

Ending with the High Priest: The Hierarchy of Priests and Levites in the Book of Numbers¹

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יִרְבּוּ לַכֹּהֲנֵי לֵוִי! “You have gone too far, sons of Levi” (NRSV, Num 16:7). The claim for priesthood on the basis of the general holiness of the whole congregation is one of the most striking incidents in the narrative of the book of Numbers. From the beginning of *במדבר* everything seems so clear, so arranged as clearly hierarchical, and then suddenly the conflict between the Aaronides and Levites breaks out. Within the narrative the uprising of the Korahites is repulsed and thereafter the priestly world is back in order. Aaron blossoms as first and foremost priest in Num 17 and is never challenged again. But is there really a fissure between priests and Levites in the book of Numbers? Even more, are the Levites disparaged in the book of Numbers as they are in Ezek 44:9–15? Or are they instead rehabilitated or not yet denigrated? The complex history of priesthood cannot be dissolved from the book of Numbers and the positioning of the Levites therein. However, one of the starting points of this paper is the fact that within the Pentateuch, Levites are present mostly in the book of Numbers. It is striking that on the one hand, Levites are almost absent in Exodus and Leviticus, and that on the other hand, the concept of Deuteronomy differs in most parts regarding the position of Levites. This paper will ask some new questions and question some practiced answers regarding priests and Levites in the Pentateuch.

A preliminary remark should be made in advance: Method, argumentation, and results of this paper may be sometimes puzzling because its line of argument operates on different levels. Although it is not aiming at a historical reconstruction in terms of an institutional development of Levites, Aaronide priests, and high priest, the results are relevant for this development. But this is not at the core. The diachronic perspective of literary development is present all the time, but the paper does not aim at a complete reconstruction of textual

¹ The present paper is part of the MERCUR research project on the relation of non-priestly and priestly texts in the book of Numbers and an extended version of a paper read at the SBL Annual Meeting Chicago, November 16th–20th, 2012.

growth. In particular the connection between the Chronicler and the latest layers in the book of Numbers is pushed into the background and will require further research. The observations will be relevant to determine the relationship of P and H, and in particular regarding the question whether the book of Numbers has a bridging function in a literary-historical respect. However, not all aspects of the relations of Numbers with the Triateuch, esp. Exodus and Leviticus, the book of Deuteronomy, and the book of Joshua can be discussed here in detail. Most of the argument will stick to the narrative organization of priests and Levites in the book of Numbers and to a (diachronic but also synchronic) development in/of the text and the textual world which tends to the growing implicitness of the high priest and/or Aaron and Eleazar as highest priest/high priest.

The paper contributes to crucial questions of the present volume: First, the relationship between the book of Numbers and the book of Leviticus, and second, how can the priestly material of the book of Numbers be arranged in the recent Pentateuchal discussion. At the end of the paper I will contribute to the discussion of the “bridging hypothesis” of Thomas Römer.

Let me start with a statement regarding the final text of the book of Numbers: Apart from the Levitical cities (Num 35),² I consider the conception of the relation of priests and Levites in the book of Numbers as *consistent*, without excluding literary growth in principle. Aaronides and Levites are related to each other; they are assigned to the same range, but not to the same rank. The book of Numbers develops a clear hierarchical structure with superior Aaronide priests, but it gives the Levites a non-priestly honorary position at the same time. The instruments of this appreciation are a unified genealogy, elective selection, and equated care of the Levites (see as a crucial example Num 18). Nevertheless, the Levites are under the total control of the Aaronide priests;³ apart from their purification (Num 8:21) and their entering into office (Num 8:22), which are both also demanded by God, they never act alone or on their own at any point. Furthermore they are never addressed directly in the book of

² In my view, the selection of Levitical cities in Num 35:2 (לשבת ונתנו ללויים מנחלת אחוזתם ערים) outruns the concept of service at the sanctuary that was developed in Num 1–4; 8; and 18. Either the Levitical cities are intended only for the women, the children, and the age-related men who are no longer fit for service (which may include alternate shifts for the Levites as described in Num 8:26), or the construction of Levitical cities produces ghost towns.

³ For מתנה and נתונים see provisionally Frevel, Christian: “... dann gehören die Leviten mir”. Anmerkungen zum Zusammenhang von Num 3; 8 und 18, in: Kulte, Priester, Rituale. Beiträge zu Kult und Kultkritik im Alten Testament und Alten Orient. FS Theodor Seidl, ed. by Stephanie Ernst/Maria Häusl, ATSAT 89, St. Ottilien: Eos Verlag 2010, 133–158, 138–140.

Numbers.⁴ It is only Num 16 that reproaches the Levites to act as priests on their own authority. This claim is forcefully rejected with reference to the exceptional position of the Levites which is thereby cemented further at the same time. Hence, on the textual level the conception is entirely consistent, even up to the hierarchy of priests, as we shall see in the course of this paper.

1. Three General Observations on Levites and Priests in Numbers

Basic evidence for the consistency of the clerical order in Numbers can be drawn from an overview of the conception in Numbers, as three general remarks and observations on priests and Levites in the book of Numbers will indicate:

- (1) The importance of Levites in Numbers,
- (2) the hierarchy of the priests and Levites, and,
- (3) finally, the question of a particular tension between priests and Levites in the book of Numbers.

1.1. *The Importance of Levites in Numbers*

The concept of Levites as cultic servants (*clerus minor*) in the book of Numbers bridges the concept of priestly Levites in the book of Deuteronomy and the more or less “Levite-less” Triateuch (Gen–Lev). Apart from the Levites in the book of Numbers there would be no Levitical *cultic personnel* in the wilderness sanctuary besides the priests in the cult of the tabernacle. At least this is true for the narrative of the Pentateuch. Besides the eponym Levi (Gen 29:34; 34:25, 30; 35:23; 46:11; 49:5; Exod 1:2), his daughter Jochebed (Exod 2:1), and Aaron “the Levite” (אֶהֱרֹן אַחִיד הַלֵּוִי Exod 4:14), the genealogy with Levi, his sons, the clan, *and* the families of the Levites (Exod 6:16–25⁵), Levites are mentioned only in the story of the golden calf (Exod 32:26, 28), where they serve Moses as executors of the punishment. But this does not represent an engagement in the cult. There is one “substantial” reference in the book of Exodus in Exod 38:21. It makes mention of the Levites being under the supervision of Ithamar (בֵּיד אִיתָמָר בֶּן־אֶהֱרֹן הַכֹּהֵן). Although their function stays unspecified, this remark is *implicitly* connected to their service in the cult (for further details, see below).

⁴ In Num 16:7 and 8 Korah is addressed directly but (some of) the Levites are included explicitly: רַב־לֶכֶם בְּנֵי לֵוִי and שְׁמֵעוּ בְנֵי לֵוִי. In vv. 10–11 they are included implicitly, e.g., in the accusation וּבְקִשְׁתֶּם גַּם־כֹּהֵנָה.

⁵ The passage ends remarkably with the first mentioning of הַלְוִיִּים: “These are the heads of the fathers of the Levites according to their clans” (אֵלֶּה רֹאשֵׁי אֲבוֹת הַלְוִיִּים לְמִשְׁפַּחְתָּם). The genealogy is mentioned again in Num 26:57–62. The literary development of both passages cannot be dealt with, here.

Finally, Lev 25:32–33 refer to the Levitical cities and issues of property without mentioning the cultic duties of the Levites.⁶ Thus, the Levites are involved in the construction of the tabernacle, but they are not engaged in the sacrificial cult, which is initiated in Lev 8–9. If we consult Exodus and Leviticus only, Levites do not assist the priests in any way within the cult. The situation does not change radically in Deuteronomy, if we set aside for a moment the information that we get from the book of Numbers. Most of the references to the Levites address the cult in the land, not the cult in the wilderness. Only Deut 10:8–9 bridges the wilderness situation and the Levites in the land of promise within Deuteronomy. The landless position (cf. Num 18:23–24), which is crucial for the Levites in Deuteronomy, is connected (על־כֵּן) to their segregation and their threefold cultic duty that lasts from the wilderness till Moab (עד הַיּוֹם) (הַזֶּה): carrying the ark of the covenant (לְשֵׂאת אֶת־אֲרוֹן בְּרִית־יְהוָה), standing before YHWH to minister him (לִפְנֵי יְהוָה לְשָׂרְתוֹ לְעַמֵּד), and blessing in His name (וּלְבַרֵךְ).⁷ Besides Deut 10:8–9 and the Levitical ministry in the land, Levites are mentioned in Deut 31:9 and 25 carrying the ark of the covenant. No further cultic function is referenced. Finally, Deut 33:8–9 brings up the Levites within the blessing of Levi, mentioning the Thummim and Urim as privilege of a man (לְאִישׁ) and (if we take the subject for granted) that they observed the word of the Lord and kept His covenant (וּבְרִיתֶךָ יִנְצְרוּ). The enigmatic reference to the Urim and Thummim and the temptation at Massah addresses Aaron, but the postscript may refer to the Levites. Nevertheless, there is no cultic function or ministry mentioned explicitly. Thus again, without the book of Numbers the wilderness cult would take place almost without the participation of the Levites in terms of employment, function, or charge. By contrast the role of Levites in the book of Numbers is crucial: They are responsible for managing the transport of the sanctuary, they assist the priests in the sacrificial cult, and they are consecrated in a rite that has many parallels to the consecration of

⁶ See n. 12 for further remarks.

