

NOTES AND STUDIES

PASSEVER AND UNLEAVENED BREAD:
THE LAWS OF J, E, AND D

[This article, recently discovered among the papers of the late Dr G. Buchanan Gray, seems to have been originally intended as a chapter in his book on *Sacrifices in the Old Testament. Its Theory and Practice.*]

At a late stage in the history of the Jews, their great spring festival was known by two names, Passover and the Unleavened Bread (or Loaves). The interchangeability of these names, at least in summary references to the festival, is illustrated by the account in Chronicles of Hezekiah's celebration of it: here we read that 'Hezekiah sent to all Israel and Judah . . . that they should come to the house of Yahweh in Jerusalem to keep the passover',¹ and that in response, 'much people assembled in Jerusalem to keep the feast of unleavened bread'.² So later we find both St Luke and Josephus even more clearly representing the two terms as alternatives when used to name the festival: St Luke³ speaks of 'the festival of unleavened loaves, which is called passover', and Josephus of 'the feast of unleavened loaves, which we call passover', or 'the feast of unleavened loaves, which is by the Jews called passover'.⁴

In possessing more than one name, the spring festival is not peculiar among Jewish festivals: for the midsummer festival was known either as that of Weeks⁵ or of Harvest,⁶ or the Day of First-fruits:⁷ and the autumn festival as that of Ingathering,⁸ or of Booths.⁹ But there is this distinction: whereas two of the three names of the midsummer feast, and one of the names of the autumn feast were derived from the seasons of

¹ 2 Chron. xxx 1: so vv. 2, 'to keep the passover in the second month' (but verse 13, 'to keep the feast of unleavened bread in the second month'), 5. So also xxxv 1, 16, 18: but in verse 17 more precisely 'the children of Israel . . . kept the passover at that time, and the feast of unleavened bread seven days'.

² 2 Chron. xxx 13: cp. verse 21.

³ Luke xxii 1. Even more remarkable is the interchangeability implied in Luke xxii 7, Jos. B. J. v iii 1; but I cannot here enter into further discussion of these passages.

⁴ Ant. xiv ii 1; B. J. ii i 3: cp. Ant. xvii ix 3, xviii ii 2.

⁵ תַּנּוּ שִׁבְעָתָה Ex. xxxiv 22, Deut. xvi 10: הַשָּׁבִיעִתָּה Deut. xvi 16, 2 Chron. viii 13f; cp. בַּשְּׁבַע־תַּיִם Num. xxviii 26.

⁶ Ex. xxiii 16.

⁷ יוֹם הַבְּכֹרִים Num. xxviii 26.

⁸ חַג הָאֲסִיף Ex. xxiii 16, xxxiv 22.

⁹ חַג הַסֻּכּוֹת Deut. xvi 13, 16, xxx 10, Lev. xxiii 34, Ezra iii 4, 2 Chron. viii 13, Zech. xiv 16, 18, 19.

the agricultural year at which they were celebrated, and only one¹ name in either case is derived from a ritual feature, both the names at the spring festival are derived from rites then observed. The characteristic feature of the midsummer feast was the presentation of the first-fruits of wheat, that of the autumn feast dwelling in booths: but the spring festival had two ritual features each sufficiently outstanding to give its name to the festival, viz. the sacrifice and consumption of a particular victim, the Passover, with special rites, and the consumption with the Passover, and throughout the following seven days, of the Unleavened Bread to the exclusion of all that was leavened.

There was yet a third² ritual feature of the spring festival which, though it did not, so far as we know, give a name to the spring festival, yet affected the nomenclature of the summer festival: seven weeks or fifty days after this ritual was performed the summer festival was observed, being called in consequence of this lapse of time the Feast of Weeks or, later in Greek, Pentecost. The ritual in question was the presentation of a sheaf of early-ripe *barley*,³ as the ritual seven weeks later consists of first-fruits of *wheat*.

