

Theology on the Web.org.uk

Making Biblical Scholarship Accessible

This document was supplied for free educational purposes. Unless it is in the public domain, it may not be sold for profit or hosted on a webserver without the permission of the copyright holder.

If you find it of help to you and would like to support the ministry of Theology on the Web, please consider using the links below:



Buy me a coffee

<https://www.buymeacoffee.com/theology>



PATREON

<https://patreon.com/theologyontheweb>

[PayPal](#)

<https://paypal.me/robbradshaw>

A table of contents for *Journal of Biblical Literature* can be found here:

https://biblicalstudies.org.uk/articles_jbl-01.php

The Relation of Ezekiel to the Levitical Law.

BY PROF. FREDERIC GARDINER, D. D.

In the discussions which have arisen of late years about the origin and date of the Mosaic legislation it has been generally recognized that the book of Ezekiel, especially in its later chapters, has a peculiar importance. The traditional view regards the laws of the Pentateuch as having been given through Moses to the Israelites soon after their Exodus from Egypt, and as having formed in all subsequent ages their more or less perfectly observed standard of ecclesiastical law and religious ceremonial; the view of several modern critics, on the other hand, is that this legislation was of gradual development, having its starting point, indeed, quite far back in the ages of Israel's history, but reaching its full development only in the times succeeding the Babylonian exile. Especially, the exclusive limitation of the functions of the priesthood to the Aaronic family, and the distinction between the priests and their brethren of the tribe of Levi, as well as the cycle of the feasts and other like matters, are held by these critics to be of post-exilic origin.

The writings of a priest who lived during the time of the exile, and who devotes a considerable part of his book to an ideal picture of the restored theocracy, its temple, its worship, and the arrangement of the tribes, cannot fail to be of deep significance in its bearing upon this question. Certain facts in regard to Ezekiel are admitted by all: he was himself a priest (i. 3); he had been carried into captivity not before he had reached early manhood; and, whether he had himself ministered in the priest's office at Jerusalem (as Kuenen positively asserts, *Relig. of Israel*, vol. ii. p. 105) or not, he was certainly thoroughly conversant with the ceremonial as there practiced and with the duties of the priesthood; further, he began his prophecies a few years after Zedekiah was carried into captivity, and continued them until near the middle of the Babylonian exile, the last nine chapters being dated "in the 25th year of our captivity" which corresponds with the

33d of Nebuchadrezzar's reign. If any development of Israel's religion, therefore, were going on during the captivity, it must have been already well advanced at the time of this vision. So far there is a general agreement. The main point necessarily follows:—that in such case Ezekiel's vision must present an intermediate stage on the line of progress from that which we certainly know to have existed before to that which we know, with equal certainty, was practiced afterwards.

It is indeed theoretically conceivable that in the course of this development of religion Ezekiel may have been a strange, erratic genius, who was both regardless of the traditions of his fathers and was without influence upon the course of his successors; but such strange estimation of him is entertained by no one, and needs no refutation. It would be contradicted by his birth, his position as a prophet, his evident estimation among his contemporaries, and his relations to his fellow prophet-priest, Jeremiah. It may be assumed that his writings were an important factor in whatever religious development actually occurred.

This argument is the more important on account of the great weight attached by some critics to the argument *e silentio*. This argument can be only of limited application in regard to historical books, fully occupied as they are with other matters, and only occasionally and incidentally alluding to existing ecclesiastical laws and customs; but it is plainly of great importance in this prophetic setting forth of quite a full and detailed ecclesiastical scheme. The omission of references to any ritual law or feast or ceremony in the historical books can occasion no surprise, and afford no just presumption against the existence of such rites and ceremonies, unless some particular reason can be alleged why they should have been mentioned; but a corresponding omission from the pages of Ezekiel is good evidence either that the thing omitted was too familiar to require mention, or else that he purposely excluded it from his scheme. In other words, it shows that what he omits, as compared with the mosaic law, was either already entirely familiar to him and to the people; or else that the law he sets forth was, in these particulars, different from the Mosaic law. To illustrate by an example: There can be no question that circumcision was a fundamental rite of the religion of the Israelites, practiced in all ages of their history; yet, after the Pentateuch and the few first chapters of Joshua, there is no mention of it, and the words *circumcise*, *circumcised*, *circumcision*, do not occur in the sacred literature down to the time of Jeremiah; neither does the word *foreskin*, except in connection with David's giving the foreskins of the

Philistines as dowry for Michal (1 Sam. xviii. 25, 27; 2 Sam. iii. 14): Even *uncircumcised*, as a designation of the enemies of Israel, occurs only nine times (Judg. xiv. 3; xv. 18; 1 Sam. xiv. 6; xvii. 26, 36; xxxi. 4; 2 Sam. i. 20; 1 Chron. x. 4; Isa. lii. 1) in the interval, and several of these passages are considered by the critics to be of later date; neither is there any allusion to circumcision in Ezekiel, except the mention of the stranger "uncircumcised in heart and uncircumcised in flesh" (xliv. 7, 9). Of course, the reason for this, in both cases, is that the law of circumcision was so familiar and the practice so universal that there was no occasion for its mention. On the other hand, the fast of the day of atonement is not mentioned either in the historical books or in Ezekiel. We are not surprised at its omission from the former, nor can this cast any shade of doubt on its observance, unless some passage can be shown in which it would have been likely to be spoken of; but we can only account for its being passed over in the cycle of the festivals in Ezekiel on the supposition that it formed no part of his scheme, while yet, as will be shown farther on, there are indications that he recognizes it, in his other arrangements, as existing in his time.

While abundant references to the Mosaic law may be found in every part of Ezekiel,* it has seemed best to confine the present investigation to the last nine chapters, both because these are by far the most important in this connection, and also because these have been chiefly used in the discussion of the subject. Unfortunately, there is a difference of opinion in regard to the general interpretation of these chapters. Some will have them to be literally understood as the expression of the prophet's hope and expectation of what was actually to be; more generally the vision is looked upon as a figurative description of the future glory of the church, clothed, as all such descriptions must necessarily be, in the familiar images of the past. A determination of this question is not absolutely necessary to the present discussion, but is so closely connected with it, and the argument will be so much clearer when this has first been examined, that it will be well to give briefly some of the reasons for considering Ezekiel's language in this passage to be figurative.†

It is evident that Ezekiel's description differs too widely from the past to allow of the supposition that it is historical; and written at a

* For a very ample list of quotations and allusions to the law in Ezekiel, see pp. 105-110 in *A Study of the Pentateuch, for Popular Reading*, &c. By Rufus P. Stebbins, D. D. (Boston, 1881).

† This question is treated more fully in my notes upon these chapters in Bp. Ellicott's *Commentary for English Readers*.

time when the temple lay in ashes and the land desolate, it cannot refer to the present. It must then have reference to the future. The presumption is certainly that it portrays an ideal future, because the whole was seen "in the visions of God" (xl. 2), an expression which Ezekiel always applies to a symbolic representation rather than to an actual image of things (cf. i. 1; viii. 3; also xi. 24, and xliii. 3). Moreover, if it is to be literally understood, it must portray a state of things to be realized either in the near future, or else at a time still in advance of our own day. If the former, as is supposed by a few commentators, it is plain that the prophecy was never fulfilled, and remains a monument of magnificent purposes unaccomplished. The attempt to explain this by the theory that the returning exiles found themselves too few and feeble to carry out the prophet's whole designs, and therefore concluded to postpone them altogether to a more convenient season, must be regarded as an entire failure. For one of two suppositions must be adopted, both of them leading to the same result: either that of the negative critics—that certain great features of the Mosaic law, such as the distinction between the priests and Levites and the general priestly legislation, had their origin with Ezekiel; and in this case it is inconceivable that, while adopting this, no attention should have been paid to the authority of this great prophet in other matters; or else we must accept the commonly received view, that the Mosaic law was earlier, and is here profoundly modified by Ezekiel. In the latter case, however much the returning exiles might have been disappointed in their circumstances, yet if they understood the prophet literally, they must have looked forward to the accomplishment of his designs in the future, and would naturally have been anxious to order the restored theocracy on his plan, as far as they could, from the first, to avoid the necessity of future changes; and a large part of the scheme, such as the cycle of the feasts, the ordering of the sacrifices, &c., was quite within their power. In either case, if the vision is to be taken literally, it is inexplicable that there should be no reference to it in the historical books of Ezra and Nehemiah and the prophecies of Haggai and Zechariah, which all relate to this period, and describe the return and settlement in the land, and the rebuilding of the temple.

It is scarcely necessary to speak of a literal fulfilment still in the future. Ordinarily it is difficult to say that any state of things may not possibly be realised in the future; but here there are features of the prophecy, and those neither of a secondary nor incidental character, which enable us to assert positively that their literal fulfilment would be a plain contradiction of the Divine revelation. It is impos-

sible to conceive, in view of the whole relations between the old and new dispensations, that animal sacrifices can ever be restored by Divine command and with acceptance to God. And, it may be added, it is equally impossible to suppose that the church of the future, progressing in the liberty wherewith Christ has made it free, should ever return to "the weak and beggarly elements" of Jewish bondage here set forth.