⁷ The focus above is only on the connection between the wilderness situation and the cult in the land, esp. in Jerusalem. Just to mention the difficulties connected with Deut 10:8–9 in the final text of Deuteronomy: The ministry of the Levites is mentioned in Deut 18:7 (וְשָׂרְתָה) (בְּשֵׂם יְהוָה אֱלֹהֶיךָ כְּכָל־אֲחֵי הַלְוִיִּים הַעֲמִידִים שָׂם לִפְנֵי יְהוָה לְיָדֶיךָ). The blessing is mentioned in Deut 21:5 and the carrying of the ark in Deut 31:9. The situation in Deuteronomy is much more complicated; see for a description Dahmen, Ulrich: *Leviten und Priester im Deuteronomium. Literarkritische und redaktionsgeschichtliche Studien*, BBB 110, Bodenheim: Philo 1996, 6–20 and 388–404; Samuel, Harald: *Von Priestern zum Patriarchen: Redaktions- und traditionsgeschichtliche Studien zu Levi und den Leviten in der Literatur des Zweiten Tempels*, Ph.D. diss., Georg-August-Universität Göttingen 2012, 85–155. I am grateful to Harald Samuel for sharing the manuscript of his doctoral dissertation with me. The print version is forthcoming as: *Von Priestern zum Patriarchen: Redaktions- und traditionsgeschichtliche Studien zum alttestamentlichen Kultpersonal*, BZAW 448, Berlin/Boston: de Gruyter 2013.

priests in Lev 8. More than once their duty is called עבודת, משמרת, קרב, “service”, “charge”, “work”, “nearing”, “assistance”, etc.

The general importance of the Levites in the book of Numbers is corroborated by statistical observations, even if these do not take the involvement in the cult into account. Besides the occurrence of the eponym Levi, the determined noun/adjective singular הלוי and plural הלויים require special attention. The greatest number of the determined הלוי in the singular within the Pentateuch can be found in Deuteronomy with reference to the *personae miserae* (apart from Deut 10:8) while the two instances in Exodus (Exod 4:14; 6:19) and the four verses in Numbers (Num 3:20, 32; 18:23; 26:57) that attest הלוי do not refer to the Levite as *persona misera*, but rather to the Levites as a non-priestly group in the vicinity of the temple. The vast majority of the determined plural הלויים can be found in the book of Numbers, where 55 instances stand against 2 in Exodus, 4 in Leviticus, and 8 in Deuteronomy.

Regarding the term *in general*, Genesis focuses the eponym Levi with 6 attestations, Exodus has only 11 instances in 9 verses (and only two of them are not related to the eponym), while Leviticus has only 4 attestations of הלויים in two verses. Deuteronomy has 26 attestations and thus lays emphasis on the Levites, in whatever way. The sheer superior quantity of 75 attestations in Numbers is striking.

The crucial function of the book of Numbers with regard to the Levites becomes even more important if one goes into further detail. Although this paper cannot develop a complete diachronic outline, some remarks on the verses where Levites become engaged in the cult may be helpful. As was already noted, Exod 38:21 is more or less the only substantial reference to the Levites and their function in the cult in the book of Exodus. Exod 38:21 reads:

אלה פקודי המשכן משכן העדת אשר פקד עלי פי משה עבדת הלויים ביד איתמר בן־אהרן הכהן:

This is the sum of the things for the tabernacle, the tabernacle of the testimony, as they were counted at the commandment of Moses, for the work of the Levites under the direction of Ithamar the son of Aaron the priest (RSV).

Actually, this reference appears to be anachronistic because Ithamar is explicitly set over the Gershonites and Merarites in Num 4:28. Exod 38:21, which is often neglected in modern commentaries, has to be considered as an anticipation of the situation portrayed in Numbers. In a diachronic respect, it is – as part of vv. 21–31 – usually identified as a secondary addition,⁸ either attributed with Exod 35:4–40:38 to a later priestly layer P^s or HS,⁹ or as an addition to the

⁸ “Daß wir es hier, wie auch in Ex 30,11–16, mit einem Nachtrag zu tun haben, ist nahezu Konsens”, Samuel, Priestern, 302.

⁹ See Knohl, Israel: The Sanctuary of Silence. The Priestly Torah and the Holiness School, Minneapolis: Fortress Press 1995, 66 and 83.

already secondary text.¹⁰ Considering Exod 38:21 as a conceptual intrusion, it can be attributed to the latest strand of the “Levitical story” (“letztgültige Durchsetzung der priesterschriftlichen Sichtweise”¹¹).

In a compositional and redactional respect it is noticeable that Exod 38:21 is the only intrusion of the Levitical concept from the book of Numbers into Exod–Lev! Strikingly there are no other Levites in the *priestly texts* in Exodus and in Leviticus;¹² they are neither involved in the building process or in the early performance of the cultic service, nor are they excluded from the financial support of the cult (Exod 30:12–16).

There is no doubt that the other hinge of a cultic function outside of the book of Numbers, Deut 10:8–9, is not part of the early conception of the Levites in Deuteronomy. Although בעת ההיא “at that time” links up to the reference of the tablets and the situation to the descent of Moses in Deut 10:5,¹³ it is probably not the voice of Moses speaking but that of the narrator of the book. There is a broad consensus that this passage has to be considered an addition.¹⁴ Ulrich Dahmen has evaluated the intrusion as one of the latest redactional passages in

¹⁰ Cf. Wagner, Thomas: Gottes Herrlichkeit. Bedeutung und Verwendung des Begriffes *kābōd* im Alten Testament, VTSup 151, Leiden et al.: Brill 2012, 55. See for discussion Samuel, Priestern, 302, who attributes Exod 38:21 to the latest layers of the Pentateuch.

¹¹ Samuel, Priestern, 303.

¹² The only exception in Lev 25:32–33 solves the subsequent logical problem that follows from the lack of property of the Levites on the one hand and the living space in the Levitical cities which implies real houses that can be sold to someone who is not Levite, on the other hand. Thus Lev 25:32–33 comes up with a גאלה עולם, so that the character of Levitical cities can be preserved permanently. In terms of diachrony Lev 25:32–33 has to be regarded as a late addition as the analysis of Christophe Nihan has shown, cf. idem: From Priestly Torah to Pentateuch. A Study in the Composition of the Pentateuch, FAT II 25, Tübingen: Mohr Siebeck 2007, 522 and 546.

¹³ This is more appropriate than connecting v. 8 to v. 7 where the death of Aaron is mentioned. Because this scenario is placed in the fortieth year after the exodus, the implementation of the Levites would be displaced. Whether this may have diachronic consequences is disputed. The use of בדל links up to Num 8:14 and 16:9, and the reference to שבט הלוי has to be regarded as priestly phraseology (see משפחת הלוי in Exod 6:19; Num 3:20; Josh 13:14, 33; נשאי הלוי in Num 3:32; and פקודי הלוי in Num 26:57). This holds true although the use of שבט instead of מטה is not the terminology of Numbers, but rather of Deuteronomy (Deut 18:1) and the Chronicler. In sum, it is impossible to attribute vv. 8–9 to a late Deuteronomist (pace Samuel, Priestern, 28). The reference to the death of Aaron presupposes P in Num 20 and the list of places in Num 33:30 so that Deut 10:6–7 may be later than v. 8–9 (Samuel, Priestern, 23: “gelten allgemein als spätester Zusatz innerhalb des Abschnitts”). It is the claim of priesthood and the hierarchical pole position of the Aaronides which is cemented again in Deut 10:6–7.

