COVENANT IN THE PERSIAN PERIOD: CAUSES FOR SHIFTS IN THE COVENANT-MAKING PROCESS IN EZRA–NEHEMIAH

by

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SUMMARY PAGE

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ABSTRACT

"Covenant in the Persian Period: Causes for Shifts in the Covenant-Making Process in Ezra–Nehemiah"

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This dissertation examines what shall be termed "shifts" in the covenant-making process. Using a comparative sociological method, the dissertation will explore these shifts and demonstrate that the causes for some of the shifts were sociological, and that covenant in Ezra–Nehemiah was the culmination of the Judean return migrants' efforts to assert their Judean Identity. The study will first examine earlier Israelite covenants such as the Noahic, Abrahamic, Sinai, Davidic, and Phinehas's, of which YHWH was the initiator of and an active participant in the covenant-making ceremony.

A diachronic survey of covenants in Israel will demonstrate a role reversal (shift) in the covenant-making process, where humans are the main initiators of covenants and YHWH becomes a passive party. This shift is explicitly depicted in the covenant-making process in Ezra–Nehemiah. While some scholars insist that this role reversal does not indicate a shift *per se,* this work, in agreement with other scholars, will argue that there is indeed a definite shift in roles and demonstrate some sociological causes for them. It is important, however, to note that proponents of the shift claim do not give reasons for the shifts. So, to deal with this problem, this work will examine the social character of Yehud within the Persian Empire to unearth sociological factors that influenced the

covenant-making process in Ezra–Nehemiah. While this dissertation's focus is covenant as outlined in Ezra–Nehemiah, this study will potentially lead to the broader question of Persian influence on the Judean worldview in the Persian period.

DEDICATION

To my wife, Eziaku, my faithful, loving partner and my best friend.

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John C. Maxwell said: “One is too small a number for greatness.” This has proven to be true in my academic journey. Without certain people, this dissertation would never have become a reality. That an introverted person like me would get to this point in my estimation is nothing short of a miracle. Knowing who I am, especially my inability to complete this project on my own, there are so many people I must acknowledge.

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Thanks go to my Primary Supervisor and mentor, Dr. Mark J. Boda, whom I owe so much and from whom I have learned so much—the importance of excellence in

research, the importance of collaboration in academia, the art of constructive criticism, diligence in study, thriving in the midst of challenges, a love for the Hebrew scriptures, and much more. This is just a tip of the iceberg! My several meetings with Dr. Boda were inspiring and transformative. Not only did he take time to patiently listen to my ideas (which I thought were foolish), and my frustrations, in each meeting he made me feel valued and assured me that I was a relevant part of the academic community at McMaster Divinity College. Having served in the ministry of the church, he understood my challenges in fusing academia with ministry and helped me understand that our work in academia and the church is one and the same. Many a time, due to the challenges of life and ministry, I wanted to throw in the towel, and each time I informed him of my desire to quit, he lovingly pulled me back from the precipice of academic suicide. Thank you so much Dr. Boda! Thanks go to my Secondary Supervisor, Dr. August Konkel. I am blessed to have you. At a point in my academic journey at McMaster Divinity College (MDC), I was having a tough time meeting the demands of academia and ministry. In a state of frustration, I went to Dr. Konkel's office to vent, and he patiently listened to me and then helped me get my priorities right. His calm demeanour at all times has been a reassuring blessing to me. I can say with confidence that I am blessed with the best supervising committee in the world! Thank you for not letting me quit.

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CHAPTER 1: INTRODUCTION: DESCRIPTION OF TOPIC AND ITS IMPORTANCE

This dissertation examines what shall be termed "shifts" in the covenant-making process. Using a comparative sociological method, the dissertation will explore these shifts and demonstrate that the causes for some of the shifts were sociological, and that covenant in Ezra–Nehemiah was the culmination of the Judean return migrants' efforts to assert their Judean Identity. The study first examines other Israelite covenants such as the Noahic, Abrahamic, Sinai, Davidic, and YHWH's covenant with Phinehas. It seeks to demonstrate that not only was YHWH the initiator of these early covenants, but he was also an active participant in the covenant-making ceremony.

This diachronic survey of covenants in Israel seeks to demonstrate a role reversal (shift) in the covenant-making process, where humans and not YHWH are the main initiators of covenants and YHWH is a passive party in the process. This shift is explicitly depicted in the covenant-making process in Ezra–Nehemiah. While some scholars insist that this role reversal does not indicate a shift *per se,* this work, in agreement with other scholars, will argue that there is indeed a definite shift in roles and will seek to substantiate this claim through a sociological method. It is important, however, to note that proponents of the claim that there are shifts in the covenant-making process in Ezra–Nehemiah do not give reasons for these shifts. So, in answering this question, this work will examine the social character of Yehud within the Persian Empire to unearth the sociological factors that influenced the covenant-making process

in Ezra–Nehemiah. While this dissertation's focus is covenant as outlined in Ezra–Nehemiah, this study will potentially lead to the broader question of Persian influence on the Judean worldview in Persian Yehud.

Review of Research

Beginning in the 1950s, many scholars began to notice similar patterns in covenant formulae in the Old Testament/Hebrew Bible (OT/HB).[1] Most scholarship in this area is based on George Mendenhall's pioneering work. Mendenhall observed a parallel between the late Bronze Age Hittite suzerainty treaties and the nature and form of the Sinai covenant.[2] Mendenhall points out that the general elements of these suzerainty treaties were: (a) a preamble identifying the suzerain by title and ancestry; (b) a historical prologue outlining the past relationship between the suzerain and the vassal with emphasis on the benevolence of the former; (c) treaty stipulations on both parties with a focus on stipulation placed on the vassal; (d) provision for the deposit of the treaty document in the vassal's temple and periodic readings; (e) a list of gods (of both the vassal and suzerain) as witnesses; and (f) a list of blessings and curses that would befall the vassal depending on the vassal's loyalty to the suzerain.[3]

While Mendenhall applied the Hittite treaty form to the entire Pentateuch, arguing that the Decalogue contained the treaty stipulations while the other elements

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[1] A good review of literature concerning similarities in covenants and their parallels to Ancient Near Eastern (ANE) treaties is provided by Nicholson, *God and his People*, 56–82, and McCarthy, *Old Testament Covenant*, 10–34.

[2] Mendenhall, "Covenant Forms," 49–76. Meredith Kline in his volume, *Treaty of the Great King* also arrives at a similar conclusion; that the Hittite and Assyrian Suzerainty Treaties are the undergirding framework of the Sinai covenant and the Book of Deuteronomy.

[3] Mendenhall, "Covenant Forms," 50–76.

were preserved in different parts of the Pentateuch, Dennis McCarthy focused Mendenhall's proposal on the book of Deuteronomy and demonstrated that the six elements of the Hittite suzerainty treaty form are outlined in Deuteronomy as follows: (1) preamble (Deut 4:44–49); (2) historical prologue (Deut 5–11); (3) treaty stipulations (Deut 12:1—26:15); (4) provisions for depositing and reading (possibly Deut 10:1–5; 31:9–13; 24–26); (5) list of gods (no mention of other gods, but rather a call to heaven and earth [Deut 4:26; 30:19; 31:28] including any and all oaths taken before them [Deut 29:10–29; 26:16–19]); and (6) a list of blessings and curses (Deut 28:1–68).[4] In addition to the Hittite treaties, McCarthy also connects Deuteronomy to other treaties such as the Assyrian treaties of the 8th and 7th centuries BCE, which contain much longer lists of curses compared to the Hittite treaties. One can observe that this is also a unique feature of Deuteronomy, which has the longest list of curses in ANE documents observed so far.[5] In addition to this, McCarthy observes that Deuteronomy borrows certain nomenclature from the treaty tradition such as the commands to serve YHWH alone (Deut 5:9; 6:13; 10:12, 20; 11:13; 13:4; 28:47), the phrase שָׁמְוֹעַ תִּשְׁמַע בְּקוֹל יְהוָה אֱלֹהֶיךָ ("hearken to the voice of the Lord," Deut 13:18; 15:5; 26:17; 28:1), the use of the verb ידע in referring to knowing YHWH (Deut 4:35; 7:9; 8:5; 18:21; 29:6) and the use of the noun סְגֻלָּה (referring to Israel and YHWH's "special possession," Deut 7:6; 14:2, 26:18).[6] In speaking of the consistency of the tradition, both the Sinai and Horeb accounts portray the will of YHWH presented indirectly through a dominant mediator between

[4] McCarthy, *Treaty and Covenant*, 186.
[5] McCarthy, *Treaty and Covenant*, 106–21.
[6] McCarthy, *Treaty and Covenant*, 186.

him and the people (Exod 19:9; 20:18–19; Deut 5:24–27).[7] In the covenant renewal at Shechem, Joshua plays an intermediary role (Josh 24:15–16), while Josiah occupies this role and is influential in the covenant renewal in 2 Kgs 23.[8] McCarthy states:

> It is the circumstances which command this position of mediator. In this covenant the Sovereign is the invisible God and not an earthly king. Normally some officially constituted person—prophet, priest or king—had to serve as a representative to mediate between the awesome, inaccessible sovereign and the people.[9]

Moshe Weinfeld agrees with McCarthy that the Assyrian treaty form is evident in Deuteronomy and picks up on McCarthy's observations by drawing attention to the close similarities between the curse lists of Deut 28 and those contained in the vassal treaties of Esarhaddon in structure, ideas, and language.[10] Weinfeld attributes these similarities to the scribes who drafted Deuteronomy that had been influenced by the Assyrian treaty formulae. These similarities demonstrate that Deut 28 is a unity and not the result of extensive redactional activity.[11]

McCarthy and Weinfeld, despite the similarities, point out some dissimilarity between the book of Deuteronomy and many of these other ANE treaties. For example, throughout the book of Deuteronomy as a whole, YHWH is not referred to as king or suzerain.[12] In addition, the ANE treaty elements of provisions for depositing and reading and lists of gods (or invocation of witnesses) do not occur in sequence as is the case in

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[7] McCarthy, *Treaty and Covenant*, 168.
[8] McCarthy, *Treaty and Covenant*, 168.
[9] McCarthy, *Treaty and Covenant*, 168–69.
[10] Weinfeld, *Deuteronomy*, 116; Weinfeld, "Traces of Covenant," 417–27.
[11] Weinfeld, *Deuteronomy*, 126, 128.
[12] Except for Deut 33:5 which is considered a later addition to Deuteronomy. Cf. McKenzie, *Covenant*, 34–35 and Nicholson, *God and His People*, 70–78.

the ANE treaties, but rather they are scattered throughout Deuteronomy.[13] Also, the treaty form cannot be found in the first four and last three chapters of Deuteronomy, the Song of Moses, the Blessing of Moses, and the account of Moses' death, though scholars generally agree that these were later additions to Deuteronomy.[14] However, despite the dissimilarities, the similarities show that the writers of Deuteronomy were familiar with Assyrian treaties and may be the source of the Deuteronomistic idea of a covenant between YHWH and his people Israel. Indeed, it is possible, as McKenzie posits, that the original form of Deuteronomy "was in the form of a treaty document," but this original form has been lost.[15] McKenzie states:

> Since it is difficult, if not impossible, to determine what portions of Deuteronomy belonged to the original book and what came from later editors, we may extend our field of vision to include the entire Deuteronomistic History and thereby gather more information about the basic understanding of covenant in the Bible.[16]

Kessler, observes identifies numerous OT/HB covenants that divine-human in nature.[17] However he notes that most scholars reduce these covenants to five—the

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[13] McCarthy, *Treaty and Covenant*, 188–205.