Were all these rites—of the Passover, the Unleavened Loaves, the Sheaf—from the first thus closely associated with one another? Or was the combination of them, which we find in the first century of our era, the result of a union of originally unconnected rites? What, in any case, was the origin of them? What, if they were once dissociated from one another, was their history before they were combined? What led to their combination? How was each affected by the combination? What was the history of the combined rites? Out of what ideas did each spring? How vividly did such creative ideas continue present to the minds of those who perpetuated the rites? What fresh ideas did the festival gather around it, and what was the influence and history of these? These are some of the many questions that naturally present themselves in considering that Jewish festival which, alike in the Old Testament and in the New, is mentioned more frequently than any other and which more than any other has affected the language and, perhaps, the thought of the Christian church.

The three ritual features of the Paschal Festival which I have so far referred to are but the more prominent and interesting among the ritual observances of the festal week. On each day of the festival

¹ So the later Jewish mid-winter festival derives only one of its names, 'Lights', from a ritual feature: the other name *Hanukkah*, 'Dedication', is of historical significance.

² There were also other rites peculiar to the festival: and Gamaliel (I) is reported (*Pesachim* x 5) as pronouncing three essential—Passover, Unleavened Bread, and Bitter Herbs (מרר): but the last never gave its name to the festival.

³ Lev. xxiii 10-12.

special sacrifices, additional to the daily sacrifices, were required by the law of Nu. xxviii (P)—so many sheep,¹ so many rams, so many bullocks, and so many goats to be offered as burnt offerings and sin-offerings; but precisely the same additional offerings were required for the Feast of Weeks and also for the first day of each month. So far as the additional burnt offerings and sin-offerings required on them were concerned, the festivals of the Jews were of a rather monotonous character, the autumn festival alone standing out in this respect rather conspicuously because during it about twice as many victims were required as during the spring festival. Again, on the first and seventh days of the spring festival cessation from servile work was required; but so it was also on the Feast of Weeks, and on the first and last days of the autumn festival, and so also on the first day of the seventh month. This brief reference to those ritual features which the spring festival had in common with the other festivals may suffice to bring out more clearly its distinctive features—the sacrifice of a special Paschal victim, slaughtered at the close of the fourteenth day of the first month and required to be wholly consumed during the night that followed, the eating during the seven days of the festival of unleavened bread, which was but the positive side of the strongest taboo placed during the entire period on everything that was leavened, the presentation on one of the seven days of the barley sheaf.

Thus of the two rites that came to give their names to the festival, one was complete on the first evening of the week, the second was observed throughout the week; nevertheless, in later times, the same writer accepts the use of either name indifferently as defining the entire seven-day festival. Both terms run back to the O. T., and in all probability to quite ancient Hebrew life; but it would be impossible to prove that in these earliest times there existed the same interchangeability of terminology or the same coincidence in time and place of the rites on which the changing use of the two terms for the festival rests; on the contrary, there are indications in the O. T. usage of a time when Passover and Unleavened Bread were two distinct feasts or observances separated from one another in time or place, and that they went by two different and, in each case, appropriate terms.

Beer, indeed, in the elaborate introduction to his edition of the Mishnaic tract *Pesachim* argues that Passover and Unleavened Bread remained entirely distinct from one another down to the Exile, and that it was due to the influence of Ezekiel that the previously distinct festivals of Passover and Unleavened Bread were united to form a single festival (p. 8). He further argues that Passover, if ever observed by the Northern tribes, early ceased to be observed by them; but that it

¹ EV, 'lamb'; but see *Expositor*, Oct. 1921, pp. 241 ff.

was maintained in Judah (p. 23); on the other hand, that the Northern tribes at an early date began, and thereafter continued, to observe the Festival of Unleavened Bread which, however, for long failed to establish itself in Judah. Finally, he holds that Passover in the South and Unleavened Bread in the North were alike *preparatory* rites to the actual spring Festival of Barley Harvest which survived to the latest times, though only in what came to be a subordinate rite confined to a single day of that festival, viz. the presentation of a barley sheaf (p. 28 f).