Having thus alluded to these general presumptions, we are prepared to look at those particular indications which have been introduced into the prophecy itself as if to show that it is to be understood ideally. I do not propose to speak of those more general indications, such as the regularity of proportions and forms, the symmetry of measurements &c., which here, as in the later chapters of the apocalypse, give to almost every reader a somewhat indefinable but very strong impression of the ideality of the whole description; but will confine myself to statements which admit of definite tests in regard to their literalness.

In the first place, the connection between the temple and the city of Jerusalem in all the sacred literature of the subject, as well as in the thought of every pious Israelite, is so close that a prophecy incidentally separating them, without any distinct statement of the fact or of the reason for so doing, could hardly have been intended, or have been understood literally. Yet in this passage the temple is described as at a distance of nearly nine and a half miles from the utmost bound of the city, or about fourteen and a quarter miles from its centre.*

A temple in any other locality than Mount Moriah could hardly be the temple of Jewish hope and association. The location of Ezekiel's temple depends upon whether the equal portions of land assigned to

* This holds true, however the tribe portions of the land and the "oblation" are located; for the priests' portion of the "oblation," in the midst of which the sanctuary is placed, (xlvi. 10) is 10,000 reeds, or about nineteen miles broad; to the south of this (xlvi. 15-17) is a strip of land of half the width, in which the city is situated, occupying with its "suburbs" its whole width. These distances, in their exactness, depend upon the length of the cubit which is variously estimated. For the purposes of this discussion it is taken at a convenient average of the conflicting estimates, viz: 20 inches. If it were a little more or a little less the general argument would remain the same. There should also be noticed the view of a few writers (Henderson on xlv. 1; Hengstenberg on xlv. 1, and a few others) that the dimensions given in this chapter are to be understood of *cubits* and not of reeds; but this is so generally rejected, and is in itself so improbable that it seems to require no discussion. Even if adopted, it would only change the amount of the distance and would still leave the temple quite outside the city and separated from it by a considerable space.

each of the tribes in ch. xlvi. were actually equal in area, or were only strips of equal width. The latter view is, so far as I know, adopted by all commentators. On this supposition Ezekiel's city would be several miles north of Jerusalem, and the temple, still north of that, would be well on the road to Samaria. On the other supposition, it would fall nearly in the latitude of Hebron.

In either case, the temple, with its precincts, is described as a mile square, or larger than the whole ancient city of Jerusalem. In xliii. 12 it is expressly said "that the whole limit thereof round about" is "upon the top of the mountain." But without pressing this, it is hardly possible that the precincts of any actual temple could be intended to embrace such a variety of hill and valley as would be involved.

Moreover, the description of the "oblation" itself is physically impossible. The boundaries of the land are expressly said to be the Mediterranean on the one side and the Jordan on the other (xlvi. 15-21). The eastern boundary is not formed by an indefinite extension into the desert, but is distinctly declared to be the Jordan, and above that, the boundaries of Hauran and Damascus. It is substantially the same with that given in Num. xxxiv. 10-12, and in both cases excludes the trans-Jordanic territory which was not a part of Palestine proper, and in which, even after its conquest, the two and a half tribes had been allowed to settle with some reluctance (Num. xxxii.). Now, if the portions of the tribes were of equal width, the "oblation" could not have been extended so far south as the mouth of the Jordan; but even at that point the whole breadth of the country, according to the English "exploration fund" maps, is only 55 miles. Measuring northwards from this point the width of the oblation, $47\frac{1}{2}$ miles, a point is reached where the distance between the river and the sea is only 40 miles. It is impossible therefore that the oblation itself should be included between them, and the description requires that there should also be room left for the prince's portion at either end. It has been suggested that the prophet might have had in mind measurements made on the uneven surface of the soil or along the usual routes of travel; but both these suppositions are absolutely excluded by the symmetry and squareness of this description.

Again: the city of the vision is described as the great city of the restored theocracy; but, as already said, it cannot be placed geographically upon the site of Jerusalem. Either, then, this city must be understood ideally, or else a multitude of other prophecies, and notably many of Ezekiel which speak of Zion and of Jerusalem, must be so interpreted. There is no good reason why both may not

be figurative, but it is impossible to take both literally; for some of them make statements in regard to the future quite as literal in form as these, and yet in direct conflict with them. Such prophecies, both in Ezekiel and in the other prophets, in regard to Jerusalem, are too familiar to need citation; yet one, on a similar point, from a prophet not much noticed, may be given as an illustration. Obadiah (according to some authorities, a contemporary of Ezekiel) foretells (ver. 19) that at the restoration "Benjamin shall possess Gilead"; but according to Ezekiel, Gilead is not in the land of the restoration at all, and Benjamin's territory is to be immediately south of the "oblation." Again, Obadiah (ver. 20) says, "The captivity of Jerusalem" (which in distinction from "the captivity of the host of the children of Israel," must refer to the two tribes) "shall possess the cities of the south"; but according to Ezekiel, Judah and Benjamin are to adjoin the central "oblation," and four other tribes are to have their portions south of them. Such instances might easily be multiplied. It must surely be a false exegesis which makes the prophets gratuitously contradict each other and even contradict themselves (as in this case of Obadiah) almost in the same sentence.

The division of the land among the twelve tribes; the assignment to the priests and the Levites of large landed estates, and to the former as much as to the latter; the enormous size of the temple precincts and of the city, with the comparatively small allotment of land for its support, are all so singular, and so entirely destitute of either historical precedent or subsequent realization, that only the clearest evidence would justify the assumption that these things were intended to be literally carried out. No regard is paid to the differing numbers of the tribes, but—as if to set forth an ideal equality—an equal strip of land is assigned to each; and, the trans-Jordanic territory being excluded and about one-fifth of the whole land being set apart as an "oblation," the portion remaining allows to each of the tribes only about two-thirds as much territory as, on the average, they had formerly possessed. The geographical order of the tribes is also extremely singular, and bears all the marks of ideality. Moreover, nearly the whole territory assigned to Zebulon and Gad is habitable only by nomads.

A further difficulty with the literal interpretation may be found in the description of the waters which issued from under the eastern threshold of the temple (xlvi. 1-12). This difficulty is so great that some commentators, who have adopted generally a literal interpretation, have found themselves constrained to resort here to the figurative; but on the whole, it has been recognized that the vision is essentially

one, and that it would be unreasonable to give a literal interpretation to one part of it and a figurative to another. The waters of the vision run to the "east country," and go down "to the sea," which can only be the Dead Sea; but such a course would be physically impossible without changes in the surface of the earth, since the location of the temple of the vision is on the west of the water-shed of the country.* They had, moreover, the effect of "healing" the waters of the sea, an effect which could not be produced naturally without providing an outlet from the sea, and Ezekiel (xlvii. 11) excludes the idea of an outlet. No supply of fresh water could remove the saltness, while this was all disposed of by evaporation. But, setting aside minor difficulties, the character of the waters themselves is impossible, except by a perpetual miracle. Without insisting upon the strangeness of a spring of this magnitude upon the top of "a very high mountain" (xl. 2; cf. also xliii. 12), at the distance of 1,000 cubits from their source, the waters have greatly increased in volume; and so with each successive 1,000 cubits, until at the end of 4,000 (about a mile and a half) they have become a river no longer fordable, or, in other words, comparable to the Jordan. Such an increase, without accessory streams, is clearly not natural. Beyond all this, the description of the waters themselves clearly marks them as ideal. They are life-giving and healing; trees of perennial foliage and fruit grow upon their banks, the leaves being for "medicine," and the fruit, although for food, never wasting. The reader cannot fail to be reminded of "the pure river of water of life" in Rev. xxii. 1, 2. "on either side" of which was "the tree of life," with "its twelve manner of fruits" and its leaves "for the healing of the nations." The author of the Apocalypse evidently had this passage in mind; and just as he has seized upon the description of Gog and Magog in chaps. xxxviii., xxxix., as an ideal description, and applied it to the events of the future, so he has treated this as an ideal prophecy, and applied it to the Church triumphant.

Finally, it should be remembered that this whole vision is intimately bound together, and all objections which lie against a literal interpretation of any one part, lie also against the whole. Additional reasons for spiritual interpretation will incidentally appear in the following pages.

If it is now asked—and this seems to be the chosen ground of the

*This is true with any possible location of the "oblation"; for the central point between the Jordan and the Mediterranean is well on the western water-shed at every locality from the head waters of the Jordan to the extremity of the Dead Sea.

literal interpreters—why then is this prophecy given with such a wealth of minute material detail? the answer is obvious, that this is thoroughly characteristic of Ezekiel. The tendency to a use of concrete imagery, strongly marked in every part of his book, merely culminates in this closing vision. The two previous chapters, especially, have abounded in definite material details of the attack of a great host upon the land of Israel, while these very details, upon examination, show that they were not meant to be literally understood, and that the whole prophecy was intended to shadow forth the great and final spiritual conflict, prolonged through ages, between the power of the world and the kingdom of God. So here, the prophet, wishing to set forth the glory, the purity, and the beneficent influence of the church of the future, clothes his description in those terms of the past with which his hearers were familiar. The use of such terms was a necessity in making himself intelligible to his contemporaries; just as to the very close of the inspired volume it is still necessary to set forth the glory and joy of the church triumphant under the figures of earthly and familiar things, but no one is misled thereby to imagine that the heavenly Jerusalem will be surrounded by a literal wall of jasper 1,500 miles high (Rev. xxi, 16, 18), or that its 12 gates shall be each of an actual pearl. At the same time the prophet is careful to introduce among his details so many impossible points as to show that his description must be ideal, and its realisation be sought for beneath the types and shadows in which it is clothed. It may be as impossible to find the symbolical meaning of each separate detail as it is to tell the typical meaning of the sockets for the boards of the tabernacle, although the tabernacle as a whole is expressly said to have been a type. This is the case with every vision, and parable, and type, and every form of setting forth truth by imagery; there must necessarily be much which has no independent signification, but is merely subsidiary to the main point. Ezekiel's purpose was so far understood by his contemporaries that they never made any attempt to carry out his descriptions in the rebuilding of the temple and the reconstruction of the State. The idea of a literal interpretation of his words was reserved for generations long distant from his time, from the forms of the church under which he lived, and from the circumstances and habits of expression with which he was familiar, and under the influence of which he wrote.