[14] Cf. Römer, "The Book," 178–212.

[15] McKenzie, *Covenant*, 35.

[16] McKenzie, *Covenant*, 35.

[17] Kessler, *Old Testament*, 192. Kessler outlines them and they include God's covenant with Noah and mankind (Gen 8:20–23; 9:8–17; covenant with Abraham (Gen 12:1–3; 15:1–21; 17:1–4); covenant with Abraham, Isaac and Jacob (Exod 2:24; Lev 26:42); the Sinai covenant (Exod 19–24; 34; Covenant of peace with Phinehas (Num 25:12; solemn oath sworn to Israel's elders (Deut 1:8; 6:18); covenant remembrance/renewal in the plains of Moab, beyond the Jordan and at Mt. Ebal (Deut 4:10–20; 5–6; Deut 12–27); covenant renewal at Shechem (Josh 24); covenant with David and attendant promises (2 Sam 7; 23:5; Pss 2; 46; 48; 89; 110; 132;); Jehoiada's covenant 2 Kgs 11:17); the book of the covenant and renewal (2 Kgs 23); "my covenant/everlasting covenant/the covenant" (Isa 56:6; 59:21; 61:8; Jer 32:40; 50:5; Hos 6:7); the new covenant (Jer 31:31–33); and "covenant of peace/everlasting covenant of peace (Ezek 34:26; 37:27). There are other covenants that are not divine-human in nature, but time and space will not permit a comprehensive review of them. For a survey of these covenants and more, see Hahn, "Covenant," 273–78; McKenzie, "Covenant," 1–81; and Goldingay, "Covenant," 1:767–78.

Noahic covenant, the Abrahamic covenant, the Sinai covenant, and the new covenant.[18] He states:

> One can sketch the major OT covenants, and their interrelationship as follows: (1) A covenant with Noah, encompassing all humanity and creation, promising never to send another flood, demands proper respect for animal and human life (Gen 9:1–17). (2) A covenant with Abraham and his seed (Gen 17), whose sign is male circumcision, assures the existence of Israel as a people forever. This covenant is guaranteed by Yahweh and is ultimately never broken. (3) A covenant at Sinai, supplementing the covenant with Abraham, places specific emphasis of Yahweh's gift of the land and lays down stipulations for life within it (Exod, Deut). This covenant is seen as broken at the time of the Babylonian destruction of Jerusalem (2 Kgs 17; 24; Jer 31:31–33). Then returnees to Jerusalem plead for a renewal of Yahweh's covenant rooted in the faithfulness of Abraham (Neh 9:7–8, 32)and a solemn promise to obey Yahweh's law. (4) A promise to David guarantees the Davidic line a permanent rule over Israel (2 Sam 7:8–17; Pss 89; 132). (5) In a future age, a "new" covenant will emerge (Jer 31:31–33), renewing the Sinai covenant. However, this time there is no danger of its being broken, as Yahweh will place the divine *torah* within the hearts of the community of God.[19]

This dissertation will follow Kessler's outline in its examination of covenants and include the Priestly covenant.[20]

Covenant Shifts in Ezra–Nehemiah

Many scholars have observed that, unlike the preexilic covenants, the Ezra–Nehemiah covenants show some obvious differences from preexilic ones. For example, even though there is a prominent figure in each instance (i.e., Ezra and Nehemiah), they play a less pivotal role as the people themselves take on more responsibility in the covenant-

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[18] Kessler, 193. Busenitz agrees with Kessler, but he adds a sixth covenant—the Priestly covenant (Num 25), Busenitz, "Introduction," 173. In examining covenant shifts in Ezra–Nehemiah, I shall consider all six of these covenants except the new covenant in Jer. 31. As I will be examining the covenant-making processes, the new covenant will not be considered because it is only promised and not enacted in Jer 31.

[19] Kessler, *Old Testament*, 193–94.

[20] See f.n. 18 above.

making process than in the aforementioned pre-exilic covenants.[21] To be clear, neither Nehemiah nor Ezra call the people together to make a covenant; rather the people come to them to notify them of a problem and, in each instance, propose a covenant (Ezra 9:1–3; 10:1–4; Neh 5:1–5; 10:1–39). Also, unlike the preexilic covenants, the people commit themselves to specific obligations, as opposed to the general obligations from YHWH, namely, putting away foreign wives (Ezra 10:2–4, 18–44), returning excessive interest charges (Neh 5:12–13), banning the intermarriage of their sons and daughters, keeping the Sabbath, and bringing the required offerings to the house of God (Neh 10:30–39).[22] In short, unlike the preexilic covenants, the people are more involved in the covenant-making process—a "democratization" of the process.[23]

Klaus Baltzer notices a shift in the covenant formulary in Neh 10.[24] Unlike Sinai, where there is the presence of a dominant leader and intermediary (i.e., Moses), and the obligations are repeated to the people, Neh 10 shows the entire people taking on the obligations themselves.[25] In comparing biblical covenants with ancient Near East Covenants, Baltzer recognized Mendenhall's observations that treaties and covenants were made based on a defined structure: (1) A preamble; (2) antecedent history; (3) statement of substance concerning the future relationship; (4) specific stipulations; (5) invocation of the gods as witnesses, and; (6) curses and blessings.[26] Baltzer recognizes

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[21] Baltzer, *The Covenant*, 45, 50, 92; Japhet, "Law," 137–151; Eskenazi, *In an Age*, 103; Boda, *Praying the Tradition*, 35–36; McCarthy, "Covenant and Law," 25–44, and McCarthy, "Covenant in Narratives," 77–94.

[22] Boda, *Praying the Tradition*, 35–36.

[23] Boda, *Praying the Tradition*, 35. Cf. Eskenazi, *In an Age*, 102–3; Japhet, "Law," 151.

[24] Baltzer, *The Covenant*, 45.

[25] Baltzer, *The Covenant*, 45.

[26] Baltzer, *The Covenant*, 10; Mendenhall, "Covenant Forms," 50–76.

the presence of this structure in Ezra 9–10 and Neh 9–10, but also points out some shifts related to the covenant-making process.[27] First, he notes that in the covenant renewal of Josh 24, Israel makes a promise "not to forsake YHWH" (v. 16), while in Neh 10:39, they pledge not to forsake "the house of our God."[28] Baltzer attributes this relatively minor shift to changes in time between the settings of Joshua and Ezra and Nehemiah but does not demonstrate this fact. More importantly, he observes a shift in stipulations. He notices that unlike Exod 34, which is a repetition "of the commandments given by God, who grants his people a covenant," the obligations in Neh 10 are no such repetition.[29] Rather it is the people expressing the desire to fulfill specific obligations, in this case putting away their foreign wives, to keep the Sabbath and bring necessary offerings to the house of God. [30] Baltzer suggests that the reason for this shift is that there was no longer any authoritative figure like Moses, who was empowered to declare God's commands in his name.[31] Alongside this, he sees the Sinai covenant obligations as being written from God's point of view, whereas in Nehemiah, it is written from the people's point of view. Since the law had already been laid down (i.e., at Sinai), Baltzer says: "now it is only possible to promulgate regulations for their observance."[32] He then compares this scenario with the treaty between the Hittite suzerain Suppiluliumas and

[27] Baltzer, *The Covenant*, 44–48.
[28] Baltzer, *The Covenant*, 45.
[29] Baltzer, *The Covenant*, 45.
[30] Baltzer, *The Covenant*, 45.
[31] Baltzer, *The Covenant*, 45.
[32] Baltzer, *The Covenant*, 45.

his vassal Matiuaza of Mitanni, which appears in two versions, one from the suzerain's viewpoint and the other, that of the vassal.[33]

Baltzer's conclusions present some challenges. For instance, the canonical text does not agree that there was no authoritative figure in Ezra–Nehemiah. In fact, the scribe clearly points out that Ezra was descended from Aaron the High Priest (Ezra 7:1–5), was skilled in mosaic law, which YHWH had given (Ezra 7:6), and had been charged by Artaxerxes to teach and establish the law (Ezra 7:14, 25–26), a task the writer indicates he performed (Neh 8:1–9).[34] Given such, the question as to why there was a shift in stipulation while an authoritative, dominant person such as Ezra was present still remains. Baltzer does well to initiate investigations by comparing this situation with contemporary ancient Near East treaties (howbeit based on a faulty premise that there was no dominant figure), but fails to determine if there were other factors in the community's social life that precipitated this shift. It is understood that Baltzer's goal was to determine a structure for biblical covenants by comparing them to ANE treaties; however, his discovery of shifts in the covenant-making process, especially in Ezra–Nehemiah, necessitates further investigation into the reasons for the shifts which a sociological study of early Persian Judah can provide.

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[33] Eskenazi also observes a democratization in the covenant-making process. Of this trend she states: "The relation of the pledge to covenant ceremonies highlights the centrality of the community from another perspective. Covenant ceremonies occur elsewhere in the Bible. They invariably describe the event in terms of leaders and some general inclusive labels for the rest of the community. Ezra–Nehemiah, however, names the participants in the central event and underscores its democratic process," Eskenazi, *In an Age*, 103. These democratic tendencies can be observed in Ezra 10:18–44; Neh 5:7, 12; and Neh 10. Cf. Boda, *Praying the Tradition*, 35.

[34] Nykolaishen for instance considers Ezra a prominent figure by describing him as a "second Moses," Nykolaishen, "Solemn Oath?," 383. Eskenazi considers Ezra an authoritative character howbeit introverted, Eskenazi, *In an Age*, 136, 139–141.

Tamara Eskenazi delves into the prominence and leadership of Ezra and Nehemiah. Contra Baltzer, she recognizes Ezra as "a priest with the most touted pedigree in the book. Impeccable credentials link him directly with Aaron and form the longest pedigree in the book."[35] In addition, he is a skilled scribe, and Eskenazi points out that scribes in Persia "became a major component of imperial administration and efficacy."[36] However, despite his credentials and background, he is "unassuming" and lets others take the initiative and make decisions.[37] Eskenazi sees Ezra as uninvolved in the affairs of the community, that others have to inform him of the intermarriage crisis. Eskenazi notes that "Ezra takes no disciplinary action against the offenders (even though Artaxerxes's letter authorizes him to do so."[38] This is in contrast to Nehemiah, who observes things for himself. Ezra does not charge the people but rather engages in penitential prayer, and neither scorns, upbraids, or threatens anyone; "he is a self-effacing, community servant who does not impose himself and does not meddle" (Ezra 9:1; Neh 13:23–27).[39] Though charged to read the Torah to the people, Ezra shares the responsibility with the priests and Levites, and it is the people led by Shechaniah, not Ezra, that impose the obligation of putting away their foreign wives (Ezra 10:1–4).[40]

In addition to this, Eskenazi sees Nehemiah in a different light from Ezra; he is gregarious; he quarrels with the leaders for charging their brethren usury and rebukes them (Neh 5:7), and he gets them to commit to cease charging usury and gets the priests

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[35] Eskenazi, *In an Age,* 136. Also see Eskenazi, *Ezra,* 285–87. The biblical text agrees with Eskenazi (cf. Ezra 7:1–6, 14, 25–26).

