (...) plates and dishes."
XII	v. 30	"You shall put the shewbread upon the table."

Other groupings of apodictic law can be found in the Holiness Code. In Leviticus 19, for example, a group in the singular can be picked out from vv. 13-18, and another in the plural from vv. 11-12, 26-28. This gives some idea of the range of apodictic material within the priestly laws, and, without drawing any conclusions about "original structures", it does seem likely that this was an additional form in which priestly "direction" was given.

There is yet another form within the priestly laws which ought

to be considered, and this is the impersonal style present within the rituals, sometimes with casuistic elements. Although Rendtorff's "ground plan" for the burnt offering ritual (Leviticus 1 vv. 2-9) may not be an "original structure", it reveals satisfactorily the kind of style with which we are concerned. The ritual has six stages with an introduction:-

"When a man offers

1.   "If he offers .... for his offering.

2.   "He shall lay his hand upon the head.

3.   "He shall kill the .... before Yahweh.

4.   "He shall throw the blood against the altar round about.

5.   "He shall offer from the peace offering, by fire to
      Yahweh, and cut it in pieces, and lay them upon the altar.

6.   "The priest shall burn .... on the altar.

The same kind of impersonal style - this time in the third person plural - can be found in the Passover material of Exodus 12 vv. 1-14, corresponding with von Rad's "Pb" source and Rendtorff's "ritual style". The basic pattern is as follows:-

v. 3b - "They shall take every man a lamb according to their
        fathers' houses.

v. 6b - "And the whole assembly of the congregation of Israel shall
        kill their lambs in the evening.

v. 7a - "Then they shall take some of the blood, and they shall
        put it on the two doorposts and upon the lintels.

v. 8a - "And they shall eat the flesh that night.

Even in Exodus 25 von Rad and Koch are able to discern a basic impersonal form which they are inclined to regard as original (c.f. vv. 2a, 8, 10). On the whole it seems unlikely that the priesthood would teach directly in this particular impersonal form. "Direction", as we have seen, is essentially a response to a situation in general and a question in particular. Such a question, as far as ritual is concerned, would involve the query - "What must we do, and how?", and the reply would naturally be framed in the second person - plural or singular - as appropriate. Even if the priests did teach ritual procedures independently of direct questions, the natural form for such teaching would be the second person. This particular impersonal form seems to reflect, not priestly teaching, but the processes of collection and formulation of agreed procedure.

This investigation has shown three basic forms or styles within the priestly laws - declaratory formulae, apodictic regulations, and impersonal ritual. The search within these forms for basic originals is probably illusory; they are best interpreted simply as evidence of varied aspects of priestly activity, varied forms which the compilation process has preserved. "Direction" itself appears to be in essence an answer to a question, and the declaratory formulae and the apodictic form suggest two important ways in which such "direction" was given.

3. Life Situation

Reasons were given in Chapter 3 for believing that the

origins of priestly "direction" are not to be sought in the "advice"
that the priest gave through his handling of the oracle. Our
investigation into the content and form of "direction" has tended
to confirm the view that we are concerned here with two different
kinds of priestly teaching. If this is so, then some attention
must be given to the age, origins and general development of
"direction" as a priestly duty.

It seems likely that in principle this kind of concern had
ancient roots. It is true that much of the literary evidence
available to us is comparatively late, and yet each of the five
areas in which important "direction" was given are areas in which
ancient and deeply-rooted taboos operated. It is likely that at
a very early stage "direction" would need to be given in the light
of these convictions. In Israel the idea of the "holy", that
which belongs to Yahweh, is conspicuously old. The ban is an
integral element in the "holy war", and the stories concerning
Achan (Joshua 7 vv. 1-26) and Saul (1 Samuel 15 vv. 1-35) are
inexplicable on any other basis. The spoil in Yahweh's battle
belongs to him alone; it is therefore "holy". Our investigations
in Chapter 2 revealed the fact that in the early records the priest
is depicted in two important ways; he is "oracle-consultant" and
"custodian". The second function is important here, because the
priest was "custodian", not simply in a functional secular sense,
but because he himself was "holy", and had been consecrated to the
office. In addition, the place at which he acted as "custodian"

was in some special way the place where God dwelt, and was therefore also "holy". These facts provide all the necessary ingredients for the development and application of priestly "direction".

It is reasonably certain that priestly "direction" had a life setting in the "holy war". There are several comparatively old texts which indicate this. In Joshua 3 v. 5 the command is given:-

"Sanctify yourselves; for tomorrow Yahweh will do wonders among you."

In its context this command precedes the crossing of the Jordan, but it is directly concerned with the movement of the ark, and the imminent appearance of Yahweh acting on his people's behalf. The command itself is similar to that declared before the Covenant ceremony in Exodus 19 vv. 10, 14, 15 where what is required is a washing of clothes, and abstension from sexual intercourse. It may be, as some think, that these instructions go back to a cult-legend at Gilgal (23), but the basic idea of being ritually prepared for Yahweh's mighty delivering intervention - often in battle - is an idea with ancient roots.

A more important passage is found within the Deuteronomic legislation - Deuteronomy 23 vv. 10-15. Here is a command, together with a few specific rules, to avoid all that is unclean when the army goes out against the enemy and is encamped. The explanation is given in v. 15:-

> "Because Yahweh your God walks in the midst of your
>
> camp, to save you and to give up your enemies before
>
> you, therefore your camp must be holy......"

The need for such an explanation, together with the general style
of the whole section suggests that in its present form the section
is a Deuteronomic composition, but as G. von Rad points out it is
clear that the rules themselves, and the mental atmosphere, are
determined by "the cultic and ritual assumptions of early holy wars"
(24). In such undertakings Israel was especially close to Yahweh's
presence and activity, and therefore everything displeasing to him
must be eliminated with meticulous care.

There are two other texts - both already mentioned - which
suggest that the concerns of priestly "direction" were applied in
the "holy war". The first of these contains David's words to
Ahimelech (1 Samuel 21 v. 6). It appears that David applied the
rule regarding sexual abstinence even when his journey was "common" -
not part of Yahweh's war. In the second Uriah refuses to do
certain things on the basis of the fact that the ark and the army
are in the field:-

> "The ark and Israel and Judah dwell in booths; and my
>
> lord Joab and the servants of my lord are camping in the
>
> open field; shall I then go to my house, to eat and to
>
> drink, and to lie with my wife?........."

> (2 Samuel 11 v. 11)

It seems certain therefore that the principles of priestly "direction"

were applied in battle, but it is unlikely that this was the primary and sole life-setting. It is reasonable to suppose that the resident priesthoods of the sanctuaries and "high places" had influence in this sphere and had wielded such influence for a long time. Once the basic notions of "holiness" and "uncleanness" are established, then the growth of a body of experts in the implications of such concepts would not be long delayed. The demand from the laity for knowledge regarding such implications would be immediate, and this suggests that "direction" would be integral to the whole concept of priesthood (25).

It seems likely, therefore, that Israel inherited a basic framework of ideas about "holiness" and "uncleanness" which were readily applicable in a variety of historical situations. The principles which apply to a mobile fighting community are precisely the principles which apply to a "congregation" in static settled circumstances. "Holiness" principles which applied to the camp must now apply to the city. The defective stones in an infected house are "unclean", and so must be deposited in an "unclean" place "outside the city" (Leviticus 14 v. 40). It also seems likely that the priest's role and status as the man who gives "direction" would steadily increase. Once the mobile structures of the Amphictyony had finally broken down the importance of the local sanctuary would grow. The priest's role as oracle-consultant was apparently declining, and it is probable that "direction" was becoming the distinctive mark of the priesthood. The way in which a simple

distinction between "clean" and "unclean" could easily lead to an exclusive authority in sacrificial and other cultic matters has already received comment. It is also easy to see how the answer to a simple question on matters of "holiness" could easily become a demand regarding admission to or exclusion from the sanctuary.

It is therefore clear that priestly "direction" cannot easily be tied down to any one primary setting-in-life. The basic common factor is the framework of ideas within which it worked, ideas concerned fundamentally with the nature of "holiness" and the implications of this for daily life and worship. As a result it had to be applied in many situations, at the sanctuary gate, at the altar, in the city, and in the camp in time of war.

4. Creative Influence

On the basis of these investigations several facts about the character of priestly "direction" begin to emerge. In the first place, it seems clear that this kind of teaching called for a real measure of training and acquired expertise. Such training would presumably focus on a body of already existing knowledge, and the answers given to many questions would be derived from a given tradition of principles, if not of actual regulations, regarding what was "holy" and what was "unclean". The priests in Haggai 2 vv. 10-13 are presumably drawing on learned principles about the nature and operation of "holiness". On the face of it, this might imply that, to a very large degree, priestly "direction" was

traditional in its emphasis rather than obviously creative. In
Hosea 4 v. 6 the priests are directly criticised for their
forgetfulness with respect to "tôrāh":-

"You have forgotten the "tôrāh" of your God."
This kind of language tends to suggest traditions received, but
neglected and forgotten, and therefore that the priestly respons-
ibility was a faithful passing-on of given material. To this
extent there would be a distinctly traditional element in "direction".

On the other hand, there must certainly have been a measure of
priestly freedom. This can be illustrated in three ways:-
a) "Direction" was a living and growing thing. While it is true
that fixed regulations would become an increasingly prominent factor
within the "holiness" principles, it is by no means necessary to
suppose that "holiness" traditions were simply or essentially a list
of regulations or precedents. These traditions were fixed in that
they specified the nature of "holiness", and the way it works, but
it was the priest's sole responsibility to apply these convictions
to the varying situations. The evidence of Haggai 2 vv. 10-13
requires no more than that, and can be very easily interpreted in
those terms.

If this is true, then the possibility of a genuine priestly
freedom, within the traditional framework, begins to emerge. It
must surely be true that new situations would frequently arise;
situations which called for a new piece of "direction" from the
priests. This "direction", though based on traditional conceptions,

would be a new thing in that it spoke to a totally new situation,
and in the course of time it would take its place alongside other
precedents as an authoritative priestly regulation.   It is not
easy to illustrate the priests at work in this way, but the incident
recounting the efforts of the Philistine priests and diviners would
reflect in some ways the kind of problem frequently faced by the
Israelite priesthood.   (1 Samuel 6 vv. 2-9).   The kind of expertise
required here is typical; how is divine wrath to be averted?   As
the Hebrew writer recounts it, there are five points for the priest
to make:-

1. The need for a guilt offering. v. 3a.

2. A statement of the effects of the guilt-offering. v. 3b.

3. A directive about the substance of the guilt offering. vv. 4b-5.

4. An exhortation encouraging obedience. v. 6.

5. Further directives regulating the transport of the ark. vv. 7-9.

The important thing here is that the priests are coping with an
obviously new situation.   Their directive to create "images" (v. 5)
probably followed traditional ideas about the averting of wrath, but
the fact that these must be of "tumours" and "mice" represented in
some measure a free response to a new situation.   Even if the guilt
offering regulations are drawn from previous experience, the problem
of transporting the ark successfully was a new one, and called for
new "direction" from the priests.

     It is likely that the range of leprosy laws in Leviticus 13-14
indicates similar priestly adjustments to new situations.   The

regulations governing leprosy in man represent a fair measure of
diagnostic experience, and probably stem therefore from an experience
of new situations.   That the priest must give "direction" when
confronted with a leprous disease is clear and straightforward
enough, but the priest must also be aware of the possibility of an
incipient leprosy in boils (Leviticus 13 vv. 18-23), or burns
(Leviticus 13 vv. 24-28), and he must give "direction" in these
situations too.   Increased diagnostic experience calls therefore
for a free adjustment of priestly "direction".   The adjustment
is clearer still if the additional laws on leprosy in garments and
houses are taken into consideration (Leviticus 13 vv. 47-59, 14 vv.
33-57).   These regulations seem to imply a new awareness that the
principles governing the operation of "uncleanness" in man apply
also to inanimate objects.   If this is correct, then it is obvious
that these adjustments take place within the traditional framework.
In all the regulations there is the common conviction that disease
equals "uncleanness", and that decisive action must be taken.
Another common factor is the seven-day waiting period for further
developments.   To this extent, the "direction" is thoroughly
traditional in character.   On the other hand, the new situations
must call for new priestly remedies, and, at this point at least,
the priest's contribution must be genuinely new.   Thus, for the
impossible situation the leprous man must dwell "outside the camp"
(Leviticus 13 v. 46), whereas the leprous garment is to be burned
(Leviticus 13 v. 52).   The regulation for infected stones follows

the pattern of that prescribed for the leprous man - the stones
are to be removed and deposited in an unclean place (Leviticus
14 v. 45) - but this is still priestly thinking and priestly
"direction" for a new situation.

The fact that "direction" is a living thing is based squarely
on its essential nature. It is not simply a matter of "teaching
traditions"; it is much more "teaching traditions in response to
situations or questions", and it follows that these situations or
questions might frequently introduce new factors. Where they did
so, the priest's didactic response would be creative. The question
raised in Zechariah 7 vv. 2-3 is of this type. Should a particular
fast, which has become customary, be continued? In this instance,
however, there was no principle or precedent by which the priests
could make a reply, and so a prophetic answer was given (26) - an
incident which shows how in this area priestly freedom was limited.
The evidence of 2 Kings 17 vv. 24-28 also fits very easily into the
general picture. Here is a specially selected priest giving
instruction to a new situation. What the priest taught must have
been traditional in part; what was needed was "the law of the god
of the land". On the other hand, the priest faced a new situation -
a mixed community of natives and re-settled exiles; what he taught
would have to be adjusted to meet these new factors.

b) Priestly "direction" must have had a profoundly creative
influence in Israel's understanding of "holiness". The distinction
between "clean" and "unclean" spoke of acceptable and unacceptable

conditions, but to distinguish that which was "holy" was to speak of that which belonged peculiarly to Yahweh. The impact of such teaching was far-reaching; everything concerned with the worship of him is "holy". This applies to the cult itself, and the place where it is performed (c.f. e.g. Exodus 3 v. 5, Leviticus 6 v. 9, 10 v. 13, Numbers 4 v. 12, 1 Kings 9 v. 3, Psalm 24 v. 3, Micah 1 v. 2, Isaiah 62 v. 9). The altar, together with the instruments of the cult are also "holy" (c.f. e.g. Exodus 29 v. 37, 30 v. 29, 40 v. 10, Leviticus 8 v. 11). The offerings (Leviticus 6 v. 19), the shewbread (1 Samuel 21 v. 5), and the days and feasts of the cult are "holy" (Exodus 16 v. 23, Deuteronomy 5 v. 12, Jeremiah 17 v. 22, Ezekiel 44 v. 24). The cult personnel are "holy" men (Exodus 28 v. 41, 1 Samuel 7 v. 1), and in a special way the whole congregation is "holy" (c.f. Joel 2 v. 16), a "holy nation" (Exodus 19 v. 6).

The breadth of this conception indicates, no doubt, a developed priestly theology. The total list - camp, sanctuary, temple, city, land, cult, altar, instruments, seasons, festivals, days, priests, Levites, nation - is an all-embracing description of Israel's relationship to her God, a separate nation, devoted wholly to him. Yet it was in principle precisely this conception which prophetic teaching took up and translated in different fashion. Isaiah, in particular, sees "holiness" as a quality belonging essentially not to the people but to Yahweh (Isaiah 6 vv. 1-7), so that the great gulf - the line of demarcation - lies, not between Israel and the nations, but between Israel and her God. In this and other ways

priestly "direction" had a profound and far-reaching effect on the nation's life and faith.

Ultimately the priestly conception of human holiness became intimately connected with the interpretation of sacrifice. It would be quite wrong to assume that the moral dimension was thereby lost (27), but the failure of the sacrificial system to deal with deliberate sin, with the recalcitrant will, meant the ultimate exclusion of priestly influence in the most crucial area of man's being (28).

c) In his "direction" the priest becomes a "teacher" in the fullest sense of the word. A. Cody appears to reject such an idea (29), but if a "teacher" is one who imparts information with a view to fostering particular beliefs and attitudes, then this is an appropriate word to describe the priest's work in "direction". If this is correct, then it must also follow that the priest was a definitely creative influence in the community.

There are certain features within the priestly laws which might well reflect priestly teaching methods. One such is the way in which regulations are sometimes given an extra emphasis by means of repetition. A good illustration of this can be found in Leviticus 2 v. 13:-

1. "You shall season all your cereal offerings with salt."

2. "You shall not let the salt of the covenant with your God be lacking from your cereal offering."

3. "With all your offerings you shall offer salt."

This is a curiously intensive kind of repetition, and might indicate a teaching method. It could be that the sequence reflects nothing more than the processes of literary compilation, but this cannot be taken as certain.

More promising evidence of the priest as "teacher" is to be found in that material which seeks to explain, and sometimes theologise, certain fundamental regulations. This material is grammatically subordinate to the basic stipulation, and seeks to give sound motivation to obedience (30). Clauses of this type are not to be found in non-Hebrew law collections, but are a feature of the whole range of Pentateuchal law. Such clauses are a genuine teaching device, and were greatly favoured by the teachers of wisdom (31). Their function in the laws is to show not only that the imperative is reasonable, but also that it is binding. In the priestly material, they are sometimes simple explanations, as in Leviticus 18 v. 13:-

Law   - "You shall not uncover the nakedness of your mother's sister."

Motive - "For she is your mother's near kinswoman."

More important are those clauses where there is a strong theological foundation, sometimes with Yahweh himself speaking in personal terms, as in Leviticus 24 v. 22:-

Law   - "You shall have one law for the sojourner and for the native."

Motive - "For I am Yahweh your God."

A characteristic of the "Holiness Code" is the simple motivation in

Leviticus 19 v. 2:-

Law -   "You shall be holy."

Motive - "For I Yahweh your God am holy."

The same kind of theological concern is easily found within "P".

The Sabbath stipulation of Exodus 31 vv. 13-14 is repeated, and has

three separate explanations:-

Law -   "You shall keep my sabbaths."

Motive - "For this is a sign between me and you..."

Motive - "That you may know that I, Yahweh, sanctify you."

Law -   "You shall keep the sabbath."

Motive - "Because it is holy for you."

The "holiness" laws of Leviticus 11 express the same kind of concern

in vv. 43-44:-

Law -   "You shall not make yourselves abominable...."

Motive - "For I am Yahweh your God."

Law -   "Consecrate yourselves, therefore, and be holy."

Motive - "For I am holy."

<div align="right">

(c.f. also v. 45, Numbers
15 v. 41)
</div>

Another kind of theological explanation seeks to historicise

particular regulations in terms of the deliverance from Egypt. Once

again, this is a mark of the whole range of Pentateuchal law.   Like

the Book of the Covenant, the Holiness Code uses the bondage in Egypt

as the decisive factor in Israel's relationships with aliens:-

Law -   "The stranger who sojourns with you shall be to you as

          the native..."

Motive -   "For you were strangers in the land of Egypt."

<div align="right">(Leviticus 19 v. 34)</div>

The demand for "holiness" can also be given this kind of
explanation, as in Leviticus 20 v. 26:-

Law   -   "You shall be holy."

Motive -   "For I, Yahweh, ... have separated you from the peoples..."

The Feast of Tabernacles has also been historicised:-

Law   -   "All that are native in Israel shall dwell in booths."

Motive -   "That your generations may know that I made the people
            of Israel dwell in booths when I brought them out of the
            land of Egypt."

<div align="right">(Leviticus 23 vv. 42-43)</div>

In Leviticus 25 vv. 41-42 the law forbidding the use of a brother
as slave is treated in like fashion (c.f. also Leviticus 25 v. 55).
Similarly the "P" laws are interested in the exodus as theological
motivation, notably in Leviticus 11 vv. 44-45:-

Law -   "You shall not defile yourselves with any swarming
            thing..."

Motive -   "For I am Yahweh who brought you up out of the land of
            Egypt."

Other references to the exodus are linked, not to particular
regulations, but in a more general way to wider collections of laws
(c.f. e.g. Exodus 29 v. 46, Numbers 15 v. 41).

    Sometimes the explanatory clauses contain an explicit word of
promise or warning.   Sometimes this is a simple explanation, as in

Leviticus 19 v. 17:-

Law   -   "You shall not hate your brother in your heart..."

Motive - "Lest you bear sin because of him."

The warning here has special cultic significance.   Elsewhere it is historicised in terms of the salvation-history - c.f. e.g. Leviticus 20 v. 22:-

Law   -   "You shall therefore keep all my statutes."

Motive - "That the land where I am bringing you to dwell may not

             vomit you out."

                              (c.f. also Leviticus 18 vv. 27-29, 19 v. 29)

Sometimes obedience is urged in terms of the promise, as in Leviticus 25 vv. 18-19:-

Law -   "Therefore you shall do my statutes ... and perform them."

Motive - "So you will dwell in the land securely."

In the "P" laws there are more clauses with cultic significance, and less of the salvation-history, but there is the same note of warning.   Phrases such as the following are particularly common:-

             "Lest he die." (Exodus 28 v. 35) (c.f. Exodus 30 v. 21)

             "Lest they bring guilt on themselves and die." (Exodus 28

                                                    v. 43)

The judgement given against the person who has sinned "with a high hand" is fully explained:-

             "Because he has despised the word of Yahweh, and has

             broken his commandment, that person shall be ... cut off."

                                        (Numbers 15 v. 31)

The important point is that these various statements in propagating information, and encouraging obedience, also seek to inculcate particular beliefs and attitudes.   The giving of directives for specific situations very easily becomes "teaching" in the strict sense with its concern to foster distinctive convictions and attitudes in the minds of the hearers.   That this was important to the priesthood seems certain.   It is implicit in the instruction of Jehoiada, who taught Jehoash so that he did "what was right in the eyes of Yahweh all his days" (2 Kings 12 v. 3).   The main point of the prophetic criticism of the priests is, not that they have abandoned the directing role, but that the direct result of its neglect is wrong attitudes and lack of knowledge:-

"My people are destroyed for lack of knowledge..."