In the analysis of the complex observances of the spring festal week Beer may well be right; it is possible that Passover, Unleavened Bread, the Presentation of the Barley Sheaf were originally more independent and distinct than they appeared to be in the first century of our era, or even in parts of the Old Testament. Whether Beer is equally right in the late date at which he fixes the processes of union is another question, and his argument rests on what may appear to be an over-pressing of literary analysis and a failure to take account of certain suggestions which deserve attention, even if his literary analysis be admitted.

We may examine first the relation to one another in regard to the spring festival of the two groups of laws in Ex. xxiii 14-19 and xxxiv 18-26 respectively, and then their bearing on the question of Deut. xvi.

Ex. xxiii is commonly regarded as belonging to the document E, and therefore as having come from the Northern kingdom; Ex. xxxiv as belonging to the document J, and the Southern kingdom. We need not discuss this theory, though it may be said in passing that it is at the foundation of Beer's conclusions summarized above; it is sufficient for our purpose that we have to do with two parallel and distinct sets of laws. Both sets of laws lay down certain instructions as to the festivals. It is well known that each of two parallel narratives or sets of laws is peculiarly liable to be amplified by additions from the other; the merely textual criticism of the Synoptic Gospels or of the Pentateuch¹ affords abundant illustration of the process. Obviously, then, the laws as they now stand in Ex. xxiii and xxxiv cannot immediately and without criticism be accepted as the original form of the laws of E and J respectively. As a matter of fact few who have closely examined these parallel laws have failed to detect more or less of assimilation of the one set to the other, and also some amplification from other sources. Speaking of them Driver, for example, claims that these are evidently two recensions of one and the same collection of laws. 'Neither can well be throughout in its original order, and later additions have almost certainly been introduced into both' (*Exodus*, p. 372), and then among details he

¹ Cp. e.g. the 'expansions of Num. from Deut. in the Samaritan Pentateuch' (*I. C. C. on Numbers* p. xl f).

points out that, for example, xxiii 17 has probably been introduced from xxxiv 23.

A special reason has often been assigned for suspecting amplification of the text of Ex. xxxiv 14-26: at present the section consists of about sixteen laws or commandments; but the narrative which immediately follows contains these statements: 'And Yahweh said unto Moses, Write thou these words: for after the tenor of these words I have made a covenant with thee and with Israel. . . . And he wrote upon the tablets the words of the covenant, the *ten* words.' In accordance with these statements it has been common since Goethe to speak of these laws in Ex. xxxiv as a decalogue and in distinction from the Ethical Decalogue of Ex. xx, as 'the ritual decalogue': and numerous attempts have been made, by removing six of the laws, to recover the original ten. Some,¹ however, have attempted to destroy the argument from the narrative by eliminating the clause in xxxiv 28 'the ten words' as a gloss.

Beer's is the most recent attempt to restore the ten original words of Ex. xxxiv, and since it is closely connected with his theory of the history of Passover, it may be stated and examined, and it will be useful to compare it with the earlier reconstruction of Wellhausen. To facilitate examination, I give a translation of Ex. xxxiv 14-26, italicizing those argumentative passages or special applications which are commonly regarded as additions, and giving on the left the numbers of the ten words according to Beer, on the right according to Wellhausen.

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| B | | W |
| i | ¹⁴ For thou shalt not worship another god, <i>For Yahweh whose name is jealous is a jealous God,</i> ¹⁵ lest thou make a covenant with the inhabitants of the land, and they go a whoring after their gods, and sacrifice to their gods, and call* thee, and thou eat of their* sacrifice; ¹⁶ and thou take of their* daughters for thy sons, and their* daughters go a whoring after their gods, and make thy sons to go a whoring after their gods. | i |
| ii | ¹⁷ Molten gods thou shalt not make for thyself. | ii |
| | ¹⁸ The feast of unleavened bread shalt thou observe. <i>Seven days shalt thou eat unleavened bread, as I commanded thee, at the appointed time in the month of Abib, for in the month of Abib thou camest from out of Egypt.</i> | iii |

¹ So e.g. Driver, Kittel, Baentsch, M^cNeile.

* In Hebrew all the verbs and the pronouns are sing., referring to the collective עַמִּי, inhabitants.