[36] Eskenazi, *Ezra,* 287.

[37] Eskenazi, *In an Age,* 137.

[38] Eskenazi, *Ezra,* 353.

[39] Eskenazi, *In an Age,* 139.

[40] Eskenazi, *In an Age,* 140–141. Also Eskenazi, *Ezra,* 392

to swear an oath (Neh 5:12–13).[41] That being said, however, Eskenazi does not comment on Nehemiah's role (or the lack of it) in the intermarriage crisis in Neh 9–10, where the people read the Torah for themselves (Neh 9:3), the Levites engage in penitential prayer (Neh 9:4–27), and they make an oath to follow God's law (Neh 10). Though Nehemiah is the lead on the list of many names of those who made the covenant, he does not lead the charge in making the covenant and seems to disappear into the community.

Fried, like Eskenazi, sees Ezra as a prominent figure in Persian Yehud.[42] Her examination of the figure Ezra begins with Artaxeres's letter of commission to Ezra (Ezra 7:12–16), which she compares with similar correspondence in the fifth century BCE such as that of the Egyptian Satrap, Arsames to grant his officials provisions and safe passage from Susa to Egypt.[43] Ezra was in effect, an "envoy of the king…to act as the 'kings ear' over Judah and Jerusalem."[44] She sees a similar role in the contemporary Athenian Empire, where such envoys were sent out to "inspect subject peoples."[45] This role originated in the Persian empire, where such envoys were described as the King's *gauškaya* (ears).[46] Fried also points out that Ezra had the task of confirming and appointing judges on the King's behalf according to Artaxerxes's letter of commission.[47] But despite the fact that Ezra was a high ranking official, Fried notes that it was a relatively insignificant person that was the primary catalyst for the proposal of mass

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[41] Eskenazi, *In an Age*, 148.

[42] Fried, *Ezra and the Law*, 11–27.

[43] Fried, *Ezra and the Law*, 11–12. This is similar to the letter Nehemiah requested of the King (see Neh 1:7–8).

[44] Fried, *Ezra and the Law*, 12.

[45] Fried, *Ezra and the Law*, 11–12. See also Balcer, "The Athenian," 252–63; Steiner, "The *mbqr*," 623–46.

[46] Fried, *Ezra and the Law*, 13; Balcer, "The Athenian," 255–56.

[47] Fried, *Ezra and the Law*, 19.

divorce of foreign wives, stating that "it is peculiar that the major instigator appears to be Shecaniah ben Jehiel from Elam (Ezra 10:2)."[48]

She also observes Nehemiah as being portrayed as a Jewish officer in the Persian King's court—a cup bearer. She states that "the story of Nehemiah the Jew in the court of a foreign king belongs to the well-known Hellenistic genre of the alien in a foreign court, of which Esther, Daniel and Judith are other well-known examples."[49] However, she notes that when it came to cutting an agreement, it is not Nehemiah who spearheads the action, rather it is a joint effort of the people, "entering into a voluntary agreement and commitment.[50] Fried acknowledges this democratic movement, but does not identify or speak of a shift in the covenant-making process because she does not consider this arrangement a covenant *per se*.[51]

Laird points out a convergence in the work of Ezra and Nehemiah in Neh 8–10 where the community drafts a written agreement defining their religious commitments.[52] Though Laird does not identify this as a shift, she observes the motif of "the assembly of the people," (see Neh 8:1, 13; 9:1–3). She states:

> The entire passage concludes with a written agreement (9:39) signed by leaders of the community to adhere to the law of God. Specific laws detailed in the agreement include refraining from intermarrying with foreigners, refraining from business on the Sabbath, and financial commitments for the maintenance of the temple and its functionaries (10:30–39). The narrative displays an incremental progression, with an ever intensifying display of commitment by the community. The thematic thread of Torah highlights the community's commitment to the law

[48] Fried, *Ezra and the Law*, 27.
[49] Fried, *Nehemiah*, 47.
[50] Fried, *Nehemiah*, 279.
[51] I will state my claims on whether this arrangement was a covenant later in the dissertation.
[52] Laird, *Negotiating Power*, 269. Eskenazi terms this section of Ezra–Nehemiah "Consolidation according to Torah." See Eskenazi, *In an Age*, 95.

> as a crucial component of their renewal, while agreement to particular laws clarifies the religious piety that is to characterize and define the community.[53]

Laird observes heightened religious activity portrayed in the text, however, she does not connect this to a shift in the covenant-making process as she is silent on whether the agreement is a covenant on covenant renewal.

David Sperling reviews the issue of covenant in the exilic and Persian periods and agrees with Noth that in late OT literature (Ezra–Nehemiah included), ברית has lost its meaning or "technical sense," i.e., its "use in the figurative sense of the relationship between God and the people."[54] This is portrayed in Nehemiah's prayer in Neh 1, where the prayer is based on Deut 7:9 which speaks of covenantal loyalty, but the prayer in Neh 9 makes no mention of "The sin of covenant violation."[55] The same is the case in the penitential prayer of Neh 9, where covenantal loyalty extended to Israel is unconditional, whereas Deut 7:9 places the condition of YHWH's covenantal loyalty to "those who love him and keep his commandments."[56] Sperling investigates reasons for this shift (one of few scholars to do so), and determines that since Neh 9 refers to an "unconditional ancestral covenant," reference to a violation of the covenant as one of the transgressions of the people would not make sense in the text.[57] He also observes shifts in the covenant-making process, namely the absence of the sacrifice of an animal to seal

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[53] [53] Laird, *Negotiating Power*, 269–70. On the intensifying display of commitment by the community, see Eskenazi, *In an Age*, 97. On the three-part structure of law reading, confession and covenant renewal, see Williamson, *Ezra, Nehemiah*, 276.

[54] Sperling, "Rethinking Covenant," 177, 178.

[55] Sperling, "Rethinking Covenant," 177–9. Cf. Ginsberg, *The Israelian Heritage*, 18.

[56] Sperling, "Rethinking Covenant," 180–81.

[57] Sperling, "Rethinking Covenant," 181.

the covenant and an absence of a list of curses in the event that the covenant was broken.[58]

Mark Boda, building on Baltzer, Eskenazi, Japhet, and Sperling agrees that there is a shift in the covenant-making process in Ezra–Nehemiah.[59] First, he notes that in other covenants (such as those in the Pentateuch and Deuteronomistic History) there was usually a key leader who served as a representative of the people; but in Ezra–Nehemiah, the leader works in collaboration with the people in entering the covenant, even though the leader still serves as "a catalyst for the ceremony" (Ezra 10:18–44; Neh 5:7, 12; 10).[60] There is, therefore, a "democratization" of the covenant-making process, as noted earlier.[61] The people negotiate and deliberate on their obligations and suggest the means of fulfilling them (see (Ezra 9:1–3; 10:1–4; Neh 5:1–5; 10:1–39). Boda argues: "This common guiding action is unilateral from the human side, the stipulations are presented not as imperatives of Yahweh but rather voluntatives of the people."[62] This suggests a relegation of YHWH to the background in the covenant-making process while the people initiate the covenant.[63] Another shift that Boda identifies is the focus on specific stipulations.[64] At Sinai, YHWH's expectation of Israel is to keep the whole Law (Exod 23:20–22; 34:11). In Ezra–Nehemiah, however, there only is a brief statement of commitment to the entire Law (Neh 10:29). Instead, the focus is on specific obligations.

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[58] Sperling, "Rethinking Covenant," 178.

[59] Boda, *Praying the Tradition*, 35–36. See Baltzer, *The Covenant*, 45, 50, 92; Eskenazi, *In an Age*, 103–104, 111; and Japhet, "Law," 137–151; Sperling, "Rethinking Covenant," 175–95.

[60] Boda, *Praying the Tradition*, 35.

[61] Cf. Boda, *Praying the Tradition*, 35. Cf. Eskenazi, *In an Age*, 102–3; Japhet, "Law," 151.

[62] Boda, *Praying the Tradition*, 35.

[63] Japhet, "Law," 142–3.

[64] Boda, *Praying the Tradition*, 35–36.

Boda also notes that though the covenants in Ezra–Nehemiah emphasize the history of the relationship between God and the people, the Josianic covenant in 2 Kgs 23 does not.[65] He also identifies praise as a unique element in the covenant-making process in Ezra–Nehemiah (Ezra 9:13–15; Neh 5:9; 9:32–37).[66] Lastly, Boda notices a shift in the purpose of the covenant in Ezra–Nehemiah, which is to prevent the restitution of curses or bring them to an end (Ezra 9:13–15; Neh 5:9; 9:32–37); as opposed to the Josianic, where the covenant ceremony in itself did not break the curse of the covenant over Israel (2 Kgs 23:26–27).[67]

Richard Bautch, contra Boda, does not see the people's keen desire to fulfill obligations in Ezra–Nehemiah (i.e., putting away foreign wives and supplying wood for the Temple) as a shift in the covenant-making process. Instead, he considers their desire as an "expression of the divine law" and that the people were adapting the law to their Persian Period circumstances.[68] As such, since their actions were in accordance with Torah (cf. Deut 7:3; Lev. 6:5–6, 12–13), YHWH was still the one orchestrating their desire to fulfill their obligations since he is the author of the Torah. Therefore, he plays a significant role in Persian period covenants.[69] Bautch submits that since reference is made "to the law as a collection of commandments in Ezra 10:3b," and a commitment to observe the whole law prefaces the specific stipulations in Neh 10, the specific stipulations were simply expressions of fulfilling the whole Law.[70] He argues:

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[65] Boda, *Praying the Tradition*, 36.
[66] Boda, *Praying the Tradition*, 36.
[67] Boda, *Praying the Tradition*, 36.
[68] Bautch, *Glory and Power*, 114–15.
[69] Bautch, *Glory and Power*, 115.
[70] Bautch, *Glory and Power*, 115.