With this unavoidably prolonged discussion the ground is cleared for a comparison of the *cultus* set forth in this vision of Ezekiel with

that commanded in the Mosaic law, and an examination of the relation between them. This discussion is embarrassed by the difficulty of finding any historical data which will be universally accepted. If we might assume that any of the older historical books of the Old Testament were as trustworthy as ordinary ancient histories making no claim to inspiration, or that the books of most of the prophets were not pious frauds, the task would be greatly simplified. As it is, I shall endeavor to conduct the examination on the basis of such obvious facts as would be admitted by the authors of what seem to the writer such strange romances as Kuenen's "Religion of Israel" and "Prophets and Prophecy in Israel."*

The first point to which attention may be called is the landed property of the priests and Levites. According to the Mosaic law, they had no inheritance of land like the other tribes, but merely scattered cities for residence; and were to depend for support, partly upon their portion of the sacrifices, and chiefly upon the tithes of the people. While the payment of these tithes was commanded, there was absolutely no provision for enforcing their payment. This rested entirely upon moral obligation, and the condition of the whole Levitical tribe was thus dependent upon the conscientiousness of the Israelites. When the sense of religious obligation was strong, they would be well provided for; when it was weak, they would be in want. And this is exactly what appears from the general course of the history, as well as from such special narratives as are universally admitted to be of great antiquity. (See Judg. xvii. 7-18, &c.) Now, after the exile, at a time when there can be no question in regard to the facts, we find the priests and Levites similarly unprovided with landed property. The Mosaic law, the condition of things before the exile and after, agree together; but Ezekiel represents a totally different state of things. He assigns two strips of territory, one to the priests and the other to the Levites, each of nearly the same size as the allotment to any of the tribes (xlvi. 9-14). This very small tribe would thus have had almost twice as much land as any other; and such a provision would obviously have profoundly modified the whole state and relations of the priestly order and of the subordinate Levites. In this point, therefore, we find that if any process of development was going on in the ecclesiastical system of Israel, it was such as to

*Substantially the same views, especially in relation to Ezekiel, are taken by Graf (*Die Geschichtl. Bücher des alten Test.*), Smend (*Der Prophet Ezechiel*), and others, with sundry variations in detail; but as Kuenen is the author most widely known, and presents his theories in the most favorable point of view, the references of this paper will be confined to his works.

leave the final result just what it had been before, while the system of Ezekiel, which, on that supposition, should be a middle term between the two, is entirely foreign to both of them.

There are other noteworthy points involved in the same provision. According to Deut. xix. 2-9 three cities, and conditionally another three, and according to Num. xxxv. 9-15 the whole six, were to be selected from the cities of the Levites and appointed as cities of refuge in case of unintentional manslaughter. The same provision is alluded to in Ex. xxi. 13, 14, and it plainly forms an essential feature of the whole Mosaic law in regard to manslaughter and murder. After the conquest, according to Josh. xxi. this command was executed and the cities were distributed as widely as possible in different parts of the land, three of them on either side of the Jordan, the eastern side being considered as an extension of the land not included in the original promise and therefore bringing into force the conditional requirement of Deuteronomy.* But by the arrangement of Ezekiel, the Levites were not to have cities scattered through the land, and their central territory could not afford the necessary ease of access from the distant parts. There is here therefore an essential difference in regard to the whole law in reference to manslaughter and murder, and it is plain that the Mosaic law in this point could not have been devised from Ezekiel.

But besides this obvious inference, it is in the highest degree improbable that this provision of the Mosaic law could have originated after the captivity, when it would have been entirely unsuited to the political condition of the people. Still more, it is inconceivable that the record of the execution of this law by Joshua could have been invented after the time of Ezekiel; for neither in his vision is any such selection of cities indicated, nor in the actual territorial arrangement of the restoration was there any opportunity therefor. Yet the same account which records the selection (incidentally mentioned in connection with each city as it is reached in the list) clearly recognizes the distinction between the priests and the Levites (Josh. xxi.) This distinction then must have been older than Ezekiel.

In quite another point Ezekiel's assignment of territory, taken in connection with Numbers and Joshua, has an important bearing upon the antiquity of the distinction between priests and Levites. According to the Mosaic law the priests were a higher order ecclesiastically

* Deuteronomy was indeed written after the conquest of the trans-Jordanic territory; but it was immediately after, and when this territory was yet hardly considered as the home of the tribes. Some writers prefer to consider the number of six cities as fixed and the three conditional, which in their view were nine.

than the Levites and in accordance with this position, were provided with a more ample income; for being much less than a tenth of the tribe, the priests received a tenth of the income of all the other Levites (Num. xviii. 25-28). Both these facts are in entire accordance with the relations of the priests and Levites in post-exilic times; but they are at variance with those relations as set forth in Joshua, if that be post-exilic, and also with Ezekiel considered as a preparatory stage of the legislation of the Pentateuch. Of course, the whole body of the Levites must have been originally many times more numerous than the members of the single family of Aaron, and if Joshua xxi. be very ancient we need not be surprised that the 48 Levitical cities provided for in Numbers (xxxv. 1-7) should have been given, 13 to the priests and 35 to the other Levites (Josh. xxi.); for this gave to the priests individually a much larger proportion than to the Levites. The same thing is true of the provision made by Ezekiel. The equal strips of land given to the priests collectively and to the Levites collectively, gave much more to the former individually. But all this would have been entirely untrue after the exile. In the census of the returning exiles, given in both Ezra and Nehemiah, the number of priests is set down as 4289 (Ezra ii. 36-38; Neh. vii. 39-42), while that of the Levites—even including the *Nethinim*—is 733, or but little more than one-sixth of that number (Ez. ii. 40-58; in Neh. vii. 43-60 the number is 752).* It may indeed be argued that Ezekiel has no regard to the actual numbers of the two bodies, but writing at an early stage of the process of separation between the priests and the Levites, intends to put them upon a precise equality; and that only at a later period was the pecuniary provision for the Levites made inferior to that of the priests. If this be so, then Joshua xxi. must be post-exilic; for in its whole arrangement it clearly recognizes the distinction and the superiority of the priests. Yet this gives 35 cities to the very few Levites and only 13 to the comparatively numerous priests—

* Kuenen (*Relig. of Isr.* Vol. II. p. 203, 204) and his school undertake to explain this disparity of numbers by the supposition that the Levites were "degraded priests" of which he thinks he finds evidence in Ezek. xlv. 10-16. For the present point this is quite immaterial; all that is here required is admitted by him—the fact of the great disparity in numbers. But the supposition itself is quite gratuitous, and rests upon two unfounded assumptions: (1) that "the Levites" in ver. 10 cannot be used *κατ' ἐξοχήν* for the priests—a point to be spoken of elsewhere; and (2) that the "sons of Zadok" ver. 15, is synonymous with "sons of Aaron," which is not true. The simple and natural explanation of the passage in Ezekiel is that the prophet means to degrade the *priests* who have been guilty of idolatry. (See Curtiss' *The Levitical Priests* p. 74-77.)

in other words is self-contradictory. In this respect the bearing of Ezekiel is plain; it makes the Mosaic law and the history of Joshua consistent if they were ancient, but inconsistent and self-contradictory if Ezekiel's vision was a stage in the late differentiation of the priests from the Levites.

We are now prepared to go a step further. It is agreed on all sides that Ezekiel recognizes a distinction between the priests and the Levites. To an ordinary reader of his book it appears that he makes this recognition incidentally and as a matter of course, as of an old, familiar, and established distinction. He nowhere states that there shall be such a distinction, nor gives any grounds upon which it shall rest, nor describes who shall be included in the one body and who in the other, except that he confines the priests to "the sons of Zadok" (xl. 46; xliii. 19; xlv. 15; xlvi. 11), of which more will be said presently. Certainly this does not look, upon the face of it, like the original institution of this distinction. But Kuenen (*Relig. of Isr.* vol. 2 p. 116) asserts that at the time of Josiah's reformation, "all the Levites, without exception, were considered qualified to serve as priests of Jahweh," and that "Ezekiel is the first to desire other rules *for the future*;" and that the priestly laws of the Pentateuch, of which he had no knowledge, were subsequent. Again he says (ib. p. 153) "Ezekiel, in uttering his wishes as to the future, made a beginning of committal to writing of the priestly tradition. The priests in Babylonia went on in his footsteps. A first essay in priestly legislation—remains of which have been preserved to us in Lev. xviii–xxvi.—was followed by others, until at last a complete system arose, contained in an historical frame. Possessed of this system, the priestly exiles, and among them Ezra in particular, could consider themselves entitled and called upon to come forward as teachers in Judea, and to put in practice the ordinances which hitherto had been exclusively of theoretical interest to them."* These passages are cited from Kuenen simply to bring distinctly before the mind the theory which has recently gained acceptance with an intelligent school of critics; it is the bearing upon this of the vision of Ezekiel which we are to consider. The question to be asked is whether the more careful examination of this vision bears out the *prima facie* impression produced by it, or confirms the somewhat elaborate theory of Kuenen.