- iii ¹⁹ All that openeth the womb is mine ; and all thy cattle that is male, the firstling of ox and small cattle. ²⁰ And the firstling of an ass thou shalt redeem with a head of small cattle : and if thou wilt not redeem it, then thou shalt break its neck. All the first-born of thy sons shalt thou redeem. iv
- iv And they shall not see my face empty (i.e. without a gift).
- v ²¹ Six days shalt thou work, but on the seventh day shalt thou rest ; in plowing time and harvest shalt thou rest. ²² And the feast of weeks shalt thou hold then, the first-fruits of wheat harvest ; and the feast of ingathering at the close of the year. v
- vi ²³ Three times in the year shall all thy males see the face of the Lord Yahweh, the God of Israel. ²⁴ For I will dispossess nations before thee, and enlarge thy borders : neither shall any man desire thy land, when thou goest up to see the face of Yahweh thy God three times in the year. vi
- vii ²⁵ Thou shalt not offer¹ the blood of any sacrifice with what is leavened. vii
- viii And the sacrifice of the feast of the passover shall not remain all night until the morning. viii
- ix ²⁶ The first of the first-fruits of thy ground thou shalt bring into the house of Yahweh thy God. ix
- x Thou shall not seethe a kid in its mother's milk. x

In the whole complicated question of the literary analysis of Ex. xxxiv it is impossible to enter here: we may note rather certain points of agreement between those who seek for precisely ten commandments in vv. 14-26 on the assumption that the phrase 'the ten words' in verse 28 is original and those who, holding the phrase to be a gloss, seek for no specific number of commandments. We may note here that there is a general agreement that the argumentative element, the reasons for certain commandments which appear in vv. 14^b-16 and 24, is additions²: and the same would probably be true of 18^b and perhaps of 21^b, if these commandments are not themselves additions. In other words, this section, like the ten words of Ex. xx = Deut. v, where a comparison of the two texts reveals the secondary nature of the reasons for, or amplifications of, the commandments, consisted originally of brief commands and prohibitions. Similarly 19^b-20^a, dealing with *special* cases of the law of the first-born, may well be an addition here (from Ex. xiii 12 f) to

¹ Heb. *slay*.

² Cp. the addition at the beginning of Ex. xxiii 18 in the LXX.

the *general* law that all first-born belonged to Yahweh. On this point again, Baentsch, who does not seek *ten* laws, is in agreement with Wellhausen and Beer, who do so.

After the removal of the matter just referred to there remain not more than thirteen commandments or laws, and not more than twelve, if we treat the commandment to hold the Feast of Weeks and the Feast of Ingathering as a single command—there is, as a matter of fact, but a single verb—and not as both Beer and Wellhausen treat it, as two. Of these twelve or thirteen laws eight (or nine) are in the formula 'Thou shalt', or 'Thou shalt not', and another 'Three times . . . shall all thy males', &c., is virtually identical in form. The three which in the revised text are not in the 2nd person are 'All that openeth the womb is mine', and 'And they shall not see my face empty-handed', and 'The sacrifice . . . of the passover shall not remain all night', &c. One of these three, however, appears in the 2nd pers. in the Greek version: in xxxiv 20 that version has for יראו לא יראו οὐκ ὀφθῆσῃ = לא תראה; and the Hebrew lying behind the Greek rendering may be translated, 'Thou shalt not see my face empty-handed'. Thus the commandments in the 2nd pers. hover around the number ten, and following the clue of form alone exactly ten commandments could be obtained in one or two ways by a little manipulation.¹ But the result, unless the manipulation included re-arrangement, would remain unsatisfactory and inconclusive, and open to some of the difficulties that beset Wellhausen's and Beer's reconstructions, of which neither obtains similarity of formula, and both are on this ground, perhaps, already open to some doubt.