> The writers' inclusive approach to covenant in this regard is consistent with a larger literary pattern associated with the exilic and postexilic periods: features and dimensions of the Sinai covenant interact and fuse rather than separate and distinguish themselves. Thus, the postexilic covenants underscore points of the law while expressing a commitment to the whole of Torah, just as they provide a heightened role for the human participants and a role for God. It is valuable to cite and discuss the distinctions between pre-exilic and postexilic covenants, but with regard to God and Torah it is equally important to recognize literary and historical continuity.[71]

Despite Bautch's argument that the desire of the people was an expression of divine law and their adapting the law to their Persian period circumstances, it can still be seen that they were only obligating themselves to specifics, as mentioned earlier—putting away foreign wives (Ezra 10:2–4, 18–44), returning excessive interest charges (Neh 5:12–13), banning intermarriage of their sons and daughters, keeping the Sabbath, and bringing the required offerings to the house of God (Neh 10:30–39). Also, Sara Japhet addresses the issue of intermarriage stipulations. She correctly points out that that there are no stipulations in the Law of Moses that prohibit intermarriage in general.[72] She states that the prohibition applied to seven people groups, namely the Amorites, Girgashites, Hittites, Canaanites, Hivites, Perizzites, and the Jebusites (Exod 34:11–16 and Deut 7:1–3). The reason for this prohibition was to prevent them from being lured into worshipping the gods of those surrounding nations. However, provision was made in the Law for an Israelite to marry a foreigner from far–away lands (Deut 20:15; 21:11–14).[73] Hence the decision to put away their foreign wives was not derived from the Law of Moses but rather, as she concludes, "on common legal premises, prevalent customs

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[71] Bautch, *Glory and Power*, 115.
[72] Japhet, "Law," 106. Cf. Kaufmann, *History*, 333 and Williamson, *Ezra, Nehemiah*, 130.
[73] Cf. Japhet, "Law," 107.

and contemporaneous theological concepts," which may have been based on a skewed interpretation of the law.[74] Joseph Blenkinsopp also points out that divorce in general, while mentioned in the Pentateuch, was never a mandatory requirement.[75] Also, contra Bautch, Eskenazi posits that the permanent communal temple tax outlined in Neh 10 has no basis in the Law of Moses, except for the occasional taxation for the mosaic tabernacle (Exod 30:11–16; 38:25) and temple repair in the reign of Joash (2 Kgs 12:4–15; 2 Chr 24:4–14).[76] The biblical text supports the stance of Japhet, Eskenazi and Blenkinsopp.

Boda too identifies covenant shifts but does not explore the reasons for them.[77] Japhet touches on the matter by pointing out that the obligation to put away foreign wives was based on the people's adapted interpretation of the law but did not explore the chance that other social factors may be at play here.[78] This dissertation will delve into possible social factors that may have contributed to the shifts in the covenant-making process in Ezra–Nehemiah.

Douglas Nykolaishen sees a shift in the covenant-making process from other covenants like those in the Pentateuch and Deuteronomistic History (DtrH).[79] In these covenants, a prominent figure like Moses usually calls the people to make a covenant, but in the intermarriage crisis in Ezra 9–10, despite the presence of Ezra (a prominent

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[74] Japhet, "Law," 112. Cf. Bautch, "The Function," 22. Dor considers the expulsion of the foreign wives as "a pretext, a way to exploit religious concepts in the interest of society." Cf. Dor, "The Rite of Separation," 183.

[75] Blenkinsopp, "Mission of Udjahorresnet," 420–1. Cf. Deut 24:1–4.

[76] Eskenazi, *In an Age*, 102.

[77] Boda did not have to explore the reasons for the shift as this was not relevant to his thesis.

[78] Japhet, "Law," 110–12.

[79] Nykolaishen, "Solemn Oath?," 383.

figure in this case), the text portrays the officials with Shecaniah as noting the intermarriage problem and proposing a covenant.[80] Nykolaishen also notes that they did this without any theological training in Mosaic law from Ezra. Ezra, who is sent by Artaxerxes to teach the people the Law of YHWH, and portrayed as a "second Moses" sent to deliver the law, finds that the people already grasp it, hence their initiative in proposing a covenant in spite of him.[81] Nykolaishen sees this shift as being in keeping with prophetic expectations of Jeremiah's new covenant prophecy that YHWH would place his law on the hearts of people (Jer 31:31–34).[82] Noting a shift, he states: "Whereas the covenants were previously renewed for Israel at the instigation of priests, kings, or Joshua, here it is an apparently common Israelite who takes the lead."[83] He relates the reason for this shift to an actualization of Jeremiah's new covenant prophecy, in essence, that YHWH's law has been placed in the hearts of the people (Jer 31:32–33).[84]

I agree with Nykolaishen that there is evidence of subtle Jeremianic influence in Ezra–Nehemiah.[85] That being said, however, I do not agree with Nykolaishen that the shift in itself was merely due to the Torah being written on the hearts of the people in fulfillment with Jeremiah's new covenant prophecy. Also, while there are subtle

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[80] Nykolaishen, "Solemn Oath?," 383.
[81] Nykolaishen, "Solemn Oath?," 383.
[82] Nykolaishen, "Solemn Oath?," 384.
[83] Nykolaishen, "Solemn Oath?," 384.
[84] Nykolaishen, "Solemn Oath?," 384.
[85] Shepherd sees a number of connections between Jeremiah and Nehemiah, such as Nehemiah's and Jeremiah's concerns with the problem of false prophecy (Neh 6:5–14 and Jer 23:9–40; 27–29), working on the Sabbath (Neh 13:15–22; Jer 17:19–27), confrontation of debt servitude (Neh 5:1–13; Jer 34), and penitential petition utilizing YHWH's remembrance of his covenant (Neh 1:5–11; Jer 14:20–21). For a detailed discussion on the links between Jeremiah and Nehemiah, see Shepherd, "Is the Governor," 209–28 and Shepherd, "Prophetaphobia," 232–50. Boda also discusses the links between Jeremiah and Nehemiah's speech to those demanding usury in Neh 5 and the prophetic *Rîb* form (אֲרִיבָה) in Ezra 9 and Neh 5; see Boda, *Praying the Tradition*, 36–38.

connections between Jeremiah and Ezra–Nehemiah, the text of the latter does not shy away from making clear references when indicating that actions recorded in the book resulted from prophecy. For instance, Ezra 1:1 indicates clearly that the cause for Cyrus's emancipation declaration was Jeremiah's prophecy (cf. Jer 25:12–13; 29:10). Also, the Ezra–Nehemiah text links Nehemiah's prayer concerning Jerusalem to the earlier promise and instruction of Moses in the Torah (Neh 1:6–9; Lev 26; Deut 30). Thirdly, the Levites' penitential prayer makes clear mention of the Sinai covenant (Neh 9:13–14). Therefore, for Nykolaishen to conclude that the covenant shift in Ezra 9–10 was a direct result of Jeremiah's new covenant prophecy when the text makes no such connection is debatable. Nonetheless, Nykolaishen's work, much like the other works mentioned in this review, does not consider sociological factors that may have impacted the covenant shift in Ezra 9–10.

In sum, this dissertation will build on the work of earlier scholars like Baltzer, Japhet, Eskenazi, Sperling, Boda and Nykolaishen (who have established the existence of a shift in the covenant-making process) by exploring possible sociological reasons for these covenant shifts in early Persian Yehud. At this juncture, a brief overview of the history of sociological research is pertinent.

Later Period Sociological Method and the Old Testament

Joel Weinberg's contribution to the sociological study of the Old Testament centres on the structure and nature of the Judean Persian Period community.[86] Though a collection

[86] Weinberg, *The Citizen-Temple*.

of his essays from the 1970s, these were not published in the English-speaking world until 1992. He notes that the Persian period, spanning two centuries, was a period that witnessed socio-economic development, urbanization, and the "expansion of self-governing local powers, including the citizen-temple community."[87] Also, he distinguishes between the preexilic *bêt ʾāb* and the Persian period *bêt ʾābôt*, noting that the latter term is used consistently by the writer of Ezra–Nehemiah in connection with the construction of the Temple. This leads Weinberg to define this group as a "citizen-temple community," a socio-economic group connected to both the Persian empire and the Temple. In this volume, Weinberg also conducts a demographic study of the Persian period community, examining the effects of exile and return migration on the population of Judea. Other scholars that engaged in demographic studies of the Persian Judean community include Carter, Albertz, Lipschits, and Faust.[88]

Christiane Karrer applied sociological and political theory to investigate Yehud's socio-political structure in Ezra–Nehemiah, opining that the socio-political structure of Persian Yehud influenced the development of the book of Ezra–Nehemiah.[89] She observed the book had different stages of development, each reflecting different ideas of Yehud's socio-political constitution, and as such, a linear reading of the text would not generate a coherent picture of Yehud's socio-political constitution (*Verfassung*).[90] Her subsequent analysis results in three components for Ezra–Nehemiah—the Nehemiah

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[87] Weinberg, *The Citizen-Temple*, 17–33.

[88] Albertz, *Israel In Exile*, Carter, *The Emergence*, *Faust, "Social, Cultural,"* 106–32; Faust, *Judah*, and Lipschits, *Fall and Rise*.

[89] Karrer, *Ringen um die Verfassung*.

[90] Karrer, *Ringen um die Verfassung*, 1, 107–24.

source, the Ezra source and the editorial framework tying the two sources together.[91] The Nehemiah source identifies the term יהודים to include people outside Yehud's boundaries and, as there is no reference in the source to returning exiles, there is no understanding of the *gôlâ* as the main representatives of Yehud, contra the Ezra source which views the community exclusively as the returnees.[92] Karrer considers the marriage crisis and its resolution in Ezra 9–10 as a template for problem resolution in the community, and reveals the flow of political power: an authoritative expert skilled in the Torah (i.e., Ezra) addresses a problem, the leaders (שרים) propose solutions, and the people (קהל) ratify the resolution.[93] In her analysis of the editorial framework which brings together the Nehemiah and Ezra sources into the final form of the book, her analysis reveals a socio-political construct where the significance of Ezra and Nehemiah fade into the background politically and the people take on the role of leadership (a shift in leadership) and the temple becomes the bridge between the Yehud community and the Persian rulers, portraying links between Yehud and its preexilic monarchy and temple institutions on the one hand and as an autonomous community within the Persian empire.[94] As insightful as Karrer's work is for granting insight into the socio-political framework of Persian Yehud, it does not throw light on how this framework influenced the covenant-making process in Yehud. This dissertation seeks to fill that gap.

Michael Duggan, contra Karrer's diachronic reading of Ezra–Nehemiah, analyzes the covenant renewal ceremony of Neh 7:72b–10:40 [7:73b–10:40]

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[91] Karrer, *Ringen um die Verfassung*, 124–378.
[92] Karrer, *Ringen um die Verfassung*, 152–53, 240–43.
[93] Karrer, *Ringen um die Verfassung*, 243–65.
[94] Karrer, *Ringen um die Verfassung*, 322–33, 351, 374.

synchronically, and argues that the text is the fulcrum of the entire book as the juxtaposition of the characters of Ezra and Nehemiah with the covenant account highlights this importance, stating: "the mission of Ezra and Nehemiah converge precisely at this point when they are mentioned together for the first time."[95] His method sparked much social-scientific studies on the Persian period. Duggan analyzes the text based on its subunits, namely, Ezra's public reading of the law (Neh 7:72b–8:12 [7:73b–8:12]), the penitential rite initiated by the Levites (Neh 9:1–5), the Levites' penitential prayer (Neh 9:6–37), and the covenant pledge (Neh 9:38–10:39 [10:1–40]). Duggan's analysis leads him to three conclusions: first, the people's grasp and appropriation of the Torah was constantly improving; as they first heard it orally from Ezra, the leaders read it and then the people read it for themselves and them commit themselves to its obligations.[96] Second, the covenant renewal signifies democratic growth (as the people are more invested in the covenant-making process), and communal autonomy as they separate themselves from foreigners.[97] Third, the covenant reveals a shift in leadership from Ezra to the community leaders.[98]

Conclusion

This chapter outlines some of the research done in the area of shifts in the covenant-making process in the book of Ezra–Nehemiah. It begins by highlighting the importance of studying covenant shifts and the lack of reasons given by scholars for these shifts. It

[95] Duggan, *The Covenant Renewal*, 67.
[96] Duggan, *The Covenant Renewal*, 295–96.
[97] Duggan, *The Covenant Renewal*, 296.
[98] Duggan, *The Covenant Renewal*, 297. I will examine more scholars in Chapter 2.

then reviews previous research on covenant formulae in the Old Testament, particularly the similarities between the Hittite suzerainty treaties and the Sinai covenant.