(Hosea 4 v. 6)

It seems likely, therefore, that the motive clause was one way in which the priests sought to teach and encourage right attitudes. This material would also give some insight into the kind of conviction the priest was anxious to foster.   A number of the motive-clauses draw attention to the name "Yahweh" - with some such phrase as "I am Yahweh your God".   In all probability this was one of the Yahwistic priest's fundamental teaching tasks - to emphasise the name of the God for whom he spoke.   In the syncretistic atmosphere of Canaan this in itself must have represented a significicant contribution to the distinctiveness of Hebrew faith.   In due course, an increasing emphasis on the "holiness" of Yahweh must

have tended to the same end.   The simple facts of the salvation-history would also be familiar to the priests, and would be taught by them.   Such teaching would be an integral part of the assimilation of old feasts (Leviticus 23 vv. 42-43), and it is probable that the exodus was thought of essentially as a great act of separation (Leviticus 20 v. 26).

Another feature of the Pentateuch is the narrative which emphasises a particular point of priestly interest with great clarity.   It is possible that such stories also reflect the priest as "teacher".   These narratives could be simply a literary phenomenon, but they are worth closer investigation.   The following stories fall easily into this category:-

1. Exodus 16 vv. 22-30.   The provision of sufficient manna for the seventh day.

2. Leviticus 10, vv. 1-3.   The unholy fire offered by Nadab and Abihu.

3. Leviticus 10 vv. 16-18.   The irregularities committed by Eleazar and Ithamar.

4. Leviticus 24 vv. 10-16.   The Son who cursed the Name.

5. Numbers 15 vv. 32-36.   The Man who gathered sticks on the Sabbath.

6. Numbers 16 v. 1 - 17 v. 5.   The Rebellions of Korah, Dathan, and Abiram.

7. Numbers 17 vv. 16-26. Aaron's rod.

8. Numbers 25 vv. 6-15.   Eleazar's priesthood established.

9. Numbers 27 vv. 1-11, 36 vv. 1-12.   The inheritance of the
   daughters of Zelophehad.

10. Numbers 31 vv. 1-52.   Eleazar's "direction" in time of war
    (vv. 21ff).

11. Exodus 32 vv. 25-29(?).   The slaughter carried out by the
    Levites.

One point in favour of the idea that narrative was a priestly
teaching method is the fact that a number of these stories have
actual regulations or penalties embedded within them.   This is true
of the first:-

> "Tomorrow is a day of solemn rest, a holy sabbath to
> Yahweh, bake what you will bake, and boil what you will
> boil..."
>
> (Exodus 16 v. 23)

The same holds good with the fourth and fifth of the stories:-

> "Whoever curses his God shall bear his sin.   He who
> blasphemes the name of Yahweh shall be put to death..."
>
> (Leviticus 24 vv. 15-16)
>
> "The man shall be put to death;   all the congregation
> shall stone him with stones outside the camp."
>
> (Numbers 15 v. 35)

(c.f. also Numbers 27 vv. 8-11, 36 vv. 7-9).

Most of the remaining stories contain words for the priests themselves,
in connection with priestly authority, but the telling of stories in

this way could well reflect a technique used in the teaching of others. Such teaching would be largely exemplary.

It seems likely that a definite "teaching" role does emerge from priestly "direction". The priest was concerned, not only with ritual conditions and actions in given situations, but also with right attitudes and beliefs. In this way he would be bound to wield a creative and distinctive influence in the life of the community.

Notes to Chapter 4

(1) "Prolegomena to the History of Ancient Israel" (E.T. by J. Sutherland Black & A. Menzies 1885) p. 395.

(2) "Die priesterliche Tora" (B.Z.A.W. 66 1936 pp. 63ff.)

(3) A general survey is given in G. Kittel (ed.) - "Theological Dictionary of the New Testament" (E.T. by G. W. Bromiley 1967) IV pp. 1036ff.

(4) c.f. e.g. N. H. Snaith - "Leviticus and Numbers" (N.C.B.) 1967 p. 78.

(5) "Ezekiel" (N.C.B.) 1969 p. 177.

(6) c.f. e.g. M. Noth - "Leviticus" (E.T. by J. E. Anderson 1965) p. 87.

(7) c.f. e.g. N. H. Snaith - op. cit. p. 81.

(8) "Purity and Danger" 1966 pp. 41ff.

(9) "Ancient Israel: its Life and Institutions" (E.T. by J. McHugh 1961) p. 354.

(10) "Wissen um Gott bei Hosea als Urform von Theologie" (Ev.Th. 12 1952/3 pp. 533ff.)

(11) c.f. W. McKane - "Proverbs" 1970 pp. 57ff.

(12) "Die Gesetze in der Priesterschrift" 1954. This provides a meticulous survey of all the priestly texts.

(13) "Das Heiligkeitsgesetz-formgeschichtlich Untersucht" 1961.

(14) "Literarkritische und formgeschichtliche Untersuchung des Heiligkeitsgesetzes" 1963.

(15)   "Das apodiktische Recht im Deuteronomium und im

Heiligkeitsgesetz" 1949.

For other literary work on "H" c.f. -

K. Elliger - "Das Gesetz Leviticus 18" (Z.A.W. 67 1955 pp. 1ff.)

J. Morgenstern - "The Decalogue of the Holiness Code" (H.U.C.A.

XXVI 1955 pp. 1ff.)

(16)   <u>Regulations in the Vassal Treaties</u> - c.f. e.g.

"Instructions to the Palace Personnel" (A.N.E.T. p. 207) where

there are abrupt changes of person in single sentences (lines

1-5, 26-30), sudden appearances of the first person (lines

8ff), sudden appearance of narrative recollection (lines 44ff).

"Instructions for Temple Officials" (A.N.E.T. pp. 207ff)

where there are conversational elements (para. 2), alongside

normal regulations; a rhetorical question (para. 3);

difference in the mode of address for priests (paras. 4, 9,

16); "fullness" of form, and second person in sacrificial

regulations (para. 5); form-variety in a single context

(para. 6); parenetic form (para. 8); abrupt change of

person (para. 10); impersonal modes of address (paras. 11, 12)

alongside personal (paras. 9, 10, 12, 14).

"Instructions for Commander of Border Guards" (A.N.E.T. pp.

210f.) where there are second and third person modes of

address together (c.f. last two paragraphs).

<u>Babylonian Rituals</u> - c.f. e.g.

"Temple Programme for New Year Festival" (A.N.E.T. p. 331),

"Rituals for Kalu Priest" (A.N.E.T. p. 334), "Ritual for Temple Repair" (A.N.E.T. p. 341). In these there is no clear rigidity of form, a measure of variation between personal and impersonal modes of address, and use of both active and passive forms together.

Hittite Rituals - c.f. e.g.

"Ritual of Purification" (A.N.E.T. p. 346) where there is an almost conversational style in places.

"Ritual to Counteract Sorcery" (A.N.E.T. p. 347) where there is a strong dramatic element.

Some rituals do display a shorter more even form, but rarely is there any real rigidity.

(17)   c.f. W. R. Albright - "Canaanite-Phoenician Sources of Hebrew Wisdom" ("Wisdom in Israel and the Ancient Near East" (S.V.T. III) 1960 p. 4.)

(18)   For a recent favourable assessment c.f. K. Koch - "The Growth of the Biblical Tradition" (E.T. by S. M. Cupitt 1969).

(19)   c.f. G. von Rad - "Faith Reckoned as Righteousness" ("The Problem of the Hexateuch and Other Essays" (E.T. by E. W. Trueman Dicken 1966) pp. 125ff.)

(20)   "Haggai, Zechariah and Malachi" (T.C.) 1962 pp. 96, 111.

(21)   "Die Priesterschrift im Hexateuch" 1934.

(22)   "Die Priesterschrift von Exodus 25 bis Leviticus 16" 1959.

(23)   c.f. e.g. J. Gray - "Joshua, Judges and Ruth" (N.C.B.) 1967 p. 60.

(24)   "Deuteronomy" (E.T. by D. Barton 1966) pp. 146f.

(25)   For a consideration of the general conception of priesthood

c.f. W. Eichrodt - "Theology of the Old Testament" (E.T.

by J. A. Baker 1961) I pp. 402ff.

(26)   c.f. D. R. Jones - op. cit. p. 111.

(27)   c.f. e.g. A. C. Welch - "Post-Exilic Judaism" 1935 pp. 280ff.

(28)   c.f. W. D. Davies - "Paul and Rabbinic Judaism" 1958 (2nd

edition) pp. 254ff.

(29)   "A History of Old Testament Priesthood" 1969 pp. 118f.

(30)   c.f. B. Gemser - "The Importance of the Motive Clause in

Old Testament Law" (S.V.T. I) 1953 pp. 50ff.

(31)   c.f. W. McKane - op. cit. pp. 76ff.

Chapter 5

Priestly Proclamation

1. Content

One of our most difficult problems concerns the extent of the priest's involvement in this particular kind of instruction, but it is a problem which can justifiably be set on one side for the time being.   The first passage to be considered - Deuteronomy 27 vv. 14-26 - gives ample grounds for going ahead, while light on the content, form, and life-situation of "proclamation" should help in reaching an assessment of the priestly role.

a) Deuteronomy 27 vv. 14-26.

This passage consists of a series of liturgical curses to be pronounced by the Levites.   These are twelve in number, and after each "proclamation" a solemn congregational "Amen" is pronounced. S. R. Driver gives several reasons for detaching this section from its immediate context (1).   The preceding section in v. 12 leads the reader to expect some "blessings" along with the "curses", but these are not forthcoming.   This section also envisages a gathering in which six tribes on Gerizim are set over against the other six tribes on Ebal - one side with the curses, and the other with the blessings.   The gathering in vv. 14-26 is different, not only in the absence of blessings, but also in that the Levites are set over against the rest of the people.   S. Rudman gives some grounds for taking v. 14 with vv. 11-13 (2), but it still remains a fact that in the former the Levites curse, and

that in the latter Levi blesses.   Driver also argues that some
of the typical Deuteronomic sins are not mentioned here, while
some of the sins that do find a place are not mentioned elsewhere
in the Book.   This argument is less convincing in itself, but may
have some corroborative value;   in any event, the reasons for
handling the passage independently are sound enough.   Once this
is established there is good reason for accepting it, though not
its final form, as an ancient series of rules.   The reference here
is not to "Levitical priests" but simply to "the Levites", which
suggests a reference to some old liturgical office.   The originality
of v. 14 has not always been accepted (3), but a purely artificial
ascription of such a role to the Levites seems difficult to credit.
G. von Rad believes the series of laws to be very old indeed - the
"Dodecalogue of Shechem" (4), but in any event we have important
witness here to a distinctive "priestly" role, and further
investigation is amply justified (5).

The themes of the curses are particularly worthy of attention;
there are in all some seven major topics.   These include reference
to idolatry, disrespect to parents, infringement of property rights,
oppression of the weak, sexual offences, bribery, and murder.   Several
important differences from priestly "direction" are immediately
evident.   In the first place there is a different thematic emphasis.
Several topics of a "moral" kind, dealing with right relationships
between a man and his neighbour, are prominent here - topics which
were conspicuously absent in priestly "direction".   In the second

place these "proclamations" are more in the nature of general principles than directives for specific situations. A similar "atmosphere" is found in some of the psalms - notably 15 and 24 - where there is also a series of general stipulations with a strong emphasis on doing what is right, speaking the truth, and absolute honesty and justice.

b) Deuteronomy 31 vv. 9-13

This passage tells of the committal of the law to "the priests the sons of Levi", and the command that it should be read in the presence of the people once every seven years at the Feast of Booths. This section is typically Deuteronomic, and in some important respects is different from Deuteronomy 27 vv. 14-26. It introduces the concept of "reading", and the idea of "the law" ("hatôrāh hazōṯ"), but there are two important points of contact. In the first place this is a priestly duty, and in the second, it is exercised in the context of a great public assembly involving the whole community (v. 12). These two points of contact suggest that the priestly role here has some historical affinities with that outlined in Deuteronomy 27 vv. 14-26. The content of this "law" would appear to include within its scope the whole range of legal material embodied in the rest of Deuteronomy. To this extent it is not priestly "proclamation" in the kind of sense that is implied in Deuteronomy 27 vv. 14-26, but the two points of contact justify its consideration here.

c) Nehemiah 8 vv. 7-8.

"... and they (the Levites) read from the book, from the law of God, clearly, and they gave the sense, so that the

people understood the reading."

This passage points to a Levitical role in the publication of Ezra's law. It has the same two points of contact, a "priestly" function, and a great assembly of the people (c.f. 8 v. 5). In other respects it is very similar to Deuteronomy 31 vv. 9-13. Again there is the idea of "reading", and the essential concept of "the law". There are, however, two difficult problems which make it hard to handle the passage with certainty. In the first place, there is little agreement as to the substance of the law that Ezra brought, and which was being read. Some think this must have been substantially the present Pentateuch (6), while others discount this, and prefer to think in terms of some form of "P" (7). To confuse the problem further the suggestion has been made that Ezra's law book was conceivably Deuteronomy (8). Judging by the subsequent reforms "the law" must have stressed festal and sabbath observance (c.f. e.g. Nehemiah 8 vv. 13-18, 13 vv. 15-22), together with other "priestly" laws (Nehemiah 10 vv. 33-40), and a general concern for racial purity (Nehemiah 13 vv. 23-27), but it probably also contained some "salvation-history" (Nehemiah 9 vv. 6-31). It is difficult to be certain, and therefore the value of the passage for the content of "proclamation" is difficult to determine. The other problem concerns the precise nature of the Levitical activity here. G. von Rad suggests reasons for believing that this was a "preaching role". The "clear" reading and the giving of the "sense" refer to Levitical parenesis (9). It is not simply a reading of laws, but a deliberate

intensification of their meaning, applying their force to the conscience, and thereby encouraging obedience. If this were correct there would be another point of contact with the Levitical role in Deuteronomy 27 vv. 14-26. On the other hand, this may be giving the words of v. 8 more weight than they can or need to bear. At face value they could simply refer to some kind of "translation" work, the rendering of the Hebrew into vernacular Aramaic perhaps (10). The key problem is the meaning of the word "m^{e}pōrāš" in v. 8 which seems to have the basic sense of "interpreting". Whether such interpretation implied either "translation" or "preaching" remains uncertain, but it may be that the issue need not be polarised in this way. An effective translation would need to be dynamic rather than literal, involving paraphrase, and therefore in all probability interpretation as well. In that such interpretation would encourage a particular standpoint with regard to the data of faith, it would bear some of the marks of teaching, if not of preaching.

These two passages do have important affinities with the "proclamation" of Deuteronomy 27 vv. 14-26, but they also introduce the ideas of "reading" and "law book". The content of such law books seems to be varied, and therefore does not help very much in determining a distinctive "proclamation" content. There are, however, two other passages worth consideration. Neither speak distinctly of the officiant as "priest", but both have connections

with the kind of declaration of law we have been considering.

d) Exodus 24 vv. 3-8

This section is not easy to date, but M. Noth describes its function as an anchor, tying the Book of the Covenant to the Sinai covenant (11). Nevertheless it does contain primitive elements - the use of a blood-rite in the making of the covenant (v. 8), and the employment of "young men" rather than priests to offer the sacrifices (v. 5). There are three important points of contact with our investigations so far. In the first place there is a declaration of law; in v. 3 this is described as a telling of the "words of Yahweh", but in v. 7 (Noth's "anchor") this is transformed into the reading of a book. Secondly, there is, as before, a great public assembly; the people are told, as a whole (vv. 3, 7), the will of Yahweh. The third point of interest is the congregational or public response - a feature of Deuteronomy 27 vv. 14-26. In both references (vv. 3, 7) the response is almost identical - "All that Yahweh has spoken we will do..." (v. 7).

e) Joshua 24 vv. 1-28

A reference to the Shechem ceremony of law-proclamation has already been made in Chapter 2. What is of interest here are certain points of contact with the material so far considered under "proclamation". The first verse gives the setting - a gathering of all the tribes in God's presence - yet another great public assembly. Then again, there is the publication of laws (vv. 25-26), and an overall stress on the need for faithfulness to Yahweh

(vv. 14-16, 19-20). Finally, there are various kinds of public response, summed up in the declaration - "Yahweh our God we will serve, and his voice we will obey."

Neither of these two passages depict Moses and Joshua in an obviously priestly role (12), though this would not be surprising if the narratives in their present form aim at showing the continuity of contemporary public gatherings with the work of these two men. The content of the laws read as in Deuteronomy 31 vv. 9-13 seems to be varied and all-inclusive (Exodus 24 v. 7, Joshua 24 v. 25), but the reference to "words" in Exodus 24 v. 3 may well indicate an earlier text linking the recitation with the "words" of the Decalogue in Exodus 20 vv. 1-17. This would make a much closer connection of content with the "proclamation" of Deuteronomy 27 vv. 14-26, with some of the basic themes - idolatry, disrespect to parents, murder, adultery, theft and justice - very much to the fore.

There is no other evidence which immediately suggests itself for consideration as far as the content of "proclamation" is concerned. The text of Deuteronomy 27 vv. 14-26 gives a valuable insight into some of its themes. The other passages so far considered have important affinities with Deuteronomy 27, but seem to be dominated by the idea of "the law" as a book. This invariably gives the impression of an exhaustive body of laws, and makes it very difficult to determine what the distinctive content of "proclamation" would have been. Only Exodus 24 v. 3, linked with Exodus 20 v. 1, provides a clear-cut thematic link with Deuteronomy

27 vv. 14-26. On the other hand, an investigation into the "form" of priestly "proclamation" promises to open up a much wider range of evidence.

2. Method and Form

"Proclamation", like "direction", is essentially a spoken rather than a mechanical form of instruction. In considering its "form", there are two outstanding features.

a) "Proclamation" was essentially apodictic in formulation. This description follows the two-fold distinction in Hebrew law outlined by A. Alt (13). Whereas casuistic law is dominated by the "if-style", often with a series of secondary situations envisaged, the outstanding mark of apodictic law is its note of strong prohibition. In addition to this there is an absolute character in its demands, and a general brevity of form. In the present Pentateuch the two forms are sometimes merged - as for example in Exodus 21 v. 14:-

"But if a man wilfully attacks another to kill him..."

"You shall take him from my altar that he may die."

Generally, however, the apodictic form is quite distinct, and can justifiably be treated independently.

That "proclamation" followed this pattern is clear enough from Deuteronomy 27 vv. 14-26. It is true that these "curses" are not typical of apodictic law elsewhere in the Pentateuch, but all the essential marks of apodictic law are present. S. Rudman's lexicographical survey shows that the parallels are in fact much

closer than might at first sight appear (14). There is a consistent stylised form which is maintained throughout - built around the words - "'ārûr 'ᵃšer":-

> v. 15 - "Cursed be the man who makes a graven or molten image"
>
> v. 26 - "Cursed be he who does not confirm the words of this law..."

There is also the absolute demand, the note of strong prohibition, and the brief but direct mode of address.

It seems reasonable to assume therefore that "proclamation" could follow the more usual apodictic forms which occur in the Pentateuch. The absolute demand, the strong probition, and the direct mode of address are common features, and so, in general terms, is the subject-matter. A concern with the kind of offence which affects a man's relationship with his neighbour, as well as with God, is a common feature in many different kinds of apodictic law.

One of the most frequent alternatives to the "curse"-form involves the use of "lō'" with the imperfect:-

> "You shall not kill" (Exodus 20 v. 13)
>
> "You shall not pervert justice" (Deuteronomy 16 v. 19)
>
> "You shall not oppress your neighbour" (Leviticus 19 v. 13)

This is probably the most common form, but occasionally the prohibition is expressed by "'al" with the imperfect jussive:-

> "You shall not join hands with a wicked man" (Exodus 23 v. 1)

Sometimes, a penalty is expressed in apodictic form, in which case
the usual means is a participial clause:-

"Whoever strikes his father or his mother shall be put

to death" (Exodus 21 v. 15; c.f. 21 v. 17)

b) "Proclamation" was normally arranged and given in short series of
varying length. This kind of arrangement is of course evident in
Deuteronomy 27 vv. 14-26, and is a significant feature of apodictic
law generally. It therefore seems likely that priestly "proclama-
tion" was built upon this kind of pattern. The use of short, briefly
formulated series, can be illustrated from different parts of the
Pentateuch. The regulations within the Decalogue are an obvious
example of this:-

"You shall not kill" (Exodus 20 v. 13)

"You shall not commit adultery" (v. 14)

"You shall not steal" (v. 15)

"You shall not bear false witness" (v. 16)

There seem to be traces of similar series within the Book of the
Covenant itself. Such a pattern is evident in the judgement-
"proclamation" of Exodus 21 vv. 12-17:-

"Whoever strikes a man so that he dies shall be put to death.."

(v. 12)

"Whoever strikes his father ... shall be put to death" (v. 15)

"Whoever steals a man ... shall be put to death" (v. 16)

"Whoever curses his father ... shall be put to death" (v. 17)

A short sequence of comparable regulations is to be found in Exodus

22 vv. 17-19;   these are also concerned with offences punishable by death.   The same collection of laws contains other isolated apodictic stipulations, which might once have had a place in such patterns:-

"You shall not revile God"

"You shall not curse a ruler of your people"   (Exodus 22 v. 27)

"You shall not delay to offer from ... your harvest" (Exodus 22 v. 28)

"You shall not boil a kid in its mother's milk" (Exodus 23 v. 19b)

Similar patterns of apodictic law are easily found in Deuteronomy. In most instances a unity of theme is evident within small groupings of three or four laws:-

"You shall not pervert justice"   (16 v. 19)

"You shall not show partiality"   (16 v. 19)

"You shall not take a bribe"   (16 v. 19)

Sometimes the theme is concerned with cultic and sacrificial observance, though in the following instance the third stipulation could easily belong to a different series:-

"You shall not plant ... as an Asherah"   (16 v. 21)

"You shall not set up a pillar"   (16 v. 22)

"You shall not sacrifice ... an ox ... in

which is a blemish"   (17 v. 1)

A series concerned with the intermingling of diverse substances is found in Deuteronomy 22 v. 9-11:-

"You shall not sow your vineyard with two kinds of seed" (22 v. 9)

"You shall not plow with an ox and ass ..."   (22 v. 10)

"You shall not wear a mingled stuff..."   (22 v. 11)

The regulation in Deuteronomy 22 v. 5 concerning male and female

dress could conceivably belong to this pattern.   Another series,

worthy of particular attention, deals with the theme of admission

to the assembly:-

"He whose testicles are crushed shall not enter the assembly..."