Of the twelve or thirteen laws that remain after removal of the more obvious amplifications in Ex. xxxiv 14-26 in its present form, Beer and Wellhausen are agreed as to the first two laws, i.e. the laws against other gods and idols, and the last four (1) prohibiting (a) the use of leaven with sacrifice, (b) the leaving over of the (Paschal) sacrificial flesh (or

¹ On a possible explanation of 'they shall not see my face empty-handed' (on the supposition that the Hebrew and not the Greek text is correct) in a group of laws marked by the prevailing use of the 2nd pers. I make a suggestion below. As to the law of the first-born: in view of Ex. xiii 22, the *possibility* that it opened with a 2nd pers. (תעביר) might, if necessary, be entertained: the insertion of this would give in Ex. xxxiv 19a, 'Thou shalt cause to pass over unto me all that openeth the womb'. The law of Passover (on sacrificial fat) could be even more easily converted into the 2nd pers. by reading תלין instead of ילין and rendering 'Thou shalt not suffer . . . the passover to remain all night'. But this would be a very hazardous change: for (1) the O.T. contains no other instances of the Hiph'il of לון with this meaning; (2) ילין not תלין appears also in Ex. xxiii 18, Deut. xvi 4; (3) where, as in Ex. xii 10 and Num. ix 12, causatives in the 2nd pers. are used, the verbs are different: תותיר—תשאיר

fat) till the morning, and (c) the seething of a kid in its mother's milk ; and (2) claiming the first-fruits. They are also agreed that another law, making seven in all, claimed the first-born. It is in their choice of three among the remaining five or six that they differ. This remainder consists of (1) commands to keep the three festivals named Unleavened Bread, Weeks, and Ingathering included under two verbs of command ; (2) a general law commanding the observance of three annual festivals unnamed which in our present text follows the specific commands ; (3) a law of the sabbath ; and (4) a law against seeing God's face empty-handed. It has very generally and rightly been judged unlikely that (1) and (2) are both original, that one and the same brief compendium of religious duties contained both a general law of three festivals and two or three specific laws of three named festivals (which must yet be identical with those intended in the general law). Most reject the general law, and this course is adopted by Wellhausen, who thus completes his decalogue by including the three specially named festivals as *three* commands, though they are, strictly speaking, made the subject of two distinct commandments only. His decalogue being thus complete he rejects the law of the Sabbath, though it is in the 2nd person formula, and the law against appearing empty-handed which standing, as it does at present, isolated, is independently open to suspicion as not being in the 2nd person (unless with the Greek version we read, 'Thou shalt not see'). The total result of these exclusions is that in Wellhausen's decalogue the command to observe the Feast of Unleavened Bread is followed by the law of the first-born, and that, in turn, by the command to observe the Feasts of Harvest and Ingathering. A reason for this interruption in the law of the feasts might be found, if Wellhausen's theory of the close association of the offering of the first-born cattle of the year with the spring festival were accepted. Otherwise a more natural position for the law of the first-born would certainly seem to be next to the law of first-fruits. Its present position is easily explicable if the whole section is an insertion : for it is then an insertion from Ex. xiii, which deals with the origin of Passover and Unleavened Bread.

Beer retains the general law of three festivals and rejects the three especial laws : he hereby eliminates from the present text two suspicious features, viz. (1) that the command to keep the spring festival is separated (a) from the command to keep the other festivals by commands relating to the first-born, to not appearing empty-handed, and to the sabbath, and also (b) from a law relating to the Passover (no. viii) ; and (2) the use of different verbs (שמר as in Ex. xxiii 15, and תעשה as in Deut. xvi 13) in the two separated commandments. Beer completes his decalogue by including the law of the sabbath and the law