¹⁴ “In der älteren wie jüngeren Literatur besteht nahezu allgemeiner Konsens darüber, daß diese beiden Verse (und vv. 6f) durch ihr Thema und ihr anders gelagertes Interesse aus dem Zusammenhang der Erzählung herausfallen”, Dahmen, Leviten, 23, see 23–73 for the most comprehensive and concise analysis of both verses.

the Pentateuch.¹⁵ It is a late theoretical peak with systematic aspiration.¹⁶ Deut 10:8 – it is not by chance that this verse opens the statements on Levites in Deuteronomy – bridges the conception of Numbers and Deuteronomy (בעת עמד היום הזה/ההוא) in combining several functions. However, it must be noted that the assignment of powers does not agree with the Levites' status in Numbers, but is contrastive to it. The Levites' honorary position as a general characteristic which precedes the functional perspective is of utmost importance and takes up the position of Numbers: The whole tribe of Levi is segregated (בדל Num 8:14; 16:9). And this special position qualifies the Levites now (1) to carry the ark of the covenant (Num 3:31; Deut 31:9, 25), while covering the ark is reserved to the Aaronides (Num 4:5); (2) to stand before YHWH (Deut 18:5, 13), while Num 3:6 and 8:13 let the Levites stand before Aaron or the Edah (Num 16:9); (3) to serve YHWH (בשם יהוה Deut 18:5, 7; cf. 21:5) and not Aaron (Num 3:6; 18:2); (4) to bless in His name, while Num 6:23 (cf. Lev 9:23) restricts the blessing to Aaron and his sons. In sum, the responsibilities and skills of the Levites in Deuteronomy exceed the designations in the book of Numbers, but at the same time they do not put the Levites on one level with the priests. Thus Deut 10:8–9 mediates in favor of the Levites and goes as far as possible within the standards of the book of Numbers. Deut 10:8 is an attempt at a very late adaptation of different conceptions. Maybe the reference to Aaron's priesthood in Deut 10:6–7 again turns back the clock by cementing the priestly position of the Aaronides.

In sum: Both passages which relate to a cultic function of the Levites outside the book of Numbers are late redactional intrusions which presuppose the conception developed in Numbers. The formative power of structuring the ministry in the wilderness sanctuary has to be considered in the book of Numbers. The importance of its conception within the Pentateuch is pivotal. The second point will concentrate on the hierarchy within this conception.

1.2. *The Hierarchy of Priests and Levites in Numbers*

The hierarchy of priesthood in the book of Numbers is quite clear. It is the family of Aaron that is ordained to perform the priestly duty. Aaron is *pater familias*, eldest, and thus leading priest. Nevertheless, in the *narrative world* there is in fact a *very* small circle of priests. After the death of Nadab und Abihu, only Eleazar and Ithamar act as priests next to their father (Lev 10). Although there are 71 attestations of the lexeme כהן in the book of Numbers, strictly

¹⁵ Cf. Dahmen, *Leviten*, 71: “nach R^P und nach den späten dtr Redaktionsschichten des Dtn und DtrGW”.

¹⁶ Seebass, Horst: *Art. Levi/Leviten*, TRE 21, 1991, 36–40, 38: “theoretische Spitzenformel”. Cf. also Samuel, Harald: *Levi, the Levites, and the Law*, in: *Rewriting and Interpreting the Hebrew Bible. The Biblical Patriarchs in the Light of the Dead Sea Scrolls*, ed. by Devorah Dimant/Reinhard G. Kratz, BZAW 439, Berlin/Boston: de Gruyter 2013, 215–230, 216.

speaking there are just these three priests performing the whole cult in the wilderness. This is made explicit in Num 3:2–4:

2 ואלה שמות בני־אהרן הבכור נדב ואביהוא אלעזר ואיתמר:
 3 אלה שמות בני אהרן הכהנים המשחים אשר־מלא ידם לכהן:
 4 וימת נדב ואביהוא לפני יהוה בהקרבתם אש זרה לפני יהוה במדבר סיני
 ובנים לא־היו להם
ויכהן אלעזר ואיתמר על־פני אהרן אביהם:

Here, it is stated that neither Nadab nor Abihu had children and Phinehas, the son of Eleazar, is not mentioned yet either. From the genealogical perspective v. 4 narrows the priestly family to two lines. However, we have to acknowledge that besides the genealogical notices (Num 3:2, 4; 26:60) Ithamar is mentioned more explicitly only three times in Numbers (Num 4:28, 33; 7:8), where he is set over the Gershonites and Merarites (regarding Exod 38:21, see above). Implicitly he is demanded to blow one of the two trumpets (Num 10:8), but that is his whole concrete duty. There are no descendants of Ithamar mentioned in the book of Numbers.¹⁷ Besides Num 3:4¹⁸ it is not distinctly stated that Ithamar performs *any* cultic service. Thus the priestly lineage in the narrative of Numbers is de facto narrowed to Aaron – Eleazar – Phinehas. However, Ithamar holds the title הכהן several times,¹⁹ although Eleazar does so much more often and explicitly (e.g., Num 17:4; 19:3, 4). Phinehas is the only mentioned descendant of Eleazar, so that the total number of priests increases to four (although in fact they remain three because Aaron is already dead beyond Num 20). The main line stresses the sequence Aaron – Eleazar – Phinehas.

Nevertheless, the importance of Num 3:3 cannot be underestimated. All four sons of Aaron are qualified as הכהנים המשחים “the anointed priests” אשר־מלא ידם “whose hand he/one had filled to act as priest”. Whoever is subject of the verb (Moses, Aaron, YHWH, or an impersonal singular, with the Septuagint an impersonal plural²⁰) the ordination refers back to Exod 28:41; 29 and Lev 8. Due to the אש זרה incident the first and second born are cut out of the genealogical succession. In taking up the verb כהן v. 4b makes clear that only Eleazar

¹⁷ See 1 Chr 24:3 and Ezra 8:2 for descendants of Ithamar.

¹⁸ Cf. 1 Chr 24:2–6 where a strong emphasis is laid on the priority of the Eleazarides, although a priestly service of the Ithamarides with half of the “heads” is mentioned.

¹⁹ Ithamar is associated with the title הכהן only following the filiation בני־אהרן (Num 4:28, 33; 7:8) so that the title could be related to Aaron as well. Is he “the son of Aaron, and the priest” or “the son of Aaron, who is priest”? Num 25:7, 11 (Phinehas); and 26:1 (Eleazar) where the designation of the title הכהן takes place after Aaron’s death reveal that the title should be related to Ithamar as well. Thus the title “priest” is not only applied to the genealogical successor and the current high priest.

²⁰ Moses is most probably following Exod 28:41; 29:9, and 35. An impersonal singular may link the passage to Exod 29:29, 33; and Lev 8:33. For the preference of the *lectio difficilior* see Pola, Thomas: Die ursprüngliche Priesterschrift. Beobachtungen zur Literarkritik und Traditionsgeschichte von P^g, WMANT 70, Neukirchen-Vluyn: Neukirchener Verlag 1995, 79 n. 124.

and Ithamar are legitimate successors and the only remaining priests to minister (with) Aaron.

The structure and unity of Num 3:1–4 are a frequent subject of discussion.²¹ We cannot go into detail here, though it is striking that each of the first three verses begin with the demonstrative pronoun אלה. The integration of Moses in v. 1²² is often scrutinized, much less the repetition of v. 2a in v. 3a.²³ For Kellermann and others this is no problem (“Trotzdem liegt kein triftiger Grund vor, 2 von 3 zu trennen”²⁴); Möhlenbrink and others consider vv. 2–3a an addition.²⁵ The repetition v. 3a can also be considered some kind of “Wiederaufnahme” that indicates the insertion of v. 3. In the text the demonstrative pronoun has a different function: While in v. 2a it is cataphoric “these *are* the names of the sons of Aaron:” in v. 3a it is anaphoric “these *were* the names of the sons of Aaron.” V. 3 expresses the election and inauguration of the priests in Exod 28; 40 and Lev 8. The unique phrase המשהים הכהנים is put in front as a kind of honorific title: they are the anointed priests. This resembles Exod 28:41; 30:30 and 40:15 where the anointment of the sons of Aaron is combined with the root כהן, too. The exceptional position is emphasized by the relative clause that highlights the ritual of installation (of filling the hand²⁶) as empowerment and qualification to act as priest (לכהן). Hence, Num 3:3 makes clear that the priesthood is restricted to the three Aaronides, who were employed before. V. 4 again puts particular emphasis on this point: Ithamar and Eleazar served as priests (כהן D-stem) during the lifetime of their father (על-פני אהרן אביהם).²⁷ V. 6 explicitly subordinates the Levites to this small group, especially to Aaron

²¹ Note, for example, the structural correlation of Num 3:1–4 and Num 3:10 and its framing function observed by Lunn, Nicholas P.: *Numbering Israel. A Rhetorico-Structural Analysis of Numbers 1–4*, JSOT 35 (2010), 167–185.

²² See, e.g., Möhlenbrink, Kurt: *Die levitischen Überlieferungen des Alten Testaments*, ZAW 52 (1934), 184–231, 190; Kellermann, Diether: *Die Priesterschrift von Numeri 1,1 bis 10,10. Literarkritisch und traditions-geschichtlich untersucht*, BZAW 120, Berlin: de Gruyter 1970, 46; Samuel, Priestern, 170–171.

²³ Read with many manuscripts both verses beginning with a copula (ואלה).

²⁴ Kellermann, *Priesterschrift*, 46.

²⁵ See, e.g., Möhlenbrink, *Überlieferung*, 190.

²⁶ For this phrase see Exod 28:41; 29:9, 29, 33, 35; Lev 8:33; 16:32; and 21:10; note the singular of מלא in every instance, which indicates a different formula.