(23 v. 2)

"No bastard shall enter the assembly..."   (23 v. 3)

"No Ammonite or Moabite shall enter the assembly..." (23 v. 4)

"You shall not abhor an Edomite..."   (23 v. 8)

Series of a very similar kind are a feature of the "Holiness"

Code".   Four separate regulations can easily be picked out from

Leviticus 19 vv. 9-10 and 19 vv. 11-12.   A short series on mourning

customs can be found in Leviticus 19 vv. 26-28, and a much lengthier

pattern can be set out, based on the laws regarding sexual relation-

ships (Leviticus 20 vv. 9-21).   A good illustration of a lengthy

series, based on the general theme of "justice", is to be found in

Leviticus 19 vv. 13-18:-

"You shall not oppress your neighbour"   (v. 13aa)

"You shall not rob your neighbour"   (v. 13ab)

"The wages of a hired servant shall not remain

with you"   (v. 13b)

"You shall not curse the deaf"   (v. 14a)

"You shall not put a stumbling block before the

blind"   (v. 14b)

"You shall do no injustice in judgement"   (v. 15a)

"You shall not be partial to the poor"   (v. 15ba)

"You shall not defer to the great"   (v. 15bb)

"You shall not go ... as a slanderer"   (v. 16a)

"You shall not stand ... against the life of your
                                    neighbour"   (v. 16b)

"You shall not hate your brother in your heart"   (v. 17)

"You shall not take vengeance..."   (v. 18)

Like the curses of Deuteronomy 27 vv. 14-26 this is a Dodecalogue.
A thematic distinction between the first five and the rest might be
drawn.   They are concerned with exploitation of a neighbour or of
the weak, whereas the last seven could be taken as general law-court
stipulations.

Traces of the same feature can be found outside the limits of
Pentateuch-law.   The law-liturgies of Psalm 15 and 24 could well
reflect such a procedure.   In Psalm 15 there is the basic theme -
that of fair and righteous dealing between man and man - and the
statements are arranged as a series of brief but pointed requirements.
This feature is less marked in Psalm 24, but there is a similar
context, and in v. 4 a brief sequence of "moral" requirements.
There are also certain prophetic texts where this particular form
is prominent.   Jeremiah's Temple Sermon contains a number of "law"-
like probitions, strung together in short series.   The first such
series can be drawn out as follows from Jeremiah 7 vv. 5-7:-

1. The demand for just dealing one with another.

2. The prohibition of oppression of alien, fatherless, widow.

3. The prohibition of the shedding of innocent blood.

4. The prohibition of apostasy.

The conclusion contains a promise of blessing, provided these stipulations are obeyed. A second series follows almost at once in 7 vv. 8-9:-

1. Do not trust in deceptive words.   2. Do not steal.

3. Do not murder.   4. Do not commit adultery.

5. Do not swear falsely.   6. Do not burn incense to Baal.

In Isaiah 33 v. 15 there is another closely-knit list of Yahweh's requirements with respect to righteous dealing. If "proclamation" is indeed a priestly function, then it would seem that the prophets were quite prepared to take up a priestly teaching pattern, and use it for their own message. It could be that the prophets believed that their message at these points was properly a priestly responsibility which had been neglected, and hence their criticism of the priests. In any event the pattern of "proclamation" as short series of apodictic law is reasonably certain.

Some have taken the argument a stage further, and suggested that series of this type were propagated in the form of decalogues or dodecalogues. S. Mowinckel argues strongly in favour of the view that the decalogue is a literary "type" (15), suggesting that it was used by the priests at the entrance to the holy place prior to the cultic celebrations. As for the present Pentateuch many of the series in their extant form are much shorter than the required length, and even where some scholars discover series of ten or

twelve laws, the reconstruction is not always convincing.
Leviticus 19 v. 19, for example, could just as reasonably go with
the series of vv. 13-18 as with that of vv. 26-28, which would
disturb a "twelve/ten" pattern in these two series.   Even with
Exodus 20 vv. 2-17 there has been a long-standing difficulty as
to what exactly constitutes the ten regulations (16).   A tradition
from Philo and Josephus, well-represented in the ancient Church and
in the Orthodox and Reformation Churches, treats vv. 4-6 as the
second commandment.   On the other hand, a tradition from Augustine,
followed by the Roman Church and Luther, reckons these verses as
part of the first commandment, dividing v. 17 into two to make the
necessary ten.   A third option has been held in Judaism where v. 2
is taken as the first commandment, and vv. 3-6 as the second.   The
same kind of problem afflicts the so-called "Ritual Decalogue" of
Exodus 34 vv. 14-26.   The last four regulations, contained in vv.
25-26, present no difficulty; what preceded these is the main
problem.   If the regulations of vv. 14-17 are included within the
first six, then those of vv. 18-22 are omitted, but H. Kosmala
objects to this on the grounds that these verses contain a very
ancient feast calendar (17).   Verses 18-22 could conceivably be
treated as one law, or else the first alone - about the feast of
unleavened bread - could be taken and the other two omitted.   The
complexity of the problem is well-illustrated in R. H. Pfeiffer's
attempt to establish a completely new order (18) (v. 21a, 18a, 22a,
22b, 23, 29f, 25a, 25b, 26a, 26b).   The overall impression is that

most choices are purely arbitrary, and the rest uncertain, and
it is significant that Kosmala is content to abandon the search for
a decalogue as misguided.   While it is possible that "proclamation"
was given in series of fixed length, there are no strong grounds for
believing that this was automatically or necessarily so.

The form of "proclamation" is therefore established in principle;
it was basically apodictic, and was arranged, and presumably delivered,
in short series.   One final problem concerns the sense in which this
form was distinctively Hebrew.   This is an important preliminary
matter to a consideration of the "life-setting" of "proclamation",
in that A. Alt in part built his argument upon it (19).   His claim
that apodictic law was "specifically Israelite" has been challenged
in all sorts of ways.   E. Meyer was one of the first to make such
a challenge (20), while I. Rapaport argued against the claim that
"ʿibrî" in the casuistic laws is merely descriptive of social status,
and pointed out that they contain a number of distinctively Hebrew
features (21).   It has been pointed out that apodicitic statements
of various kinds are not totally absent from other near-eastern
law collections (22).   This particular challenge is not wholly
convincing.   Casuistic law is very much the norm in the ancient
near-east, and in the law-codes there are no parallels to the
strongly worded "Thou shalt..." of Hebrew law.   More recent and
more compelling challenges come from those who have successfully
identified the apodictic form in a wide range of other literary
areas.   The work done by S. Gevirtz on the west-Semitic curse form

has shown, among other things, that parallels can be found within this literary "type" for all the varieties of form within Hebrew law (23). The apodictic stipulation introduced by "Whoever..." is particularly frequent among the curses (24). Some of these are particularly emphatic prohibitions (25), and Gevirtz quotes a curse formula which is very similar to that of Deuteronomy 27 vv. 14-26. J. G. Williams has discovered within this literary type some excellent parallels for the short five-word apodictic laws (26). He concludes that the concise construct participial style, though uncommon in non-Israelite literature, is nevertheless by no means unique to Israel. In Hebrew, it is simply one of the variations - a very emphatic one - in a common formularic family. It cannot seriously be argued that the Semitic forms are a development of the Old Testament style; it appears that all apodictic forms have ancient antecedents in old Semitic inscriptions.

The apodictic form is also a feature of some of the Hittite royal decrees (27). There are stipulations in both the categorical and conditional forms, and sometimes there are complex syntactical constructions with the "if"-style linked closely with second person singular prohibitions. R. Kilian has found ample evidence of the strong categorical "Thou shalt ..." in various Egyptian texts (28). This is also a normal feature in the Vassal treaties, sometimes in connection with the return of fugitives, and the duty of reporting revolts among other vassals (29). Other treaties make apodictic demands regarding the agreed boundaries, the obligation to fight

rebels, and the duty to come when summoned, in order to give aid (30).

It is perfectly clear, therefore, that the apodictic form is not peculiar to Israel. It is also clear that the term "apodictic law" is a broad classification, including within it several different forms, and that there is a corresponding danger of lack of precision in assessing its origin and use. It has a primary setting within a wide range of near-eastern literary types and even in Israel it may have a non-cultic origin in tribal wisdom (31). On the other hand, Alt's assessment is not wholly wrong; indeed, the instincts that lay behind it have been confirmed rather than disturbed. It remains essentially true that the element of divine obligation in apodictic law is specifically Israelite. The form may not be peculiar to the Hebrews, but the use of the form remains distinctive - the form which embodies the law which binds Israel in loyalty to her God. It is true that the Vassal treaties are concerned with loyalty, but this operates on a purely human level. One of the treaties contains some regulations on marriage and sexual morality generally (32), but this is exceptional, and is in no sense a conceptual parallel to the obligations of the Decalogue.

3. Life Situation

In our investigations so far the following facts about the nature of "proclamation" have emerged:-

1. Its content deals with the relationship between God, a man, and his neighbour in "moral" terms, rather than with reference to

"the holy".

2. It is a statement of law-principles which are universally
   binding, rather than direct guidance for a specific
   situation.

3. Its form is varied, but uniformly apodictic.

4. Its regulations are arranged and recited in short series,
   possibly - though not certainly - of fixed length.

There is, however, one further fact which has constantly been
apparent, and its implications must now be considered.

5. "Proclamation" is delivered in a cultic situation, involving
   the community as a whole.

As we have seen, the curses of Deuteronomy 27 vv. 14-26 are set in
the context of a great public assembly, and this was one of the key
points of contact with the other passages considered.

   S. Mowinckel has argued that the great public festival is not in
fact the primary "Sitz-im-Leben" for this kind of law (33); its
roots lie rather in priestly declarations made at the sanctuary gate.
He envisages in fact a direct development from what we have called
"direction" to fully-fledged "proclamation". He conceives of a
development from external ritual concerns, as in 1 Samuel 21 vv. 5-6
(abstinence from women), and 2 Samuel 5 v. 8 (exclusion of the
blind and lame) to the inward "moral" concerns of Psalms 15 and 24,
both of which are sanctuary-entrance psalms:-

> O Yahweh, who shall sojourn in thy tent?   Who shall
> dwell on thy holy hill?"

                                        Psalm 15 v. 1 (c.f. 24 v. 3)

Mowinckel takes the apodictic elements in these psalms to be
evidence that categorical laws grew out of such entrance-liturgies,
and were ultimately built into the autumnal feast of enthronement
and covenant renewal, the "J" and "E" variants of which he sought to
reconstruct from various groupings of texts in Exodus (34). So it
is that the entry rules of the sanctuary become the decalogues of
the covenant, which in turn are incorporated into the annual festival
and the Sinai legend.

There are several points of criticism which must be made at
this point. G. von Rad has argued convincingly that the decalogue,
with its series of apodictic laws, stands at the mid-point of the
great cultic celebration, and not at the point of entrance into the
sanctuary (35). Such an assertion has some support from Psalm 50
which probably reflects a covenant-renewal celebration. A sequence
of liturgical actions can be roughly reconstructed:-

1. vv. 1-4.   The congregation stands in expectation of the
               theophany.

2.   The words of God summon the community to gather and
               prepare the offerings.

3. vv. 5-7.   The people are commanded to hear the voice of Yahweh,
               who reveals himself as their God.

4.   The first words of the decalogue follow, with some of
               its stipulations preserved in vv. 18-21.

Similarly, the outline of the Shechem covenant ceremony given in
Chapter 2 suggests that the declaration of laws would be the third

element in the basic structure rather than the first. It
therefore seems unlikely that a kind of law which originally
belonged to the beginning of the celebration should become the
central and fundamental element. A second basic criticism is
equally important. Von Rad points out that decalogue stipulations
are essentially those which regulate human life as a whole,
particularly with respect to the future, rather than the immediate
present. They are not, therefore, in any obvious sense, the
immediate concerns of admission to the sanctuary. K. Koch has
attempted to find evidence of an application of sanctuary regulations
to the wider concerns of life as a whole within Psalm 15 (36). Here
he picks out two distinct forms:-

(a) vv. 2, 5b. These regulations are positive in form, use an
     imperfect verb, and are general in theme.

(b) vv. 3-5a. These regulations are negative in form, use a
     perfect verb and are more specific.

These differences suggest to Koch a difference of origin; (b),
influenced by the decalogue form, is taken to be an accretion to
(a) - the old tôrāh liturgy, but the imperfect is taken to be
secondary, and it is this that is supposed to reflect the application
of sanctuary rules to the wider concerns of life. The argument is
of interest, but is too hypothetical to use with confidence. It has
its own problems in the fact that v. 4 contains a positive regulation
embedded in what should be the negative series. The points made by
von Rad still carry weight, and though apodictic law in some form

could have been used at the sanctuary gate, it has yet to be shown that this is its primary "Sitz-im-Leben".

A third point of criticism arises out of our own investigations. It seems highly likely that the content of "proclamation" was intrinsically unsuitable for the sanctuary gate. The priest at the entrance would be more concerned with "direction" - that is, with the sphere of the "holy" - and this, as we have seen, has no essential place in "proclamation". The idea of an historical and liturgical development from the externals of "direction" to the "inward purity" of Psalms 15 and 24 seems most improbable. In any case, "proclamation" and the decalogue are not concerned with inward purity as such. Their prime concern is the God-man-neighbour relationship - this is true even in Psalms 15 and 24 - and are therefore different in kind from "direction", with its concern for the realm of the "holy". The priest had a protective role at the sanctuary gate, but it is unlikely that this provides the fundamental setting for "proclamation".

On the whole the simplest solution is to be found in a primary setting involving some kind of covenant renewal. The theory that such a ceremony was a regular feature of cultic life has gained widespread acceptance (37). Deuteronomy 27 vv. 14-26 indicates a gathering of the tribes for some such purpose, and behind all the other passages examined there is the tradition of a great congregational gathering to hear God speak. To this extent there is genuine textual support for the idea that this is where Israelite apodictic law belongs. Another strong point in its favour is the

thematic argument.   As A. Alt has shown so clearly apodictic law
has to do, not with the specific concerns of individuals, but with
the duties and obligations of the community as a whole (38);   it
belongs therefore in some kind of community-context.   The form
itself bears out this conclusion;   it is liturgical in style.
There is the shortness of the commands, the direct form of address,
and the lack of any sort of qualification.

Another factor, less direct, but deeply compelling, is the
close link that evidently existed between law and covenant, both
from the historical and theological points of view (39).   An integral
part of Israel's acceptance of the covenant in Exodus 24 vv. 3-8 is
her willingness to be obedient to the covenant stipulations.   The
Book of the Covenant is read, and as in Deuteronomy 27 vv. 14-26,
the people make a response.   The throwing of the blood by Moses
confirms the link:-

"....the blood of the covenant which Yahweh has made with

you in accordance with all these words."
Though the blood-rite is lacking in Joshua 24, there is the same
link between the making of statutes and ordinances (v. 25), and the
popular response (v. 24).   The reality of this link between
apodictic law and covenant has been generally substantiated by
recent investigations into the form and significance of the ancient
Vassal treaties (40).   These researches have tended to suggest
some sort of relationship between the form and general ethos of the
Vassal treaty, and that of the Old Testament texts dealing with law

and covenant. The accuracy of this has been questioned by C. F. Whitley (41), who points out that "b^{e}rı̂t" or any comparable word is not to be found within the treaties, but terminological matters of this kind need not be decisive. Whatever the date of the word itself, the idea of a bond uniting Yahweh with his people is fundamental to Hebrew faith, and it is here that similarity of form and ethos is remarkable. The precise nature of the relationship between the treaties and the Hebrew traditions remains uncertain, but the presence of apodictic stipulations as a formal element within the treaty pattern lends some weight to the conviction that in Hebrew thinking law and the "covenant bond" belong together. In the treaties these stipulations are the obligations to which the vassal is bound. They are frequently military in content, and almost always apodictic in form. Their objective at all points is to guarantee the loyalty of the vassal state. Interspersed with these stipulations are occasional exhortations to trust the overlord at all times, and as with the laws of the covenant, these stipulations are kept at the sanctuary, and read at intervals, from one to four times a year at public gatherings. It is at these points that the similarities are most marked, and they only confirm the conviction that the apodictic law - essentially the law of loyalty - belongs in the context of some national covenant ceremony.

Argument beyond this point is more conjectural, and it is not possible to trace the life and fate of such a ceremony in the history with any certainty. The idea of a tribal gathering points

to origins within the days of the tribal confederation, though
with what regularity such celebrations would be performed it is
impossible to say.   It is easy to see that recitation and repetition
would be essential as fresh groups of Hebrews and others were admitted
to the Sinaitic covenant, and this could well be the heart of the
whole matter.   Such recitations need not have been on a regular
footing, but the cycle of the feasts and the seasons would be
sufficient stimulus to provide it with a regular basis.   The assump-
tion that such a ceremony became regular has some textual support in
Psalm 50 v. 16:-

    "But to the wicked God says: "What right have you to recite

    my statutes, or to take my covenant on your lips?"
This surely implies some kind of regular repetition of the duties
of covenant membership.   If this is correct, then it implies that
the ceremony did not disappear with the break-up of the confederation,
and the establishment of the monarchy.   It is possible, however,
that its character was changed, possibly through its incorporation
into an enthronement ceremony.   It is also possible that in the
course of time, particularly during the reigns of unsympathetic
kings, it was either neglected or transformed beyond recognition.
At all events, the Deuteronomic authors felt the need to re-assert
in no uncertain terms the obligation to read and hear the book of
the law.   It is not clear what should be made of the command in
Deuteronomy 31 vv. 9-13 that this be read once every seven years
at the Feast of Booths.   It is not certain whether this represents
a new enactment or the attempt to revive an ancient but neglected

custom.   In either event the basic principles lying behind
"proclamation" were strongly re-affirmed.   The nation as a whole
must hear and respond to the obligations of loyalty that bind her
to her God.

4. The Spokesman

An important question which must be faced is whether "proclamation"
in the context of a covenant festival was a priestly role.   This
matter has been evaded so far because the content, form and setting
of "proclamation" are important issues in making the decision.
There has been a curious uncertainty among investigators into the
problem, and a marked hesitancy in some quarters to call the spokes-
man of the covenant festival a "priest".   A. Alt is content to think
of a "law-speaker" (42).   He suggests that during the time of the
early Amphictyony there was such a distinctive office, and that the
man who held it was responsible for the oversight and publication of
the covenant law.   He sees no reason for supposing that this was
necessarily a priestly office, though it was obviously "cultic" over
against the "secular" office of the elders, who administered
casuistic law at the gate.   M. Noth is in broad sympathy with this
kind of approach (43), and points to the "minor judges" as the
oldest offices in the Old Testament traditions (c.f. Judges 10 vv.
1-5; 12 vv. 7-15).   This office he believes to be judicial rather
than priestly or prophetic, but the actual administration of justice
would be the concern of elders at the gate or priests at the
country shrines.   Noth concedes that the "office" could be some sort

of court of appeal, but thinks it far more likely that it related to the law as valid for Israel as a whole. This therefore must have been the law that was regularly proclaimed, and the "Judge" was the one who had to know and interpret it. He had to see that it was observed, proclaimed, and applied to new situations, and therefore assumed full responsibility for its development. H. J. Kraus, on the other hand, has a rather different approach in connection with this office of law-speaker (44). He points out that in Deuteronomy 18 vv. 15-20 reference is made to an office of a prophetic kind, standing in a "Mosaic succession". The promise is made that a prophet will be raised up like Moses to act as mediator between Yahweh and his people. Divine "words" will be in his mouth, which suggests to Kraus an office of prophetic covenant mediator. H. Reventlow has come to similar conclusions as a result of his investigations into the "Holiness Code" (45), and R. Rendtorff has endeavoured to establish some sort of link between Amphictony, early prophecy and the "Judge" (46).

The idea of the "proclamation" - spokesman as some sort of "leader", "judge", or "law-speaker" has certain points in its favour. This would account for the place of the great individual figures within the covenant traditions - men such as Moses, Joshua and Samuel. The oldest traditions make no deliberate attempt to make them either "priest" or "prophet"; they correspond rather with ancient chieftains who had, among other things, a responsibility for covenant making between the people and their God (47). The

identification of the "minor judges" with an office of "law-speaker" seems more uncertain, but the idea of the divinely constituted leader having a part to play in this connection is thoroughly reasonable and acceptable.

There are also some points which seem to favour a prophetic ministry as far as "proclamation" is concerned. In the first place, as we have seen, it is a very different kind of ministry from "direction" in content and setting, and there would appear to be a basic conceptual difference. It may be questionable whether the priestly office could embrace such variety. A passage which, on the face of it, lends some support to the idea of a prophetic "proclamation", is Judges 6 vv. 7-10:-

> "When the people of Israel cried to Yahweh on account
> of the Midianites, Yahweh sent a prophet to the people
> of Israel; and he said to them, Thus says Yahweh the
> God of Israel: "I led you up from Egypt, and brought
> you out of the house of bondage; and I delivered you
> from the hand of the Egyptians, and from the hand of all
> who oppressed you, and drove them out before you, and gave
> you their land; and I said to you, I am Yahweh your God;
> you shall not pay reverence to the gods of the Amorites,
> in whose land you dwell.""