against appearing empty-handed. Beer does not appear to observe that in its present position the law against appearing empty-handed is as improbably placed in his reconstruction as in the present text: with him the consecutive laws, united with one another in the Hebrew text, against the prevailing usage, by the conjunction, read thus: 'All that openeth the womb is mine, and they shall not see my face empty-handed.' This is obviously an impossible connexion. If, however, we transfer Beer's law iv and place it after vi, we should obtain a satisfactory sequence—'Three times in the year shall all thy males see the face of the Lord Yahweh; and they shall not see my face empty-handed.' Here, too, the 3rd person plural refers to the collective כל זכורך 'all thy males' in the previous law, and might, perhaps, be accepted in a group of laws cast in the 2nd person. A slight change is still needed in vi, if it is to fit in with the general scheme of the laws in another respect, and in particular if it is immediately to precede iv: we must substitute 'before me' for 'before the Lord Yahweh'.¹ One further transposition is needed to transform Beer's into a well arranged decalogue: law iii (the first-born) should be transferred to follow or precede ix (first-fruits). With these changes we should have a decalogue devoting its first two laws to the subject of idolatry, the next two to the sabbath and the festivals, the next three to certain regulations of sacrifice, the next two to the first-born and the first-fruits, and the last to the kid taboo. The result may seem so excellent as to justify the series of changes needed to bring it about—or it may not. On the whole the changes, though individually neither violent nor improbable, seem to me too numerous for it to be safe to use the *exact* form of the decalogue so obtained as the *basis* of an argument; and this the more so because of the ten words included in it two at least, and, unless we adopt the reading of the Greek version in Ex. xxxiv 20, three, fail to conform to the dominant use of the 2nd person singular.

It is rather a different question whether Beer is right in retaining the general and deleting the specific laws of the festivals, or Wellhausen and others in the contrary course. On the whole the balance of probability seems to me to lie here with Beer. If so, whether his decalogue be

¹ Similarly 'my house' would need to be substituted for 'the house of Yahweh thy God' in verse 26. The same transition which at present marks the text of Ex. xxxiv, from the 1st pers. of Yahweh addressing Israel to the 3rd pers. may be observed in the *present* form of the Decalogue of Ex. xx = Deut. v; see Ex. xx 3 (1st pers.), 7 (3rd pers.). Alternatively to restoring the 1st pers., we might consider the possibility that all the commandments referred to Yahweh in the 3rd pers.: but in Ex. xxxiv 14-16 the first person seems the more firmly established. On the other hand in Ex. xx a decalogue throughout referring to Yahweh in the 3rd pers. could be obtained by omitting על פני in verse 3, thereby approximating Ex. xx 3 more closely to xxxiv 14.

accepted as a whole or not, the group of laws in Ex. xxxiv did not originally mention Unleavened Bread.¹ On the other hand it prescribes three annual *haggim* or pilgrimage festivals, and in the existing text of Ex. xxxiv 25 it mentions Passover, calling it a *hag*. But the text of Ex. xxxiv 25 is uncertain; and in the variant in xxiii 18² the term Passover does not occur.

Beer's conclusion that the group of laws in Ex. xxxiv in its original form did not mention Unleavened Bread thus has some probability; his further conclusion that it did mention Passover rests on an uncertain text and on the supposition that the group in which the 2nd person certainly dominates contained at least one law in which the 2nd person is not used. But even if both Beer's conclusions be admitted, it would be precarious to draw the historical conclusion that in Judah at the time of the law, while Passover was observed, Unleavened Bread was not.

The laws of the Book of the Covenant (Ex. xxi-xxiii) shew some tendency to fall into groups of ten.³ Such a decade has often been suspected in Ex. xxiii 14-19—a section which is in part parallel to, in part identical with, xxxiv 14-26. It opens with laws of the three festivals parallel to xxxiv, and closes with the last five laws in Ex. xxxiv in identical words or differing only in ways probably due to transcriptional corruption. As the text of Ex. xxxiv has been contaminated by amplifications from Ex. xxiii, so, it has been commonly held, has Ex. xxiii from Ex. xxxiv; most (for example, Driver) regard the words in xxiii 17 'Three times in the year all thy males shall see the face of the Lord Yahweh' as added from Ex. xxxiv, producing in Ex. xxiii 14-19 (which opens with 'Thrice shalt thou keep a feast unto me in the year') unnecessary and improbable repetition. Again, the law of first-fruits which appears in verse 19 word for word as in xxxiv 26 is in substance a duplicate to the law that has already appeared in Ex. xxii 28 (29) ('Thy fullness and thy trickling thou shalt not delay') in immediate connexion with a law of the first-born; it seems probable, therefore, that the whole of the last five laws of Ex. xxxiv have been interpolated into the Book of the Covenant (so Baentsch before Beer). In that case,

¹ Nor need we infer only exclusive allusion to the use of unleavened bread at the spring festival in Ex. xxxiv 25a. On the other hand standing immediately *after* the law of the three festivals in verse 23 and *before* verse 25b (if, indeed, this law formed an original part of the group) it is more natural to understand 'thy sacrifice' with verse 25a as referring to sacrifice in general, i.e. of the other festivals as well as of Passover.