²⁷ For this interpretation see Milgrom, Jacob: *Numbers*. [Ba-midbar]. *The Traditional Hebrew Text with the New JPS Translation, The JPS Torah Commentary*, Philadelphia/New York: Jewish Publication Society 1990, 15; Levine, Baruch A.: *Numbers 1–20. A New Translation with Introduction and Commentary*, AB 4, New York et al.: Doubleday 1993, 156.

(אהרן הכהן ושרתו אתו: הקרב את-מטת לוי והעמדת אתו לפני). Thus, “priests” is a family affair in the book of Numbers.²⁸

Generally, priests that are not to be identified with Aaron, Eleazar, Ithamar, and Phinehas in Numbers are rare; they are mentioned mostly in rituals which shall be performed repeatedly (Num 5:8–10, 15–30; 6:10–20; 15:25–29; 19:6, 7; 35:25, 28, 32). Within the ritual scripts there are priests acting and the text does not identify them with Aaron, Eleazar, Phinehas, or Ithamar explicitly. For instance the restitution of Num 5:8 belongs to “the priest” if the wronged party is not accessible because there is no next of kin. Or the priest who is conducting the ritual of Num 5:11–31 is called “the priest” only. Within the textual world of the book of Numbers the priest is mostly Aaron, sometimes Eleazar. The ritual in Num 19 forms a special case. It mentions Eleazar explicitly, but besides there is a priest acting in vv. 6–7, who is considered unclean until the evening.²⁹ This may be a further priest, but it cannot be excluded that it is also Eleazar. Only some passages burst the limits of the narrative logic clearly: When God declares in Num 18:11 and 19 that all taxes and tributes are given to Aaron, his sons, and his daughters with him (ולבניתך אתך לך ולבניך v. 18) then the narrative world of Aaron and his four sons is transcended towards a class of priests. The regulation of wages in Num 18 is formulated as an everlasting law, which shall function in the land, too. The same holds true for the law of refuge, where the genealogical succession of the high priest seems to exceed the sequence Aaron – Eleazar – Phinehas. If a falsely accused manslayer shall live in the city of refuge until the (high) priest’s death, the succession line is generalized. But beside these noted exceptions and special cases the narrative world in the book of Numbers restricts priesthood to the mentioned members of the family of Aaron.

Strikingly, the cult prescribed in the books of Exodus and Leviticus operates without Levitical assistance on the textual level. But is this a realistic scenario? One may question whether the cult prescribed could be performed without the assistance of cultic personnel. However, the textual world does not employ the Levites in the sacrificial cult proper (e.g., Lev 1–7) before Num 8. From another point of view one may ask whether questions of operationalization are appropriate to a narrative world. Be that as it may, the introduction of Levitical staff to perform the sacrificial cult and to assist the very small group of priests is

²⁸ However, it is striking that only Exod 19:22 and 24 may escape this small circle. These passages mention priests before the ordination of priests. In my view this is a compelling argument for a diachronic approach and a pre-priestly Sinai theophany, which existed independently from the priestly narrative.

²⁹ For Num 19:6–7 see Frevel, Christian: Struggling with the Vitality of Corpses. Understanding the Rationale of the Ritual in Numbers 19, in: *Les vivants et leurs morts. Actes du colloque organisé par les chaires d’assyriologie et des milieux bibliques du Collège de France*, Paris, les 14 et 15 avril 2010, ed. by Jean-Marie Durand et al., OBO 257, Fribourg: Academic Press/Göttingen: Vandenhoeck & Ruprecht 2012, 199–226, 203–206, esp. 204.

consistent. Thus, on the one hand, diachronic concepts in which Num 1–10 are dated post-priestly and *much* later than Exod 25–40; Lev 1–7; 8–9; 16, and where Num 1–10 are postponed to the end of the redactional processes of the Pentateuch raise serious questions about the operationalization of the cult. This should be kept in mind in the discussion of literary growth. On the other hand, it remains a mystery why the Levites are not introduced earlier or why they are not even mentioned or added to the narrative of the initial sacrifices in the wilderness (Lev 9) or in other texts.

The very small circle of acting priests responsible for the ritual performance of the cult raises the question whether there are already tensions between priests and Levites in the book of Numbers. Or, to put it differently: Is the hierarchy of Aaronides and Levites contested in the book of Numbers?

1.3. *Is There a Particular Tension between Levites and Priests in Numbers?*

Let us start with a thought experiment: If we leave Num 16 aside for a moment, it is striking that in neither the so-called non-priestly passages of the book of Numbers (roughly Num *11–14; *21:1–25:5; *32) nor in the passages that were formerly often attributed to the Priestly *source* (Num 13–14*; 20:1–13, 22–29; 27:12–23) do the Levites play *any* role. In the diachronic respect, the Levites enter the book of Numbers in later literary stages. If Num 1–10* are not attributed to the first priestly narrative, there are no Levites as cultic personnel that should pop up in the land. Given the fact that the Deuteronomy was already the continuation of the Tetrateuchal narrative at this stage of literary growth, which is probable in my view, the beginning of Deuteronomy is compatible with the “Levite-less” Tetrateuch. Moses, Aaron, Eleazar, Ithamar, and Phinehas belong to the tribe of Levi – and that’s it. Even the הכהנים הלויים in Deut 17:9 may be unproblematic as addressing the family of Aaron. The clash in the synchronic respect comes to light in Deut 18:6–7, where the Levite from the towns comes to the central sanctuary and is demanded to take part in the service of his brothers, the Levites (העמדים שם לפני יהוה ככל־אחיו הלויים). This definitely reflects a group beyond the scope of Aaron’s family. The situation is different in the book of Numbers. There is no explicit contradiction with the Levitical concept of the book of Numbers, even if the text lacks Num 1–10. For example: Although *one* spy from every tribe is sent to Canaan (איש אחד למטה, Num 13:2), the tribe of Levi is exempted and the enumeration in vv. 5–15 lists 12 representatives by splitting up the tribe of Joseph into Manasseh and Ephraim, because the tribe of Levi will not inherit the land that YHWH will give to Israel (אשר־אני נתן לבני ישראל, Num 13:2). Hence, the tribe of Levi should

not participate in the inspection of the land.³⁰ Overall, the concept of priests and Levites in the book of Numbers is consistent, even beyond their introduction and inauguration in Num 1–10. The book reads as if there were Levites. This holds also true for the narrative, in which the priesthood of the descendants of the Aaronides is challenged, Num 16.

This narrative is often taken as a general indicator that there is a tendency of denigration of the Levites in the book of Numbers.³¹ The group, part of the *clerus minor*, and led by Korah, had revolted against the *clerus major*, but was wrestled down.³² But does this understanding meet the intention of the text? In Num 16:8–10 Moses reproaches the Levites by addressing Korah directly:

8 ויאמר משה אל־קרח שמעו־נא בני לוי:
9 המעט מכם כִּי־הבדיל אלהי ישראל אתכם מעדת ישראל להקריב אתכם אליו
לעבד את־עבדת משכן יהוה ולעמד לפני העדה לשרתם:
10 ויקרב אתך ואת־כל־אחיך בני־לוי אתך ובקשתם אם־כהנה

The accusation presumes the election of the Levites (בדל H-stem) and their appointment as cultic servants (קרב H-stem). Both aspects resemble Num 8: Bringing the Levites close to the Lord by קרב H-stem (in both instances the subject is Aaron!) is the rationale of their installation in Num 8:9–10 (esp. v. 10: והקרבת את־הלויים לפני יהוה). The separation of the Levites recalls the demand of Num 8:14 (והבדלת את־הלויים מתוך בני ישראל והיו לי הלויים),³³ which is the *only* attestation of the root בדל in Numbers besides Num 16:21.³⁴ The formulation in Num 16:9 emphasizes the intermediate position of the Levites “to serve the service of the tabernacle of the Lord and to stand before the congregation to minister them” (לעבד את־עבדת משכן יהוה ולעמד לפני העדה לשרתם). Exactly עבדת [ה]משכן is used for the Levites in Num 3:7–8 (and 1 Chr 6:33) acting vicariously for the congregation (לשרתם, cf. Ezek 44:11). V. 10a frames the twofold job

³⁰ The list of the names and the emphasis on the representatives in Num 13 is often regarded as secondary [e.g., Noth, Martin: Das vierte Buch Mose. Numeri, ATD 7, Göttingen: Vandenhoeck & Ruprecht 1966, 92]. If not, the conception of Num 13:2 and 13:5–15 should be regarded as antecedent to the Levi-conception. This would imply that there was no tribe of Levi (n.b. Levi is lacking in the listings in Num 1; 2; and 7). This is most unlikely because Levi is mentioned in the lists of Gen 29:31–30:24; 35:23–26; 46:8–27; 49:3–7; and Exod 1:2–4.