This passage is very easily detached from its context, and this, together with its statement of the salvation-history, lead many to treat it as of much later origin. On the other hand, W. Beyerlin

has given good reasons for believing that it is an integral part of the pre-Deuteronomic framework (48), and therefore the possibility of an earlier witness within it must be taken very seriously. What is particularly interesting is the trace of a decalogue-structure within it:-

1. Statement of authority - "Thus says Yahweh..."

2. Historical allusion to the peoples' deliverance.

3. Apodictic stipulation - "You shall not pay reverence..."

Along with this evidence must go the strong post-exilic conviction that "law" was first promulgated through prophetic rather than priestly revelation. An illuminating passage in this connection is 2 Chronicles 29 v. 25, where authority for the stationing of the Levites within the Temple is vested jointly in David, Gad the King's seer, and Nathan the prophet, because the "commandment" was from Yahweh "through his prophets". The idea of God propagating his "statutes" and "commandments" through prophecy is prominent in the prayers of Ezra 9 and Daniel 9:-

> "And now, O our God, what shall we say after this? For
> we have forsaken thy "miswōt", which thou didst command
> by thy servants the prophets..."

<div align="right">(Ezra 9 vv. 10-11)</div>

The kind of command envisaged is made clear in v. 12. In Daniel 9 v. 10 the same claim is made regarding Yahweh's "torôt":-

> "...and have not obeyed the voice of Yahweh our God
> by following his "torôt", which he set before us by
> his servants the prophets."

The similar prayer in Nehemiah 9 is probably to be understood in the same way. Verse 26 indicates that the killing of the prophets of Yahweh goes along with the peoples' rejection of his "tôrāh". Meanwhile, vv. 13-14, while not explicitly calling Moses a prophet, seem to imply that at Sinai his was a prophetic role. Yahweh "speaks" with his people there, and the content of this "speaking" is right "mišpāṭîm", true "tôrōṯ", and good "ḥukîm" and "miṣwōṯ". Regulations particularly in mind are those concerning the sabbath (v. 14), but it would seem that the whole range of Mosaic law is here regarded as "spoken".

There is other post-exilic evidence which points in the same direction. Zechariah 7 vv. 9-10 contains a series of divine demands regarding right relationships between a man and his neighbour. These stipulations are given a prophetic setting - "Thus says Yahweh of hosts..." (v. 9). That this was felt to be the genuine setting is clear from v. 12:-

> "they made their hearts like adamant lest they should
>
> hear the "tôrāh" and the "dᵉḇārîm" which Yahweh of hosts
>
> had sent by his spirit <u>through the former prophets.</u>"

Equally interesting are Ezekiel's "priestly" laws for the new Temple. His authority for promulgating them seems to rest, not on his priestly office, but on his prophetic inspiration. They are set firmly in a "Thus says Yahweh God" kind of context:-

> "Son of Man, thus says Yahweh God, these are the "ḥukōṯ"
>
> for the altar."

(Ezekiel 43 v. 18)

The Deuteronomic history also sees Yahweh's servants the prophets as the means by which "commandments", "statutes", and "law" are given:-

> "Yahweh warned Israel and Judah by every prophet and
> every seer, saying, "Turn from your evil ways and keep
> my "miṣwōt" and my "ḥukȯt", in accordance with all the
> "tȯrah" which I commanded your fathers, and which I sent
> to you by my servants the prophets."

(2 Kings 17 v. 13)

Obviously testimony of this kind must be taken seriously, and some explanation for it must be found if an early prophetic role in "proclamation" is to be discounted.

On the other hand, the reasons for seeing a genuine priestly "proclamation" are by no means insubstantial. There is the persistent testimony of Deuteronomy 27 v. 14, which insists that the Levites were responsible for the declaration of such laws, and this, as we have seen, almost certainly represents an ancient textual tradition. A second factor is that the role of covenant-spokesman does not readily fit what is known of primitive prophecy. The setting of "proclamation" is essentially the sanctuary in the context of a great communal gathering, yet the kind of early prophecy which has closest links with the holy place - ecstatic spirit-prophecy - seems to have least affinity with the content and concerns of "proclamation". The early prophets who would have had immediate sympathy with the decalogue traditions - Nathan, Elijah, and the

various "men of God" - are those who seem least bound to a

regular ministry in a particular locale.   Another important

point arising out of this is the fact that the substance of most

prophetic oracles cannot in fact be codified as law.   In other

words, "proclamation" and the prophetic "word" are not identical.

It is true that the "word" is frequently dependent upon given

stipulations about the will of God, but it is equally true that

the "proclamation" - spokesman is neither a spirit-charismatic, nor

a bringer of divine "words" to a specific situation.   A fundamental

mark of the prophet is the fact that he is raised up to address a

particular situation, and there is a real sense in which his word

arises out of that situation; "proclamation", on the other hand,

as a statement of universally binding principles in a cultic context

seems to be independent of such specific settings.

A further important factor favouring a "priestly" influence in

"proclamation" is the special connection which the "Levites" had

with the tribal confederation, and we have seen good reason for

believing that the confederation was the focal point for the covenant

laws and traditions.   A.H.J. Gunneweg's investigations have tended

to confirm the conviction that there was a genuine "Levitical"

responsibility in this connection (49).   Kraus's concern for a

man "in the Mosaic succession" fits precisely what Gunneweg has

suggested about the function of the Levites.   Our own historical

investigations in Chapter 2 make this thoroughly feasable - the

oracle-consultants and ark-custodians as guardians and propagators

of the Sinai traditions with their binding obligations and their overriding insistence on loyalty to Yahweh. If the idea of "Levitical proclamation" is correct then the differences in content and setting between "direction" and "proclamation" are thoroughly intelligible. "Direction" involves the kind of matter which concerns priesthood as a universal institution; "proclamation" is concerned with that which is distinctively Yahwistic. The processes of interaction and assimilation would have been long and varied, and it could well be that part of what lies behind the prophetic criticism of priesthood is the dominance, under the monarchy, of a neutral kind of priestly "direction", and the loss of the old Levitical-priestly "proclamation".

Such a view need not exclude the influence of "leaders" like Moses and Samuel. Indeed there is no intrinsic reason for supposing that the basic interests of "proclamation" were the prerogative of any one office. Any authoritative figure - be he chieftain-leader, man of God, or Levite-priest - who was also essentially Yahweh's man, would be concerned with its essential principles. This would not exclude the occasional ministry of a prophet, as implied in Judges 6 vv. 7-10, but regular proclamation in the context of regular public gatherings, would in all probability be the duty of the Levites. One of the difficulties of E. W. Nicholson's suggestion that Deuteronomy belongs to northern prophetic circles is the problem of showing that such circles engaged in this kind of cultic activity (50). The same difficulty besets the endeavours

of Kraus, Reventlow and Rendtorff to discover a prophetic covenant-mediator in the cult. The attempts to find prophetic influence in the "priestly" texts of the Pentateuch are unconvincing while the law of the prophet (Deuteronomy 18 vv. 15-22) is concerned essentially with a test for true and false prophecy, and not obviously with the establishment of a cultic role. The post-exilic evidence suggesting a prophetic initiative might be explained as part of the re-interpretation of Moses and the Torah in prophetic terms. This recognition of a prophetic element might readily arise in a situation where the prophetic prediction and interpretation of the exile had proved to be true. "Proclamation" may ultimately have had a "priestly" thrust to it, as Deuteronomy 27 vv. 14-26 seems to suggest. There is the priestly curse here on crimes which could be committed in secret, and which could therefore escape detection.

Our investigation has shown, therefore, that the idea of a strong priestly influence in "proclamation"-instruction is reasonable and highly probable. We are therefore in a position to make some assessment of its creative impact.

5. Creative Influence

The one substantial point that can be made in this connection is that "proclamation", like "direction", became the vehicle for genuine "teaching". In other words it was used, not only to state principles, but to foster beliefs and attitudes and to encourage

obedience.   It is highly likely that the sermonic style of
Deuteronomy reflects such teaching.   As G. von Rad has pointed
out so clearly the background to Deuteronomy is not so much law
codified, but law preached, for the benefit of the laity (51).
This implies not only a recitation of law-principles, but a deliberate
intensification of their meaning, and a direct application of their
force to the individual conscience, with the subsequent encouragement
to obedience.

This fact of the proclaimer as teacher can best be illustrated
once again from the use of the motive clause.   Deuteronomy of
course has a total sermonic ethos, but the Book of the Covenant in
its use of the motive clause is very far from being codified law in
the strict sense.   The Exodus Decalogue also has its share of
motive clauses:-

Law   - "You shall not take the name of Yahweh ... in vain."

Motive - "For Yahweh will not hold him guiltless..."

(Exodus 20 v. 7)

Reasons for obedience are likewise a feature of the Book of the
Covenant, as for example, in Exodus 22 v. 20:-

Law   - "You shall not wrong a stranger ..."

Motive - "For you were strangers in the land of Egypt."

An outstanding and remarkable example of non-legal rhetorical
reasoning occurs in Exodus 22 vv. 26-27:-

"For that is his only covering, it is his mantle for his
body; in what else shall he sleep?   And if he cries to me

I will hear, for I am compassionate."

This reasoning, together with that in some other clauses, is strictly "theological" in that it draws attention to some aspect in the nature of God.   There are many others that do likewise:-

Law   - "You shall not bow down to them or serve them."

Motive - "For I Yahweh your God am a jealous God."

(Exodus 20 v. 5;   c.f. v. 7)

Law   - "Keep far from a false charge..."

Motive - "For I will not acquit the wicked."

(Exodus 23 v. 7;   c.f. 22 v. 27)

Other clauses focus attention upon the activity of God (c.f. e.g. Exodus 20 vv. 8-11, 34 vv. 23-24), and several upon the exodus deliverance.   Apart from the introduction to the Decalogue (Exodus 20 v. 2), there are two clear references of this kind in the Book of the Covenant.   As well as Exodus 22 v. 20 - already quoted - there is the regulation of Exodus 23 v. 15 (c.f. also Exodus 34 v. 18):-

Law   - "You shall eat unleavened bread for seven days..."

Motive - "For in it you came out of Egypt."

In substance this seems to be more akin to "direction", and may be a reflection of the assimilation process, but there are other clauses attached to obvious "proclamation"-laws which are strictly and distinctively humanitarian in their concern.   As well as the question of garments taken in pledge (c.f. Exodus 22 v. 26-27 quoted above), there are strong humanitarian motives in the bribery and sabbath

laws:-

Law   - "And you shall take no bribe."

Motive - "For a bribe blinds the officials, and subverts the

          cause of those who are in the right."

                              (Exodus 23 v. 8; c.f. Deuteronomy 16 v. 19)

Law   - "Six days shall you do your work, but on the seventh

          day you shall rest."

Motive - "That your ox and your ass may have rest, and the son

          of your bondmaid, and the alien may be refreshed."

                                        (Exodus 23 v. 12)

Other sermonic clauses contain the familiar note of promise or

warning.   An obvious example is found in the Decalogue - Exodus

20 v. 12:-

Law   - "Honour your father and your mother."

Motive - "That your days may be long in the land..."

The promise of Exodus 34 v. 24 would also fit in at this point.

These points could be illustrated at greater length, but the

main fact is clear enough.   "Proclamation" was or became a vehicle

for teaching.   Beliefs about the nature and activity of Yahweh were

fostered through it; the faith implicit in the idea of a salvation-

history was thereby encouraged.   In the decalogue tradition the

exodus stands out more as mighty act of deliverance (c.f. Exodus

20 v. 2) than a "holy" act of separation (c.f. Leviticus 20 v. 26).

In line with its basic principles "proclamation"-teaching sought to

plant a genuine humanitarian concern, and in this, and other ways,

provided a basis for the prophetic ministry of men such as Amos.

To find a "teaching" influence of this kind is to find a genuinely creative influence. This may not have been exclusively priestly; it would have been exerted by all who cherished and were loyal to the old Yahwistic traditions. In the circumstances it was perfectly natural for post-exilic faith to look to the pre-exilic prophets as the representatives of these traditions; it was through them that the whole truth of God to the doomed people was expressed. What we have suggested is that behind this, and to some extent alongside it, there was a loyal Yahwistic influence in the cultic assemblies, proclaiming Yahweh's standards, and which was probably "Levitical".

Notes to Chapter 5

(1)   "Deuteronomy" (I.C.C.) 1896 (2nd edition) p. 300.

(2)   "Forms of Priestly Blessings, Cursings and Toroth in
         Ancient Israel" (op. cit. Durham University) pp. 47ff.

(3)   E. Lewy regards it as a Jerusalemite addition - "The Puzzle
         of Deuteronomy 27: Blessings Announced but Curses Noted"
         (V.T. XII 1962 pp. 207ff.)

(4)   "Deuteronomy" (E.T. by D. Barton 1966) p. 167.

(5)   An extended treatment of the literary problems is given by
         S. Rudman - op. cit. p. 46ff.

(6)   c.f. e.g. J. Bright - "A History of Israel" 1960 pp. 374f.
         L. H. Brockington - "Ezra, Nehemiah and Esther" (N.C.B.)
         1969 p. 23.
         c.f. also J. Wellhausen - "Sketch of the History of Israel
         and Judah" 1891 (3rd edition) p. 133.
         H. H. Schaeder - "Esra der Schreiber" 1930 pp. 63f.

(7)   This is mentioned as a possibility by L. W. Batten - "Ezra
         and Nehemiah" (I.C.C.) 1913 p. 373.
         c.f. also A. Lods - "The Prophets and the Rise of Judaism"
         (E.T. by S. H. Hooke 1937) p. 304.
         M. Noth thinks in terms of some of the legislative parts of
         "P", but is unwilling to be very precise. c.f. -
         "The History of Israel" (E.T. by P. R. Ackroyd 1960 (rev.
         edition) pp. 335ff.
         "The Laws in the Pentateuch" ("The Laws in the Pentateuch and

Other Essays" (E.T. by D. R. Ap-Thomas 1966) p. 76 (n.177)).

(8)   c.f. e.g. L. E. Browne - "Early Judaism" 1920 pp. 185ff.

(9)   "Studies in Deuteronomy" (E.T. by D. Stalker 1953) pp. 13ff.

(10)   H. H. Schaeder - op. cit. pp. 52f.

(11)   "Exodus" (E.T. by J. S. Bowden 1962) p. 198.

(12)   c.f. e.g. A. Cody - "A History of Old Testament Priesthood"
        1969 pp. 42ff on the portrait of Moses in Exodus 24 vv. 3-8.

(13)   "The Origins of Israelite Law" ("Essays on Old Testament
        History and Religion" (E.T. by R. A. Wilson 1966) pp. 81ff.)

(14)   op. cit. pp. 62ff.

(15)   "The Psalms in Israel's Worship" (E.T. by D. R. Ap-Thomas
        1962) I pp. 177ff.

(16)   c.f. e.g. W. Zimmerli - "Das zweite Gebot" ("Festschrift für
        A. Bertholet 1950 pp. 550ff.)
        J. J. Stamm & M. E. Andrew - "The Ten Commandments in Recent
        Research" 1967 pp. 18ff.

(17)   "The So-Called Ritual Decalogue" (A.S.T.I. I 1962 pp. 31ff.)

(18)   c.f. "An Introduction to the Old Testament" 1952 (1st
        British edition) p. 221.

(19)   op. cit. pp. 103ff.

(20)   "Geschichte des Altertums" 1931 p. 316.

(21)   "The Origins of Hebrew Law" (P.E.Q. 73 1941 pp. 158ff.)

(22)   c.f. T. J. Meek - "Hebrew Origins" 1950 (Torchbook edition)
        p. 72.
        also T. J. Meek - A.N.E.T. p. 183 (n.24).

(23)   "West Semitic Curses and the Problems of the Origins of
        Hebrew Law" (V.T. XI 1961 pp. 137ff.)

(24)   c.f. the funerary inscription of Mane bar Kumli and the
        commemorative inscription of DNL (J.A.O.S. 27 1907 pp. 164ff.).
        c.f. also an inscription of Zakir (A.N.E.T. pp. 501f.); the
        sepulchral inscription of Agbar (A.N.E.T. pp. 504f.). For
        other inscriptions c.f. S. Gevirtz - op. cit.

(25)   c.f. e.g. the sepulchral inscription of Tabnit of Sidon
        (A.N.E.T. p. 505).

(26)   "Concerning one of the Apodictic Formulas" (V.T. XIV 1964
        pp. 484ff.)

(27)   c.f. e.g. A.N.E.T. pp. 207ff.

(28)   "Apodiktisches und kasuistisches Recht im Licht ägyptischer
        Analogien" (B.Z. VII 1963 pp. 185ff.)

(29)   c.f. e.g. The Mursilis II - Manapa Dattis Treaty (Sections
        4-5 col. 1) (Section 8 III B2) (c.f. D. J. McCarthy -
        "Treaty and Covenant" 1963).

(30)   c.f. e.g. The Mursilis-Kupanta Kal Treaty (Sections 9, C31-34,
        10, C37, D20-21 etc.) (c.f. D. J. McCarthy - "Treaty and
        Covenant" 1963).

(31)   c.f. e.g. E. Gerstenberger - "Wesen und Herkunft des
        sogenannten apodiktischen Rechts im Alten Testament" 1961.
        "Covenant and Commandment" (J.B.L. LXXXIV 1965 pp. 38ff.)

(32)   "The Suppiluliuma-Huqqanas Treaty (Sections 30II35-43,
        31II44-52, 32II58, 33II59-66, 68) (c.f. D. J. McCarthy -

"Treaty and Covenant" 1963).

(33)   This is one of the main themes of "Le Decalogue" 1927.

(34)   The "J" version - Exodus 19 vv. 18, 20-22, 25;   34 vv. 1a,

2-4, 5-28.

The "E" version - Exodus 19 vv. 2b-3a, 9a, 10, 11a, 12, 13a,

14-17, 19;   20 vv. 18-22a, 23-26;   22 vv. 28-29;   23 vv. 10-

19, 20-23;   24 vv. 3-8.

(35)   "The Form Critical Problem of the Hexateuch" ("The Problem

of the Hexateuch and Other Essays" (E.T. by E. W. Trueman

Dicken 1966) pp. 20ff.)

(36)   "Tempeleinlassliturgien und Dekaloge" ("Studien zur Theologie

der alttestamentlichen Überlieferungen" 1961 pp. 45ff.)

(37)   Among its most influential exponents have been -

G. von Rad - op. cit. p. 1ff.

A. Weiser - "The Psalms" (E.T. by H. Hartwell 1962) pp. 35ff.

(38)   c.f. op. cit. pp. 103ff.

(39)   c.f. e.g. W. Eichrodt - "Theology of the Old Testament" (E.T.

by J. A. Baker 1961) I pp. 70ff.

J. Bright - op. cit. pp. 129ff.

(40)   c.f. e.g. G. E. Mendenhall - "Law and Covenant in Israel and

the Ancient Near East" 1955.

D. J. McCarthy - "Treaty and Covenant" 1963.

(41)   "Covenant and Commandment in Israel" (J.N.E.S. 22 1963 pp.

37ff.)

(42)   c.f. op. cit.

c.f. "Das Amt des "Richters Israels"" ("Festschrift für A.

Bertholet" 1950 pp. 404ff.)

(43)   c.f. "The History of Israel" (E.T. by P. R. Ackroyd 1960
(rev. edition)) pp. 101ff.

(44)   c.f. "Worship in Israel" (E.T. by G. Buswell 1966) pp. 101ff.

(45)   "Das Heiligkeitsgesetz-formgeschichtlich Untersucht" 1961
pp. 25ff.

(46)   "Erwägungen zur Frühgeschichte des Prophetentums in Israel"
(Z.Th.K. 59 1962 pp. 144ff.)

(47)   c.f. A. Cody - op. cit. pp. 43f.

(48)   "Geschichte und heilsgeschichtliche Traditionsbildung im
Alten Testament (Richter VI-VIII)" (V.T. XIII 1963 pp. 1ff.)

(49)   "Leviten und Priester" 1965 pp. 14ff.

(50)   "Deuteronomy and Tradition" 1967 pp. 73ff.

(51)   "Studies in Deuteronomy" (E.T. by D. Stalker 1953) pp. 11ff.

Chapter 6

Priestly Verdict

1. Content

There are three important groups of texts to be considered in this connection. They all indicate in different ways that the priest had a particular part to play in the administration of justice; under certain circumstances it would be his duty to give the "verdict" - to make a divine pronouncement about guilt or innocence.

a) Exodus 22 vv. 7-8 (c.f. v. 27, Exodus 21 v. 6):-

> "If the thief is not found, the owner of the house shall
>
> come near to God, to show whether or not he has put his
>
> hand to his neighbour's goods."

The phrase "come near to God" almost certainly means "in the local sanctuary" (1). In the Book of the Covenant it seems to be quite distinct from the civil administration of the "judges" (Exodus 21 v. 22) and the "officials" (Exodus 23 v. 8), and seems to imply the holy place. The concept must belong to the oldest part of the Book of the Covenant; in v. 8 a plural verb to the noun "God" has survived, indicating that the original reading was probably "come near to the gods".

The case which "God" has to decide concerns property committed for safe-keeping to a second party (v. 6). This property is stolen, and the thief not found, and the suspicion of dishonesty on the part

of the second party may arise. In this event, the matter is settled by some kind of divine decision given at the sanctuary; there is no direct reference to the priest, but his presence is presumably implied. Another such case is envisaged in v. 8, though it could be that the verse is simply an expansion of v. 7. Here any "breach of trust" or failure of confidence is to be brought for settlement and decision before "God". The subject matter would have to do with any kind of lost property, and possibly also any case of disputed ownership. The precise significance of the claim - "This is it" is not clear, but it would certainly make sense in relation to a case of that kind. The last clause makes it clear that a definite divine "verdict" is involved - "he whom God shall condemn shall pay double to his neighbour". Furthermore, such a judgement is to be treated with immediate respect and acceptance:-

> "You shall not revile God..."