This work establishes a framework for understanding the structure and elements of covenants in the Old Testament based on this previous research. It then focuses on the covenant shifts in Ezra–Nehemiah. Many scholars have observed that the covenant-making process portrayed in Ezra–Nehemiah differs from other covenants in the OT/HB. In these other covenants, a prominent figure like Moses would call the people together to make a covenant, but in Ezra–Nehemiah, the people themselves take the initiative and propose a covenant to Ezra and Nehemiah.

We have examined the work of other scholars who have explored the covenant shifts in Ezra–Nehemiah. These scholars have identified various elements of the covenant-making process that have changed, such as the role of leaders, the focus on specific obligations, and the purpose of the covenant. They highlight the role reversal in the covenant-making process in Ezra–Nehemiah, where humans, rather than YHWH, are the main initiators of covenants. The people commit themselves to specific obligations, such as putting away foreign wives and returning excessive interest charges, rather than general obligations from YHWH. This represents a "democratization" of the covenant-making process, with the people playing a more active role. However, these scholars have not delved into the sociological factors that may have contributed to these shifts.

The chapter explores research so far on the reasons for these covenant shifts. Nykolaishen for example, argues that the shifts are a result of the Torah being written on the hearts of the people, as prophesied by Jeremiah. However, this interpretation is not satisfactory, and besides there may be other sociological factors at play. This chapter

also briefly cites the work of sociologists who have studied the Persian period community in Yehud and suggests that these sociological factors may have influenced the covenant-making process.

Dissertation Outline

Chapter 1 explores previous approaches to Covenant research in Ezra–Nehemiah, evaluating their contributions and making a case for a sociological approach to understanding shifts in the covenant-making process in early Persian period Yehud. This chapter therefore argues in agreement with other scholars that there are indeed shifts in the covenant-making process in Ezra–Nehemiah and that these shifts can be attributed to sociological factors. The chapter suggests that further research is needed to explore these sociological factors and their impact on the covenant-making process. By understanding the sociological context of the Persian period community in Yehud, we can gain a deeper understanding of the covenant shifts in Ezra–Nehemiah and their significance.

Chapter 2 will outline the Comparative Sociological Approach and the suitability of using this approach to unearth causes behind the shifts in the covenant-making process in early Yehud as seen in Ezra–Nehemiah. It will provide an overview of sociological approaches to the study of the Old Testament/Hebrew Bible.

The objective in Chapter 3 is to compare covenant in Ezra–Nehemiah with other covenants such as the Noahic, Abrahamic, Sinai, Priestly, and Davidic covenants to identify the shifts in the covenant-making process in Persian period Yehud. It will briefly examine the concept of covenant in the OT/HB while examining scholarly opinions on covenant and explore the commonalities of the Noahic, Abrahamic, Sinai, Priestly, and

Davidic covenants, and thereby display the uniqueness of the covenant arrangements in the biblical text of Ezra–Nehemiah.

Chapter 4 will initiate the examination of potential sociological factors impacting the covenant-making process depicted in Ezra–Nehemiah. It will reference the work of Takeyuki Tsuda which examines the social factors that influence diasporic return and reintegration of diasporic migrants with their ethnic homeland communities. It will explore the causes of diasporic return, ethnic and socio-economic marginalization in ethnic homelands, and review Tsuda's finding on the ethnic identity of diaspora return migrants.

Chapter 5 will seek to uncover the economic context of early Persian Yehud, examining the dynamics between the economy, society of early Persian Yehud, utilizing various sources such as ancient texts, documents and inscriptions, the literature of ancient writers and archaeological data. It will also perform an overview of some of the major occupations in early Persian Yehud and determine the impact on their viability by geographic, environmental and ecological factors at play in the region. The impact of tax and levy systems in the Persian empire and specifically in Persian Yehud will be examined to determine the effects of the said tax and levy system of the economy of early Persian Yehud.

An analysis of the socio-political factors impacting Persian Yehud will be done in Chapter 6, exploring the influence of the Persian empire's administration of the restoration efforts of the migrant community and the covenant-making process. It will demonstrate how the Ezra–Nehemiah texts depict the influence these socio-political factors had on the missions of Ezra and Nehemiah.

Synthesizing the findings of Chapters 4, 5, and 6, Chapter 7 will investigate the impact of the aforementioned sociological factors that created the shifts in the covenant-making process in early Persian period Yehud. It will also explore the intermarriage crisis, the reasons behind the putting away of foreign wives and how it influenced the covenant-making process portrayed in Ezra–Nehemiah.

Chapter 8 will serve as the conclusion for the dissertation—it will summarize the findings of the research and make recommendations for further research.

CHAPTER 2: METHODOLOGY: COMPARATIVE METHOD IN THE CONTEXT OF SOCIOLOGICAL APPROACHES

Sociological approaches in biblical studies offer a lens through which scholars analyze the social context, structures, and dynamics depicted in the Bible. These approaches seek biblical interpretation from a platform of the social sciences including economics, social psychology, anthropology, sociology, and others.[1] Sociological approaches recognize that understanding ancient societies can enrich interpretations of biblical texts. The primary objective of sociological approaches is to deeply grasp the interplay between culture, authorship, and audience; shedding light on biblical texts by examining extrabiblical sources, artifacts, and contemporary cultures from the era under scrutiny. The approach, when related to the Bible, examines the text as a product of its social and cultural milieu, aiming to uncover both explicit and implicit meanings influenced by the societal contexts of authors and audiences, thereby facilitating a deeper understanding of the text, and explaining the "complex socio-cultural realities" portrayed in the biblical text.[2] However, sociological approaches to biblical interpretation do not stand on their own, but serve a complimentary purpose to other methodologies.

Overall, sociological methodologies in biblical studies offer diverse analytical tools for understanding the social world depicted in the Bible and its relevance to contemporary issues and concerns. By engaging with these methodologies, scholars can

[1] Esler, "Social-Scientific Approaches," 337.
[2] Carroll, "Issues of 'Context,'" 13; Elliott, *Social-Scientific*, 7–8.

deepen their interpretations of biblical texts and illuminate the complex interactions between religion, society, and culture.

The world of the Bible is extinct, though the Bible itself still exists today. Also, the development of our contemporary Western world differs from the development of the Old Testament world—the former rose out of the western Mediterranean Greco-Roman cultures, while the latter developed from the eastern Mediterranean cultures of the ancient Near East, namely Syria-Palestine, Egypt and Mesopotamia.[3] Our world is industrial, but the Old Testament world was agricultural. Theirs was a different world from ours. Therefore, in studying the Bible and the history of the people of the Old Testament, these differences pose challenges and a gulf that must be traversed to lay hold of understanding of the biblical text.

Literary criticism brought forth methodologies to determine authorship, sources and dating of Old Testament texts. These methodologies include tradition-historical criticism, form criticism, redaction criticism, new literary criticism, rhetorical criticism and structuralism.[4] Historical criticism provided methods and theories for historical research of the Bible, based on the assumption that the text expressed the viewpoints of the individual writers. It connected the history of Israel with that of its ancient Near Eastern neighbours and with the development of biblical literature.[5]

It must be noted that while literary and historical-critical methodologies help in uncovering the meaning of biblical texts, the authors of these texts used languages, symbols, and literary forms peculiar to their society. The people they write about, their

[3] Matthews and Benjamin, "Social Sciences," 9.
[4] Gottwald, "Sociological Criticism," 474.
[5] Gottwald, "Sociological Criticism," 474.

decisions and behaviours are shaped by their society.[6] On the other side of the temporal gulf is the contemporary reader of the biblical text, who is also conditioned by modern norms and cultures different from that of the Old Testament author and people. Bridging this temporal social gap in interpreting the Bible is the task of sociological approaches. Social sciences aid the biblical interpreter "to understand the sociology of ancient Israel and the sociological dimensions of the interpretive process."[7]

This chapter will review select work in sociological methodology in the OT/HB and of select, important scholars in the field. This will be predicated by a brief overview of the application of sociological methods to the Old Testament before the aforementioned period, which is essential, as they lay the foundation for recent works. The last section of the chapter will demonstrate how I intend to use sociological approaches in this dissertation.

Early Sociological Methods and the Old Testament

Herodotus can be considered to be the earliest anthropologist. In most of his volumes in *History,* he studies people groups known to the Greeks, using categories similar to those used in anthropology today, and describing their "kinship, marriage, economics, technology, and religion."[8] Judging these cultures from the lens of Greek culture, Herodotus considered these foreign cultures as barbaric.[9] In the Renaissance, Betramus wrote about the connections between government and religion in ancient Israel, Sigonius studied biblical politics, Geier wrote on biblical ritual, Ursinus focused on trees in the

[6] Wilson, *Sociological Approaches,* 4.
[7] Wilson, *Sociological Approaches,* 5.
[8] Matthews and Benjamin, "Social Sciences," 14.
[9] Matthews and Benjamin, "Social Sciences," 14.

Bible, while Relandus produced a volume on ancient monuments in Palestine.[10] In exploring the cultures of the new world, similarities between these cultures and that of the Bible were noticed but unexplored in order not to "trivialize" Christianity and Judaism, avoiding the question of whether these religions were "superior" and based on divine revelation or a product of human culture observed in the new world.[11] Few considered the similarities they discovered as either corruption from pagan cultures or "primitive practices from which the world of the Bible eventually evolved."[12]

Sociological/anthropological studies of the Old Testament commenced in earnest around the second half of the eighteenth century, about the same time as the modern critical studies of the Old Testament. J. Michaelis organized a scholarly expedition to the Near East in 1761 that included Carsten Niebuhr. The questions Michaelis put together to guide the team were not anthropological/sociological. Still, the presuppositions behind them were, namely, that the Near Eastern desert dwellers had preserved the ways of life of ancient Israel. By observing the Bedouin's lives, the contemporary occupants of the desert, they could somehow reconstruct, to some degree, the life of the ancient Israelites. The hope was that the knowledge gleaned from the lives of the Bedouin could help clarify obscure sections of the Old Testament.[13] Michaelis also studied the lives of primitives from North America and Asia and published his works in 1763. One aspect of his research was an attempt to understand Levirate Marriage as outlined in the Pentateuch by comparing similar practices in Arabia and Mongolia, under the

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[10] Bertramus, *De politica Judaica*; Sigonius, *De re publica*; Geier, *De Ebraeorum*; Relandus, *Palaestina*; Ursinius, *Arboretum Biblicum*. Cf. Matthews and Benjamin, "Social Sciences," 14.

[11] Matthews and Benjamin, "Social Sciences," 14.

[12] Matthews and Benjamin, "Social Sciences," 14. Rogerson refers to these similar primitive practices as "survivals," cf. Rogerson, *Anthropology*, 22–26.