² For *חֹלֶב חֲגִי* Ex. xxxiv 25, the variant in Ex. xxiii 18 has *חֹלֶב חֲגִי*. On formal grounds the reading in xxiii 18 deserves consideration: the 1st pers. of Yahweh accords with the usage in xxxiv 19, 20, 25a.

³ See e.g. Driver *Introduction to the Literature of the Old Testament* p. 39f.

even though the text of xxxiv 25 be preferred to that of xxiii 18, the Book of the Covenant mentioned the Festival of Unleavened Bread (verse 15), while it did not originally refer independently or by name to Passover.

One further point in connexion with this section. At present Unleavened Bread is not merely mentioned, but the month, Abib, in which it was observed, and the lengths (seven days) of the observance are also defined. But inasmuch as these details break into the middle of a sentence they have been commonly and rightly regarded as not original.

If we now turn to Deut. xvi we find both terms Passover and Unleavened Bread used for the festival, but also unevennesses and other indications that the law is a *literary* fusion, whether that fusion be due to the author of Deut. or to subsequent interpolation. The law of the three festivals in Deut. xvi consists of three sections, one devoted to each of the festivals and a summarizing conclusion (vv. 16 f). So far the disposition of the material is natural. It is different when we come to detail. In its section the spring festival is called Passover—'Observe the month Abib and keep passover unto Yahweh': in the concluding summary it is called Unleavened Bread. 'Thrice in the year shall all thy males see the face of Yahweh . . . at the feast of unleavened bread and at the feast of weeks, and at the feast of booths.' If this were all, we might be content to compare with this alternation of names the same alternation which we have already noticed in 2 Chron. xxx; but this is not all. In the opening section of the chapter, vv. 1-8, the ritual of Unleavened Bread as well as that of the Passover is referred to; but if the ritual of Unleavened Bread is simply removed there is left a perfectly clear and complete law of Passover only, which would read as follows: '1 Observe the month of Abib and keep passover unto Yahweh thy God; For in the month Abib Yahweh thy God brought thee out of Egypt by night; 2 and sacrifice passover unto Yahweh thy God, even small cattle and oxen (צֵאֵן וּבָקָר), in the place which Yahweh chooseth, to cause his name to dwell there. 3 Thou shalt not eat with it aught that is leavened (חֲמֵץ), 4 nor shall aught of the flesh which thou sacrificest in the evening remain over until the morning. 5 Thou shalt not sacrifice the passover in any one of thy gates (i.e. towns) which Yahweh thy God giveth thee: 6 but unto the place which Yahweh thy God chooseth, to cause his name to dwell—there thou shalt sacrifice the passover in the evening, when the sun sets at the appointed time of thy coming out of Egypt. 7 And thou shalt boil and eat it in the place which Yahweh chooseth. And thou shalt turn in the morning and go to thy tents.'

Here everything is straightforward: Passover was a sacrifice in the

month Abib slain at sundown on a day not defined, eaten the same night, and completely consumed before the following morning. According to the general standpoint of Deut. the sacrifice had to be slain and eaten in the place of Yahweh's choice only, viz. Jerusalem: thither from all other towns and the countryside all must come, there they must spend the Passover night, but on the next morning they were to return to their several homes.