<div align="right">(Exodus 22 v. 27)</div>

b) Deuteronomy 17 vv. 8-9 (c.f. 19 v. 17, 2 Chronicles 19 vv. 8-11)

> "If any case arises requiring decision between one kind of homicide and another, one kind of legal right and another, or one kind of assault and another ... then you shall arise and go up to the place which Yahweh your God will choose, and coming to the Levitical priests and the judge who is in office in those days, you shall consult them, and they shall declare to you the decision."

This passage is distinctively Deuteronomic with its conception of

the place which Yahweh will choose; it envisages a central court
of appeal with priest and judge acting together.   The cases
concerned are those where fine legal points of distinction have to
be made, and where expert assistance is therefore essential.
Deuteronomy 19 v. 17 makes it clear that the bringing of a case to
the priests and judges is to make an appearance "before Yahweh".
The finality and absolute authority of the priestly "verdict" is
apparent in Deuteronomy 21 v. 5 - "and by their word every dispute
and every assault shall be settled".

There can be little doubt that in making this claim Deuteronomy
reflects an actual situation.   There is testimony to such a role in
various other places.   When Isaiah complains about the religious
leaders who "stumble in giving judgement", he refers, no doubt, to
the priests (Isaiah 28 v. 7).   The "priestly" laws in Ezekiel make
a comparable claim:-

> "In a controversy they shall act as judges, and they
>
> shall judge it according to my judgements."

<p style="text-align: right">(Ezekiel 44 v. 24)</p>

Another passage which seems to point to a joint responsibility
between "judges" and priests is provided by the Chronicler in 2
Chronicles 19 vv. 8-11.   Here the "judges" or lay officials are
"heads of families", and they, along with certain priests and
Levites, are appointed by Jehoshaphat to decide certain cases in
Jerusalem.   The cases in question are not specified with any
precision; they have to do with "bloodshed, law or commandment,

statutes or ordinances". Some of this section is probably
primary evidence of what obtained in the Chronicler's day (2).
It follows the basic conception outlined in Deuteronomy, but also
envisages a clear division of responsibilities in v. 11. A sharp
distinction is drawn between civil and ecclesiastical matters, with
the chief priest responsible "in all matters of Yahweh", and a
governor "in all the king's matters". The Levites also have a
distinctive role as "officers".

c) Numbers 5 vv. 11-31

This passage is unique in the Old Testament in that it describes
at length one means by which the priest might reach his "verdict".
The method involved must be considered in due course; what is
important here is the role of the priest in bringing about the
divine "verdict". The case envisaged is one of marital infidelity,
and would arise when direct proof was lacking, but when there were
strong grounds for suspicion, or else simply "the spirit of jealousy"
(v. 14). If such suspicion fell upon the woman, she could be
brought to the priest (v. 15), and he, by means of a rigorous ritual
procedure, would create a situation in which a divine "verdict"
would operate. A declaration of guilt would cause the woman bodily
pain, and ultimate sterility, whereas her innocence would be
established if there were no visible effects.

Each of these groups of texts points in different ways to a
distinctive priestly role in the giving of "verdicts". There is
no indication that this was an exclusively priestly duty; on the

contrary, some of the texts point explicitly to a part played by lay officials. What is interesting is that each of these three groups of texts - belonging as they do to very distinct literary sources - has its own particular ethos. This presents problems in determining the historical settings of the priestly "verdict", but in its own way it provides compelling confirmation of the basic historical fact; the priest had a special responsibility in the determination of guilt and innocence (3).

2. Method and Form.

Some of the relevant texts are of no help at all in deciding how the priest might reach or bring about the divine decision. Deuteronomy 17 v. 12 spells out the extreme danger of presumptuous disobedience with respect to the priestly judgement, but it gives no hint of the techniques the priest might employ in coming to that judgement. Ezekiel 44 v. 24 indicates that the priests are expected to act in accordance with Yahweh's judgements, but gives no additional information.

At first sight, the texts from the Book of the Covenant seem to leave the same uncertainty. Exodus 22 vv. 7-8 indicate only that God will condemn one party and vindicate the other. It seems likely, however, that vv. 9-10 hold the key to the kind of procedure envisaged here. These verses consider a case which, in all essential points, is of the same kind as those dealt with in vv. 7-8. It concerns livestock which has been committed for safe-keeping to a

second party, and which has died, or for some reason been lost, rather than stolen. Such a situation might involve a failure of confidence, and some assessment regarding the liability of the second party would be necessary. It is therefore essentially of the same type as the cases in vv. 7-8, and though the phrase "before God" is not mentioned, the bringing of the case to the sanctuary may reasonably be assumed. What vv. 9-10 do contain is a reference to an "oath by Yahweh", made by the second party, and accepted by the owner. This seems to be what is implied, though the precise procedure is not easy to unravel. The making of oaths in such situations was common in the ancient near-east as a whole. Their use is attested in Babylonia, Assyria, in the Elephantine texts, and particularly in the material from Nuzu. As C. H. Gordon asserts - "the ordeal oath before the God is a common feature of the Nuzu trials" (4). The Middle Assyrian Laws envisage some kind of "ordeal" at a river - "If a seignior has said to a(nother) seignior, "People have lain repeatedly with your wife", since there were no witnesses, they shall make an agreement (and) go to the river." (5) G. R. Driver and J. C. Miles quote a Babylonian law for a similar situation which refers to the taking of "an oath by the life of a god" (6). The question as to how an oath of itself would be sufficient to reach a decision is probably to be answered in terms of the "ordeal oath" mentioned by Gordon. In other words, some kind of curse would be pronounced, and if the terms of the curse took effect, then that would be a clear declaration of guilt. The

"oath" and the "curse" are in fact an integral part of the
procedure in Numbers 5 vv. 11-31 - a setting which is technically
and essentially an "ordeal".   According to vv. 19-22 the priest
has an important part to play in the taking of the oath.   He makes
the woman take "the oath of the curse" (v. 21) by declaring the
terms of the curse (vv. 21-22); the oath is taken by the woman in
her response - "Amen, Amen" (v. 22).   Another reference to the
"oath" is to be found in the prayer of Solomon (1 Kings 8 vv. 31-32).
This refers explicitly to an oath before the altar, and is an appeal
to God to carry out the act of judgement in such situations.   While
it is difficult to assess historically the nature of the priestly
role in this, it does seem likely that "before God" in the Book of
the Covenant implies an "oath" and a "curse" and/or "ordeal".   If
this is the case, then the presence of the priest would be well-nigh
essential, both to supervise the procedures, ensuring that they were
correctly performed, and also to act as an independent witness (7).

As far as the form of the "oath" is concerned the woman's
response in Numbers 5 v. 22 need not be taken as the norm.   A great
many "oath"-forms have been preserved in the Old Testament, and
though the majority of these are not set in sanctuary-situations, they
may well reflect some of the language that would be used in such
contexts.   Some of these appear to have passed into everyday lang-
uage as expressions of emphasis or determination.   This is particularly
true of the phrase "as Yahweh lives" (c.f. e.g. Judges 8 v. 19, 1
Samuel 20 v. 3, 2 Samuel 15 v. 21).   The sanctuary might well

provide a background for such a saying, possibly in a form of oath professing innocence.   The curse-form of the "oath" could sometimes have been - "Yahweh make you like ..."   Jeremiah quotes such a form in connection with the false prophets, Zedekiah and Ahab (Jeremiah 29 vv. 21-22).   He suggests that because of their fate a popular curse-form will grow up around their names - "Yahweh make you like Zedekiah and Ahab, whom the king of Babylon roasted in the fire".   The idea of a name being the substance around which a curse was built is familiar in other prophetic contexts (c.f. e.g. Isaiah 65 v. 15, Zechariah 8 v. 13), and might also have a background in a sanctuary setting;   in such an event the words would correspond with those of the priest in Numbers 5 vv. 19-22. Another form in popular use is the expression "God do so to me and more also...", which occurs several times in the historical books (c.f. e.g. 1 Kings 2 v. 23).   If this had some original links with the sanctuary then it would probably have been a declaration of innocence by oath on the part of the suspected party.   Another popular oath form calls down God to act as witness between the contending parties.   In Genesis 31 vv. 50, 53, and Jeremiah 42 v. 5 the expression is really a covenant-oath, calling God to act as witness and to judge should the agreement be broken.   Clearly the form could also have been used prior to a curse or ordeal test. These examples show that there were numerous popular forms of oath, and though there can be no certainty in the matter, it does seem possible that the testings and verdict-giving at the sanctuary

provided the basis from which such forms would become familiar,
and pass into common usage.

It is also probable that certain actions accompanied the
giving of the oath.   There is a hint of this in Deuteronomy 32
v. 40 where the oath - "As I live for ever" is accompanied by a
lifting of the hands to heaven.   The reference is to Yahweh, and
the language is therefore figurative, but its very use in such a
context seems to imply that it was familiar and common practice.
One of Daniel's visions includes that of a man who having raised
both hands to heaven, swears by the life of God (Daniel 12 v. 7).
The point is confirmed by two other texts where "to raise the hand"
occurs as what must be a synonym for "to swear".   (Exodus 6 v. 8,
Numbers 14 v. 30).   Again, it would be reasonable to suppose that
here was a custom which would be a normal part of oath-making
procedures at the sanctuary.

The other main technique to be considered is the testing by
"ordeal", or ritual action.   Apart from the lengthy account in
Numbers 5 vv. 11-31, there are no other obvious narrative references
to the ordeal in the Old Testament (8).   In view of the fact that
the ordeal was fairly common in the ancient near-east this is
surprising.   The ritual of Numbers 5 has one or two points of
contact with a story in Exodus 32.   There Moses grinds the golden
calf to powder, scatters it upon the water, and compels the people
to drink (v. 20).   Later, according to v. 35, a plague breaks out
upon the people.   This plague, however, is not linked directly

with v. 20, nor can it be said that the incident is strictly an
ordeal. In Moses' view at least the case is already settled;
the people are guilty. As far as the ritual of Numbers 5 vv. 11-
31 is concerned a basic outline of seven stages can be drawn out (9):-

1) The wife is brought to the priest, together with a cereal
    offering (vv. 15-16)

2) The priest adds dust from the floor of the tabernacle to
    holy water -- making "the water of bitterness" (v. 17)

3) The woman's hair is unbound and the cereal offering placed
    in her hands (v. 18).

4) The priest pronounces the curse, and the woman responds with
    the oath (vv. 19-22).

5) The priest writes down the curses, and washes off the writing
    into the water of bitterness (v. 23)

6) The woman drinks the water of bitterness (vv. 24, 26)

7) The cereal offering is waved before Yahweh (vv. 25-26)

The text in this section may well have a fairly complex pre-history.
There are two references to the woman being brought before Yahweh
(vv. 16, 18) and two to an oath taken by her (vv. 19, 21). G. B.
Gray feels that there are grounds here for reckoning with a
compilation of two parallel sources (10). One element which is
very easily detached is the reference to the cereal offering; in
particular, the material in vv. 25ff appears to be appended to an
earlier text in v. 24. M. Noth may be correct in seeing the whole
ritual as a construction around three different testing techniques

(11).   The first would involve the drinking of water and dust mixed together (v. 17), which, if there was guilt, would immediately cause some kind of bodily deformity.   The second, in vv. 19-22, would be the oath in the form of a curse;   this also would be spontaneous in its action.   The third, in v. 23, would entail the writing of words, which are then consumed in some way by the suspected party - probably, as here, by washing them into water, or possibly through the eating of a roll (c.f. Ezekiel 2 v. 8, 3 v. 3).

It seems likely that the priest would then declare the divine verdict, and such declaration probably provides the background for some of the declaratory formulae.   In Ezekiel 18 vv. 5-9 the prophet appears to take up a cultic list of commandments (11), reflecting priestly "proclamation", and to add at the end a priestly "verdict" - "he is righteous" ("ṣadîk hûʾ").   It is possible that such assertions were an integral part of "proclamation", as some kind of promise (c.f. Psalm 15 v. 5b, 24 v. 5, Isaiah 33 v. 16), but the priest's role in the determination of guilt and innocence required some such declaration, and this may be its primary "Sitz-im-Leben". The declaration of the penalty might also be a part of the priestly verdict.   In Ezekiel 18 v. 9 the declaration of righteousness is followed by an assertion - "he shall live".   We have seen that "direction" might involve the imposition of sentences, and it is reasonable to suppose that this was also true of the "verdict".   If the complexity of the case demanded priestly intervention, then it

is likely that the penalty would need to be sought from the same source. With the "oath" and "ordeal" of course the penalty was imposed and carried out by the test itself.

The "oath" and the "ordeal" are therefore the distinctive priestly techniques. None of the texts in question refers to the use of the priestly "oracle" in such cases, and therefore they do not give tangible support to the Septuagint reading of 1 Samuel 14 vv. 38-42. That reading is frequently favoured, as was seen in Chapter 3, but reasons were given there for linking these verses with other lot-casting techniques, and nothing has been discovered here to require a revision of that conclusion. It is not impossible that the priest would supervise these techniques as well - techniques in which various options were "brought near" and "taken" - but nothing has been found which demands or strongly favours such a supposition.

3. Life Situation

It is clear enough that the priestly "verdict", whether by oath or ordeal, would take place "before God" at the sanctuary. What is also clear is that it concerned the difficult case. This is required by some of the texts, and is thoroughly in accord with the others. The "oath" "before God" is not the only judicial procedure familiar to the Book of the Covenant. There are other laws which refer to fines imposed by "judges" (c.f. e.g. Exodus 21 v. 22); this is a case where an obvious injury has been suffered,

and where there is no dispute as to liability.   These are

precisely the issues that are in doubt in Exodus 22 vv. 6-10.

In v. 7 the theft is certain, but liability is a mystery, and

the same holds good in v. 8.   In vv. 9-10 it is not even clear

what kind of loss has been incurred.   These then are difficult

cases, and they call for the divine "verdict" through the

ministrations of a priest.   The evidence from Deuteronomy gives

clear support to such a conclusion.   The cases on homicide, matters

of legal right, and assault which are brought to the Levitical

priests and the judge are cases which are "too difficult for you"

(Deuteronomy 17 v. 8).   In Ezekiel 44 v. 24, it is the controversial

case which the Levitical priests are called upon to settle, and the

Chronicler's Jerusalem council has the same brief.   In 2 Chronicles

19 v. 8 it meets "to give judgement for Yahweh" and to "decide

disputed cases".   Finally, the "ordeal" in Numbers 5 vv. 11-31 is

obviously such a case.   It is precisely because there is suspicion -

a "spirit of jealousy" - rather than a clear case, that such a

technique is called for.   In Chapter 4 attention was drawn to

certain law-stories which might conceivably reflect a priestly

teaching method.   It is also possible that some of them reflect

the growth of case law in ancient Israel (13).   The case of the

daughters of Zelophehad (Numbers 27 vv. 1-11, 36 vv. 1-12) is a

difficult one with no established precedent, and Moses brings it

"before Yahweh" (Numbers 27 v. 5).   This must mean a request for

a divine ruling, and probably implies some kind of priestly

involvement.

These conclusions are confirmed when further attention is paid to the whole range of judicial administration. Other evidence from Deuteronomy is particularly clear. Deuteronomy 16 vv. 18-20 indicates that for ordinary cases in the towns of the land "judges and officers" are to be appointed. So in Deuteronomy 19 v. 12 the "elders of the city" are responsible for the handing over of the criminal to the "avenger of blood". Cases in which there has been false witness are referred to both judges and priests (Deuteronomy 19 v. 17), but on account of the complications raised, such cases would presumably be difficult. The problem of determining responsibility for a man found dead in open country is simply a matter of geographical location, and can therefore be safely left in the hands of elders and judges alone (Deuteronomy 21 v. 2). Another case where there are no complications is that of the rebellious son, who is brought for judgement to the elders (Deuteronomy 21 v. 9); such a case is judged, not at the sanctuary, but at the gate of the city. The case in which a man refuses to take his brother's wife in marriage is one that can also be referred to the elders (Deuteronomy 25 vv. 7-10). Again, the carrying out of many a judicial sentence would be in the presence of the judge alone (Deuteronomy 25 vv. 1-3). This evidence, together with that of Exodus 21 v. 22, indicates a wide range of matters in which the priest had no particular judicial responsibility (c.f. also Exodus 23 v. 8).

The evidence of Deuteronomy 21 v. 19 points to a non-priestly

"verdict" given "at the gate", and L. Köhler's investigations have given some useful insights into how such a court would operate (14). The text of Ruth 4 vv. 1-2 describes the convocation of the law community. Early in the morning the citizen sits at the gate of the city, and collects ten elders to whom he puts his case. Other citizens are also present. As Köhler points out, judges and witnesses are not easily separated; indeed, elders and people appear to be both judge and witness together. So the people as a whole act as the law-dispensing community, though the elders presumably retain some sort of primacy. The trial of Naboth shows such a court at work in a different situation (1 Kings 21 vv. 8-14). Here the "elders" and the "nobles" take charge of the matter. The important fact is that, whatever the circumstances, justice "at the gate" has no obvious place for the priest. It is, as A. Alt suggested, the likely setting for casuistic law (15). All of this suggests that resort to the priest for a "verdict" would be exceptional rather than the norm; the cases for which he would be consulted would be those where there was some difficulty, uncertainty, or controversy, and he would resolve the problem by some kind of test.

A question which arises from this is whether there is any essential historical link between the giving of the priestly "verdict" on the one hand and priestly "tôrāh" or "direction" on the other. S. R. Driver seemed to suggest that there was. He pointed to the handling of cases brought to Moses in Exodus 18 vv.

13-27 as a kind of civil parallel to the work of the priest in
"tôrāh-direction" (16).   Elsewhere, he establishes some kind of
link between Moses' function here, and that of the priests:-

> "These (priestly) functions consisted largely in
>
> pronouncing "Tôrah" - i.e. pointing out what was to
>
> be done in some special cases, giving direction in cases
>
> submitted to them ... and also imparting authoritative
>
> moral instruction ...   In civil matters it is the function
>
> which Moses himself is represented as discharging in
>
> Exodus 18."   (17)

The chief point of support for such an argument is the occurrence
of the word "tôrôt";   in Exodus 18 v. 20 the decisions given as a
result of this legislative activity are termed "the statutes and
the "tôrôt".   Similarly, the decisions given by the Levitical
priests in Deuteronomy 17 v. 11 are described by such words as
"hôrāh" and "tôrāh":-

> "according to the instructions ("hatôrāh") which they
>
> give you ("yôrukā"), and according to the decision
>
> ("hamišpāt") which they pronounce to you ("yô'mᵉrû lᵉkā"),
>
> you shall do"

It must be recognised, however, that these are terminological
rather than substantial links;   in other words, the functions
described here do not correspond in any way with directives about
"holiness" or "uncleanness", and it is difficult to see how there
could every be any historical functional link.   Quite clearly it

would be impossible to construct a body of "holiness" regulations
on the basis of declarations about guilt or innocence, whatever
their number. The priestly "verdict" is a word of God for a
particular situation; it involves no principles of universal
validity upon which a "holiness" tradition could be built. The
question asked is not "What ought I to do? How must Yahweh be
feared?", but rather "What happened? Guilty or not guilty?". The
links therefore are essentially terminological, and it may well
be that the word "tôrah" can be correctly used, at least for certain
points in the history, of a fairly wide range of priestly decisions.
There are many parts of Deuteronomy, however, which are notoriously
"loose" in their use of legal language; in other words, such terms
are often used synonymously, and in an all-inclusive fashion. This
is true in fact of Deuteronomy 17 v. 11 where the priestly decision
is just as readily called "hamišpāt"; it is not at all certain,
therefore, that the exact or original content of priestly "tôrah"
can be established from this text.

The narrative of Exodus 18, however, is a different matter;
here there is both a consultation of God and a reply in terms of
"tôrŏt" (v. 20). There are good reasons for believing that the
Chapter as a whole contains ancient traditions (18), yet the general
context has much more in common with the priestly "verdict" than with
"direction". Moses is concerned in particular with the resolution
of disputes (v. 16), and difficult cases (v. 26). What, then, are
the implications of the Chapter? Does it indicate some kind of

historical connection between the "verdict" and "direction", or
are the points of contact purely terminological?   The most
important point to be made in this connection is the fact that
there is no reference to the priests here at all.   This is
surprising if an historical connection is intended.   Nor is this
merely an argument from silence, because Exodus 18 v. 21 clearly
describes the kind of man who takes up this function of giving
"statutes and tôrôṯ".   He is to be chosen, not because he is a
priest, but because he is able, a fearer of God, trustworthy, and
an hater of bribery.   He therefore appears as a prototype, not of
the priests, but of the "judge" (Exodus 21 v. 22) and the "official"
(Exodus 23 v. 8).   As a result it would appear that those who see
in this narrative a priestly aetiology - explaining oracle, "tôrāh"
or both - have introduced a measure of confusion into the
situation (19).   What we have in this narrative is, as R. Knierim
indicates, an explanation of a certain legal jurisdiction held by
some laymen (20).   In making this explanation Moses inevitably
fills the role of later priests in handling the hard cases (v. 26),
but there is no obviously deliberate priestly aetiology.   For the
same reasons there is no need to see here any link with the priestly
oracle.   There is certainly a reference to "enquiry" in v. 15 -
and this, as was seen, is typical of the priestly oracle - but even
the terminological connection is not exact.   The verb used is
"dāraš", which is typical of later prophetic enquiries (c.f. e.g.
1 Samuel 9 v. 9, 2 Kings 3 v. 11), but which is never used in

connection with the priestly oracle; there the verb "šā'al" is
the norm.