There can be no manner of doubt that in Ezekiel's time there already existed two classes of persons known respectively as "priests"

* He admits that the distinction is recognized in 1 Kings viii. 4, but says "this is merely in consequence of a clerical error." *Relig. Isr.* vol. II. p. 301.)

and as "Levites." Whatever may have been the ground of the distinction, and whether or not all were equally entitled to offer sacrifices, Ezekiel certainly recognizes the two classes as existing, since he could not otherwise have used the terms without defining them. The Levites, of course, may be considered already well known as the descendants of the tribe of Levi; but why not the priests in a similar way? How could he have used the term in distinction from the Levites, if no such distinction had been hitherto known?

But further: Ezekiel assigns to the priests the functions of offering the sacrifices and of eating the sin offering, while to the Levites he gives the duty of "ministering in the sanctuary." Of course the mere expression "minister" (xliv. 11) might, if it stood alone, be understood of any sort of service; but the whole context shows it is meant of a service inferior to the priests, and the existence here of the same distinctions as those of the Mosaic law has been so universally recognized as to lead some scholars to argue that the provisions of this law must have been derived from this prophet. It is found however, that precisely the same distinction appears, and precisely the same duties are assigned respectively to the priests and to the Levites in the ages before Ezekiel. There is no occasion to speak of the functions of the priests since there is no dispute about them; in regard to the Levites, I will refer only to a single passage already cited by Kuenen (*ubi sup.* p. 304) as pre-exilic, and of especial interest because it is taken from Deuteronomy (xviii. 1-8), and is partly in the same words as those used by Ezekiel. At first sight it appears to join the two classes together, but on closer examination is found to make a clear distinction between them. "The priests the Levites, all the tribe of Levi, shall have no part nor inheritance with Israel; they shall eat the offerings of the Lord made by fire, and his inheritance" (vs. 1). This statement has been thought to show that the whole tribe was here treated as a unit, with no distinction between its members. If it stood alone it might be so regarded; but the lawgiver immediately goes on to speak separately of the two parts of the tribe: "And this shall be the priests' due from the people, from them that offer a sacrifice," specifying the parts of the victim and also the first fruits; "for the Lord thy God hath chosen him out of all thy tribes to stand to minister in the name of the Lord, him and his sons forever." So far about the priests. Then follows, "And if a Levite come from any of thy gates out of all Israel, where he sojourned, and come with all the desire of his mind unto the place which the Lord shall choose, then he shall minister in the name of the Lord his God, as all his brethren the Levites do, which stand before the Lord. They shall

have like portions to eat, besides that which cometh of the sale of his patrimony." There is here nothing, as in the case of the priests, about sacrifice; but the Levites appear to be inferior ministrants, just as in the Book of Numbers; and it is provided that any of the tribe, wherever he has before lived, may come and join himself to their number and share in the provision for their support, without regard to his private property. The supposition that the Levites referred to in these last verses were also priests, *i. e.* entitled to offer sacrifice, would be exegetically inadmissible; for they are said to "come from any of thy gates out of all Israel," while in Josh. xxi. 9-19 the cities of the priests (described also as the sons of Aaron) are confined to the tribes of Judah, Benjamin, and Simeon. Consequently those who were to offer sacrifice could not "come from any of thy gates out of all Israel."* But independently of this fact, the priests are mentioned in Deuteronomy with their duties, then afterwards the Levites separately with their duties, which are not the same; and the point would require to be otherwise most clearly proved before it could be admitted that the persons were the same. Of course Ezekiel's vision, while it separates clearly the priests from the Levites, yet in assigning to each of them a compact territory, looks to an entirely different state of things from that contemplated in Numbers or fulfilled in Joshua.

Again: the expression "the priests the Levites" used seven times in Deuteronomy (xvii. 9, 18; xviii. 1; xxi. 5; xxiv. 8; xxvii. 9; xxxi. 9) and twice in Joshua (iii. 3; viii. 33) has been relied upon as a proof that the two classes were not distinguished when these books were written. That this argument will not apply to Joshua has already appeared, and Curtiss in his "Levitical Priests" † has shown that the same expression is used in the post-exilic books of Chronicles; but our concern is with Ezekiel. He has the expression twice (xlii. 19; xlv. 15) and each time with an addition which leaves no possible doubt of his meaning: "that be of the seed of Zadok" and "sons of Zadok." Hence the same reasoning which would make all Levites into priests in Deuteronomy, Joshua, and Chronicles, would make them all into "sons of Zadok" in Ezekiel.

But this leads to another fact in the prophet's description of the priesthood. As already said, he recognizes as the priests of the future

* This difficulty might be avoided by supposing Joshua to be later than Deuteronomy; but it has already been shown that this would only involve other and no less formidable difficulties on the other side.

† "The Levitical Priests, a contribution to the criticism of the Pentateuch." By S. J. Curtiss, jr., Ph. D. with a preface by Franz Delitzsch, Edinburgh and Leipzig, 1877.

only "the sons of Zadok (xl. 46; xliii. 19; xlv. 15; xlviii. 11). Kuenen indeed seems to assume (*ubi sup.* p. 116) that "sons of Zadok" and "sons of Aaron" are synonymous terms; it needs no argument to show that they are really very different. By universal agreement, the priesthood was not of old restricted to the "sons of Zadok," and it may be added, I suppose by the same universal agreement, it was not so restricted afterwards. The return of other priests is mentioned by Ezra (ii. 36-39) and Nehemiah (vii. 39-42), and I do not know that there has ever been any question that priests of other families served in the temple in later ages. Here then the prophet is found, as in so many other cases, to be at variance alike with the earlier and the later practice and with the Mosaic law, instead of constituting a link between them. If it be alleged that he proposed to restrict the priesthood to the family of Zadok, but that this was found impracticable and his successors carried out his plan as far as they could, by restricting it to the wider family of Aaron, it may well be asked, where is the proof of this? Where is the thought or suggestion anywhere outside of Ezekiel that such a narrower restriction was ever desired or attempted? If we look upon the prophet's description as ideal, the whole matter is plain enough. "The sons of Zadok," in view of the facts of history, are the faithful priests, and only such would Ezekiel have to minister; but as a scheme for a change in the actual and literal priesthood, the whole matter is inexplicable.

Another point in which Ezekiel differs from the Mosaic ritual is in regard to the persons who were to slay the ordinary sacrificial victims. According to Lev. i. 5, 11; iii. 2, 8, 13; iv. 4 (cf. 15), 24, 29, 33, the victim was to be killed by the one who made the offering, and according to Ex. xii. 6, the same rule was to be observed with regard to the Passover. This was apparently the custom in all ages. The language of Josephus (*Ant.* iii. 9. § 1), although not very clear, favors this supposition, and the record in 2 Chron. xxix. 20, ss., 34; xxx. 17 seems decisive. In this post-exilic book, in the account of the purification of the sanctuary under Hezekiah, the exceptional sacrifices of the purification are said to be slain by the priests, and the assistance of the Levites in flaying the victims is expressly excused on account of the insufficiency in the number of the priests, while at the subsequent Passover it is said "the Levites had the charge of the killing the Passovers for everyone that was not clean." These excuses for these acts imply that, in the time of the Chronicler, it was still the custom for the people to kill their own sacrifices and for the priests to flay them. The Levitical law and the post-exilic custom (as well as

the pre-exilic) here agree as usual; but Ezekiel is quite apart from them and provides (xliv. 11) that the Levites "shall slay the burnt offering and the sacrifice for the people." Here again he is not at all in the line of a developing system. It may be added incidentally that the Samaritan Pentateuch shows what would have been the actual progress of development if it had existed in these matters in Israel; for, by changing the number of the pronouns and verbs in Leviticus, it makes the priests the slayers of the victims in all cases.

It has often been noticed that the office of high-priest is ignored in this vision, and an argument has been based on this fact to show that the writings of Ezekiel mark an early stage in the development of the Jewish hierarchy, when the precedence of the high-priest had not yet been established. The fundamental statement itself is not strictly true, and it will appear presently that the prophet, in several different ways, incidentally recognizes the existence of the high-priest and of some of the principal laws in relation to him. But the high-priest fills a prominent and important place in the Mosaic legislation, and if it could be shown on the one hand that there was no high-priest before the captivity, and on the other, that Ezekiel knew of none, it would certainly create a presumption that the laws of the priesthood might be of later origin. But the facts are so precisely opposite, that the maintenance of such propositions seems very strange. It may be well to refer again to Kuenen, as a fair exponent of this school of critics, to show that the non-existence of the high-priesthood before the captivity is distinctly maintained by them. He admits, indeed, "that one of the high-priests, who bore the title of *Kohén hagadol* ['the high-priest'] or *Kohén rôsch* ['the head-priest'], at any rate from the days of Jehoash, stood at the head of the Jerusalem priests," but he associates him in honor and rank only with the three "door-keepers," and tells us that the various passages cited "teach us that one of the priests superintended the temple, or, in other words, kept order there, in which duty he was of course assisted by others"; and that "it follows, from 2 Kings xi. 18; xii. 12; Jer. xxix. 26, that this post was instituted by Jehoiada, the contemporary of King Jehoash" (*Relig. of Isr.* vol. II. p. 304). Again he marks emphatically, as one of the evidences of the late origin of the high-priesthood, that "the distinction between the duties of the priests and the high-priest, Lev. xxi. 1-9 and verses 10-15, does not occur at all in Ezekiel" (*ib.* p. 190). And still again (*ib.* p. 214), he represents that, even in the days of Ezra and Nehemiah, the duties and authority of the high-priest were still in a vague and unsettled condition.