³¹ Because the focus here is on the literary presuppositions of the Levitical conflict I will not go into detail regarding the narrative and its diachronic profile. Also I will not engage the old problem whether Korah was a Levite from the beginning. For the literary problems, see Achenbach, Reinhard: Die Vollendung der Tora. Studien zur Redaktionsgeschichte des Numeribuches im Kontext von Hexateuch und Pentateuch, BZAR 3, Wiesbaden: Harrassowitz 2003, 37–172; and Berner, Christoph: Wie Laien zu Leviten wurden. Zum Ort der Korachbearbeitung innerhalb der Redaktionsgeschichte von Num 16–17, BN 152 (2012), 3–28.

³² See for instance Dillmann, August: Die Bücher Numeri, Deuteronomium und Josua, KEHAT 13, Leipzig: Hirzel 21886, 89; or Holzinger, Heinrich: Numeri, KHC 4, Tübingen: Mohr 1903, 66.

³³ See further Deut 10:8 and Neh 10:29.

³⁴ But the subject is Aaron, in contrast to Num 16, where it clearly is God himself (cf. v. 10).

characteristics of v. 9 and ends with an accusation: “and now you also seek the priesthood” (ובקשתם גם-כהנה); thereby again using the *terminus technicus* כהנה that is crucial for the restriction of priesthood to the Aaronides.

Thus, it is quite clear that Num 16:8–10 already presume the overall concept of cultic hierarchy in Numbers that is developed in Num 3 and 8. The reproach of Moses against his cousin and the Levites being insolent by claiming the priesthood like Aaron, Eleazar, and Ithamar is neither the beginning nor the origin of a conflict that *gave birth* to the hierarchy in Num 1–4; 8 but rather already presumes the explicit hierarchy. Within the narrative of Num 16 we are not confronted with a denigration of the Levites *as such*, but only of those Levites who break from the “given” system by claiming priesthood. In the narrative those guys are conjoined with Korah, but we do not really know more about this group. However, although the Levites are rebuked on the one hand, their particular rank is emphasized on the other hand, too. Priesthood and Levitical ministry are correlated and the Levitical part cannot be withdrawn from the priestly and the other way around. Hierarchy becomes a stabilizing function as regards the system of cultic service in the book of Numbers.

If this holds true, some diachronic consequences are obvious: the Korah thread that redactionally conjoins the profane conflict of Dathan and Abiram and the 250 men episode in Num 16 is at least on the same diachronic level or later than the hierarchal order of priests and Levites in Num 8, i.e., post-priestly.³⁵

From the basic evidence that the hierarchy of priests is already presupposed rather than introduced in or developed from Num 16, a fresh look at the topic of hierarchy in Num 17 may provide further insights.

1.4. Blossoms of Hierarchy: The Election of Aaron and the Levites in Num 17

Obviously, the narrative of Num 17:16–28 [Eng. Num 17:1–13] establishes Aaron as the head of all Levites. This is termed ראש בית אבות in Num 17:17–18: Twelve staffs represent the twelve “families” (בית אבות), i.e., the twelve tribes, and each staff will bear the name of a single chieftain (Num 17:16–17). The rod of Levi carries the name of Aaron (Num 17:18). The purpose of the ordeal is to show the person (האיש) who is chosen by God. The staff of the chosen one will blossom, and that is Aaron’s rod. The ordeal aims to single out *one* of the rods. The phrase ראש בית אבות, which is used in Exod 6:14 (for the Rubenites exemplarily); Num 1:4; 7:2; and Josh 22:14 makes clear that it is *one* descendent of the tribe only. While until Num 17 no head of the tribe of Levi was revealed explicitly, Num 17 catches this up with Aaron, who is a third generation representative (Levi → Kohath → Amram → Aaron). The same can be presumed for Nahshon, representative of the tribe of Judah (Num 1:7; 2:3; 7:12, 17;

³⁵ In the sense of post-priestly narrative.

10:14), whose sister married Aaron and gave birth to Nadab, Abihu, Eleazar, and Ithamar (Exod 6:17). Following this line Dathan and Abiram, sons of Eliab, the representative of Zebulun (Num 1:9; 16:1; 26:9), are part of the fourth generation as are Eleazar and Ithamar, while Korah belonged to the third generation and was an opponent to Aaron!³⁶ But the narrative of the ordeal takes place after the death “of the rod” of Korah (אשר לקרה ואת Num 16:32).³⁷ If Aaron’s leadership was questioned by the representatives of the other tribes, the result could have been: Nahshon, representative of Judah, instead of Aaron, representative of Levi (or the like). On the one hand, the result of the ordeal singles out Aaron as the sole legitimate representative. On the other hand, the tribe of Levi is chosen together with its representative (v. 23). It is not any of the twelve staffs, but the staff of the tribe of Levi. The proclamation of “all the congregation are holy, all of them” (כי כל־העדה כלם קדשים) Num 16:3 is rebuked again by the result of the ordeal: The tribe of Levi is chosen within the twelve tribes, but Aaron and his family are the legitimate representatives within the tribe of Levi. At the end of the ordeal this is performed symbolically: While the Levite rod of Aaron is deposited in the holy of holies, the other rods are brought back to the representatives and remain outside (vv. 22–24). It is a play with “in” and “out”, coming near or not (Num 16:5; 17:5).

In sum: With the ordeal Aaron and the Levites are lifted likewise; the aim of the ordeal is a twofold one: to prove the special position of the Levites together with the leadership of the Aaronides. The result is the same as in Num 16: the hierarchy of priesthood, or even better, the hierarchy within the cultic personnel is already set. The Levites are the chosen ones *and* Aaron is the foremost priest. His name is in the holy of holies, no one else’s (cf. Lev 16). Nevertheless, Aaron’s leadership role goes beyond his cultic function as the foremost priest. One must not forget the reason and aim of the ordeal: to end the murmuring against Moses and Aaron (Num 17:20; cf. 17:6; 16:3). Had it been Aaron alone, the issue could have been narrowed to the cultic service, but since the murmur is against both of them (cf. Exod 16:2; Num 14:2) the “political” and the “cultic” level are intermingled. As the murmur against the leadership of Moses and Aaron is terminated by approving Aaron only, the tendency to the priestly top position within a hierocratic conception is implicitly given already. At the end of Num 17 Aaron is the foremost leader even if Moses has not resigned.³⁸

³⁶ From this viewpoint it is hard to believe that Deut 11:6, where Dathan and Abiram are already Rubenites, is the origin of the Dathan and Abiram tradition.

³⁷ It is not clear in the narrative whether Korah is killed or not, but cf. Num 17:5 and 26:10.

³⁸ Cf. Achenbach, *Vollendung*, 293.

In order to corroborate the result that the hierarchical construction of priests has singled out one “highest” priest from the beginning implicitly which becomes increasingly explicit in the narrative of the book of Numbers, we have to move on to the narrative of Num 25 and the crucial covenant of priesthood.

2. The Covenant of Phinehas

I will not engage below in the diachronic analysis of the narrative with its different parts vv. 1a, 3, 5 (“pre-priestly”), vv. 1b, 2, 4 (“non-priestly”), vv. 6–9, 10–13, 14–15, 16–19 (“priestly”) (in whatever reification), or in the background of the zeal of Phinehas or in the particular concept of atonement in this narrative which parallels Num 17:1–5.³⁹ Instead I will focus on the threefold question: Whose covenant is the covenant of Phinehas in Num 25 and by whom is it granted and what is its content?

2.1. Whose Covenant Granted by Whom?

The speech of God begins in v. 10 and runs most probably till v. 13. Following the Masoretic Text vv. 12–13 say:

12 לכן אמר הנני נתן לו את־בריתי שלום:
13 והיתה לו ולזרעו אחריו ברית כהנת עולם
תחת אשר קנא לאלהיו ויכפר על־בני ישראל:

¹² Wherefore say, Behold, I give unto him my covenant of peace: ^{13a} And he shall have it, and his seed after him, *even* the covenant of an everlasting priesthood; because he was zealous for his God, and made an atonement for the children of Israel.⁴⁰

The translation of the KJV may help to focus the crux immediately: The Codex Leningradensis clearly attests an imperative singular אָמַר, whose subject is not the speaker himself, but the addressee. “*He*”, Moses (v. 10a), shall declare to give “*him*”, Phinehas (v. 11a), the covenant. Milgrom comments: “*Say* That is,

³⁹ Some of the work was already done in papers in which I addressed the Baal-Peor incident, the mixed marriage issue, the link to the Balaam narrative and to Num 31, and finally the covenant of Phinehas: cf., inter alia, Frevel, Christian: Are There Any Reasons Why Balaam Has to Die? Prophecy, Pseudo-Prophecy and Sorcery in the Book of Numbers, in: Torah in Psalms and Prophecy, ed. by Dirk J. Human et al., LHBOTS 562, London: T&T Clark, forthcoming; idem: The Discourse on Intermarriage in the Hebrew Bible, in: Mixed Marriages. Intermarriage and Group Identity in the Second Temple Period, ed. by idem, LHBOTS 547, London/New York: T&T Clark 2011, 1–14; idem/Benedikt Rausche: Deepening the Water. First Steps to a Diachronic Approach on Intermarriage in the Hebrew Bible, in: op. cit., 14–45; idem: “Mein Bund mit ihm war das Leben und der Friede”. Priesterbund und Mischehenfrage, in: Für immer verbündet. Studien zur Bundestheologie der Bibel, ed. by Christoph Dohmen/Christian Frevel, SBS 211, Stuttgart: Katholisches Bibelwerk 2007, 85–93. I will not refer to these previous papers extensively here.