The ritual of Unleavened Bread in Deut. xvi is not so independent: the clauses which deal with it, which I omitted in the law of Passover just given, are as follows: 'Seven days shalt thou eat with it unleavened bread, even bread of affliction, for in haste thou camest forth from the land of Egypt, that thou mayest remember the day of thy coming forth from the land of Egypt all the days of thy life. 'And there shall not be seen by thee any leaven (שֵׁמֶר) in all thy territory for seven days': these words follow the clause 'thou shalt not eat with it (i.e. the Paschal victim) aught that is leavened': the second 'with it', i.e. the עֲלִי in the ritual of Unleavened Bread, is either a transcriptional dittograph or a thoughtless repetition of the previous עֲלִי: with a victim entirely consumed in a single night, it is impossible to eat unleavened bread for seven days. The seven days having been introduced leads to the addition in verse 4 of the words 'on the first day' and to the clause 'which thou sacrificest at evening'. The remaining ritual of Unleavened Bread is verse 8: 'Six days shalt thou eat unleavened bread, and on the seventh day there shall be a solemn assembly unto Yahweh thy God: thou shalt do no work.' Again there is an at least apparent conflict between a law of a one-day and a law of a seven-day festival: if on the morning following the Passover night everybody has gone home, how can there be a solemn assembly on the seventh day?

The phenomena of the chapter seem best accounted for if we assume that it contains a law of Passover—a single-night observance—which has been expanded by regulations concerning the seven-day observance of Unleavened Bread and the addition of the concluding formula. If it had been freely composed on the basis of two previous documents by those who wished for the future to regulate the old spring festival under the new conditions which required the Paschal victim to be slain in Jerusalem, we should have expected a clearer definition of the distribution of time and ritual between the capital and home: for example, the lawgiver might have added to the words: 'Thou shalt not sacrifice the passover in any of thy towns, but only in the place that Yahweh chooseth', or the permission, 'Nevertheless, thou mayest eat the unleavened bread on the following days in any of thy towns'. This may have been the practice actually contemplated, though not expressed in the law of Passover, as it stands without the addition of the ritual of Unleavened

Bread. It may have been the practice at first contemplated, as some have supposed, in the law as it at present stands, but such practice is just as little expressed in the present law as in that law minus the ritual of Unleavened Bread; and in this case it would be strange that in the concluding formula the period of attendance at the Sanctuary should be termed not, as in the law itself, the Feast of Passover but the Feast of Unleavened Bread, i.e. that it should be defined not by what had to be observed in Jerusalem, but by what on the hypothesis was to be observed mainly at home. The use of the alternative term in the concluding formula could, on the other hand, be well explained if it was added by one who contemplated the whole seven days being spent in Jerusalem: the alternation is then strictly parallel to that in 2 Chron. xxx.

We may summarize our conclusions with regard to the relation of these pre-exilic groups of law to one another thus: all three groups recognize three great annual festivals; in Ex. xxiii 14-19 (E) the feasts are called the Feasts of Unleavened Bread (Maṣṣoth), Harvest, and Ingathering respectively; Passover is certainly not mentioned by name and is probably not referred to unless, or in so far as, it is not included in Unleavened Bread. In Ex. xxxiv 14-26 (J) Passover is certainly mentioned in the present text of xxxiv 25a, but it is absent from the variant in xxiii 18, and the absence of the 2nd person exposes the entire law to some suspicion of not being an original part of the group. It is also doubtful whether the other two annual festivals were referred to by name; if they were, the spring festival, whether or not it was termed Passover (verse 25), was certainly called Unleavened Bread (verse 18). The original law of D appears to have referred to Passover only—in this agreeing possibly with J (Ex. xxxiv) and certainly differing from E (Ex. xxiii), but a later redactor expanded this law so as to include references to Unleavened Bread. It would be none too safe, at all events on the strength of the evidence so far considered, to conclude that Passover was unknown to E and the Northern kingdom down to the time of that writer, and that Unleavened Bread was unknown to J and D and to the Southern kingdom down to the end of the seventh century B.C.; but we do obtain from the law of D, even if the ritual of Unleavened Bread be accepted as original to it, a strong impression of the original independence of Passover from Unleavened Bread: Passover was complete in a single night; on the morrow the celebrants returned home: Unleavened Bread lasted for a week. Both observances may have prevailed alike in the Northern and Southern kingdoms before the eighth or the seventh century, and both observances may by then have coincided in time; but this union was at most one that still bore obvious traces of previous separation. G. BUCHANAN GRAY.