The point here to be determined is whether we have evidence of

the existence before the captivity of a high-priesthood as an important, regular office, transmitted by inheritance, and forming one of the fundamental features of the Israelitish polity. Of course, we could not expect to find in such histories as have been preserved other than meagre and incidental allusions to the details of the high-priest's duties, his dress, and such matters. Such allusions do occur, as in the case of Ahimelech at the time of David's flight (1 Sam. xxi. 1-9). and of the ephod of Abiathar (1 Sam. xxiii. 6, 9—observe that in ver. 9 it is דָּבַרְתִּי with the definite article), in connection with David's enquiry of the Lord. (Comp. also the charge against Ahimelech that he "enquired of the Lord" for David. 1 Sam. xxii. 10, 15). But the question is not about these matters of detail; the main point is, that in Israel the priestly order had, and almost of necessity must have had, especially in the times before the monarchy, an authoritative and real head, as was the case with other nations of antiquity. Even the exception here proves the rule, and we find that temporarily, in one anomalous period of the history, during the reign of David, there were two heads or high-priests, Zadok and Abiathar. The latter, after the slaughter of his father and kinsman by Saul, had fled to David in his outlawry and had become, as he was entitled to become by inheritance, his high-priest. Meantime the office could not be left in abeyance under the regular government, and when David ascended the throne he found the high-priesthood occupied by Zadok. He did not presume to displace him, and neither would he displace the faithful sharer of his own adversity; so it came about that both were recognized. This anomalous state of things was the more tolerable because at the same time, according to the history, the ark and the tabernacle were separated, while the duties of the high priest were connected with both of them. The high priest, or during the period just mentioned, the two high priests, are mentioned in the following passages which are expressly cited by Kuenen (*Relig. of Isr.* Note II. on ch. viii. Vol. II., p. 304) as pre-exilic: 2 Sam. viii. 17; xx. 25; 1 Ki. iv. 4; ii. 22, 26, 27; 2 Ki. xii. 10; xxii. 4, 8; xxiii. 4; xxv. 18; Jer. xx. 1. It is well known how greatly this list might be extended, and also how often the high priest is mentioned in the books of Joshua and 1 Samuel, the names of Eleazar, Phinehas, Eli or Ahiah, being often given in connection with the office, besides those of Ahimelech, Abiathar, Zadok, and Ahitub. It would be hard to find any single fact in the whole compass of Israelitish history in itself more probable or more abundantly attested than the existence of the office of a real high priest, an important functionary

in the kingdom, the counsellor of the rulers, and whose especial office it was to "enquire of the Lord" and communicate His commands at important national emergencies. There is also perfectly clear and ample evidence of the continued existence of the same office after the captivity. Jeremiah (lii. 24-27) and the author of the second book of Kings (xxv. 18-21) give the name of the person who held the office at the time of the destruction of Jerusalem, Seraiah, who was put to death by Nebuchadnezzar; while Ezra (ii. 2; iii. 2, 8, 9; iv. 3; v. 2; x. 18) and Nehemiah (vii. 7; xii. 1, 7, 10, 26) unite with Haggai (i. 1, 12, 14; ii., 2, 4) and Zechariah (iii. 1, 3, 6, 8, 9; vi. 11) in mentioning Joshua, or Jeshua, the son of Josedeck, as the high priest of the restoration. But Ezekiel's vision, it is said, recognizes no such office, and as will be seen presently, intentionally excludes it. Once more then, this vision not only gives no countenance, but is in direct opposition to the theory, that Ezekiel originated or was a direct link in the development of the priesthood from an earlier to a later differing form.

There is however, one curious point incidentally occurring in the vision which shows that Ezekiel was familiar with the office of high priest. In the various measurements of the temple and all its details given in chaps. xli., xlii., the prophet everywhere accompanies the measuring angel until he comes to the holy of holies. There the angel enters alone, as is shown by a sudden change in the language (xli. 3). This certainly has the appearance of a consciousness on the part of Ezekiel, the priest, that he might not enter there, and (since it cannot be supposed that this part of the temple was not to be entered at all) an allusion to that provision of the law by which entrance into the holy of holies was forbidden to all, save to the high priest only on the great day of atonement. I do not know of any other explanation, and if this be the true one, it shows that not only the high priest, but the principal Mosaic law in regard to him and also the day of atonement was known to the prophet.

That the omission of the high priest from this vision is not accidental but intentional is shown by the laws of the priesthood here set forth. These laws treat the priesthood as a single body without distinction and, considered only in themselves, admit of either of two interpretations: (1) on the development hypothesis, that they are original and general laws which were subsequently differentiated into the special stricter ones for the high priest, and the less strict for his brethren; or (2) that the specific laws were actually older than Ezekiel, but when he omitted the high priest from his scheme, he combined them into a certain mean between the two. The choice

between these two hypotheses is at once determined in favor of the latter if, as has already been shown, there was a real high priest in the previous ages. All reasonable ground of argument from these laws in favor of the development hypothesis is thus taken away; and not only so, but it is evident from the vision that Ezekiel knew of those stricter laws in regard to the high priest which did not apply to the priesthood in general. Besides the allusion already mentioned, the peculiarity of the prophet's laws appears especially in two points: in regard to marriage, and in regard to mourning. For the former, the Levitical law allowed the marriage of the ordinary priest to any but a profane or divorced woman, laying no restriction upon the marriage with a widow (Lev. xxi. 7); but it restricted the high priest to marriage with "a virgin of his own people" (*ib.* 14). Ezekiel makes a general compromise law for all, allowing marriage with a widow in case her former husband had been a priest (xliv. 22). The same thing is true of mourning. Ezekiel in general repeats literally the law of Lev. xxi. 1-3, 11-14, but while there is there a distinction between the high-priest and the ordinary priest, here there is one intermediate regulation. In Leviticus the ordinary priest might be "defiled for the dead" "for his kin that is near unto him," while this is in all cases whatever forbidden to the high-priest; in Ezekiel (xliv. 25-27) such defilement for the dead that "is near of kin" is allowed to all, but must be followed not only by the ordinary cleansing after contact with a dead body (see Num. xix. 11-17), but also by a second special period of seven days closed by a sin offering before the priest again enters upon the discharge of his duties. It will be noticed that there is here not only allusion to the laws of Leviticus, but also to a cleansing, apparently that prescribed in Numbers.

The regulations for the priests' dress (xliv. 17-19) require no especial notice. They are very brief; and as far as they go, are a simple reproduction of the provisions of Lev. xxviii. They have altogether the air of presupposing a knowledge of that law and specifying only a few particulars to recall the whole. As far as any inference is to be drawn from them, it is decidedly in favor of a recognition of the detailed precepts of Leviticus as already familiar.

We may now pass to the feasts and sacrifices and under this general head two points are to be considered: 1st, the changes in the ritual of the particular feasts and sacrifices, and 2d, the changes in the cycle of the feasts themselves. Under the former head the change which, if literally carried out, would have been the most striking one to the Israelite because most constantly before his mind, was that in the daily burnt offering. Ezekiel requires that there shall be a burnt

offering every morning; he says nothing whatever of an evening sacrifice and his language is justly thought to exclude the idea of one (xlvi. 13-15). The Mosaic law commanded that there should be a burnt offering *both* morning and evening (Ex. xxix. 38, 39; Num. xxviii. 3, 4; cf. also Lev. vi. 8, 9). Is this an enlargement of, and therefore later than Ezekiel's prescription? Of course this will depend upon whether there is evidence of the custom of evening sacrifice before the time of the exile. There are two passages which, as they stand in our version, are clear and decisive upon this point. In 1 Ki. xviii. 36 it is said in connection with the controversy between Elijah and the prophets of Baal on Mt. Carmel, "It came to pass at the time of the offering of the evening sacrifice, that Elijah" &c. Here this is evidently regarded as so fixed a custom as to suffice in itself to make the hour. Again, in 2 Ki. xvi. 15, when Ahaz had introduced his own idolatrous altar and yet wished the legal sacrifices to go on as usual, he "commanded Urijah the priest, saying, upon the great altar burn the morning burnt offering, and the evening meat offering" &c. Either of these passages, much more both of them, would be entirely decisive were it not for the fact that the word used for the evening sacrifice in both cases is מִנְחָה and it is urged that this means an unbloody sacrifice. After the restoration also, when Ezra on one occasion "sat astonished until the evening sacrifice" (Ezra ix. 4) the word is the same. It is therefore suggested by some interpreters that before and after the exile, as far as the time of Ezra, the custom may have been to offer a burnt offering in the morning and an unbloody oblation in the evening; and this interpretation is thought to be confirmed by Ps. cxli. 2, "Let my prayer be set before thee as incense, and the lifting up of my hands as the evening מִנְחָה." From this it is argued that the Mosaic law, being at variance with this custom, and also with Ezekiel, must be of later origin; but if so, it must be also later than the book of Daniel, (which these critics place at 165 B. C.) for he also describes the hour of evening sacrifice as "the time of the evening מִנְחָה" (ix. 21). As far as Ezekiel is concerned, this argument is seen, on a moment's reflection, to have no force; for it is just as difficult to account for his omission of a regular evening oblation as of a burnt offering. But the matter cannot be left here, for the whole interpretation is wrong. The technical meaning of מִנְחָה as an unbloody oblation belongs to the Levitical law, and if this law be of later origin, as is claimed by some critics, this sense cannot be carried back to an earlier time. Besides, this