[13] Rogerson, *Anthropology*, 3–4.

assumption that societies facing similar social situations would respond in similar ways. Hence, understanding Mongolian and Arabian "levirate" marriage would give insight into levirate marriage in ancient Israel.[14] Michaelis's work influenced much of the work of other scholars in the late eighteenth century who engaged in similar expeditions and comparative studies.[15]

In the nineteenth century, W. Robertson Smith advanced Michaelis's work by critically comparing ancient Israel's culture with that of the Bedouin.[16] James Frazer began to correspond with explorers, who had gleaned information and material from primitives around the world.[17] At this point, research began to tackle the reasons behind the similarities in various cultures, resulting in theories that formed the bedrock of social anthropology. One major assumption of this period was that all societies underwent similar development stages or evolution; hence, by observing the development of a contemporary primitive society, one could determine the evolution of an ancient one.[18] This line of research was influenced by Darwin's evolutionary theories and the work of H. Spencer.[19]

In the early twentieth century, Max Weber postulated that cultural change was not driven by economic factors but new ideas and commonly held values in a society (contra Karl Marx who postulated that the forces that brought about cultural change were not ideological but socio-economic). Weber embarked on a sociological study of

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[14] Michaelis, "Ius Leviratus."
[15] Rogerson, *Anthropology*, 4.
[16] Matthews and Benjamin, "Social Sciences," 16.
[17] Downie, *Frazer*, 111.
[18] Rogerson, *Anthropology*, 12–13.
[19] Stauffer, ed., *Charles Darwin's*; Spencer, *The Data of Ethics*.

ancient Israel to demonstrate his thesis.[20] In his research, Weber delved into the study of Israel's origins as part of his study of non-European societies and determined that Israel was initially an amalgam of semi-nomadic people who were drawn together politically by covenant in times of crises.

From the 1930s, Martin Noth developed the theory that the tribes of early Israel were organized into twelve tribes, centered around the central shrine, during the period of the Judges in a way similar to the Greek amphictyony.[21] At the time, the theory provided extra-biblical evidence for the association of twelve tribes, the leadership of the Judges, and Israel's transition to the monarchy. However, Noth's theory was eventually rejected because the Greek amphictyony was not always set at twelve members or tribes, and that the Greek amphictyony was based on an urban culture as opposed to ancient Israel, which was rural; and there is a lack of evidence demonstrating a central shrine before the monarchy in Israel.[22] Mendenhall, dealing with the urban-rural challenge, postulated an early Israelite peasant revolt against the dominant Canaanite culture. For him the tribes were united by covenant, military pact, and some measure of a centralized cult.[23] Mendenhall's model gave credence to the exodus.[24] However, the theory failed to answer the question of how the tribes were centrally organized for judicial purposes and how the transition from a tribal amalgamation to a unified, urban monarchy took place, considering the fact that they had revolted against the same monarchical set up in the first place.[25]

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[20]*Weber, Ancient Judaism*.
[21]*Noth, The History*.
[22] Wilson, *Sociological Approaches*, 34 and Osiek, "The New Handmaid," 262.
[23] Mendenhall, "The Hebrew Conquest," 66–87 and Osiek, "The New Handmaid," 263.
[24] Gottwald, "Sociological Criticism," 475.
[25] Osiek, "The New Handmaid," 263 and Rogerson, *Sociological Approaches*, 35.

Recent Sociological Method and the Old Testament

Norman K. Gottwald, in response to the problems with Mendenhall's ideas, accepted his peasant-revolt theory but provided a more detailed reconstruction. Gottwald argued that early Israelites were organized in "egalitarian" social groups like tribes or bands, who were connected by their common worship of El, and these groups came together when threatened militarily. These bands were not monolithic in the sense that they were all local peasant groups in Canaan subject to a feudal Canaanite society. Instead, other groups were attracted to these bands, including groups of Hebrew migrants from Egypt that testified of the power of YHWH in delivering them from slavery. Hence the developing groups in Canaan were of mixed Canaanite and Hebrew descent, comprising independent social units of extended families and kinship groups that came together in times of crises to respond or defend themselves as a united body. Leadership positions were temporary, accounting for the transient nature of the role of the Judges. Eventually, to permanently deal with the Philistine threat, these groups united and metamorphosed into a monarchy.[26]

As Gottwald progressed in his early Israel research, he modified his view of Israel's beginnings, changing it from "a peasant revolt against a feudal society that produced an egalitarian society" to "a social revolution against a tributary mode of production that produced a communitarian mode of production."[27] The early Israelite groups were under a tributary system, which Gottwald termed the "Tributary Mode of

[26] Gottwald, *The Tribes,* 389–663.
[27] Gottwald, "How My Mind," XXV.

Production."[28] Their tributary overlords imposed a system of heavy taxes and expropriation of land on the Israelite peasants, with little or no benefit to the peasants in terms of infrastructure, defense, and social organization. As a result, the Israelite peasants did not depend on their overlords and revolted, and provided for themselves what their Canaanite overlords were supposed to. In successfully revolting, the Israelites found themselves in a mode where there were no more taxes, and they could take care of themselves – a "Communitarian Mode of Production."[29] By dropping the term "egalitarian society," Gottwald minimized the common misconception that "egalitarian" implied "all persons individual rights are equal," when in fact he meant the anthropological use of the word which implied "equal access of all the primary social units to basic resources."[30] Gottwald also dropped the term "peasant revolution" in favour of "social revolution." The former term suggests that the revolt was carried out only by peasants and that in switching from a tributary mode of production to a communitarian mode, the means of production, which was agrarian, was changed in the process. But this is not the case. In moving from a tributary to a communitarian mode, the means of production remained agrarian. What changed was how the agrarian product was utilized—instead of being used to pay taxes, they were used to fend for themselves. Also, the Israelite groups in revolt, though mostly peasants, included "pastoral producers" and renegades from neighbouring tributary states such as priests, soldiers, and artisans.[31]

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[28] Gottwald, "How My Mind," XXVI. This phrase "Tributary mode" was first coined by Samir Amin, Amin, *Class and Nation*, 46–70.

[29] Gottwald, "How My Mind," XXVI.

[30] Gottwald, "How My Mind," XXVI.

[31] Gottwald, "How My Mind," XXVIII; Wilson, *Sociological Approaches*, 35–6 and Osiek, "The New Handmaid," 263.

In analyzing Gottwald's conclusions, Wilson points out that his work is the most detailed reconstruction of ancient Israel.[32] Still, the work must be weighed or refined by other sociological approaches such as a survey of biblical and extra-biblical evidence. Wilson notes that the social units identified by Gottwald (i.e., the nuclear family, the extended family, clan, tribe, and nation) agree with biblical evidence. However, he points out that archaeological evidence suggests that early Israel's basic social unit was the nuclear family, which was economically self-sufficient instead of the extended family.[33] Both biblical and archaeological evidence indicates that a reconstruction of early Israel would benefit from comparative data obtained from the anthropological study of societies with social structures based on family and kinship.[34] This is one central area of contribution of Wilson. This research led him to the study of biblical genealogies and comparative analysis of oral lineages in contemporary linkage systems or traditional cultures. He determined that the objectives of the genealogies were not historical, but they had domestic, religious and political purposes aimed at controlling matters such as marriage, inheritance, land, and cultic relationships.[35]

Another area of research Wilson engaged in was the social function of prophecy. By examining prophecy and its function in other societies, he distinguished central prophets from peripheral prophets. On the one hand, the central prophets, who were close to the corridors of political and religious power in society, were more concerned with slow, gradual social change. On the other hand, peripheral prophets were far removed from the corridors of religious and political power and championed drastic

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[32] Wilson, *Sociological Approaches*, 36.
[33] Wilson, *Sociological Approaches*, 38–40.
[34] Wilson, *Sociological Approaches*, 40–41.
[35] Wilson, *Sociological Approaches*, 40–61. Cf. Weinberg, *The Citizen-Temple*, 134.

change in the social structure. Therefore, prophetic debates were not necessarily over theological issues but social and political issues and could result in false prophecy accusations. A case in point is the prophetic debate between Jeremiah (peripheral prophet) and Hananiah (central prophet) in Jer 27–28. Jeremiah contends for radical action, to surrender and submit to the Babylonians, while Hananiah has an opposing view, citing the inviolability of Zion. Their prophetic "arguments" reveal their background. Jeremiah's prophecy was likely based on Deuteronomic theology that reflected the election of Jerusalem, and the Davidic line was contingent on their obedience to the Law. Hananiah's prophecy was based on Jerusalemite Royal theology citing the inviolability of Jerusalem and the unconditional election of David's line, which suggests that he was part of the Jerusalem establishment, making him a central prophet. Hence, their dispute is not merely theological but socio-political, and the only way to end the debate was for one to accuse the other of false prophecy.[36]

Weinberg's work focuses on the structure and nature of the Persian period Judean community in the Old Testament.[37] He explores the socio-economic development, urbanization, and self-governing local powers during this period. Weinberg also examines the distinction between preexilic and Persian period groups and their connection to the Persian empire and the Temple. Additionally, he conducts a demographic study on the population of Judea, considering the effects of exile and return migration.

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[36] Wilson, *Sociological Approaches*, 67–80.

[37]Weinberg, *The Citizen-Temple*. I have made my comments on Weinberg brief here as I have covered his work in more detail in Chapter 1.

Another scholar worth mentioning in this review is Daniel L. Smith and his work *Religion of the Landless.* In this volume, Smith utilizes the comparative method, engaging the records and experiences of contemporary communities subjected to forced migration to reconstruct the worldview and plight of the Judeans in the Babylonian exile. The modern-day forced migrants he researched, including Japanese interns in the United States, Bantustans of South Africa, African-American slaves, and Bikini Island people, all developed coping mechanisms to survive, and Smith uses this information to shed light on how the Judean exiles adapted to their new society. One structural adaptation revolved around *bêt ʾābôt* as a means of self-government.[38] It identifies the Exile as a crisis threatening the survival of the exiles and refutes the claim that the exile was not a challenging experience for them on the grounds that they were landless outsiders in a socially stratified society. In his theological reflection, Smith deems the exile as the centrepiece of study for the Old Testament, and not the exodus, seeing the Christian as a minority in secular culture and in essence an "existential exile."[39]

John Ahn contends that though Smith's work was ground-breaking, it did not account for why there were three forced migrations in 597, 587 and 582 and their effect on each set of the forced migrants.[40] It also failed to address the "multi-layered socio-economic impacts and variables of the exile on the exilic community as well as effects on their traditions.[41] To address these omissions, Ahn focuses on the social structures of forced migrations using the comparative method. In a bid to aid the interpretation of

[38] Smith-Christopher, *The Religion*, 93–138.
[39] Smith-Christopher, *The Religion*, 201–16.
[40] Ahn, *Exile*.
[41] Ahn, *Exile*, 16–17.

biblical texts on the exile, he engaged three areas of sociological studies: "forced migration studies," "migration and economics," and "migration and generation issues."[42]

Application of Sociological Approaches to this Dissertation

Ahn's focus in his work was the Judean forced migrants and their experience in exile. I wish to take his research further by examining the return migrants and their experience in Persian Judea, while engaging a similar comparative model.

This dissertation aims to uncover the socio-economic conditions that existed in early Persian Yehud, specifically the historical timeframe represented in Ezra–Nehemiah. It will investigate what influence economic and ethnic factors had on return migration to Yehud and whether the return migrants experienced ethnic and socio-economic marginalization while settling in Yehud. I also wish to determine what effect these factors had on the Persian period community's religion, specifically the covenant-making process indicated in Ezra–Nehemiah.