It therefore seems likely that too much should not be made
of the occurrence of the word "tôrôt" in vv. 16 and 20.   It is
linked in a rather general way with "the statutes" ("haḥukîm"),
and could simply reflect the Deuteronomic situation in which "judge"
and "priest" are linked together in the judicial administration of
the central sanctuary.   For all these reasons it seems wise to
distinguish carefully between "verdict", "direction", and "advice",
and in the history to treat them as independent functions.   There
may be some terminological and even conceptual points of contact
between these various functions.   The present form of Deuteronomy
27 vv. 14-26, which is essentially "proclamation" is nevertheless
built upon a "curse"-form pronouncing judgement on a series of sins
which might be difficult to detect, and therefore the form might
have something in common with the priestly "verdict".   Similarly,
in the priestly texts the "Urim" and the "Thummim" are not always
a consultative device, but sometimes simply a symbol of Yahweh's
power as righteous judge over his people (c.f. Exodus 28 v. 30)
(21).   We have also seen that declaratory formulae could be common
to both "direction" and "verdict".   Nevertheless, our investigations
have also shown that historically there is always a clear distinction
to be made.

As far as the priestly "verdict" is concerned there is not
much to be said about its development in Israelite history.   There

are some indications that in the days of the amphictyonic

confederation the usual method of solving a difficult case would

be by lot.   In Joshua 7 vv. 16-18, where Achan's sin is discovered,

the technique of "bringing near" and being "taken" by lot is the

method employed.   This is obviously a "difficult case" calling for

a divine verdict, and the context is obviously amphictyonic. The

tribes are engaged together in Yahweh's war.   Our consideration of

1 Samuel 14 vv. 38-42 in Chapter 3 suggested that this incident

would be of the same kind.   Here again a divine judgement regarding

guilt is required, and here again we have a "difficult case".

Jonathan's guilt is not known even to himself, and so Saul resorts

to some lot-casting procedure whereby Jonathan is finally "taken".

This incident also belongs to the amphictyonic order of things, with

the tribes under Saul acting together in Yahweh's war.   In neither

instance is priestly involvement a necessary assumption.   Joshua

and Saul appear to conduct proceedings, and the authority of such

men in such matters would readily account for the fact that the

king always had a distinctive place in the administration of justice -

with an authority extending even to difficult cases (c.f. e.g. 2

Samuel 15 vv. 1-6, 1 Kings 3 vv. 16-22).   As we have seen, what

really marks out the amphictyonic priesthood as a body of men is

its responsibility for the ark, and its handling of the sacred

oracle.

It therefore seems likely that the oath/ordeal techniques are

the judicial methods of the indigenous priesthoods in Canaan.   Both

techniques are common in the world of the ancient near-east, and the reference to the oath "before God" in the Book of the Covenant occurs in a casuistic context - that is, within a literary type which is not specifically Israelite. The plural verb to the word "God" in Exodus 22 v. 8 suggests very clearly that non-Israelite material underlies the present text.

The break-up of the confederation and the establishment of the monarchy need not have made much difference as far as the use of the oath and the ordeal are concerned, but it did introduce a central bureaucracy, and with it a central judicial administration. This seems to be implied in Deuteronomy 17 vv. 8-13, and it is not impossible for the Chronicler's basic claim to be true (2 Chronicles 19 vv. 8-11) (22). The Deuteronomic text does seem to presuppose the existence of machinery for such cases rather than to prescribe it; this may not have meant a sharp distinction between civil and ecclesiastical cases, as S. R. Driver suggests (23), but it does imply some court or tribunal which would use both "civil" and "sacral" techniques. The suggestion that the ascription of such a reform to Jehoshaphat is purely artificial, and derives simply from the meaning of his name is conjectural and is not really demanded by the content of the verses in question. If there is an historical tradition here then this, together with the Deuteronomic stipulation, would suggest that the older priestly techniques had fallen into disuse, and that some machinery was necessary whereby controversy and disputed cases could be settled.

Further support for this assumption can be found in the case of the daughters of Zelophehad. It is significant that a <u>reasoned</u> case is presented - Zelophehad had not taken part in the insurrection of Korah and his property was therefore not subject to any legal restraint - and this presupposes a reasoned rather than a technical verdict. On the other hand, the local administration of justice - whether priestly or lay - would never have been superceded and it is likely that the "ordeal" survived into the post-exilic period (24). The priests themselves always had a place in the central courts, and wielded a continuing influence in the giving of "verdicts".

4. Creative Influence

As we have seen the priesthood had never monopolised the giving of "verdicts"; there was always a substantial lay influence through "elders", "judges", "officials", or "king". To this extent no exclusive claim can be made about priestly influence in this sphere. On the other hand, the priests were influential men and the part they played in the giving of "verdicts" was important, so that full account must be taken of the distinctive effects of this particular ministry. There are three important ways in which a creative priestly influence must have worked.

a) The giving of "verdicts" fostered a profound sense of the justice of God. The declaration of guilt or innocence implies the kind of God who expects and demands righteous dealing. Such

a judgement clearly presupposes standards and norms by which
behaviour is to be judged, and the effect of a correct application
of the judicial techniques would be to emphasise and instil the
binding nature of these norms and standards.   This particular
ministry would point to an unequivocal priestly influence in the
"moral" realm - the realm where right dealing between a man and
his neighbour is the crucial indication of his standing with God.
The ritual of Numbers 5 vv. 11-31 points to such an influence in
the matter of adultery, and the laws of Exodus 22 vv. 7-8 deal
with the problems of theft.   All would be concerned with the
matter of "true witness";   which party is correct in its assertions?
Every priestly "verdict" implies a concept of the reality of "truth",
and the necessity for man to square his words and actions with it.
As such it could not fail to leave its mark on the consciousness of
the people.

b) The giving of "verdicts" indicated that man cannot act with
impunity.   Such teaching would be the distinctive outcome of the
priestly ministry in the administration of justice.   The priest
would handle the difficult case, and in giving the divine "verdict"
would show that though a man might escape the normal processes of
law, his action and his guilt will nevertheless be discovered.
Whatever his skill or subtlety in covering up his crime, the
ultimate consequences of his action can never be escaped.   A man
must reap what he sows.   This is an important contribution because
it points to a God who not only favours justice and who disapproves

of sin, but also to one who acts decisively against all that is contrary to his will. He is a God who judges even the most hidden of crimes. This conviction that God acts in judgement in the contemporary situation is an integral element in Hebrew faith, and as such must owe something to the priestly "verdict". As a facile dogma applicable in every situation and interpreted along narrow lines, it was later challenged or queried in certain psalms and particularly in the Book of Job, but insofar as it focussed upon identifiable sin, it remained as a permanent and distinctive factor in Old Testament theology.

c) The giving of "verdicts" provided a firm basis for the prophetic ministry of judgement. To give God's declaration of guilt or innocence was to provide the ideal framework within which the prophetic word of condemnation or deliverance could be spoken. It gave the right conceptual background for the prophetic "verdict" against, not an individual, but the community as a whole. One aspect of this is the prophetic use of law-court forms in the construction of oracles (25), though the evidence for this can be overstated (26). In any event the concepts of law-court, guilt and divine "verdict" often form the framework for the prophetic word, and are particularly prominent in Deutero-Isaiah (c.f. e.g. 41 v. 21, 43 v. 26, 45 vv. 20-21). Implicit in such messages are conceptions and articles of faith which the priest to a greater or lesser extent must have helped to create.

Notes to Chapter 6

(1)   c.f. e.g. M. Noth - "Exodus" (E.T. by J. S. Bowden 1962)
        p. 184.

(2)   c.f. e.g. E. L. Curtis & A. A. Madsen - "The Books of
        Chronicles" (I.C.C.) 1910 pp. 402f.

(3)   A detailed demonstration of priestly involvement in the
        processes of law is given by S. Rudman - "Forms of Priestly
        Blessings, Cursings and Toroth in Ancient Israel" (op. cit.
        Durham University) pp. 72ff.

(4)   "Biblical Customs and the Nuzu Tablets" (B.A. 3 1940 p. 11)
        c.f. also G. R. Driver & J. C. Miles - "Ordeal by Oath at
        Nuzi" (Iraq VII 1940 pp. 132ff.)

(5)   c.f. A.N.E.T. p. 181 (17).

(6)   "The Babylonian Laws" 1955 II Section 138.

(7)   For comparison of Exodus 22 v. 7 and 21 v. 6 with the Laws
        of Eshnunna c.f. F. C. Fensham - "New Light on Exodus 21 v.
        6 and 22 v. 7 from the Laws of Eshnunna" (J.B.L. LXXVIII
        1959 pp. 160ff.)

(8)   For a detailed consideration c.f. R. Press - "Das Ordal im
        alten Israel" (Z.A.W. 51 1933 pp. 121ff, 227ff.)

(9)   c.f. G. B. Gray - "Numbers" (I.C.C.) 1903 pp. 43ff.

(10)   op. cit. p. 49.

(11)   "Numbers" (E.T. by J. D. Martin 1968) p. 49.

(12)   c.f. G. von Rad - "Faith Reckoned as Righteousness" ("The

Problem of the Hexateuch and Other Essays" (E.T. by
E. W. Trueman Dicken 1966) pp. 128ff.)

(13)   c.f. J. Weingreen - "The Case of the Daughters of Zelophchad"
         (V.T. XVI 1966 pp. 518ff.)

(14)   "Hebrew Man" (E.T. by P. R. Ackroyd 1956) pp. 149ff.

(15)   "The Origins of Israelite Law" ("Essays on Old Testament
         History and Religion" (E.T. by R. A. Wilson 1966) pp. 88ff.)

(16)   "The Book of Exodus" (C.B.) 1929.

(17)   "An Introduction to the Literature of the Old Testament"
         1898 (7th edition) p. 153 (n.)

(18)   c.f. e.g. A. Cody - "A History of Old Testament Priesthood"
         1969 pp. 44f.   M. Noth - op. cit. p. 150.

(19)   c.f. e.g. H. Gressmann - "Mose und seine Zeit" 1913 pp. 168ff.
         G. B. Gray - "Sacrifice in the Old Testament" 1925 pp. 204ff.

(20)   "Exodus 18 und die Neuordnung der mosaischen Gerichtsbarkeit"
         (Z.A.W. 73 1961 pp. 146ff.)

(21)   c.f. M. Noth - op. cit. p. 222.

(22)   c.f. with references J. Bright - "A History of Israel" 1960
         pp. 232f.

(23)   "Deuteronomy" (I.C.C.) 1896 (2nd edition) p. 208.

(24)   c.f. S. Rudman - op. cit. p. 43.

(25)   c.f. e.g. E. Würthwein - "Ursprung der prophetischen
         Gerichtsrede" (Z.Th.K. 49 1952 pp. 1ff.)
         "Amos-Studien" (Z.A.W. 62 1950 pp. 10ff.)

(26)   c.f. F. Hesse - "Wurzelt die prophetische Gerichtsrede im

israelitischen Kult?" (Z.A.W. 65 1953 pp. 45ff.)

G. Fohrer - "Remarks on Modern Interpretation of the
Prophets" (J.B.L. LXXX 1961 pp. 309ff.)

Chapter 7

The Post-Exilic Era

Our investigations so far have shown a decisive priestly
influence on four distinct fronts; in each, the priest revealed
the divine will and brought it to bear upon the immediate situation.
This was the ministry of the pre-exilic priesthood.   In those days
there was no single identifiable concept of law; whatever God
revealed of his will, in whatever circumstances, was automatically
binding for action, faith, and life.   It was also this many-sided
priestly ministry that formed the basis for what proved to be the
priesthood's greatest creative triumph - the fashioning in the post-
exilic era of a new community with a distinctive faith.   To assert
that the priesthood created "Judaism" is to make a very substantial
claim, but a claim which has ample justification.

1. Priestly Authority

The different place occupied by "the law" in post-exilic faith
has frequently been described.   For the first time Israel becomes
in the fullest sense "the people of a Book" - "very soon the law
and the Pentateuch become identical concepts" (1).   The law is "the
constitutive element defining a new community" (2).   Again, the law
is "an absolute entity, valid without respect to precedent, time, or
history; based on itself, binding simply because it existed as law,
because it was of divine origin and authority" (3).   This means in
principle that the law had become an eternal absolute, unhinged from
its basis in history and covenant.   The old pre-exilic balance

between covenant and law is lost; the sole basis for religion is now a written authority.

On the whole this kind of comment is justified. There is evidence within the Old Testament itself of this changing scheme of things. The tendency, already present in Deuteronomy, to talk of "the" law and "the" commandments is maintained, and the effect of this is to give them independent value and status quite divorced from their original context within the salvation-history. M. Noth describes the "law" in Psalm 1, for example, as "not simply a controller of behaviour as founded on belief, but itself a foundation of belief which should be regarded as an object of continuous meditation" (4). The same could be said in general terms of Psalms 19 vv. 8-14 and 119. Similarly, when the Chronicler describes the teaching work of priests and Levites, he depicts them as carrying a book with them - a book which is the subject matter of their teaching:-

> "They taught in Judah, having the book of the law
> of Yahweh with them."

(2 Chronicles 17 v. 9)

The priests and Levites are therefore the disciples of the law, and tithes must be given faithfully so that nothing hinders them in their study (c.f. 2 Chronicles 31 v. 4). The law is not simply a foundation or source book for their teaching; it is the very teaching itself (c.f. e.g. Nehemiah 8 vv. 5-8, 2 Chronicles 35 v. 3). The "Torah"-law stands therefore as a great over-arching

structure dominating communal and individual life - "the official standard according to which the life and activity of nation and individuals were judged" (5).

Many reasons have been given for this shift of emphasis in the life of the newly-restored community, and many of them make valid points. Some of the most compelling suggest the experiences of the exile as an important factor. The breaking of the link between law and covenant took place, in part, through the harsh facts of historical experience. It seemed in fact that the covenant was at an end, and some of the earlier prophets had given such warnings (c.f. e.g. Isaiah 2 v. 6, Hosea 1 v. 9). Practical experience was always wont to speak louder than promises of a new covenant, and a restored relationship on that kind of basis. The early years of the return were discouraging, so that the old conception of a covenant people would have been very difficult to revive. Messianic hopes, on the other hand, still survived, and some of the prophets built such hopes into their messages. Haggai speaks of Zerubbabel as Yahweh's "servant" and his "signet ring", the one specially chosen; and thereby seeming to identify him with the long-expected son of David (6). Zechariah speaks of Zerubbabel in similar terms; in particular, he is one of the two annointed "who stand by Yahweh of the whole earth" (4 v. 14) (7). Passages such as this seem to indicate an attempt to revive the royal theology, but subsequent history shows it to have been a total failure, at least as far as Zerubbabel was concerned. Against this kind of background

there was only one pillar of the old order of things which could effectively survive - the theology of law.

Indirect factors of this kind certainly played their part in bringing about the new post-exilic emphasis, and yet there must also have been some positive influence which directly brought about the establishment of "the law" as the central fact in Jewish faith. The exile had taken place through neglect of God's statutes; it followed, therefore, that all that God had spoken to his people must be collected, and steps taken to ensure that henceforward these regulations were valued by Jews as God's authoritative and binding law. Such a body of opinion exerting such a pressure can only have been priestly; there is no other possible source to which we can look. There were of course pragmatic reasons for this priestly pressure. To add to the collapse of other basic pre-exilic convictions there was the accomplished fact of the dispersion. By Ezra's time it was clear enough that there was to be no large-scale univeral return of Jews to Judaea. It therefore followed that "law" and a universal obedience to it could be the focal point for unity in a situation where "Temple" or "Holy City" could not. Another pragmatic factor was the need to give the new community a recognisable identity in the face of Samaritan claims. The substance of priestly teaching in Babylon had to be given written and binding authority if the ideals of the exiles were to be preserved. This pragmatism was inspired, however, by genuine convictions, and must certainly be taken very seriously; it is a mistake to attempt to

account for the post-exilic community in terms of indirect factors alone.

The vision of the Judaean community living under the written law of God is essentially the vision of Ezra, but the priests who preceded him were, to all intents and purposes, men of the same stamp. It is true that, according to Malachi, many of the priests were open to serious criticism (c.f. e.g. 2 vv. 1-4), but it is equally true that Ezra's work can only be understood as the natural culmination of processes set in motion by the priests during the early years of the return. There were two problems in particular which confronted returning priests.

a) The re-establishment of priestly authority in Jerusalem. This was a basic, but very necessary pre-requisite for any permanent influence. The text of Ezra 1 v. 5 indicates that the priests did in fact play a leading part among those who returned, and that would be perfectly natural. They are also well represented in the lists of Ezra 2, which are probably meant to cover the whole period from the return to the coming of Nehemiah (8). Other texts, such as Haggai 2 v. 11 and Zechariah 7 v. 3, indicate that the priesthood was soon well enough organised to resume its expert role in matters of divine "direction". More significant still is a clear attempt, reflected in Zechariah, to focus theocratic power in the person of the High Priest. This must point to deliberate pressure on the part of the priesthood, and could account, in part, for the failure of Messianic hopes to survive Zerubbabel. In the vision of

Zechariah 3 vv. 1-10 Joshua the High Priest is acquitted before the divine tribunal, and given a change of raiment, proving thereby the fitness of the priesthood to take up its leading role. Joshua's duties are then outlined, and his authority is established, subject of course to his submission to Yahweh's will. His duties are of particular importance:-

1. He is to rule Yahweh's house and his courts. This gives him full responsibility for the care of the Temple, and for the ordering of worship there. This gives the kind of jurisdiction never before enjoyed by the head of the hierarchy at Jerusalem (v. 7).

2. He has immediate access to Yahweh's presence (v. 7). The text here is not transparently clear, but the reference to "those who are standing here" probably refers to the angels of v. 4 (9). This gives him the privilege of an immediate contact with Yahweh and his will that belongs only to the specially favoured. Then in Zechariah 4 v. 14 it is most reasonable to assume that he is one of the "two annointed"; the old Messianic theology has been given a priestly ethos. Here then is a priestly figure, with an immediate knowledge of Yahweh and his will, and a responsibility for administering that will in royal fashion within the confines of the Temple, and in all religious matters. Since the new community had many of the marks of a religious congregation, it would be perfectly natural for priestly authority to become all-inclusive in tendency.

Much of the history from Ezra's time onwards is tantalisingly obscure, but the logical conclusion of these priestly claims was

clearly attained in the Hasmonaean dynasty. Even before this the ascription of a magisterial authority to the High Priest, bordering on adulation, is clear enough from Ecclesiasticus 50, where Simon is described as "the pride of his people" (v. 1) (missing in the Greek) "the morning star among the clouds" (v. 6), and "like roses in the days of the first fruits" (v. 8) (c.f. also vv. 8-12). Again, the High Priest is "like a young cedar on Lebanon" (v. 12), surrounded by "all the sons of Aaron in their splendour" (v. 13). This "royal" authority seems to have involved increasing political influence in that Ecclesiasticus 50 v. 4 credits Simon with having saved his people from ruin, and "fortified the city to withstand a siege". The importance of the office is indicated by the subter- fuge and intrigue that surrounded it prior to the Maccabean rebellion, and the anxiety of the Hasmonaeans to secure it for themselves. Parts of "The Testaments of the Twelve Patriarchs" contain remarkable material speaking of a priestly Messiah - one des- cended from Levi, rather than Judah:-

> "Then shall Yahweh raise up a new priest. And to him
> all the words of Yahweh shall be revealed; And he shall
> execute a righteous judgement upon the earth for a
> multitude of days. And his star shall arise in heaven
> as of a king..."

(Levi 18 vv. 2-3)

(c.f. also Reuben 6 vv. 7-12, Judah 24 vv. 1-3, Dan 5 vv. 10-11). It has to be recognised that there is no final agreement as to

the basic origin of the Testaments.   At either extreme are those
who accept them as second century B.C. Jewish material with later
Jewish and Christian additions, and those who favour a second
century A.D. Christian origin using older Jewish texts (10).
According to R. H. Charles, who favours the former approach, later
Jewish additions to the "Testaments" revert to a Messiah of Judah's
line (11), but the precise delineation of what is original and what
belongs to later. Jewish and Christian sources is no longer easy.
The discovery of the Qumran texts has opened up different possibilit-
ies - to quote O. Eissfeldt:-   "It makes it probable that we should
regard them (the Testaments), or more precisely the basic material
of some or all of them, as deriving from the Qumran community..."
(12).   Some of the "Christian additions" might therefore reflect
the points of contact between Qumran and Christianity, though it
remains very difficult to argue in favour of the unity of the
Testaments (13).   The priests at Qumran certainly exercised
undisputed authority in most matters:-

> "The sons of Aaron alone shall command in matters of
> justice and property, and every rule concerning the men
> of the Community shall be determined according to their
> word" (14).

The Messianic hopes of the Community are not completely clear, but
there is definite reference to a "Messiah of Aaron" (15), who is
interpreter of the Law (16), and teacher of the royal Messiah (17) -

in short, the great High Priest of the Kingdom.   A feature of

the texts is their persistence in relating the priestly and kingly

aspects of Messiahship to two eschatological figures rather than

one, and as A.J.B. Higgins shows this unwillingness to confuse

regal and priestly prerogatives is a mark of Judaism as a whole (18).

Nevertheless it is clear enough that there was an establishment of

priestly authority in Jerusalem, that this involved theocratic claims,

and that the effects were important for the development of Jewish

eschatology.

That claim however was not the only means used by the priests

to establish their authority.   The prophecy of Malachi, while

strongly critical of the contemporary priesthood, embodies within it

the idea of a covenant made by Yahweh, not with the people as a

whole, but specifically with Levi:-

> "...that my covenant with Levi may hold ... My covenant
>
> with him was a covenant of life and peace... and he
>
> feared me, he stood in awe of my name."