oblation was never offered alone except in certain peculiar cases which do not bear upon the question;* it was always an accompaniment of the bloody sacrifice. If, therefore, it could be proved—which it cannot—that in 1 and 2 Kings and Ezra the unbloody oblation was meant, it would yet remain that the mention of it implies and involves also the animal sacrifice. But the sense of the word outside of the technical language of the law is very general, being applied to an ordinary present (Gen. xxxii. 13 [14], 18 [19], 20 [21], 21 [22]; xxxiii. 10; xliii. 11, and frequently), or to tribute (Judg. iii. 15–18, and frequently); and when this is a present to God, or sacrifice, it is applied indifferently to the unbloody or to the animal sacrifice. Thus it is used of the animal sacrifice of Abel as well as of the unbloody offering of Cain (Gen. iv. 3–5); in 1 Sam. ii. 29 it is clearly meant to include all sacrifices, but with especial reference to those of animals; in 1 Sam. iii. 14 it is used with מִנְחָה of a propitiatory sacrifice; in Mal. i. 13 it clearly refers to an animal sacrifice, since the “torn, and the lame, and the sick” are mentioned. In fact, it is a general word for sacrifice of any kind, and while, following the technical language of the law, it is often used specifically, and applied to the unbloody, as distinguished from the animal sacrifice, yet it is also used of sacrifice in general in such a way that it must be supposed to include the animal sacrifice (see 1 Sam. ii. 17; xxvi. 19; 1 Chr. xvi. 29; Ps. xcvi. 8; Zeph. iii. 10; Mal. i. 10; ii. 12, 13; iii. 3, 4). There is therefore no ground for the theory that the evening מִנְחָה of 1 Kings xviii. 29; 2 Kings xvi. 15; and Ezra ix. 4, refers to an unbloody offering. In fact, the argument would prove too much; for the same expression is used also of the morning sacrifice in 2 Kings iii. 20, “it came to pass in the morning, when the מִנְחָה was offered.” It remains, therefore, that here, as elsewhere, Ezekiel’s provisions stand quite apart from the law and the custom, and give no indication of being a step in the development of a *cultus*.

*The only certain exception is the offering of jealousy (Num. v. 15–26). In addition, the unbloody oblation was allowed (Lev. ii. 1–9; vii. 9, 10) as a voluntary offering, although this was probably in connection with the other sacrifices. Also it was a special offering of Aaron and his sons “in the day of their consecration” (Lev. vi. 20–23 [13–16]) in connection with their other offerings. Further, an offering of the first fruits of vegetable products was allowed (Lev. ii. 12–16; vi. 14–18 [7, 8]), but in so far as this was “the first fruits of the harvest” it was to be accompanied with a lamb for a burnt offering (Lev. xxiii. 10–12, 17, 18). The sin offering of fine flour of the very poor (Lev. v. 20–13) is expressly distinguished from the מִנְחָה.

We regard these divergences, on the contrary, as intentional and designed to show the people, familiar with the Mosaic law, that his vision was to be understood ideally and not literally.

There is another point in connection with this daily offering. According to the law (Num. xxviii. 3-5) with each of the lambs, morning and evening, a meat and drink offering was to be made of 1-10 of an ephah of flour, $\frac{1}{4}$ of a hin of oil, and $\frac{1}{4}$ of a hin of strong wine. As Ezekiel speaks of but one offering he increases the accompanying meat offering to 1-6 of an ephah of flour, and to $\frac{1}{3}$ of a hin of oil. This is the same sort of change as in the case of the priests' marriage and mourning: the omitted provision is compensated for by an increase in what remains. And in this case also, the omitted provision having been certainly customary before the time of Ezekiel, this compensation has a manifest reference to the familiar, and therefore previously existing provisions of the Mosaic law.

An objection may be here interposed that the non-observance of the detail of Ezekiel's ritual in the subsequent ages is no more surprising than the corresponding non-observance of many particulars in the detail of the Mosaic ritual, which is very evident in the time of the Judges and the early monarchy. There is really no parallel between the two cases. The times of the Judges and of the early monarchy were a period of disorder and anarchy, in which the general confusion of society forbids the inference that such laws did not exist; but the times after Ezekiel were times of over-scrupulous and even superstitious observance of the minutest details of ritual, when it is inconceivable that his scheme should have been neglected through mere inadvertence and carelessness.

The ritual of the great feasts is considerably changed. Pentecost and the Day of Atonement are entirely omitted. In regard to the comparative value of these omissions in the historical books and in Ezekiel, the same thing is to be said as before: the omission in the former may have been merely accidental, and proves nothing; in Ezekiel it must have been intentional. It will appear presently, however, that while omitting the Day of Atonement from his scheme, he does probably allude to it in a way that shows familiarity with its observance. There remain to be considered the Passover, the feast of Tabernacles, and the "New Moons."

The Passover, according to Ezek. xlv. 21-23, is to be kept at the same time and for the same number of days, as in the Mosaic law, but there is no mention of the Paschal lamb itself; the sin-offering by the Mosaic law (Num. xxviii. 17, 22) was to be a he-goat for each day, here (vs. 23) a bullock for the

the other days; the burnt offering for each day by the law was to be two bullocks, a ram and seven yearling lambs, here seven bullocks and seven rams; the meat offering by the law was to be 3-10 of an ephah of meal mixed with oil for each bullock, 2-10 for each ram, and 1-10 for each lamb, or in all $1\frac{1}{2}$ ephahs daily—here a whole ephah for each victim, or in all 14 ephahs daily and as many hins of oil (vs. 24). The offerings in Ezekiel therefore are richer than those required by the law. The same thing is to be said of the special sacrifices for the Sabbaths. According to the law (Num. xxviii. 9) these were to be marked by two lambs for burnt offerings, each with the usual meat and drink offering; but according to this vision (xlvi. 4-5) the Sabbath burnt offering was to be six lambs and a ram, with an ephah for a meat offering with the ram, and that for the lambs dependent upon the ability and generosity of the prince, and in all cases a hin of oil to each ephah. (Nothing is said of the drink offering.) It is difficult to assign reasons for these details. They plainly do not agree with the Mosaic law, and it is well known that the custom of later ages was founded upon that law. We have no data in history before the exile to determine the custom in these details one way or the other; but the presumption is that here as elsewhere the prophet has intentionally varied from the known law and custom in order to mark the ideal character of his vision. Certainly this is no beginning or early stage in a developing *cultus*; for otherwise, in these details, which could as well be arranged one way as another, the authority of the prophet would have been followed; but there never was any attempt even, so far as history shows, to realize his ideal.

The feast of Tabernacles, which has no name given to it in Ezekiel, but is simply a feast of seven days in the seventh month (xlv. 25), is greatly simplified. Here the sacrifices are to be the same as in the case of the Passover,—an entire change from the elaborate ritual of the Mosaic law (Num. xxix. 12-24)—with, on the whole, a great diminution in the number of victims and an omission of the extra eighth day added to the feast in Lev. (xxiii. 36, 39) and Num. (xxix. 35), and which in the law was expressly characterized as an addition,—sometimes included and sometimes not in the mention of the feast. In regard to these changes the same remarks are to be made as in the case of the Passover, with only this addition, that it appears from both 1 Kings viii. 65, 66 and 2 Chron. vii. 8-10 that this eighth day was always looked upon in the same way—as a part, and yet not a part, of the feast. Solomon keeps the feast to that day inclusive,

and then he makes a solemn assembly, and yet on that day dismisses the people to their homes.*

In regard to the New Moons, or the first day of every month, the Mosaic law prescribes (in addition to the burnt and meat offerings) a he-goat for a sin offering (Num. xxviii. 15). In Ezekiel's scheme of the feasts, these new moons are entirely omitted, except for the first month, though afterwards incidentally alluded to. The Mosaic law also provided on the tenth of the seventh month for a day of atonement, with special and very peculiar sacrifices (Lev. xvi.). All this is condensed, as it were, in this vision, into two sacrifices, each of a young bullock, one upon the first and one upon the seventh day of the first month, with particulars in regard to them (to be mentioned presently) which seem to refer to the day of Atonement. Now, it is certain from the history of David (1 Sam. xx. 5, 18, 24) and from other historical records (2 Kings iv. 23; 1 Chron. xxiii. 31; 2 Chron. ii. 4; viii. 13; xxxi. 3), as well as from allusions in the pre-exilic prophets (Isa. i. 13, 14; [lxvi. 23; Ps. lxxxi. 3]; Hos. ii. 11; Amos viii. 5) that the new moons were kept as sacred feasts in the ages before the exile, as it is known that they were also afterwards (Ezra iii. 5; Neh. x. 33). The omission of these new moons from this description of the feasts is particularly instructive, because Ezekiel himself, in other parts of the vision (xliv. 17; xlvi. 3), incidentally, but repeatedly, mentions the "new moons" (in the plural) as days to be sanctified by special sacrifices, and requires the prince to provide the same offerings for them as for the Sabbath (xlvi. 6).† He thus shows that he was familiar with them and expects them to be continued, but in this setting forth of the cycle of the feasts he does not mention them. This cannot be taken then for a part of the development of a priestly law.

