

perhaps also in Neh 12:47. Priestly control, however, is indicated by Neh 13:10-14 where the tithes are brought directly to the storehouse which are under the control of priests. (Contrast II Chr 31:12 where Levites are in control.) Neh 13:10, »I also found out that the portions of the Levites had not been given to them so that the Levites ... had fled each to his field,« indicates that even when the Levites collected tithes (Neh 12:47) they did not control their disbursement, since even then, a priest accompanied them on their collection rounds (Neh 10:39 = RSV 10:38).

What is reflected in Nehemiah are the tithe laws of Num 18 refracted through that part of Dtn 12:6 which insists that tithes be brought to the single sanctuary. This practice is already called for in Mal 3:10a (circa 500-450?): »Bring the full tithes into the storehouse ...«

Neither Nehemiah nor Malachi considers priestly control over the Levitical tithes an innovation, nor do they see the loss of this tithe to the Levites as depriving them of a livelihood since many Levites by this time were farmers (Neh 13:10; 7:22a). Nehemiah, then, supplies the earliest unequivocal evidence for the practice common throughout the Second Temple period.

The date of Nehemiah's activities is mooted, but 445 B.C.E. is possible for the beginning of his work in Jerusalem.⁴⁰ The verse cited above from Neh 10:38b is of uncertain provenience. It may have been borrowed from Ezra materials or derived from another nearly contemporary non-Nehemian source.⁴¹ Its importance is therefore diminished for tracing the exact diachronic erosion of Levitical prerogatives but not for filling in the general drift of this erosion.⁴²

Considered together, the Biblical, Apocryphal and Rabbinic data attest to the continuous decline of Levitical power and prestige from the last pre-exilic century on, and to the Levites' loss of control over their tithe from the beginning of the post-exilic period. On the basis of the extant evidence, Kaufmann's argument, cited above, is therefore completely vindicated. The *terminus ad quem* for the codification of the tithe laws in Num 18 and their subsequent inclusion and preservation in P is the end of the pre-exilic period.⁴³ The socio-economic reality which they presuppose must also be, therefore, pre-exilic. Were these laws exilic or post-exilic in

⁴⁰ For a summary of the state of the debate cf. G. Widengren »The Persian Period,« in J.H. Hayes and J.M. Miller eds., *Israelite and Judean History*, Philadelphia, 1977, 503-509; for this date, cf. p. 528.

⁴¹ Widengren, »The Persian Period,« 492, 528; J.M. Myers, *Ezra-Nehemiah* (Anchor Bible 14) 1965, 174.

⁴² For the dating of Ezra and the possible connection between Neh 10:38 and the story contained in Ezr 7-10 after Nehemiah, cf. Widengren, »The Persian Period,« 492, 504, and the literature cited therein. The dates of Arataxerxes II Mnemon are 404-358; Ezra would have come to Jerusalem, according to Ezr 7:7-8 in 398-397 B.C.E.

⁴³ Kaufmann, *Toldot I*, 159; idem, *The Religion* 190-191.

origin, the priests would have been expected to phrase them in a manner reflecting the social realities of their day and not in the terminology which led to the apologetic recourse of the »Penalty of Ezra.«⁴⁴

II

A conceptually similar method of contrastive analysis has been applied by Avi Hurvitz to selected technical idioms and terms in the Priestly Code in order to determine their *terminus ad quem* in Hebrew literature.⁴⁵ Distinguishing between post-exilic, late Biblical Hebrew (LBH) (Ezra-Nehemiah, Chronicles),⁴⁶ exilic Hebrew (Ezekiel) and pre-exilic Hebrew, Hurvitz examines the history of nine terms in the Priestly Code and demonstrates that all had been replaced by new semantic equivalents in LBH literature where the contexts were similar.⁴⁷ Thus, for example, *nādab* in the Qal, employed with *rū^{ah}* or *lēb* as subject »to give freely« (Ex 25:2-3; 35:5, 21-22) was replaced in LBH by the Hitpael reflexive, *hitnaddēb* (Ezr 2:68-69; 3:5; 7:15-16; I Chr 29:6-7);⁴⁸ *rāḥaṣ*, »to wash (a sacrifice)« (Ex 29:17; Lev 19:13; 8:21; 9:14) was replaced by *hādī^{ah}*⁴⁹ (Ez 40:38; II Chr 4:6); *lāqah* + *dām*, »to catch the blood« (Ex 29:16; Lev 8:15) was replaced by *qibbēl*+*dām* (II Chr 29:22).⁵⁰ In these examples, and in the others cited, Hurvitz contends that post-Biblical Hebrew, i.e. Hebrew of the Second Temple period consistently employs the LBH terms where P employs the pre-exilic ones.⁵¹ Hurvitz's remaining six terms are the following: *šph*, *yld*, *pqd*, and *spr* in genealogical lists are replaced by LBH *yhš*;⁵² *šph* as a term for »plating« is replaced by LBH *hph*;⁵³ *šš*, »fine linen,« a cloth used for sacred purposes such as priestly vestments, is replaced by LBH *buṣ*;⁵⁴ *m...wlm'lh* in expression »from X years old and upward« is replaced by LBH *m...wlm'lh*;⁵⁵ *sbyb*, »round about« is

⁴⁴ This presentation of Kaufmann's conclusions ignores his arguments as to the votive nature of the tithes which we do not consider germane and which we reject as essentially unsubstantiated (Kaufmann, *Toldot I*, 155-157; *The Religion*, 189-190). Cf. J. Milgrom, *Cult and Conscience*, Leiden, 1976, 55-58.

⁴⁵ A. Hurvitz, »The Evidence of Language in the Dating of the Priestly Code. A Linguistic Study in Technical Idioms and Terminology,« RB 81 (1974), 24-56.

⁴⁶ Although Haggai, Zechariah and Malachi are also late, Hurvitz is unable to employ them because they lack the semantic equivalents of the terms studied (»The Evidence,« 55 note 57).

⁴⁷ »The Evidence,« 25-26.

⁴⁸ »The Evidence,« 29-30. This sense is not evident in Ju 5:2, 9 where verbs are intransitive. (Cf. his notes 10, 12.)

⁴⁹ »The Evidence,« 35-36.

⁵⁰ »The Evidence,« 43-44.

⁵¹ LBH also included Rabbinic literature, inscriptions, and even Targums when appropriate.

⁵² »The Evidence,« 26-29.

⁵³ »The Evidence,« 32-33.

⁵⁴ »The Evidence,« 36-39.

⁵⁵ »The Evidence,« 33-35.