An example of a source for sociological data for my research amongst others is Takeyuki Tsuda. Tsuda examines the phenomenon of diasporic return migration and its socio-economic factors.[43] Tsuda focuses on various migration events, including the Jewish migration from Russia to Israel, ethnic German returns to Germany from Eastern Europe, and the return migration of diasporic communities from Latin America and Eastern Europe to Spain, Italy, Greece, Poland, and Hungary. He also studies the migration of ethnic Russians from former Soviet and communist states in Eastern

[42] Ahn, *Exile*, 40–258.
[43] Tsuda, "When the Diaspora Returns."

Europe, Central Asia, and the Caucasus to their ethnic homeland, as well as the return migration of ethnic Koreans, Japanese, Indians, and Chinese from North and South America, Europe, and other South Asian nations to their ethnic homelands.

Tsuda's research reveals that there are two main causes for diasporic return migration: transnational ethnic ties and economic motives. Migrants from less developed nations are primarily motivated by economic factors, seeking better opportunities in more developed countries.[44] On the other hand, migrants from more developed countries are driven by a stronger desire to reconnect with their ancestral communities, despite the lack of financial incentives. These return migrants often have sentimental ethnic attachments to their ethnic homelands, even if they have never visited them.[45]

Tsuda also highlights the role of ethnic homeland governments in attracting these migrants.[46] These governments are primarily interested in the economic benefits that skilled return migrants can bring to their societies.[47] They believe that shared ethnicity and culture will enhance the reintegration of these migrants into the ethnic homeland without disrupting the country's ethno-racial balance.

Tsuda also examines the issue of ethnic and socio-economic marginalization faced by diasporic return migrants in their ethnic homelands. Migrants from less developed nations often experience negative treatment and exclusion due to their cultural assimilation in foreign lands. They are considered "foreigners and strangers" in

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[44] Tsuda, "When the Diaspora Returns," 173. Cf. Brubaker, "Migrations"; Žmegač, "Ethnically Privileged Migrants"; Žmegač, "Introduction."

[45] Tsuda, "When the Diaspora Returns," 174.

[46] Tsuda, "When the Diaspora Returns," 175; Kim, "Finding Our Way," 305–24; von Koppenfels, "Germans to Migrants," 103–32.

[47] Tsuda, "When the Diaspora Returns," 176.

their ethnic homelands and face socio-economic marginalization, being offered mostly unskilled low-status jobs.[48] Negative attitudes from the locals may also arise due to negative views of the nations the migrants migrated from or their perceived cultural incompetence.

The negative reception in their ancestral lands influences the ethnic identity of return migrants. Some migrants identify more with the nations they migrated from, seeing themselves as cultural foreigners in their ethnic homelands.[49] This phenomenon is termed "deterritorialized migrant nationalism."[50] On the other hand, some return migrants react to alienation by asserting their ethnic heritage and considering themselves the "pure ethnic migrants" who have better preserved their culture and traditions compared to those who have been dwelling in the homeland.[51]

Tsuda also discusses the concept of "home" and "homeland" for diasporic return migrants.[52] He notes that return migrants generally have two homelands: the place of their birth and the place of origin of their ethnic group. However, they often feel like minorities in both homelands due to foreign accents, looks, and cultural tendencies. This sense of being "a people without a homeland" may lead some return migrants to transfer their emotional attachment to their natal homeland, considering it their true home.[53] Others may not feel at home in either homeland and take on "non-nationalist diasporic

[48] Tsuda, "When the Diaspora Returns," 178–80.
[49] Tsuda, "When the Diaspora Returns," 184.
[50] Tsuda, "When the Diaspora Returns," 182–83. Cf. Fox, "National Identities," 458–59.
[51] Tsuda, "When the Diaspora Returns," 182–83. Cf. Fox, "National Identities," 458–59.
[52] Tsuda, "When the Diaspora Returns," 184–85. Cf. Constable, "At Home," 206–07; Markowitz, "The Home(s)," 24; and Stefansson, "Refugee Returns," 174.
[53] Tsuda, "When the Diaspora Returns," 185.

identities" or "transnational identities" that maintain strong allegiances to both their ethnic homeland and their diasporic home countries.[54]

Overall, Tsuda's research provides insights into the complex dynamics of diasporic return migration, including the causes, experiences, and identity transformations of return migrants. His research highlights the importance of transnational ethnic ties, economic factors, and the role of ethnic homeland governments in shaping the motivations and experiences of these migrants. It also explores the socio-economic marginalization faced by return migrants and the impact of their reception in their ancestral lands on their ethnic identity and sense of home.[55]

Tsuda's work will raise some questions as his findings are applied to the early Persian period community in Yehud. These include:

1. What role did economics play in return migration to Yehud?
2. Did transnational ethnic ties influence this return?
3. Were the return migrants to Yehud marginalized or accepted ethnically and socio-economically?
4. What was the ethnic identity of the return migrants?
5. Was there a shift in the return migrants' definition of home and homeland?

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[54] Tsuda, "When the Diaspora Returns," 183. For instance, because Peru is viewed in poor light in Japan, Japanese Peruvians identify themselves with a distinct ethnic identity: *nikkei* (i.e., ethnic Japanese born abroad). Cf. Takenaka, "Ethnic Hierarchy," 280–20.

[55] I will discuss Tsuda's work more extensively in Chapter 4. Tsuda has several other anthropological works, however, I focus on his article in his edited volume *Diasporic Homecomings* for a number of reasons; 1. A focus on diasporic return migration which is the focus of his article; 2. this work looks at diasporic migration from the lens of various people groups and ethnicities as outlined earlier, thereby giving a broader perspective of diasporic migration. His other works deal with diasporic migration of particular people groups such as Koreans, Japanese Americans and Japanese Brazilians; see respectively Tsuda and Song, *Diasporic Returns*, Tsuda, *Japanese American Ethnicity*, Tsuda, "Recovering Heritage," and Tsuda, *Strangers in the Ethnic Homeland.*

Researching these questions will give greater insight into the world of early Persian Yehud and their practices. The goal is to arrive at a sociological context for the biblical text, which will yield an understanding of the factors at play in Persian Yehud that influenced shifts in the covenant-making process.

Comparative sociological methods involve investigating contemporary or ancient societies, the goal being to develop general hypotheses to explain social change or individual behaviour. The proposed dissertation will draw data from three areas of sociological study—return migration studies, socio-economics, and socio-politics.

This sociological study will be based on three hypotheses—first, that there is sufficient information in the OT/HB and related ANE literature and archaeological studies to apply sociological methods in determining the contexts of and reasons for covenant shifts in Ezra–Nehemiah. This will involve first, a literary analysis of the OT covenant texts for the Noahic (Gen 8:20–9:17), Abrahamic (Gen 12:1–3; 15:1–21; 17:1–22), Sinai (Exod 19:1–10; 24:1–8), and Davidic (2 Sam 7:1–17) covenants, in comparison with Ezra 10 and Neh 9–10 to identify shifts in the covenant-making process. These shifts include, the democratization of the covenant-making process, the relegation of YHWH and key intermediaries (i.e., Ezra, Nehemiah) to the background of the covenant-making process, the absence of a sacrificial victim, and the shift from obeying the whole law to specific laws. As discussed earlier in this dissertation, literary analysis of the Ezra–Nehemiah texts has provided some understanding of the intent of the people, but the texts cannot be divorced from their ANE sociological context. Therefore, to gain a fuller picture of the reasons behind covenant in Ezra–Nehemiah, comparative sociological methodologies will be engaged.

The second hypothesis is that models of modern societies formulated through the lens of migration, economic and socio-political conditions, will raise questions on how to re-read and interpret the biblical evidence contextualizing covenant in Ezra–Nehemiah. The dissertation will argue that migration, socio-economics and politics are key factors in the shaping of a society and will demonstrate that patterns observed in modern day sociological studies in migration, socio-economics and politics were applicable in Persian Yehud by testing these patterns with the Ezra–Nehemiah covenant texts.

Migratory, socio-economic, and socio-political conditions influence how members of a society behave and interact with each other, and develop social constructs like, in this case, covenant. This is the third hypothesis. These patterns of migration, economics and politics, will determine the effects of these factors on the people of Yehud generally, and the dissertation will demonstrate that the shifts in the covenant-making process were socially conditioned.

The resulting general theories would then be tested against data (in the case of my research, data presented depicted by the biblical text and related ANE text, inscriptions and archaeological findings), to establish that the hypotheses are acceptable. Then, the hypotheses will be applied to the question of the covenant shifts in the covenant-making process as portrayed in the covenant texts of Ezra–Nehemiah (Ezra10; Neh 9–10) and determine the underlying causes.

This research aims to uncover the sociological conditions that existed in early Persian Yehud, specifically the historical timeframe represented in covenant texts in Ezra–Nehemiah. It will investigate what influence economic, political, and ethnic factors

had on return migration to Yehud and whether the return migrants experienced ethnic and socio-economic marginalization while settling in Yehud. It will determine the effect these factors had on the Persian period community's religion, specifically the covenant-making process indicated in Ezra–Nehemiah.

Primary sources for the investigation into the social world of Yehud will include textual remains (i.e., biblical sources and archaeological material containing writing such as coins and papyri), and non-textual remains such as archaeological evidence from ancient locations, and infrastructure. Secondary sources for sociological data for this research will include case studies that touch on the socio-economic and socio-political factors that influence diasporic return and reintegration of diasporic migrants with their ethnic homeland communities. These studies will cover various relatively recent and large migration events after World War II in Europe and Asia.

These data would not be utilized in making direct analogies to the Persian Yehud community but rather to propose premises and questions that will guide exegesis of the Ezra–Nehemiah covenant texts, i.e., how these sociological cases are suggestive for a re-reading of the biblical texts. Hence, this dissertation will review the case studies' findings and, from there, generate a set of related questions that can aid its investigation into the socio-economic and religious conditions in Yehud. In answering these questions, the focus would be on the history reflected in Ezra–Nehemiah, specifically covenant. This is a departure from the structuralist methods of earlier sociologists like Wilson who found deep structures within examples true of all cultures. Rather this dissertation

performs heuristic work that prompts new questions and directions for the biblical text, asking and answering the question: "Do people really act that way?"[56]

The first step in this research, which is a review of the aforementioned case studies, will reveal a number of scenarios common to them namely:

1. The cause of diasporic return for migrants from more developed countries to less developed homelands is ethnicity. There is a low economic enticement to move in this case. Even though they seek economic opportunities, their desire to reconnect with their ancestral communities is stronger. Because of the lack of financial incentives, these kinds of migrants are limited in number.[57]
2. Usually, these return migrants would have lost their social and cultural connections with their ethnic origins; therefore, their return is inspired by "imagined, nostalgic, ethnic affinity to an ancestral country which most have never visited."[58] Such sentimental ethnic attachments vary depending on whether the migrant has been culturally assimilated by his/her host nation or not.[59]
3. When ethnic homeland governments are involved in attracting these migrants, their (i.e. governments') interests are mainly economic – to supply skilled human resources to their societies – and do so believing their shared ethnicity and culture would enhance their reintegration into the said societies while maintaining the country's ethno-racial balance.[60] Another important factor for

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[56] Smith-Christopher, *The Religion*, 3.