He differs from the Mosaic law also in the ritual of the blood of these sacrifices on the first and seventh days of the first month. The Levitical law gives no directions for the blood of the offerings on the first day of the month, doubtless because it followed the ordinary rule and was simply sprinkled on the side of the altar; but it required

* The inconsistency which Kuenen (*Relig. of Isr.* Note II. on chap. viii. vol. ii. p. 296, 7) thinks he finds between the passages above cited is wholly imaginary. Solomon observed seven days for the dedication of the altar in imitation of Lev. viii.-x., and then kept the feast for seven days after the altar had been consecrated. Hence 1 Kings viii. 65 speaks of "seven days and seven days, even for fourteen days," and then of the following "eighth day"; while 2 Chron. viii. 9 explains more fully "they kept the dedication of the altar seven days and the feast seven days."

† The word is, in this last case, in the singular, as is also the Sabbath; but both are evidently used collectiv-

the blood on the day of Atonement to be brought within the Holy of Holies and sprinkled before and upon the mercy seat. Ezekiel again compromises and directs that the blood of the sin offering on the first and seventh days of the first month shall be put "upon the posts of the house, and upon the four corners of the settle of the altar, and upon the posts of the gate of the inner court." There may be here a reminiscence of the day of Atonement, but nothing like a generic law which could have been specialized into the particular observances of the Mosaic law. It is rather a purely ideal ritual, which nobody ever thought of reducing to practice. There is no such congruity between it and the Levitical regulations as a development hypothesis would require.

We may now consider, in a few words, the general cycle of the feasts. As is well known, the Mosaic law prescribes three great feasts, that of the Passover for seven days, preceded by the putting away of leaven and the killing of the Paschal lamb; that of "weeks" or Pentecost, lasting only one day; and that of Tabernacles, lasting seven days, and with an eighth special day added; these three great annual festivals are all expressly recognized in Deuteronomy (xvi. 1-16), which is held by all to be pre-exilic. Besides these, the first day of every month, the weekly Sabbath, and the day of atonement were to be kept holy and marked by special sacrifices. The observance of nearly all of these is recognized in the historic and the older prophetic books. The cycle of Ezekiel's vision is very different. He omits the feast of weeks, the Day of Atonement, and the new moons (except that of the first month,) and inserts a new feast on the seventh day of the same month. This last, in connection with that on the first day of that month, he seems to intend as a compensation for the missing Day of Atonement; for he describes the sacrifices of the two (xlv. 20) as "for every one that erreth, and for him that is simple: so shall ye reconcile the house." If this interpretation is correct, we have here an incidental recognition of the older observance of the Day of Atonement, although it is not mentioned. But however this may be, Ezekiel's cycle of feasts accords neither with what went before nor with what followed after him. Yet, as already said, it is plain from his incidental allusions to the New Moons that, in this point at least, he knew of the old order, and expected it to go on; and it is noticeable that the sacrifices prescribed for the New Moons (xlvi. 3-6) are not the same as the special sacrifices of the first month (xliv. 18-20). Those were to be in each case "a young bullock" for a sin offering; these, six lambs and a ram for a burnt offering (xlvi. 4). It is clear, therefore, that he did not intend this vision

to form the basis of an actual *cultus*; but knowing the old observances, expected them to continue.

Before leaving this part of the subject, it may be well to refer briefly to a few other places in which Ezekiel evidently recognizes the Mosaic law, although either altering or omitting its provisions. In xlii, 13 he requires the priests to eat in the appropriate "holy chambers" "the meat offering, and the sin offering, and the trespass offering." He says nothing of the peace offerings, though he elsewhere repeatedly mentions them (xl. 27; xlv. 15, 17; xlvi. 2, 12), nor does he anywhere give the ritual for them. On the other hand, in the following verse (and also in xlvi. 18, 20) the prophet is more explicit than the law, requiring that "the priests'" garments wherein they minister "shall not be carried" out of the holy place into the outer court. There is no such general direction in the Levitical law; but the same thing is required in certain special cases, and may therefore be thought to be implied in all (see Lev. vi. 10, 11). Now, whatever theory is adopted concerning the relation of Ezekiel to the Mosaic law must equally explain this omission and this insertion. The theory of the later development of the law does neither; for, in the one case, it would be a violent supposition that the ritual of the peace offerings and the directions about eating them were evolved from the prophet's silence, and in the other case, it would be very strange that in such a matter as the care of the priests' robes the later law should be the less definite. But the hypothesis of the greater antiquity of the law explains both facts satisfactorily; Ezekiel had no occasion to repeat important provisions of the law with which both he and the people were familiar, but it was natural that in a matter of detail, he should express what was probably the common understanding of the law.

In xliii. 11 it is required that the priests' sin offering should be burned "in the appointed place of the house, without the Sanctuary." This refers to a building "in the separate place" which is provided only in Ezekiel's vision (xli. 12-15; xlii. 1, 10, 13), and of which there is no trace either in the Pentateuch or in the temple of the restoration. In such cases it was simply required in the law that the body of the victim should be burned "without the camp" (Lev. iv. 12, 13, 21; xvi. 27, &c.). No doubt such a building as Ezekiel provided would have been a great convenience; but it was never erected.

The provision for large landed estates for the priests has already been mentioned; but in view of this the statement in xlv. 28, that the priests' office and perquisites "shall be unto them for an inherit-

ance: I am their inheritance: and ye shall give them no inheritance in Israel," can only be looked upon as a reminiscence of the expressions in the Mosaic law, without any nice regard to the other parts of the vision.

The provision for the Sabbatical year was distinctly pre-exilic, since it is given at length in Deut. xv.; yet there is no trace of its observance before the exile, and its non-observance is given by the Chronicler (2 Chron. xxxvi. 21) as the determining reason for the length of the captivity. We know that it was observed after the restoration (1 Mace. vi. 49; Jos. *Ant.* xiv. 10, § 6; Tacitus, *Hist.* lib. v. 2, § 4). Here again is an important and characteristic institution, certainly forming part of the Hebrew legislation before the captivity, neglected until that period, and observed afterwards. Exodus (xxiii. 10, 11) and Leviticus (xxv. 2-7) contain the commands for it, but Ezekiel does not mention it. He certainly is not in this respect a bridge between Deuteronomy and Leviticus, between pre- and post-exilic legislation.

The omission of all mention of tithes in Ezekiel, a provision certainly in force from the earliest to the latest times, can only be accounted for on the supposition of its familiarity.

In the Mosaic law all the males of the people were required to present themselves at the sanctuary at the great annual festivals (Ex. xxiii. 14, 17; xxxiv. 23; Deut. xvi. 16); there is no such command in Ezekiel, doubtless because it was already entirely familiar. But in xlvi. 9, while speaking of the gate by which the prince shall enter, he incidentally recognizes the custom, "But when the people of the land shall come before the Lord in the solemn feasts," &c. He has made no provision for this, but recognizes it as a matter of course.

The omission in ch. xliii. is not only very striking in itself, but is of especial importance in its bearing upon the main question under discussion. In vs. 18-27 a detailed order is given for the seven days consecration of the newly erected altar, at once recalling the similar consecration of the altar in Lev. viii. But in that case the consecration was a double one,—of the altar and of the priests; here the priests are entirely omitted. Why? Evidently because the altar only was new and required to be consecrated; the priests had been consecrated of old.

But the question may be asked in regard to the changes of ritual, Why could there not have been deviations by the later priests from the scheme of Ezekiel, just as well as by Ezekiel from the laws of Moses? Simply because there is a good reason for them in one case and none at all in the other. If Ezekiel wished his description to be

understood ideally, it was important that he should introduce arbitrary variations from the recognized law and custom; but if he intended to set forth a scheme of actual future worship, there is no known reason why his successors should have deviated from it.

Passing now to what may be called the economic, or political features of the vision, there are only three points which call for especial attention, and even these but briefly; the provision for the cost of the sacrifices, the division of the land, and the regulations respecting the prince.

There is no distinct provision in the Mosaic law for defraying the cost of the general sacrifices, and we are told that this was still one of the many questions in dispute between the Pharisees and the Sadducees at a much later date. But it is fully and clearly settled in Ezekiel's vision. The cost is to be wholly borne by the prince (xliv. 17, 21-26; xlv. 4-7), who is to be provided with ample territorial possessions (xlv. 7, 8; xlviii. 20-22). As far as we have any record, this arrangement was quite new, and it was never followed out. It was, however, so wise and excellent a solution of the difficulty that we can only wonder at its never having been adopted, if any Israelite had ever looked upon this vision as a basis for theocratic legislation.