> (Malachi 2 vv. 4-5)

This idea of a covenant obviously has some affinities with

Deuteronomy 33 ·· · vv. 8-11, but it is expressed in novel and

distinctive terms.   It is justified on the grounds that true "tôrâh"

was to be found on Levi's lips, and that his teaching was therefore

never misleading.   As a result he was successful in turning many

from iniquity.   It is on this basis that the claim for the present

is made.   Instruction in the contemporary situation must be
sought from the mouth of the priest (not as yet from "the law"),
because the priest guards true knowledge, and gives right
instruction as the "messenger" of Yahweh.   This word "mal'āk" is
precisely the word used in Malachi 3 v. 1 of the messenger who is
to come, and who will prepare Yahweh's way before him.   This kind
of link could also have encouraged an eschatological priestly role.
In any event, it seems clear that the priesthood sought to establish
its claims, not only in theocratic terms, but also through the
theology of a Levitical covenant.   This theology implied an
immediate and absolute teaching authority, and therefore opened
the way for Ezra's regulation of Jewish life on the basis of a
particular collection of laws.

b) The settlement of priestly claims to office.   As we have seen
in Chapter 2 the history of the priestly office in pre-exilic times
was in some measure the history of competing claims.   Deuteronomy
did not in fact resolve the situation, and it is clear that the
tensions must have persisted into the post-exilic era.   A.H.J.
Gunneweg's handling of the traditions in terms of polemic makes
the most of what evidence there is for such tension (19).   His
examination of Ezekiel 40-48 claims that the distinction drawn in
these chapters between "priests of the altar" and "priests of the
house" represents not a down-grading of idolatrous Levitical priests,
but an attempt to push forward the claims of the Zadokites at the
expense of the others;   these chapters are an indication of a

continuing virulent conflict among the post-exilic community at Jerusalem.

Gunneweg must be right in pointing to a continuing tension regarding priestly claims, but beyond that point it is not possible to pick out the course of events with certainty (16). What does seem clear is that there must have been two successive points of tension. The first must have concerned the statements of Deuteronomy about a Levitical priesthood, and the long-standing authority of the Zadokites. Ezekiel 40-48 provides something of a solution to the difficulty. These Chapters make the simple claim that the Zadokites, the faithful and loyal priests, are the Levitical priests. The priests of the high places are "idolatrous" and can therefore only be ministers. This solution would have solved a practical problem, satisfied the Zadokites, and would have squared with Deuteronomy. In practice it may well have been too pro-Zadokite. According to the Chronicler's lists the Levites were outnumbered by the priests among those returning, but in Judaea itself the number of Levites with priestly claims would be greater, and the tension increased. If A. Cody is correct in his view of the origins of the Aaronides (21), then a group of these Levites - "the sons of Aaron" - would be challenging the Zadokite claims. At all events, this is the second point of tension.

It is possible that something of this second conflict-point has been preserved in some of the priestly narratives in the

Pentateuch. The errors of Aaron's sons are highlighted in Leviticus 10, both in the offering of unholy fire (vv. 1-3), and in the eating of holy things (vv. 12-20); the tradition that Aaron's personal history was far from blameless (c.f. Exodus 32 v. 25) is stressed again. On the other hand, there were equally strong traditions claiming priestly prerogatives for Aaron alone according to the Aaronides. The anti-Korah narrative of Numbers 17 vv. 1-5, and the story of the budding of Aaron's rod (Numbers 17 vv. 16-28) press in strength the sole claims of the sons of Aaron. The claim as such was successful, but it presumably involved some sort of compromise. It is impossible to be certain what the compromise entailed, but the following might be the solution (22). The Zadokites would be accepted as "sons of Aaron" (an earlier pedigree) through Eleazar, and would retain altar-ministry and the High Priesthood. Others with a sound claim to be "sons of Aaron" would be accepted as priests through Ithamar, who supervised the Levites. All other claimants to ministry would be "Levites" - now a purely functional term. Whether or not this is an accurate assessment it is clear that by the time of the Chronicler the idea that the true priest is a "son of Aaron" is a long accepted dogma; the phrase is in no sense an assertion in the context of theological pressure or debate. The priestly rebuke to Uzziah (2 Chronicles 26 v. 18) shows clearly that priestly authority, in particular the privilege of burning incense, belongs to the Aaronides alone:-

"It is not for you, Uzziah, to burn incense to

Yahweh, but for the priests the sons of Aaron, who

are consecrated to burn incense..."

This success in the establishment of a recognised yard-stick by
which claims to the priesthood could be measured was obviously an
important factor in the re-establishment of a stable priestly
authority.   By going much of the way towards solving these two
initial problems the post-exilic priests effectively prepared the
way for the kind of creative influence which Ezra and his fellow-
priests were able to exert.

2. Priestly Reform

In many respects Ezra, as the man of the law, is the typical
post-exilic priest.   He is described as "priest" by the Chronicler
(Ezra 7 v. 12, 21), and also as "scribe" (or "secretary") of "the
law of the God of heaven" (Ezra 7 v. 12).   These designations belong
in fact to the Chronicler's Aramaic source, and along with the
commission that follows must be treated with respect by the historian
(23).   The first designation indicates his status within the Jewish
community, the second, his status and function from the point of
view of the Persian government (24).   Ezra came as an officially
deputed expert, to put in order the affairs of "the God of heaven"
and to "enquire concerning Judah and Jerusalem, according to the
law..." (Ezra 7 v. 14).   On one level, therefore, Ezra acted as the
authorised agent of the Persian empire;   the king had good reason

for wanting a stable well-ordered situation in Palestine.   On a
deeper level, however, he was performing an essentially priestly
duty - the application of a written law of God to an existing
situation.

His official commission is described in Ezra 7 vv. 11-26, and
its terms are credible.   It is true that considerable authority is
conferred upon him (25), but this is not out of keeping with
Persian policy.   The terms of the commission can be reduced to the
following:-

a) Permission to accompany the mission for any who wished to do so.

b) Investigation of conditions in Judah and Jerusalem.

c) Provision for the transportation to Jerusalem of the cult
   offerings.

d) Proper use of the funds contributed for the offerings.

e) Provision of royal funds for unforeseen expenses.

f) Requirement that a neighbouring province makes any necessary
   contribution.

g) Tax exemptions for cult personnel.

h) Authority for the appointment of magistrates and judges.

i) Penalties prescribed for those who reject the laws.

This list points to a fairly detailed document, and on the whole
includes the kind of provision which the Persians would be anxious
to provide and ensure.   Ezra's advice as the expert in such matters
would probably be sought, and items such as (g) could easily have
been included under his influence.

The text as a whole obviously presupposes an acknowledged body

of law, and an expertise on Ezra's part which qualifies him for the task. That this body of law was something written is implied repeatedly in the Ezra/Nehemiah narratives. Phrases such as "the book of the law of Moses" (Nehemiah 8 v. 1), and "the book of the law of Yahweh their God" (Nehemiah 9 v. 3) abound (c.f. also Nehemiah 8 v. 3, 13 v. 1, Ezra 7 v. 6), and it was of course something opened and read (Nehemiah 8 vv. 5-8). The problem of what the law contained has been touched upon in Chapter 5; points of contact can be found with both Deuteronomic and priestly laws, but it is not clear what conclusions may accurately be drawn from this (26). The reforms claimed by the Chronicler for Ezra can be simply summarised as follows:-

a) The demand for racial purity, and decisive action against mixed marriages (Ezra 9 v. 1-10 v. 17) (c.f. Nehemiah 10 v. 31, 13 vv. 1-3)

b) The re-establishment of the Feast of Booths as a national festival (Nehemiah 8 vv. 13-18)

c) The demand for a strict observance of the Sabbath (Nehemiah 10 v. 32)

d) The observance of priestly laws regarding the seventh year (Nehemiah 10 v. 32)

e) The establishment of an annual tax for sanctuary maintenance, and the re-organisation of the tithing system (Nehemiah 10 vv. 33-40)

These are the essential points ascribed to Ezra and his law-book.

It would appear from this that he was chiefly concerned with the re-organisation of the nation's cultic life in the light of a body of law brought with him from Babylon... His credentials from the Persians gave him the necessary political authority, and his status as "priest" provided him with the required religious standing in the community. It is true that the list of reforms given above is brief, and taken by themselves they might be viewed as comparatively slight, but this should not obscure the profound underlying importance of Ezra's work. As far as particular reforms are concerned, he obviously began where the community was when he arrived; its condition can be ascertained to some extent from Nehemiah's Memoirs. His reforms were therefore the application of certain principles as and when occasion and need dictated. What was new and far-reaching was the substance and character of these principles. What Nehemiah with similar sympathies had sought to put into effect on the basis of his own authority, Ezra undertook as a planned programme based squarely on the written law of Moses.

It is clear that in certain respects the work of Ezra was conservative in character. There was stress on the Temple and its rituals, but the Temple was a pre-exilic institution, and many of its rituals and procedures must belong to that period too. Much of the collection and redaction of Israel's literary traditions must belong to the exilic period and this would be inspired by conservative instincts. There is indeed a real sense in which the influential movements in the early post-exilic period were essentially

conservative.   Yet on the other hand the priests of the exile
used the old to fashion something new.   The predicament of the
exiles demanded above all continuity with the past and distinctive-
ness in the present;   otherwise, identity would be lost.   It was
this search for identity, together with the absolute authority that
naturally fell to the priest, which gave him the opportunity,
through his teaching, to create a new kind of community with its
own distinctive faith and outlook.   It is common to point in this
connection to a new emphasis on Sabbath and Circumcision.   In the
Babylonian context the latter provided just the necessary element of
identity, while the absence of sacrifical observance meant that
other cultic obligations, such as Sabbath-observance, became equally
important marks of identity.   These old customs and observances
won for themselves what G. von Rad calls "a status confessionis
which they afterwards preserved for all time" (27).   The same would
also hold good for a number of other observances - as, for example,
the laws on diet.   In these ways the exilic priests provided the
community with a necessary cohesion, and helped it to achieve its
search for identity;   in doing this, the priests created a community
which in its faith and life could never be a replica of that which
had occupied Jerusalem and Judaea in years gone by.   It is therefore
clear that whatever the conservative element in Ezra's reforms,
there was behind them a creative stimulus which was likely to be
far-reaching in its effects.

3. <u>Priestly Influence</u>

It is only possible to indicate here some of the more important

directions in which the effects of Ezra's work were felt.   These

are more than sufficient, however, to demonstrate the depth and

significance of these priestly reforms.

a) Priestly influence created a law-community, rather than a nation

in the old sense.   In some respects this is of course a simplific-

ation.   Judah could usually be identified as a political entity,

and particularly after the political, social and economic measures

put into effect by Nehemiah.   Nor would it be correct to imply that

priestly emphases stifled aspirations for a general return to

Palestine.   Nevertheless, as a result of priestly influence there

is an increasing tendency for the distinctiveness of the Jew to be

thought of as obedience to the law, rather than as allegiance to a

political community in a particular geographical area.   With

institutions such as Circumcision and Sabbath as the outstanding

marks of the Jewish community, and with an ever increasing stress

on racial purity it would be increasingly difficult to give theological

currency to the ideas of "Holy City" and "Holy Land".   Many

therefore were clearly content to continue living righteous lives

in Babylon and elsewhere.   In practice men such as Nehemiah and

Ezra were clearly influenced by the old geographical factors - for

them Jerusalem was clearly important.   On the other hand it could

never have been important to them in the old ways, because the

implications of their attitudes and outlook were different.   Jerusalem

was important because of the past and particularly because there
were Jews living there who were in difficulties and whose life
needed to be organised under the genuine law of God.   These, rather
than the old concept of "promised land" were the dominating factors.
As we have seen the unlinking of law from covenant (as traditionally
understood) was likely to encourage the continuance of the dispersion.
The old covenant convictions, insofar as they were geographical in
emphasis, were overshadowed by the simple duty of obedience to the
law.   In effect priestly teaching tended to accept the dispersion,
if not as ideal, at least as a fact, and to give Jewish faith a new
kind of unity built upon law.

It must be stressed of course that this is a tendency rather
than an absolute revolution, but the truth of it is amply supported
by evidence from the Passover Papyrus among the Elephantine documents.
The letter from Hananiah, apparently the Jewish commissioner in
Egypt under the Persian satrap Arsames, contains a directive to the
Jewish community at Yeb, regulating in some detail its observance of
the Passover.   This obviously has some affinity with the kind of
commission given to Ezra in connection with Jerusalem.   As there
the work seems to have been sponsored by the Persian authorities,
who must themselves have received guidance, either from the priests
in Babylon, or more probably, as G. E. Wright thinks, from the
priesthood in Jerusalem (28).   Whatever the truth of the matter
here is documentary evidence of a willingness on the part of the
priesthood to tolerate the continued existence of a non-Palestinian

Jewish community, on condition that certain law-regulations are observed. The Yahwism of this particular Jewish colony may have had more in common with the syncretism of Manasseh's reign than with the orthodoxy of Deuteronomy and other Pentateuchal law (29), and it can only be assumed that the full extent of this was unknown to the priests of Jerusalem and Babylon. It is possible that the real feelings of the Jewish priesthood are reflected in the apparent failure of the priests of Yeb to get an answer in response to their plea for help in the rebuilding of their Temple. The subsequent success of the petition to Arsames on this matter shows that Jewish advisers in Egypt were not prepared to overrule the wishes of the Elephantine community, though the assurance in the original petition that no animal sacrifice would be offered there may reflect a conditional permission. In short, the temple at Yeb would be second-class. Nevertheless the indications of this Egyptian evidence taken as a whole support the view that one effect of priestly influence with respect to the law was to create a community defined, not by political and geographical factors in the first instance, but by a common allegiance to the law.

b) Priestly influence effectively secured the establishment of Jerusalem and its priesthood as the authoritative focal point for Jewish faith. At first sight this might appear to run counter to the drift of the points just made, but the emphasis upon Jerusalem here arises not from geographical or political factors, but from the conviction that the Jerusalem community with its law and its priests

is the true community.   While it is true that the practice of
Jewish faith in alien situations was now a recognised option, it
is equally true that any rival claims to authority were strongly
resisted.   Evidence for this can be found in the hostility of both
Ezra and Nehemiah to all non-Jewish influences, but is particularly
prominent in the work of the Chronicler himself.   O. Eissfeldt's
summary of the Chronicler's purpose makes the point with clarity
(30):-

> "The aim of the whole work is ... to prove that in
> contrast with the godless northern kingdom, it is only ...
> the southern kingdom, Judah, with its Davidic dynasty,
> and its Jerusalem Temple, which is the true Israel ...
> and that it is only the community of Jews who returned
> from the Exile, and not the religious community of the
> Samaritans ... which faithfully maintains and continues
> this tradition."

This kind of summary takes reasonable account of all the distinctive
features of the Chronicler's work.   Contemporary Judaism - that
centred on the Jerusalem Temple, and the law taught by its priests -
is true Judaism.   What the Chronicler's pre-exilic history aims to
show is that this Judaism is no new thing.   It can be traced back
to David himself, who, with Solomon, was responsible for the
Jerusalem sanctuary and the building of the Temple.   The post-
exilic organisation of Temple-priests, Levites, singers, and gate-
keepers is justified on the basis of a Davidic origin.   The holy

community of Judah and Jerusalem - that which returned from exile - is not an intruder. It is precisely that which Yahweh has chosen, guided and blessed from early days. Hence many of the distinctive features of the history - the omission of irrelevant information about the private lives of David and Solomon, and the considerable emphasis on the great institutions of post-exilic Judaism. Behind the Chronicler's work must lie once again a priestly influence, and by giving the Jews this sense of history the priesthood was able to demonstrate the antiquity and validity of its authority and institutions.

c) Priestly influence gave rise to, or encouraged, the professional scribe. The function of the scribe is admirably expressed in Ecclesiasticus 39 v. 1 where he is described as the man "who devotes himself to the study of the law of the Most High". He is the layman who is expert in the law, in its meaning and its teaching. What this means in fact is that when Ezra took "instruction" out of the mouth of the priest (Malachi 2 v. 7) and gave "law" an independent status, what he did was to set in motion a process which, in the course of time, phased out the priesthood as teachers of the law. Once the law had been cut free from its historical moorings, and made an absolute entity without history, then, in theory at least, it becomes open to the study of all. The process which Ezra and his fellow-priests set in motion can be traced to some degree in some of the later post-exilic literature. Even in Psalm 119 vv. 89, 160 the "word" of God has an eternal existence, and it is but a small

step to substitute "law" or "word" in the thought-structure of this particular psalm. Later on, in the Book of Jubilees, many of the sacred institutions of the law are pushed back, beyond even Moses, into primeval times. The Sabbath was celebrated by angels, and the election of Israel announced at creation (2 vv. 15-33). The Levitical law of purity operates in the case of Eve (3 vv. 8-14), and various feasts are said to have been celebrated by Noah (6 vv. 17-18) and Abraham (16 vv. 20-31). In these ways the law stands out as an eternal reality, prior both to Sinai and the beginnings of Israel's history. In this way law begins to antecede the covenant, and even to take its place. It is easy to see, therefore, how an eternal independent law of this kind might pass out of the hands of the priests in the course of time. Little is known about the origins and early development of the scribes as a body of men, expert in the law, yet independent of the priesthood, and possessing an authority of their own (31). It would be reasonable to suppose that their expertise originated in some special responsibility for the writing and/or collection of laws in the exilic or early post-exilic period. In time, their specialised knowledge of the law renders them fit to be official teachers of the people.

This process could well have begun at a fairly early stage, although the Chronicler makes no specific mention of scribes, and at several points refers to a teaching ministry still exercised by priests and Levites. In 2 Chronicles 17 vv. 8-9 they are said to take part in a teaching mission in the cities of Judah, and G. von

Rad, on the basis of this and texts such as Nehemiah 8 v. 7 and 2 Chronicles 35 v. 3, has claimed to have found a "gattung" which he calls "the Levitical sermon" (32). In 2 Chronicles 17, however, the priests and Levites are linked with the "princes" ("śārîm"), who are obviously some kind of lay official (v. 7), and it could be argued that this verse is the fundamental text, and that vv. 8-9 represents the Chronicler's distinctive contribution. Also, as A. Cody has shown, it may be misleading to translate "mᵉbînîm" as "teachers" when it is used of the Levites (28). When it does not simply mean "skilled", it carries the sense of "interpreters" or "expositors", and this may mean nothing more than the liturgical reading of the sacred text. When the Chronicler writes of the distinctive priestly "teaching" role he uses the participle "môreh" rather than "mēbîn" as in 2 Chronicles 15 v. 3. It is not certain, therefore, that the Levites, with all their other duties, did much "teaching" outside the confines of the Temple. As for the priests, their numbers were much reduced; the insistence on correct genealogy must have excluded many, and the renewed emphasis on cultic and ritual observance, with particular stress on those duties which only the priests could perform, meant that the priests themselves must have been heavily committed within the Temple itself. The Levites are also rapidly absorbed into a wide range of Temple duties. Outside Jerusalem there must clearly have been a need for lay experts in the teaching of the law. While it is true that the origins of the Synagogue remain obscure, it may be that this need for law-

teaching corresponds roughly with the appearance of that institution in the outlying areas (34). The reading and exposition of the law was certainly the basis of Synagogue procedure, and it is not unreasonable to link Synagogue and scribe together at this point. The teaching of a law-book, as opposed to verbal priestly teaching, inevitably raised the problem of making the law-teaching relevant to particular situations, and so scribal expertise was quickly given over to the elaboration of further interpretations which dealt with such situations, and which purported to be the true exposition of the law. By Ben Sirach's time the shift of teaching responsibility from priest to scribe must have been virtually complete:-

> "He (the scribe) will reveal instruction in his teaching,
>
> and will glory in the law of the Lord's covenant."
>
> (Ecclesiasticus 39 v. 8)

Eventually, scribal interpretation began to gain an authority on its own account as an oral law to be set alongside the written tōrah. Exodus 34 v. 27 was taken to mean that God gave to Moses an oral law which was additional to and distinguishable from the basic written law. The oral laws of the Pharisees came later, but the process of explanation, application, and "setting a hedge" about the law, lest it be inadvertently broken, had been irretrievably set in motion. Tradition makes Ezra the first of the scribes. In one sense this is quite wrong. Ezra is, in the first instance, a typical post-exilic priest with a concern for the law, and a desire that the life

of the community be regulated by it.   In another sense, however,
the traditions are right, in that Ezra's understanding of the law
in terms of written authority opens up the way for the scribal
approach.   "No Ezra, no scribe" seems to be a correct assessment
of the situation, so that in this sense the tradition is not very
wide of the mark.

Another contributory factor, already hinted at, was the renewed
emphasis on the sacrifical duties of the priests.   Law could never
replace the cult, because the law demanded the cult.   The pre-
exilic rituals were carried through into the new age, with special
interest, no doubt, in the annual Day of Atonement ceremonies.   It
is common to emphasise a new sense of sin in the post-exilic community,
and though this element can be grossly overstated (35), the great
judgement of the exile was a fact of experience, while the new status
held by the law was a constant reminder that transgression of the
commandments was a serious matter.   In such a situation the sense
of need for expiation must have been prominent, and, in due course,
the priest becomes an increasingly sacerdotal figure, with his
function as teacher in the fullest sense passing over to the scribe.
d) Priestly influence led to the growth of the canon of Scripture.
Written laws as such were by no means a new thing to post exilic
Jews.   Hosea 8 v. 12 seems to imply a collection of written "tôrôt",
while in Josiah's time, a law embodied in a book is a factor by
which the life of the community is regulated.   The important

difference is that in Ezra's time, law is alone in the field.
It therefore becomes an exclusive foundation for community life.
Whatever Ezra's law-book contained precisely, it is clear that his
action gave foundation status to at least a nucleus of Pentateuchal
law, and that this action set law on a pedestal, as "the Torah"
above all other. In time, and almost certainly before the
Samaritan schism, the whole of the Pentateuch has this special status
as "the Law". A complete survey of the processes of canonisation
lies beyond our scope; it is sufficient to note that in this respect
the priesthood was largely responsible. As a result there was of
course an increasing tendency to regard other media of revelation as
obsolete. Ancient prophets were of course respected and valued,
but they are soon assimilated into the canonisation process, and by
the second century Jews as a whole believed that the age of prophecy
had ended, and that the divine will if it is to be learned at all
must be sought from the law, and from a correct interpretation of
it:-

> "Thus there was great distress in Israel, such as had
> not been since the time that prophets ceased to appear
> among them."