⁴⁰ Translation and orthography: KJV.

to the people, in the form of an oath".⁴¹ It makes a difference whether Phinehas is decorated by God or by Moses. However, there is no easy way to decide whether the imperative was the common understanding from the beginning.⁴² The uncertainty is amplified with the enclitic personal pronoun *my* covenant: The parallels in Isa 54:10; Ezek 34:25; and Mal 2:5 suggest God as subject not only of the covenant, but also as subject of the granting. If the speech is not a declaration by the speaker God ("I say") but a call for attributing the covenant to Phinehas, then the first person suffix with בריתי "my covenant" puzzles even more. If one presumes that a construct chain in which the first element is determined by a pronominal suffix would be grammatically incorrect,⁴³ then בריתי שלום is not a construct chain, but rather a double accusative, "taking the two nouns as appositional".⁴⁴ שלום does not explain the covenant ("my covenant of peace") but rather is its content. "Behold, I give to him my covenant: (that is) peace/welfare/prosperity/well-being/salvation".⁴⁵ Hence, it is not clear whether "my covenant" in v. 12 is identical to the ברית כהנה of v. 13a. However, the declarative speech in vv. 12–13 indicates that both are identical. In this view, everlasting priesthood is identified with *šālôm*, whatever that means.

Within the Masoretic Text, the covenant of perpetual priesthood is granted most probably by the addressee of the speech of v. 12, that is Moses, and through Moses the whole community of Israel. He shall grant his or *the* covenant to Phinehas, and this covenant comprises the ministry. This appears odd because the Aaronides are chosen by God himself. However, it is actually Moses who ordains the Aaronides as priests, e.g., in the instruction Num 3:10: "you shall appoint Aaron and his sons, and they shall attend to their priesthood (RSV; תפקדו ושמרו את-כהנתם)".⁴⁶ It is important to note that Num 3:10 is not the first time that Moses is commanded to assign the priesthood to Aaron. This becomes clear if one takes the two other instances of the keyword כהנה "priesthood" outside of the book of Numbers into account. Exod 29:9 reads (and the addressee is Moses again):

והגדת אתם אבנט אהרן ובניו וחבשת להם מגבעת

⁴¹ Milgrom, Numbers, 216.

⁴² The Greek εἶπον can be read as imperative aorist or 1st pers. sg. respectively. Thus it does not help in determining the oldest understanding of the subject.

⁴³ See for a solution Freedman, David N.: Broken Construct Chain, Bib 53 (1972), 534–536. See ברית שלום in Isa 54:10 (ברית שלומי); Ezek 34:25; and 37:26. Another example is קדשי שם which occurs very often.

⁴⁴ Levine, Baruch A.: Numbers 21–36. A New Translation with Introduction and Commentary, AB 4A, New York et al.: Doubleday 2000, 289.

⁴⁵ See for this understanding Mal 2:5 והשלום יהיה אתו החיים ובריתי היתה אתו. The enclitic suffix at בריתי is lacking in the original Greek and in the Peshitta, so that a construct chain "covenant of peace" is possible.

⁴⁶ The other instances of כהנה in the book of Numbers are Num 16:10 where the Levites are challenged to claim priesthood and two instances in Num 18:1 and 7.

וְהָיְתָה לָהֶם כְּהֵנָּה לְחֻקַּת עוֹלָם וּמִלֵּאת יִדְאָהֶרן וִידִבְנָיו:

And you shall gird them with sashes and tie headdresses on them; and the priesthood shall be theirs by a perpetual ordinance. You shall then ordain Aaron and his sons (NRSV).

As was already noted, the second passage using the abstract כְּהֵנָּה is Exod 40:14–15:

14 וְאֵתִבְנָיו תִּקְרִיב וְהִלַּבַשְׁתָּ אֹתָם כְּתָנֹת: 15 וּמִשַּׁחַת אֹתָם כְּאִשֶּׁר מִשַּׁחַת אֲתֵאבִיבָהֶם וְכִהְנֹו לִי וְהָיְתָה לְהֵיטָב לָהֶם מִשַּׁחַתָּם לְכַהֲנַת עוֹלָם לְדֹרֹתָם:

¹⁴ You shall bring his sons also and put tunics on them, ¹⁵ and anoint them, as you anointed their father, that they may serve me as priests: and their anointing shall admit them to a perpetual priesthood throughout all generations to come (NRSV).

If we take this for granted, we have to notice a certain anachronism in Num 3:10 and even more so in Num 25:12: Aaron and his sons had already been commissioned about 40 years ago at the inauguration scene at Sinai! Num 3:10 has to be understood as a durative commission: You shall assign Aaron permanently. It is repeated just to complement the assignment of the Levites under the supervision of Aaron in Num 3:9. While the anachronism in Num 3:10 is placed in the same context as Exod 29:9 and 40:14–15 in time and space (and Num 1–9 is Janus-faced several times),⁴⁷ the situation in Num 25:12 remains puzzling. The sons of Aaron already have a כְּהֵנָּה עוֹלָם from their investiture at Mount Sinai. If this holds true, the sense of the demand for the declaration in Num 25:12 may hint at a contextual understanding. According to the proviso that Moses is actually the subject of “my covenant”, this can be elaborated as follows: It is not Moses as an individual person who is called upon to grant the covenant, but rather Moses by virtue of his office as a representative of *all Israel*. He declares vicariously that they will not challenge the priesthood of the Aaronides anymore, even if they are hotheaded: “*Šālôm!*”. “My covenant” is granting peace by accepting the claim of leadership. YHWH calls on Moses to transfer the claim of leadership to the Aaronides. Because the initiative comes from God, the leading position of the Aaronides regarding cult, morals, and public order is sanctioned by God. The declaration of Moses functions implicitly as a disclaimer: We will never pretend to holiness again. The conflict is solved substantially from Phinehas onwards.

2.2. Priesthood and Leadership in Num 25

In a deeper understanding Israel has “learned” (already in Num 16–17, but at the latest) in the Cozbi affair that the Aaronides and their zeal for the purity of the community *and* within its living space form a necessary commitment that

⁴⁷ See Zenger, Erich/Frevel, Christian: Die Bücher Levitikus und Numeri als Teile der Pentateuchkomposition, in: The Books of Leviticus and Numbers, ed. by Thomas Römer, BETL 215, Leuven et al.: Peeters 2008, 35–74, 61–68.

ensures Israel's existence. This is as important as the sacrificial cult and thus expressed by the same phrase *ויכפר על-בני ישראל*.⁴⁸ They have to expiate the people by performing the cult and by their profane acts which push through *their* moral and religious standards (which are interpreted as God's standards as well). The priest's function is "to go between" (Num 17:13), to protect the holy and the sanctum as well as the people.

Analogously, but from an opposite perspective, in Num 3:9–10 the focus lies on the segregation of the Levites from the Israelites for the service at the tabernacle in order to build a protective tier between the people and the holy.

Let me skip the alternative interpretation, in which one assumes that YHWH is the subject of v. 12 ("I declare"). At a first glance this would more readily match the vicarious position of Phinehas expressed in v. 11. But apart from that the interpretation would run in the same direction. And as was already said: the Masoretic Text cannot be neglected so easily. So the question remains: Does this emphasis on Phinehas and the Aaronide family imply a disparagement or even a denigration of the Levites as is often argued? I would cast severe doubts on this interpretation and, as already stated at the beginning of this paper, in my view such a statement cannot be substantiated in the whole book of Numbers either. For Num 25 this may be corroborated by the reception in Malachi where the covenant is explicitly a covenant of Levi which shall endure (להיות בריתי (אתו את-לוי Mal 2:4). The assurance is connected with life and well-being (בריתי היתה (אתו החיים והשלום).⁴⁹ Another passage that shows the general tendency of the correlation with the whole Levitical cosmos rather than the Aaronide priesthood, is Jer 33:21 which speaks of "my covenant" (בריתי) with David and with the priestly Levites "my ministers" (ואת-הלויים הכהנים משרתי).⁵⁰ Finally, we should mention Neh 13:29 where it is a covenant of Priests *and* Levites: "Remember them, my God, for they have defiled the priesthood and the covenant of the priesthood *and* the Levites (RSV)" (זכרה להם אלהי על גאלי הכהנה וברית הכהנה (והלויים).⁵¹ Again it is the context of intermarriage and the morality connected to endogamy which forms the background in Neh 13:28. At a first glance the phraseology is plethoric especially regarding the double הכהנה and the והלויים at the very end of the verse. This has led some scholars to assume that "and the Levites" should be regarded as an addition.⁵² A redactor brought in the Levi perspective from Deut 33:9 and Mal 2. But what if there were not two parallel

⁴⁸ Cf. Num 17:11–12; 28:22, 30; 29:5; and 31:50.