The division of the land has already been spoken of in connection with the evidence of the ideal character of this vision; but there are one or two other points which require mention. A striking feature of it is the ample provision here made for the prince with the proviso that it shall belong inalienably to him and his sons (xlvi. 17-18); for in connection with this assignment it is said (xlv. 18) "And my princes shall no more oppress my people," and again (xlvi. 18) "the prince shall not take of the people's inheritance by oppression." A vivid remembrance of the exactions and oppressions of former kings was evidently in the prophet's mind, and he provides a new and wise remedy. It was unfortunate for his people that they never thought of making this the basis for actual legislation, and so avoiding once for all the evils under which they continued to suffer.

Another very curious provision is that at the southern end of the "oblation" a strip of land is reserved, 5,000 by 25,000 reeds (xlviii. 15-19), in the midst of which is to be the city with its "suburbs" 5,000 reeds square. The remainder, *i. e.*, two pieces of land, each 5,000 by 10,000 reeds, is set apart that "the increase thereof shall be for food unto them that serve the city. And they that serve the city shall serve it out of all the tribes of Israel." It is quite unnecessary to point out the purely Utopian character of such an arrange-

ment in actual life; it is sufficient to call attention to the fact that neither this nor any other of these economic regulations ever formed a part of the Mosaic law, or were ever in any degree attempted to be carried out.

The law of the tenure of the Levites' land is considerably changed from that of the Mosaic legislation. According to Lev. xxv. 32-34 the Levites might sell their houses and even their cities (only retaining the right of redeeming them at any time, and their reversion in the year of jubilee)—but they might not sell at all the fields of their suburbs. This last provision is here (xlviii. 15) extended to all their landed property in the most emphatic way, and changes the whole tenure of the Levitical land. It is certain that it was never carried into effect, for there never was any such territory assigned to the Levites. It is remarkable that nothing of this kind is mentioned in connection with the priestly territory.

One other particular must be noticed in connection with the division of the land. Under the Mosaic law this was to be wholly parcelled out among the tribes of Israel; and although frequent reference is made to the "sojourning" of strangers among them, no provision is made for allowing them any interest in the soil of the holy land. Ezekiel, on the other hand, expressly commands (xlvii. 22, 23), "Ye shall divide the land by lot for an inheritance unto you and the strangers that sojourn among you, which shall beget children among you; and they shall be unto you as born in the country among the children of Israel; they shall have inheritance with you among the tribes of Israel. And it shall come to pass that in what tribe the stranger sojourneth, there shall ye give him his inheritance." Both these provisions were adapted to their different times: in that of Moses, the land was looked upon as the sole and peculiar possession of the chosen people, and if strangers came among them it should be as "sojourners" only; in the time of Ezekiel matters were greatly changed, and large numbers of foreigners had long had their permanent residence among the tribes of Israel. It is only for these permanent residents "which shall beget children among you" that Ezekiel provides. It is very difficult to suppose that the Mosaic legislation should have been subsequent to his arrangements.

But by far the most important laws of this vision in political matters are those concerning the relation of the prince to the temple worship. A brief mention of these will close this paper. It is plain that under the old theocracy the monarch had no properly ecclesiastical standing. He had great influence of course, either like David in advancing and improving the worship, or like Ahaz in corrupting and

injuring it. But he was not recognized at all in the laws of the Pentateuch except that, in Deut. xvii. 14-20, it is declared that, in case a king should be afterwards desired, his otherwise arbitrary power must be checked by various limitations. Quite in accordance with the supposition of the great antiquity of that legislation, it is found that the monarch never had any other than a purely political position. This obvious fact is certainly very remarkable if the Mosaic law was subsequent to the introduction of the monarchy; indeed it is almost inconceivable that the laws of a theocratic state, if written when there was a monarch upon the throne, and prescribing the duties of all other officers, should take no notice of the monarch himself. But the difficulty is still greater if it could be supposed that these laws were inaugurated or largely developed by Ezekiel who gives such a prominent place in his scheme "to the prince." It is certain that the arrangements here suggested were never carried out, even when such an excellent prince as Zerubbabel was the leader of the restoration. At a subsequent time the offices of prince and priest were indeed combined in the Maccabees, but this was in virtue of their priestly descent and ended with their family; it has nothing to do with the vision of Ezekiel who, while he makes the prince very prominent in his ecclesiastical system, yet assigns to him no priestly functions.

Let what Ezekiel says of "the prince" be carefully noted. His large landed estate, given expressly to prevent oppressive exactions from the people,* and to enable him to furnish all the victims and

*In this connection general provision is made (xlv. 10, 11) for just weights and measures among the people. No one can read the passage without observing a connection between it and Lev. xix. 36 and Deut. xxv. 13. The question of priority is indicated by the terms employed. The words used here and in various parts of the Pentateuch are: (1) *Ephah*. This occurs in all ages of Hebrew literature from Exodus to Zechariah. (2) *Homer*, in the sense of a measure, found in the law (3 times), in Isaiah and Hosea (each once), and in Ezekiel (7 times). (3) *Hin*. This is found only in the middle books (Ex.-Num.) of the Pentateuch (16 times) and in Ezekiel (6 times). (4) *Omer*, עֶמֶר, in the sense of measure, in Exodus only (6 times). (5) *Gerah*, in the sense of a measure of value, only in Ex.-Num. (4 times) and in Ezekiel (once). (6) *Bath*, as a measure, does not occur earlier than Kings (twice), Chronicles (3 times), Isaiah (once), but in Ezekiel 7 times. (7) *Cor*. In Kings and Chronicles 7 times, in Ezekiel once. That is to say, all these terms which are used in the law, with the exception of *Omer*, are also used in Ezekiel, while *Hin* and *Gerah* appear to have gone out of use and are found afterwards only in this vision, and *Homer* only elsewhere once each in Isaiah and Hosea; on the other hand, *Bath* and *Cor*, which came into use at a comparatively late date, are not found in the law, but are used by Ezekiel.

1-7; xliv. 1, 2); in consequence it was to be forever after shut, except for the prince (xliv. 3). He was to enter and go out through it on the Sabbaths and the new moons (xlvi. 1-3), and was to worship at the threshold of this gate while the priests were offering his sacrifices, "the people of the land" meantime worshipping without "at the door of this gate." On these occasions the gate, although not to be used by any one else, is to stand open until the evening. In these cases, when few of the people were expected to be present, the prince seems to have been looked upon as their representative, and it was his duty to be always present and offer the required offerings. When the prince saw fit to offer any "voluntary burnt offering or peace offerings" the same gate was to be opened for him, but immediately shut when he had gone out (*ib.* 12). On occasion of the "solemn feasts," on the other hand, when the mass of the people were expected to be present, the prince was to take his place among them, and to enter "in the midst of them" by the north or south gate, and go out by the opposite one (*ib.* 9, 10).

There is also another provision which puts the prince in the same light of the religious representative of the people. To enable him to furnish the required sacrifices and oblations he is to have not only the large and inalienable landed estate already mentioned, but also is to receive from the whole people regularly a tax in kind of the things required for these purposes. This tax is prescribed in detail in xlv. 13-16, and was to consist of one sixtieth of the grain, one hundredth of the oil, and one two hundredth of the flock. The connection shows that it was to be used by him for supplying the offerings. This is an entire change from both the older and the later custom whereby the people gave directly to the sanctuary, and it again brings forward "the prince" as the representative and embodiment, as it were, of the people in their duties of public worship.

The argument from all this is clear and has already been hinted at. If Ezekiel thus presents the civil ruler as a representative of the people and an important factor in their temple worship, it is simply impossible that any actual legislation, influenced by his vision, should have so totally ignored "the prince" as is notoriously done in the Levitical laws. It would seem that even if the priests and the people had not insisted upon their sovereign's occupying his proper position in their worship, every pious prince would have claimed it for himself. The conclusion is obvious: the Levitical laws are older than Ezekiel, and his vision had no direct effect upon the polity of the Jewish people.

All the more important features of . . . iel, so far as

his relation to the Mosaic law is concerned, have now been passed in review. Others, such as the detailed arrangements of his temple, with its various peculiar outbuildings, and its large "precincts," &c., would require too much time to examine in detail, as I have elsewhere done,* and would only add fresh illustrations of the fact which has been everywhere apparent. If we compare the customs of the Jews as they are known after the exile with those which are known to have existed before, they are found perfectly to agree in everything, except negatively in so far as data are wanting to show in some respects what were the customs of the more ancient time. This deficiency was of course to be expected in dealing with matters of such antiquity, where the records we have are almost wholly occupied with other matters. Moreover, both the ancient custom as far as it was regulated by law and can be traced, (making allowance for some small difficulties in understanding such very ancient legislation), and the later practice perfectly agree with the Mosaic legislation. But quite late in the history of Israel, during the captivity in Babylon, the prophet Ezekiel comes forward and in a remarkable vision sets forth a general scheme of theocratic laws and worship. His scheme presents incidentally many obvious allusions to the Levitical laws, but in its direct enactments is quite at variance with both former and later custom and also with the Mosaic law. It is in no sense, and in no point on the line of development from what existed before to what existed afterwards. Yet we are asked to believe that the Levitical law only existed in a very imperfect and inchoate form before him, that he gave the great impetus to its development, and that within 40 years afterwards the nearly perfect scheme was accepted as their ancient law by his nation. The thing required is beyond our power.

*Com. on Ezekiel in Bp. Ellicott's commentary for English readers.