<div align="right">(1 Maccabees 9 v. 27)</div>

e) Priestly influence produced certain conceptual developments.
These developments are an essential part of the processes so far
considered. The idea of wisdom as the fear of God (c.f. e.g. Psalm
111 v. 10) becomes transformed in Ecclesiasticus into a wisdom/law

equation.   The essence of wisdom is contained in "the book of the covenant of the Most High God" (Ecclesiasticus 24 v. 23);   the law which Moses commanded "fills men with wisdom like the Pishon... makes them full of understanding like the Euphrates ... makes instruction shine forth like light..."   (Ecclesiasticus 24 vv. 25-27). The process appears to be present even in Deuteronomy: there observance of the statutes and ordinances of Yahweh is "your wisdom" (Deuteronomy 4 v. 6).   Such a development is entirely predictable. If the law is absolute, then wisdom cannot exist independently of it, and must eventually consist in submission to it.   On this basis wisdom must become, not the possession of all mankind, but God's distinctive gift to his chosen people.   Similarly, while righteousness is always associated with justice and fair dealing (c.f. e.g. Amos 5 v. 24), it can take on a new and distinctive significance. The ungodly complain that the righteous man:-

> "...reproaches us for sins against the law, and accuses
> us of sins against our training."

<div align="right">(Wisdom 2 v. 12)</div>

He claims to have a knowledge of God, and avoids the ways of the unrighteous as unclean (Wisdom 2 vv. 13-16).   Originally obedience was essentially an obligation of the covenant (c.f. e.g. Deuteronomy 7 vv. 6-11), and in a sense this was always so.   On the other hand, there is a sense in which obedience could increasingly become a good work, meriting reward.   The righteous man has a hope "full of immortality" (Wisdom 3 v. 4), and "will receive great good" from

God (Wisdom 3 v. 5).   This opens the way for a definite stress on personal piety and upon the behaviour of the individual, rather than upon God's continuing activity among his people.

f) Priestly influence heightened the nationalistic/universalistic tension inherent in Hebrew faith.   It is not surprising, therefore, that much of the literature of the period reflects quite strongly either or both of these tendencies.   It is not always realised that these tensions are an integral part of the conception of law which Ezra and like-minded priests encouraged.   On the one hand, if the law is absolute, its purity must be preserved. Contact with unholy peoples must therefore be avoided at all costs. The community must therefore stand clear of the world in order to protect its identity as the holy people.   This is perhaps the dominant note in post-exilic Judaism, and is certainly the aspect most readily ascribed to Ezra himself.   In such books as Esther, Judith and the Book of Jubliees the theme is maintained and its implications worked out.   The dangers inherent in such an outlook are obvious, and are regularly referred to, but it was certainly the kind of force which kept faith alive, which established a sober monotheism, and which bred a certain sense of responsibility towards God.   On the other hand, there were implications in Ezra's work which were universalistic - implications which are not always recognised and given full value. The contributions of Trito-Isaiah (c.f. e.g. 56 vv. 1-8, 66 vv. 18-

21), Zechariah (c.f. e.g. 2 v. 15, 8 vv. 22-23), and Jonah are readily appreciated in this connection, but the law itself provided for the reception of proselytes, and granted them equality of treatment:-

> "You shall have one law for the sojourner, and one for
> the native, for I am Yahweh your God."
>
> (Leviticus 24 v. 22)

To break the link between law and its historical origins within a particular community, and then to make it an eternal absolute, is to make it applicable - given a strong monotheistic faith - to all men everywhere, at least in principle. Particularism may have remained the dominant motif, but even among groups such as the Pharisees, there seems to have been a fierce proselytising zeal (c.f. e.g. Matthew 23 v. 15).

g) The priesthood gave Judaism the Torah. This is perhaps the greatest single contribution of the post-exilic priests; it is certainly the aspect of their work which binds together these various areas of influence. We are concerned here not primarily with the theology of law, but with the total conceptual framework of the Pentateuch, and in particular with the priestly theology embedded within it. This must obviously be an important witness to priestly teaching, and it remains a permanent testimony to their thought.

Assessments of the priestly parts of the Pentateuch have not always been favourable. J. Wellhausen complained that "what is interesting is passed over, what is of no importance is described

with minuteness..." (36). S. R. Driver suggests that the priestly
writer "nowhere touches on the deeper problems of theology" (37),
and R. H. Pfeiffer concludes that "P" is "...dogmatic and detached
from reality..." (38). On the other hand the worth of a theology
can only be assessed in the light of its capacity to handle the
divine word in the context of a particular situation, and in this
respect priestly theology had two outstanding problems with which to
grapple.

1. Priestly theology had to provide the new community with a sense
of identity. This was achieved largely by the establishment of a
sense of historical continuity. This is why the priestly work has
an essential narrative element within it (39); to think of it as a
"code" - a collection of laws and genealogies is to obscure this
fundamental fact. As O. Eissfeldt points out the element of
historical continuity is in fact much stronger than in the other
narrative sources (40), built up as it is upon meticulous genealogies,
and a firm chronological framework. This creates a principle of
continuity, and gives the Jewish community an identity within the
stream of time.

This continuity is further consolidated by the anchoring of
the great Jewish institutions within the historical framework.
Observance of the Sabbath, one of the chief distinguishing features
of the community, is a creation ordinance (Genesis 2 vv. 1-3). The
whole creative process is a vindication of it, so that "creation
itself was designed to lead to this Israel" (41). The Jewish

rejection of "blood" is rooted in the epilogue to the flood
(Genesis 9 vv. 5-6), while another distinguishing feature of
Judaism - the rite of circumcision - is seen as an integral part
of the Abrahamic covenant (Genesis 17 vv. 9-14). Above all the
post-exilic cult and its priesthood are seen as a Sinaitic provision.
The scheme of observances has divinely authenticated historical
moorings, and the priesthood as an institution emerges at a
particular point in the salvation-history by divine command. This
is the basic objective, and hence the comparative lack of priestly
interpretation, and of a full theology of the cult. This procedure
is not essentially a matter of facts being "sacrificed on the altar
of theory" (42); it is rather a method of illustrating Jewish
continuity with the past - a continuity which was real and authentic
enough - and of reinforcing the divine authority of the cult. In
this way the Jewish community stands out as the rightful heir to all
the diverse but God-given traditions of the pre-exilic Israel.

Implicit in this handling of the history is the re-interpretation
of the Sinaitic covenant as a ratification and fulfilment of the
covenant with Abraham. R. E. Clements picks out three important
elements in the promise to Abraham - that his descendants will be a
nation, that they will possess a land, and that they will know the
divine presence (43). In some ways the exilic community lacked the
fullness of each of these promises, and therefore there is probably
a sense in which the priestly exposition of the Mosaic cult is a
gospel word to the new community - the fulfilment of the promise.

At the same time priestly theology was anxious to re-interpret the focal point of the divine presence among the people. Israel in the wilderness is therefore pictured as "ʿēḏāh" - a worshipping congregation (c.f. e.g. Numbers 16 v. 2), rather than a racial or political entity, and this in itself gives authenticity to a community in an alien environment. Such a community does have genuine status and genuine links with the Israel of old. The focal point of Yahweh's presence is therefore not so much a place, but more a people, above all a separated people (Leviticus 20 v. 26).

Priestly theology also sought to confirm the identity of the Jewish community by providing a synthesis of some of the old traditions. This is true for instance of the traditions regarding the nature of the divine presence. The theology of manifestation implicit in the old Tent traditions (c.f. e.g. Exodus 33 vv. 7-11) is blended with the theology of presence in the Ark traditions (c.f. e.g. 1 Samuel 4 v. 3), though according to G. von Rad the manifestation element dominates (44). Yahweh dwells among his people - hence the position of the Tabernacle at the centre of the camp - but his real presence is only evident in the cloud and the "glory" within it (c.f. e.g. Exodus 16 vv. 7, 10, Numbers 14 v. 10). There is no Deuteronomic "Name-Theology" which might be interpreted as binding Yahweh in any absolute sense to a particular place, or for that matter to a particular people. If we are to understand "the testimony" as a reference to the law-tablets then it seems likely

that the Ark traditions themselves have been subject to synthesis, with a blending of the presence/law-container conceptions. These processes are of course but a part of the collection and present- ation of all the pre-exilic Yahwistic traditions.

2.   Priestly theology had to provide a suitable basis or rationale for the continuing life of the Jewish community. It achieved this through "the law", but behind "the law" was a distinctive theological outlook grappling with the problems of the time. In a fluid and to some degree uncertain situation, the priesthood introduced the concept of "order". This principle is apparent, not only in the definitions and distinctions of the laws, but also in the priestly handling of history. This sense of "order" is built into history by depicting several ordered stages in divine revelation (45). In the first, from the days of Adam to Noah, God is known as "Elohim" with man exercising dominion over the world under the Sabbath ordinance. In the second stage, from Noah to Abraham, God is still "Elohim", but man lives under additional laws with the benefit of a covenant guarantee (Genesis 9 vv. 1-17). The third stage, from Abraham to Moses, includes the covenant sign of circumcision, a covenant with a distinct group of people (Genesis 17 vv. 1-14), and the revelation of God as "El-Shaddai". In the fourth stage God appears to Moses as Yahweh (Exodus 6 vv. 2-8) and provides the programme for the cult. In each of the stages there is a marked reduction in man's life-span. If this has anything to do with the priestly doctrine of sin the point is not made explicit; it could be that the

priestly writers, familiar with the traditions of longevity, built this element into their ordered scheme of things.

There is a real sense therefore in which the mere passing of time is not important for its own sake. History rather is "the unfolding of a cosmic order planned for permanence and perfection" (46), and the law is now an absolute unaffected by the continuing passing of time. The conquest for example is not in the first instance a military enterprise supported and carried through by Yahweh, but more a theological concept, a great act of grace which fulfills the promise, and which unfolds an ordered pattern of possession - in short, a "spiritualisation of the conquest idea" (47). What the study of the past does supremely is to demonstrate Israel's central place in the cosmic order, and what this does, in effect, is to provide a philosophy of history. W. Eichrodt is probably correct in suggesting that this concept of order precludes a peculiarly priestly eschatology (48), but we must be ready to reckon with the possibility that even apocalyptic theology owes something to priestly tradition (49). Nevertheless the priestly world-view is essentially a static one, and deliberately so. In the future there is to be no doubt about God's will, and no opposing authorities speaking different things in his name. In aiming for this as the ideal the post-exilic priests were conspicuously successful, and in achieving it they became the champions of revealed religion, their contribution representing one side of the tension between the God who has revealed himself and the God who is yet to come (50).

A second factor in the priestly outlook was the distinctive
conception of the transcendence of God. In grappling with the
contemporary situation the priests steadfastly resisted any tendency
to divinise nature or humanise God. As well as the familiar creation
account the two symbols of the divine presence - the "glory" and the
"cloud" are ideal expressions of the essential otherness of God. He
is over and above the cosmos, and fully independent of it, but in
grace deigns "to tabernacle" among his people; so "the transcendent
God does not dwell in the tent-sanctuary, but rather appears in it
from time to time in a cloud with his "kābôd"" (51). This point is
further emphasised by the barriers - physical and official - which
separate God from the people. The supreme point of contact between
a transcendent God and his people is therefore the law. The effects
of this thoroughgoing monotheism have been immense, and R. H. Pfeiffer
is near the mark when he describes it as the idea of God nearest to
that of modern Christian theologies (52).

The third important concern was to solve the problems raised by
the divine character and human sin, and to meet them the priesthood
propagated a theology of sacrifice. The detailed investigation of
this is beyond our scope; suffice it to say that the adequacy of
such a theology is open to debate. A Bentzen, for example, is
convinced that "P" places cultic laws higher than ethical (53), and
if this is so it can be claimed that simply to externalise sin and
to obscure the priority of moral obligation is at best very
unsatisfactory. Few would deny the priestly concern with the

question of sin, but to be preoccupied with it only at a certain level could easily be to minimise its seriousness.   On the other hand, as we have seen, priestly teaching presupposed a morality, while the theology of sacrifice made no claims to cover deliberate sin (c.f. Numbers 15 vv. 30-31).   That theology can only be understood as an expression of divine grace; the sacrificial system and the cult as a whole are a divinely appointed area of contact between man and God, mediating the divine power and presence, and bringing man into fellowship with God.   Within that area a man could live with a right confidence and assurance.   There is a sense therefore in which the externalism of the cult serves to heighten divine grace; to man is left the simple obligation of obedience.   Within the sacrificial system itself there is of course the essential declaratory word of God - "only the addition of the divine word made the material observance what it was meant to be, a real saving event" (54).   The priestly theology of sacrifice was no final answer to the problem of sin, but it is easy to misrepresent it; its disappearence at the fall of Jerusalem (AD 70) has been compensated for by its decisive impact on Christian atonement and eucharistic theology.

This then gives some idea of the nature and extent of priestly influence.   To some degree the exile itself contributed to the processes considered, but within that framework it was the priesthood, typified by Ezra, which used the law and applied it in such a fashion as to create many of the distinctive outlooks and emphases of Judaism.   M. Noth describes this influence as a "false-step" -

a triumphing of law over spirit (55); and yet the piety which the priesthood created was flexible - susceptible within limits to Hellenism for example - and certainly not always, or even usually, a stultified legalism. It is possible that human behaviour rather than divine grace might tend to become the focal point for faith, but the fact must never be forgotten that law itself was looked upon as a divine and gracious gift. At its best it was still possible for post-exilic faith to respond to such grace in love and thankfulness - the essential spiritual response arising out of careful study and faithful obedience. The spirit of Psalms 1 and 119 may sometimes have burned low, but it was never finally quenched.

Notes to Chapter 7

(1)   H. Ringgren - "Israelite Religion" (E.T. by D. Green 1966)
        p. 302.

(2)   J. Bright - "A History of Israel" 1960 p. 419.

(3)   M. Noth - "The Laws in the Pentateuch" ("The Laws in the
        Pentateuch and Other Essays" (E.T. by D. R. Ap-Thomas 1966)
        p. 86.)

(4)   op. cit. p. 88.

(5)   J. M. Myers - "I Chronicles" (A.B.) 1965 p. LXXIX.

(6)   H. G. Mitchell, J.M.P. Smith & J.A. Bewer - "Haggai,
        Zechariah, Malachi and Jonah" (I.C.C.) 1912 p. 78.

(7)   c.f. H. G. Mitchell, J.M.P. Smith & J.A. Bewer - op. cit.
        p. 165.

(8)   c.f. e.g. J. Bright - op. cit. p. 360.

(9)   c.f. e.g. H. G. Mitchell, J.M.P. Smith & J.A. Bewer - op. cit.
        p. 155.

(10)   c.f. O. Eissfeldt - "The Old Testament: An Introduction"
        (E.T. by P. R. Ackroyd 1965) pp. 633ff.

(11)   c.f. R. H. Charles. (ed.) - "The Apoctypha and Pseudepigrapha
        of the Old Testament in English" II 1913 p. 294.

(12)   op. cit. p. 633.

(13)   c.f. e.g. A.J.B. Higgins - "Priest and Messiah" (V.T. III
        1953 pp. 321ff.)

(14)   This translation is from G. Vermes - "The Dead Sea Scrolls in

English" 1962 p. 87.   It comes from "The Community Rule"

IX ("The Manual of Discipline").

(15)   c.f. e.g. G. Vermes - op. cit. p. 87.

(16)   c.f. G. Vermes - op. cit. p. 104.   This reference comes

from "The Damascus Rule VII ("The Zadokite Fragments").

(17)   c.f. G. Vermes - op. cit. p. 227.   This reference comes

from the first "Isaiah Commentary".

(18)   op. cit.

(19)   "Leviten und Priester" 1965 pp. 117ff.

(20)   For a recent detailed investigation c.f. A. Cody - "A History

of Old Testament Priesthood" 1969 pp. 146ff.

(21)   op. cit. pp. 146ff.   These pages contain a critique of

Gunneweg's view that the Aaronides were the priests of

Bethel - op. cit. - pp. 81ff.

(22)   Based partly on A. Cody's assessment - op. cit. pp. 146ff.

(23)   c.f. e.g. O. Eissfeldt - op. cit. pp. 555f.

(24)   c.f. H. H. Schaeder - "Esra der Schreiber" 1930 pp. 39ff.

(25)   c.f. R. S. Foster - "The Restoration of Israel" 1970 pp. 202f.

(26)   c.f. the advice of M. Noth - op. cit. p. 76 (n.177).

(27)   "Old Testament Theology" (E.T. by D.M.G. Stalker 1962) I p.

79.

(28)   "Biblical Archaeology" 1966 (2nd edition) p. 210.

(29)   c.f. A. Lods - "The Prophets and the Rise of Judaism" (E.T.

by S. H. Hooke 1937) pp. 307ff.

(30)   op. cit. p. 531.

(31)   c.f. G. F. Moore - "Judaism" I 1927 pp. 37ff.

(32)   "The Levitical Sermons in I and II Chronicles" ("The Problem
         of the Hexateuch and Other Essays" (E.T. by E. W. Trueman
         Dicken 1966) pp. 267ff.)

(33)   op. cit. pp. 188ff.

(34)   c.f. G. F. Moore - op. cit. pp. 281ff.

(35)   For a criticism of this kind of overstatement c.f. R. J.
         Thompson - "Penitence and Sacrifice in Early Israel" 1960.

(36)   "Prolegomena to the History of Ancient Israel" (E.T. by J.
         Sutherland Black & A. Menzies 1885) p. 351.

(37)   "An Introduction to the Literature of the Old Testament"
         1898 (7th edition) p. 129.

(38)   "An Introduction to the Old Testament" 1952 (1st British
         edition) p. 191.

(39)   c.f. e.g. P. R. Ackroyd - "Exile and Restoration" 1968 p. 91.

(40)   op. cit. p. 205.

(41)   "Old Testament Theology" (E.T. by D.M.G. Stalker 1962) I
         p. 234.

(42)   c.f. R. H. Pfeiffer - op. cit. p. 202.

(43)   "God and Temple" 1965 pp. 112f.

(44)   op. cit. pp. 234ff.

(45)   c.f. G. Fohrer - "Introduction to the Old Testament" (E.T.
         by D. Green 1970) p. 184.

(46)   W. Eichrodt - "Theology of the Old Testament" (E.T. by J. A.
         Baker 1961) I p. 425.

(47)   P. R. Ackroyd - op. cit. p. 98.

(48)   op. cit. p. 429.

(49)   c.f. e.g. R. G. Hamerton-Kelly - "The Temple and the
         Origins of Jewish Apocalyptic" (V.T. XX 1970 pp. 1ff.)

(50)   c.f. W. Eichrodt - op. cit. p. 436.

(51)   G. Fohrer - op. cit. pp. 184f.

(52)   op. cit. p. 192.

(53)   "Introduction to the Old Testament" 1957 (3rd edition) II
         p. 35.

(54)   G. von Rad - op. cit. p. 262.

(55)   op. cit. p. 106.

Chapter 8

Concluding Observations

It has become outstandingly clear during these investigations
that the tensions within Israel's religious leadership were more
complex than has sometimes been assumed. The priesthood was
certainly an official institution, and like all such institutions
was susceptible to an incipient traditionalism. In contrast, the
prophetic word usually had a charisma and an immediacy which meant
that the prophets were potentially men of creative genius. It
would clearly be foolish to deny either of these assertions. Yet
equally it would be the grossest mistake to assume that the difference
between the priest and the prophet in religious outlook was the
difference between the conservative and the radical, between an
institutionalised traditionalism and a charismatic liberalism. For
their part the priests often showed themselves to be a dynamic group
of men, pressing for influence, using it, and adapting to new and
sometimes difficult situations. The basis of their claim to
authority grew and developed over the centuries, and the nature and
content of their ministry was flexible enough to be an effective
influence throughout.

Much of this is apparent from our examination of the history of
the priesthood, but more precise conclusions were drawn from the
four main areas of priestly instructions, and from Ezra's work in
the post-exilic era. It is at these points that the creative
power and influence of the priests in their preservation and

propagation of the divine will can best be appreciated. A number of outstanding areas of creative influence were discovered, and these can be drawn together and summarised as follows:-

1. The priest fostered a concern for the knowledge of Yahweh's will, and encouraged obedience to it.

2. The priest helped to create an awareness of Yahweh's presence among his people.

3. The priest sought to encourage confidence in Yahweh as the true God.

4. The priest created a faith in the justice of God.

5. The priest helped to foster an awareness of human accountability, and the certainty of divine judgement.

6. The priest laid the foundations for Israel's understanding of "holiness", as it related to herself and to her God.

7. The priest helped to create many of the distinctive attitudes and emphases of post-exilic Judaism.

Behind all this the marks of a definite "teaching" role were discovered - the kind of role where the object is not simply to convey information, but to inculcate beliefs and to encourage particular attitudes. Implicit in such teaching there was live creative theologising on the essential data of faith - distinctive teaching about God, his activity in history, and the nature of man's consequent obligations.

All of this represents a very substantial contribution to Hebrew religion, and there is scope for further detailed investigation. All that has been possible here is to set out and examine the basic data,

and simply to indicate some of the lines along which the priests made their contribution. These comments are not in any way intended to down-grade the contribution and influence of non-priestly authorities; what they are concerned to show is that the priestly part should never be underestimated.

Our concluding investigations, however, showed the priesthood in a very real sense phasing itself out as a propagator of law. What the post-exilic priests did, in effect, was to sign their own death-warrant. To tie themselves to the Temple was to tie themselves to an institution and a system of observances which Judaism could live without, and which Christianity could readily supercede and transcend. A privileged spiritual aristocracy abandoned its main sphere of spiritual influence, and thereby lost its willingness and capacity to adapt, and therefore its creative power within the community. To opt for such a course was to opt for obsolescence. So it is that "law" in the fullest sense persists - whether as "advice", "direction", "proclamation" or "verdict". The forms and terms of such "law" have changed, but the principle of an authoritative and binding divine revelation remains. As for priesthood, obsolescence spells failure, and therefore as an influential office in the Old Testament sense it was doomed to cease.

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