⁴⁹ For the connection with Num 25 see Frevel, *Priesterbund*, 90–92.

⁵⁰ Note the unique and striking order with double determination הלויים הכהנים. See הכהנים הלויים Deut 17:9, 18; 24:8; Josh 8:33; 1 Chr 9:2; 2 Chr 5:5; 23:18; 30:27; Ezra 10:5; Neh 10:29, 35; 11:20; and Ezek 43:19.

⁵¹ The Septuagint is again more explicit and reads *καὶ διαθήκης τῆς ἱερατείας καὶ τοῦς Λευίταις*.

⁵² See, for instance, Blenkinsopp, Joseph: *Ezra-Nehemiah. A Commentary*, OTL, Philadelphia, Pa.: Westminster Press 1988, 362.

concepts: the covenant of Phinehas with the Aaronides and the covenant of Levi with the Levites? What if the hierarchical correlation of Aaronides and Levites, as is proposed in this paper, is the direction in Neh 13:29, too?

Although all passages imply an association of Levites with the covenant, they cannot provide strict evidence to the fact that the covenant of Phinehas and his descendants in Num 25 does not intend or imply the denigration of the Levites. Nevertheless, the opposite may be questioned by the evidence of the covenant of Levi outside the Pentateuch. But the challenge of the traditional view is obviously given, if one does not share the common view that Levites and Aaronides were opponents throughout the history of priesthood.

2.3. Holiness and Genealogical Succession in the Narrative World

Let me finally add one further thought on the genealogy of the Aaronides: With Num 25 Phinehas enters the stage. He is mentioned first in the priestly genealogy in Exod 6:25 which starts with the *toledôt* of the sons of Levi in Exod 6:16 (ואלה שמות בני־לוי לתלדתם).⁵³ This list is concluded by the formula “these are the heads of the fathers’ houses of the Levites by their families (RSV)” (אלה ראשי אבות הלוים למשפחתם) and the person last mentioned in the genealogical line is Phinehas, member of the fourth generation of the house of Levi. The structure of the list in Exod 6, which is not the same as in Num 1–3, has a three-leveled organization: tribe, ancestral houses, and families. Whoever the ראשי אבות in Exod 6 are and regardless of the difficult question whether Phinehas is one of them or not, he is mentioned as the last offspring of Eleazar. His son Abishua (1 Chr 5:30–31; 6:35; Ezra 7:5) is not mentioned in the whole Pentateuch. This may be read as a correspondence of Phinehas being mentioned as the last generation of the genealogy in Exod 6. Besides Num 25:7 and 11 Phinehas is mentioned in the context of the Midianite war in Num 31:6 for the last time in Numbers. There he carries and handles the holy vessels *and* the (two) trumpets (כלי הקדש והצרות התרועה בידו).⁵⁴ Although Phinehas does not play a major role in the book of Numbers, the concept of the family of Aaron, and with that the priesthood and hierarchy of priests seems to be deliberately measured. Phinehas is the spearhead of Aaronide priesthood in multiple meaning. Phinehas forms an open end in the succession of priests. He is entrusted with substantial functions and assists his father Eleazar as Eleazar and Ithamar have assisted Aaron

⁵³ There are serious problems in understanding the composition of the list in vv. 14–25, which presents only Reuben, Simeon and Levi in a different manner. These problems cannot be discussed here in detail (for an overview of the textual problems cf. Schmidt, Werner H.: Exodus 1–6, BKAT II/1, Neukirchen-Vluyn: Neukirchener Verlag 1988, 295–311). At the risk of being overly simplistic one may stick to the fact here that it is more or less common to sort in vv. 14–15 as a post-priestly (in the sense of post-P^e) addition to Exod 6.

⁵⁴ See the note above on Ithamar and his possible duty to blow one of the trumpets.

before his death. The successional model of priesthood and liability is continued in the narrative quite conspicuously.

Aaron is the dominant figure in Num 1–18. Eleazar is mentioned only sporadically in Num 3:2 and 4 within the genealogical notice of the offspring of Aaron. The reference to him in Num 3:32 is substantial: He is introduced as chief over the leaders of the Levites (ונשיא נשיאי הלוי אלעזר בן־אהרן הכהן). In Num 4:16 he is in charge of the oil for the light. Associated with a case of illicitly breaking into the cultic sphere by offering incense without authorization, he is employed in Num 17:2 (Eng. 16:35) to take up the censers out of the blaze, which lie in front of the tent of meeting. The responsibility is substantiated by the statement “for they have become sacred” (כי קדשו). Since the application of the covering around the altar which is made of the censers Num 17:4 requires direct contact with the altar in front of the tent of meeting, it has to be a *high-ranking priest* who acts. Because the material has been in contact with corpses it cannot be Aaron, the priest of the highest rank. The dangerous defiling capacity of corpses is perhaps also the rationale of mentioning Eleazar in Num 19:3–4. Aaron is not engaged in the whole ritual although he is – together with Moses – the addressee in Num 19:1.⁵⁵ After that Eleazar becomes prominent in Num 20, where he is named as Aaron’s successor (Num 20:25, 26, 28). From Num 26 onwards he frequently acts in roles that were previously filled by Aaron.

Why not in Num 25? Taking the substitution of Aaron in Num 17 for granted, it is quite consistent that Phinehas is employed instead of Eleazar. As in the case in Num 17, the Cozbi affair in Num 25 is associated with an illicit and “idolatrous” action, with the defilement of the sanctuary by breaking through the tabooed line and the holiness of the inner sanctuary (if one may assume הקבה as the היכל “main hall”, or even the דביר, that is the “holy of holies”, which cannot be discussed here). Moreover, the priest comes into contact with the dead couple at least through his spear and thereby he defiles himself. Following Lev 21:10–12 any such task must not be done by the “high priest”, who is qualified as הכהן הגדול מאהיו.

In sum: the overall genealogical concept of the priesthood and the restriction within the very small family circle of father and son (or father and sons, father and son and uncle, etc.) implies the charge and function, if not appointment of a single priest of the highest rank. In the narrative world of the book of Numbers, these are in genealogical sequence Aaron and Eleazar. The book of Numbers implies in several narratives the charge of a הכהן הגדול even if he is not addressed by this term. From this de facto or conceptual presence of a priest with a highest rank or priest entitled הכהן הגדול in parts of the book of Numbers two subsequent crucial issues emerge and need closer enquiry: First, does this

⁵⁵ See Frevel, *Corpses*, 204–205.

conceptual implication already refer to the function of the high priest as “high priest” in the sense of the (later) Second Temple period, or does it refer to the high priest as a priest of the highest rank who only has a superior function in some cultic respects? In other words: If the leading role of the Aaronides in the narrative world is not restricted to the cultic sphere, how far does it extend into the political sphere in a hierocratic concept? And second, how is the explicit reference to הכהן הגדול in Num 35:28 and 32 to be integrated into this picture? Of course, these two tasks transcend the mere immanent perspective on the narrative cosmos of the book of Numbers primarily applied in this paper. Therefore, diachronic and historical consequences will be subsequently addressed in section 4.

3. Ending with the High Priest

Read from the evidence presented in section 2, Aaron is installed as the “high priest” in Num 17 not only in the story of the rod of Aaron but in the expiation scene as well. His role of leadership exceeds the cultic realm and so does the approbation in the ordeal. Although the family of priests is small and restricted to Aaron and his living sons within the narrative of the Torah, the position of the high priest and his ministry within the cult, administration, and society is already implicit in the text of the Torah. This is more or less a common assumption made already by Frank-Lothar Hossfeld or in a way by Deborah Rooke.⁵⁶ But in contrast to Hossfeld, Rooke is inclined to restrict the power of the high priest until the time of the Maccabees *de facto* to the cultic realm. Othmar Keel, following her in this regard, states: “Aaron ist nur für bestimmte kultische Funktionen zuständig. Wir haben es nicht mit dem Entwurf einer Hierokratie zu tun”.⁵⁷ This is an important historical question that should deserve much more attention. The argument of this paper comes to a different conclusion. Below I will focus on some further observations to the intermingled (or better politically colored) power of the priest with the highest rank in some OT passages. Due to the restriction of this paper, a comprehensive analysis is beyond our objective.

⁵⁶ Cf. Hossfeld, Frank-Lothar: Art. Hohepriester. Alttestamentlich-jüdisch, RAC 16, 1994, col. 4–23, 11–12; Rooke, Deborah W.: Zadok’s Heirs. The Role and Development of the High Priesthood in Ancient Israel, Oxford Theological Monographs, Oxford, England/New York: Oxford University Press 2000, 11–39 and 120–122.

⁵⁷ Keel, Othmar: Die Geschichte Jerusalems und die Entstehung des Monotheismus. Teil 2, Orte und Landschaften der Bibel 4/1, Göttingen: Vandenhoeck & Ruprecht 2007, 991; cf. Achenbach, Vollendung, 133: “Der Hohepriester nahm zwar im 5. Jh. eine hohe Stellung in der jüdischen Gesellschaft Jerusalems ein, hatte aber keine politische Führungsposition”.

The first clue is the conclusion of the Yom Kippur ritual in Lev 16. After the initial execution by Aaron is demanded in God's speech, the directive to Moses addresses the whole community in vv. 29–31. Within the second part of the חקת עולם (vv. 29, 31, 34), it is prescribed in v. 32 that *the priest*, who is anointed and consecrated as priest, who is in a genealogical succession to his father, and who wears the holy garments shall make atonement (אשר־ימשה אתו וכפר הכהן: ואשר ימלא את־ידו לכהן תחת אביו ולבש את־בגדי הבד בגדי הקדש:). There can be no doubt that on the textual level this ritual shall be performed by the legitimate Aaronide offspring.⁵⁸ However, it is striking that neither Aaron nor his living son Eleazar (who replaces the firstborn Nadab) are addressed here to perform the rite periodically, but the priest who acts instead of his father. This cannot be Aaron himself, although he is still alive and may perform the rite for about forty years (Num 33:38) until his death in Num 20:28. Therefore it is quite clear that the perpetual ordinance in vv. 29–34 aims at the cult beyond the desert. Thus, vv. 29–33 already imply the institution of a high priest in the cult. Viewed from this point the phrases used in Lev 16:29–33 become indicative: “the anointed priest” (Exod 28:41; 30:30; 40:13–15; Num 3:3), especially if one of the priests is singled out (הכהן המשיח Lev 4:3, 5, 16; 6:15), indicates that the high priest or highest priest is meant. This is by no means a high priesthood in the sense of a political leadership. However, the first and foremost Aaronide obtains a role that radiates into the political sphere. On the final-text level this slightly alters the role of Aaron in the Sinai and wilderness narratives (Exod 16–Num 17). The inauguration of Joshua in Num 27 is indicative in this way. If Joshua has to stand before Eleazar and if Joshua has to follow the judgments of the priestly Urim and Thummim (Josh 27:19–22), then Joshua's political leadership is subordinated under Eleazar. Leaving the theocratic idea of the divine oracle aside, the priest with the highest rank has the superior political power. This is narratively explicated in Num 31:6 by the engagement of Phinehas in the Midianite war.

Num 35:25 is of special importance in this context. It mentions the death of the *great priest* (הכהן הגדול) as indicative for the release of one guilty of manslaughter (הכהן הגדול אשר־ימשה אתו בשמן הקדש, cf. Num 35:28, 32). We cannot go into detail of the institutional background of the suspension of blood revenge, which is linked with the lifelong term of the priest of the highest rank. But we may stress that beyond Num 35 (and Josh 20:6 which is closely related), the title הכהן הגדול is used only in Lev 21:10 where the high priest or priests' provost is addressed. Thus it is quite clear that Num 35 follows the preceding texts in installing a genealogical successive priesthood with a high priest as the head of the priests. From the historical development the institution of refuge is merely

⁵⁸ Lev 16:32 is the only instance where the acting priest is assigned תחת אביו (cf. 1 Kgs 14:21; 23:30, 34; 1 Chr 29:23; 2 Chr 26:1; 36:1). On the narrative level the position is not fixed; it may be Eleazar, Phinehas, or whoever is in the row of succession afterwards.

a cultic institution, but it transcends this realm the moment it is dissolved from the central sanctuary and combined with a lawsuit at the general court. Thus, it is not only the concern for doctrine and the teaching of the Torah (Lev 10), the role of the superior priest already goes far beyond that.

From a synchronic viewpoint it is important that Num 35 ends with a successional concept of the high priest. Compared to Num 35, in Num 36 there is only interpretation of a law already given, but no new revelation anymore. Thus the impression is that the institutional development in the Torah (leaving the special role of the Deuteronomy, e.g., Deut 17:12; 20:2 and 26:3, aside) ends with the installation of a high priest who reigns in genealogical succession. This textual institutional implicitness disembogues into the institutional explicitness of high priesthood in the late Persian period.⁵⁹

4. Diachronic outline

If we take as our starting point the relative consensus that a) Lev 16:29–33 is a post-priestly H text, b) Lev 21:10 is part of a “Fortschreibung” which is presumed in Lev 10, and c) Exod 6:14–26 is an addition later than the Priestly source then the hierarchical concept of a high priest in the book of Numbers becomes a relatively late concept. However, the *explicit* concept of high priest in Num 35 is on the same level or later than Lev 21:10. Within the book of Numbers it is later than the more or less implicit concept of the highest priest in Num 17 and 25. In other words Num 35 is rather later than the aforementioned H or H-influenced texts.⁶⁰ Although the genealogical sequence of Aaron, Eleazar, Phinehas (and then N.N. beyond the Hexateuch) appears to be a consistent consecutive concept with an open end, it is, on the one hand, likely that the Eleazar and Phinehas line is earlier than the suspension of the blood revenge linked to the death of the high priest.⁶¹ On the other hand, the concept of Num 17 and Num 25 already presumes the impurity by corpses of Num 19 and the intensification of purity requirements for the high priest in Lev 21.

⁵⁹ See Keel, *Geschichte*, 990 with fig. 620, the famous coin of “Johanan, the Priest”. Another extrabiblical indicator for the high priesthood in Jerusalem in the late 5th, early 4th cent. B.C.E. can be found in the Elephantine Papyri (e.g., TAD 4.7/4.8). For a discussion, see Grabbe, Lester L.: *A History of the Jews and Judaism in the Second Temple Period*. 1. Yehud. A History of the Persian Province of Judah, LSTS 47, London: T&T Clark 2004, 230–235.

⁶⁰ H is taken here as a heuristic concept of priestly Fortschreibung. With the use of the acronym I do not intend to subscribe to any of the recent concepts on P and H. For the recent discussion and my standpoint, see the introductory paper in the present volume.

⁶¹ The complex relation between Num 35 and Josh 20 cannot be dealt with here. See Schmidt, Ludwig: *Leviten- und Asylstädte in Num. xxxv und Jos. xx; xxi 1–42*, VT 52 (2002), 103–121.

Much more complicated is the overall introduction of Levites as cultic servants and the development of the hierarchy of priests and Levites in the book of Numbers. Here, we cannot stick to the discussion which offers various positions. If we take the installation of Aaron and his sons in Exod 28–29 as the starting point for the development, we may suggest a slightly post-priestly date, or in traditional terminology P^s. The main features of the system together with the reduction of the priestly class to a handful of priests on the narrative surface level induce the introduction of Levites in some way. The same holds true for the transportation of the sanctuary, which requires some sort of manpower and a schedule of responsibilities. Roughly spoken there are two possibilities to elucidate the peculiarity of the Levites in the Tetrateuch:

1) The almost complete absence of Levites in the book of Leviticus indicates that the whole book of Numbers should be postdated to Leviticus, including the H and later parts. In this line of argumentation it seems probable to date the Levites conception to literary strata that presume P^g, but are rather a sequel to P^s as on the same literary-historical level as Exod 35–40* because Levites are not mentioned there, too. This would be a most severe consequence of the distinctiveness of the book of Numbers. The whole book would be dated later than the Triateuch (Gen–Lev) and only very few redactional intrusions of Levites would have linked the concept between the Triateuch and Deuteronomy. The Levites would bridge the concept of Aaronide priests in Exodus and Leviticus and the Levitical priests in Deuteronomy.

2) The absence of Levites in the book of Leviticus may have narratological or conceptual reasons and does *not* imply that Numbers as a book is just a redactional bridge between the Triateuch and the Deuteronomy. Postponing the whole book of Numbers in a literary respect is too radical a consequence. If there are portions of the Priestly source in the book of Numbers (for instance in Num 13–14* or Num 20) and if there is a non-priestly *and* pre-priestly narrative thread, then we should investigate more to understand the concept of the book of Numbers. Judged from the argument above, the bridging hypothesis has some merits, but a post-H composition of the book of Numbers becomes a rather complicated matter within the late fifth century. Additionally, this paper has emphasized that the concept of the Levitical priests in Deuteronomy and the Aaronide family in Exod–Lev is not really bridged in a substantial way. The two concepts do not really blend or merge in the conception of the book of Numbers; by contrast they still contradict each other. If the book of Numbers had been designed to bridge the Triateuchal concept of priesthood with the Deuteronomistic concept of the Levitical priests in the book of Deuteronomy, it must be said that it has failed. Thus, there is enough room for further discussion.

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