[57] Christou, Christou, "Deciphering Diaspora," 1050–51; Kim, "Finding Our Way," 305–24; Tsuda, "When the Diaspora Returns," 174.

[58] TsudaTsuda, "When the Diaspora Returns," 174–75; cf Remennick, "A Case Study," 370–84.

[59] Tsuda, "When the Diaspora Returns," 174.

[60] Skrentny et al., "Defining Nations," 44–72; Joppke, *Selecting by Origin*, 158–59; Tsuda, Tsuda, "When the Diaspora Returns," 176

such governmental attraction is security, as in the case of return migration to Israel and Germany, where the objective was to create safe havens from attack and persecution for the migrants.[61]

4. Ethnic return migrants are generally excluded ethnically because they have been away from the ethnic homeland, and they have mostly lost their ancestral culture and language due to having been assimilated culturally in foreign lands.[62] Hence they are treated as foreigners and outsiders in their ethnic homelands and sometimes even identified as foreigners.[63]
5. The negative reception of return migrants in their ancestral lands influenced their ethno-national identities. In the face of social alienation, return migrants tend to react by asserting their ethnic heritage, by claiming they are the pure ethnic migrants having kept their culture and traditions better than those who have been dwelling in the homeland.[64]

The next step in the research will be to apply the sociological findings to the setting of Yehud revolving around covenant in the Ezra–Nehemiah text and its ANE context and determine that:

1. The diasporic return to Yehud was inspired by ethnicity, the desire to reconnect with the homeland and not economics, as they were moving from a relatively advanced society (Babylon) to a decimated one. The dire economic state of

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[61] Joppke, *Selecting by Origin*, 23–24.

[62] Tsuda, "When the Diaspora Returns," 177. Žmegač, "Ethnically Privileged Migrants," 206–7.

[63] Žmegač, "Ethnically Privileged Migrants," 206–7; Remennick, "A Case Study," 370–84; Fox, "National Identities," 456–57; Cook-Martín and Viladrich, "Imagined Homecomings," 133–58; Pilkington, *Migration, Displacement*, 168–71; Tsuda, "When the Diaspora Returns," 178.

[64] Fox, "National Identities," 458–59; Žmegač, "Ethnically Privileged Migrants," 212; Pilkington, *Migration, Displacement*, 168–71; de Tinguy, "Ethnic Migrations," 125; Tsuda, "When the Diaspora Returns," 183.

Yehud resulted in low migration numbers (circa 1,500 men, Ezra 8:1–14), and these had to be given financial incentives to return by the Persian overlords (Ezra 7:15–24; Neh 1:5–8). Because of the dire economic situation, and as the case studies demonstrate, the number of migrants was small compared to the numbers of the people of land (i.e., those who were already in the land on the arrival of the migrants from Babylon) who were in the tens of thousands.[65]

2. The text confirms the findings from the case studies—that the return migrants had lost their social and cultural connections with their ethnic origins to some degree as they are married to foreign wives (Ezra 9:1–2; Neh 10:30; Neh 13:23–27; cf. Deut 7:3–4; Gen 24:3–4).
3. The Persian government had security and economic interests in drawing the migrants back to Yehud in keeping with the findings from the case studies. In order to secure their borders, the Persians reversed the strategy of the Babylonians of moving conquered peoples to the center of the Empire, a strategy that weakened the periphery. By moving the people groups back to the fringes of the Empire, the Persians secured the boundaries of the Empire.[66] It would be easy for an invading army to take over a sparsely populated area. But with the area populated by local Persian loyalists within fortified cities, the probability of invaders easily overrunning the land would be much less.[67] This explains the apparent eagerness of the Persian king to send Nehemiah to Yehud to rebuild the

[65] Carter, *The Emergence*, 201–02; Lipschits, *Fall and Rise*, 269; Meyers and Meyers, "Demography and Diatribes," 282.

[66] McNutt, *Reconstructing the Society*, 188.

[67] See Adams, *Social and Economic Life*, 140–41; McNutt, *Reconstructing the Society*, 190; and Blenkinsopp, "Mission of Udjahorresnet," 415–6. Cf. Hoglund, "The Achaemenid," 62–64.

walls of the city (Neh 1) and funding Ezra and his group of migrants to return to Yehud (Ezra 7:15–24). Another economic advantage the Persians were seeking to secure in sending the migrants to Yehud was taxation. With sympathetic leadership in place, the administration could exact enough taxes and tributes from the people.[68] Temples in the Persian Empire served not only as religious centers but also as centers for the collection of taxes and tributes.[69] So Jerusalem and the temple served a dual purpose: a center of worship and an "Inland Revenue" outlet.[70] This again demonstrates the reason behind the Persians' interest in supporting the return migrants and their religion.

4. That ethnic return migrants are generally excluded ethnically because they have been away from the ethnic homeland is demonstrated in the return migrant community in Ezra–Nehemiah. This explains the hostility discerned in the text between the migrants and the people of the land (Neh 2:10, 19–20; 4:1–5, 7–9, 15–18; 6:1–19).
5. The negative reception of the return migrants to their ancestral land by the people of the land influenced their ethno-national identities. In keeping with the findings from the case studies (i.e., that return migrants tend to react by asserting their ethnic heritage in the face of social alienation), hence it became necessary for the migrants to assert their claim to Judean identity by entering a covenant to put away their foreign wives, to not give their daughters in marriage to foreigners, to

[68] Berquist, *Judaism*, 26. Cf. Hoglund, "The Achaemenid," 65–66.

Berquist, *Judaism*, 26, 238, McNutt, *Reconstructing the Society*, 196 and Schaper, "The Jerusalem Temple," 528. Cf. Adams, *Social and Economic Life*, 137.

[70] Schaper, "The Jerusalem Temple," 539.

keep the Sabbath, and give regular offerings to the house of God (Ezra 9:1–2; 10:1–17; Neh 10:28–39).

Conclusion

This chapter examined the application of sociological approaches to the study of the OT/HB, specifically focusing on the Persian period community in Yehud as portrayed in the book of Ezra–Nehemiah. We began by providing an overview of sociological methodologies in biblical studies, particularly in relation to understanding the social context, structures, and dynamics depicted in the Bible. It emphasizes the importance of sociological approaches in uncovering the complex interactions between religion, society, and culture.

The chapter provided an overview of the early sociological methods used in the study of the OT/HB, starting with the work of Herodotus in the ancient world. It discussed how scholars in the Renaissance and later periods explored the connections between government, religion, and culture in ancient Israel. The chapter also highlights the contributions of scholars like Max Weber and Martin Noth in understanding the social and economic conditions of early Israel.

Moving on to more recent sociological methods, the chapter focuses on the work of Norman K. Gottwald, who proposed a detailed reconstruction of early Israelite society. Gottwald argued that early Israelites were organized in “egalitarian” social groups like tribes or bands, who came together in times of crises. He also proposed the concept of a “Communitarian Mode of Production” to describe the social revolution that took place in early Israel. It then discusses the work of other scholars, such as John Ahn,

who further developed Gottwald's ideas and explored the social structures of forced migrations using the comparative method. The chapter also mentions the contributions of scholars like Daniel L. Smith and Takeyuki Tsuda, who studied the experiences of diasporic return migrants, and their reintegration into their ethnic homeland communities.

The chapter concludes by outlining the application of sociological approaches to the dissertation's research on the community in Persian Yehud which the biblical account of Ezra–Nehemiah depicts. It proposes three hypotheses related to the sociological conditions in Yehud and the shifts in the covenant-making process as portrayed in the books of Ezra and Nehemiah. The research aims to uncover the socio-economic conditions that existed in early Persian Yehud and determine the influence of economic, political, and ethnic factors on the return migration to Yehud and the Persian period community's religion.

Overall, the chapter provides a comprehensive overview of the application of sociological approaches to the study of the Old Testament, particularly in relation to the Persian period community in Yehud. It highlights the importance of understanding the social context and dynamics in order to gain a deeper understanding of biblical texts and their relevance to contemporary issues and concerns.

In conclusion, this dissertation will demonstrate that covenant in Ezra–Nehemiah, was the culmination of the return migrants' efforts to assert their Judean identity in the face of the people of the land. The text of Ezra–Nehemiah may have portrayed this to have been a religious issue, but for the people, it was more than that—it

was an issue of identity and ethnic assertion, which in turn influenced the shifts in the covenant-making process that are observed in the text of Ezra–Nehemiah.

CHAPTER 3: COVENANT SHIFTS IN EZRA–NEHEMIAH

Covenant in the OT/HB has close affinities with ancient Near East (ANE) treaties.[1] Based on this relationship between ANE and biblical covenants, scholars have discerned four kinds of covenants from the ANE. First are the suzerainty (or vassal) treaties.[2] Common amongst the Hittites of the second millennium BCE, a greater entity, usually a great king or suzerain, would enter into a covenant arrangement with a lesser king or vassal.[3] Similar to the suzerainty treaty is the loyalty oath, where a powerful monarch or people group forcibly imposes a covenant on a less powerful king or nation, and this lesser power swears an oath of allegiance to the greater.[4] These were common in the first millennium BCE. A third kind of ANE treaty was the bilateral parity covenant, wherein a treaty is entered into by two or more persons of comparatively equivalent clout or status, and the parties to the covenant placed obligations on each other.[5] The fourth kind

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[1] See Mendenhall, *Law and Covenant*; Kline, *Treaty*; McCarthy, *Treaty and Covenant*; Weinfeld, "The Covenant," 187–203; Weinfeld, *Deuteronomy*; Hyatt, *Commentary*; Kalluveettil, *Declaration and Covenant*; Propp, *Exodus 19–40*, 301–2; Kessler, *Old Testament*, 179; and Block, *Covenant*, 2. See also Craigie, *The Book*. It is important to note that scholars such as Patrick and Nicholson reject this idea. See Nicholson, *God and his People*, and Patrick, *Old Testament*. For the purposes of this dissertation, I define covenant as "a legally binding obligation," see Busenitz, "Introduction," 175; and Kline, "Dynastic Covenant," 1–15. As indicated in Chapter 1 of this dissertation and later in this chapter, there are many forms of covenants in the HB/OT. Extensive work has been done of the definitions of covenant which time and space would not permit in this dissertation. For a survey of works on covenant, see Hahn, "Covenant," 273–78; and McKenzie, *Covenant*, 1–81.

[2] McCarthy, *Treaty and Covenant*, 28–48.

[3] For more details on Suzerainty treaty documentation, see Moran, "Ancient Near Eastern," 77–87; Walton, *Ancient Israelite Literature*, 95–109.

[4] See Weinfeld, "The Loyalty Oath."

[5] McCarthy, *Treaty and Covenant*, 22–27. Marriage is also depicted as a bilateral covenant, see Hugenberger, *Marriage*, and Cross, "Kingship and Covenant," 8.

of covenant involved one where a gift (which could be land, rulership or tax exemption) was granted to an individual. This is known as a "promissory covenant" or "covenant of grant."[6]

There is no consensus regarding the exact number of covenants in the OT/HB—while some scholars only consider human-divine relationships accorded covenant terminology, others, especially those in the reformed tradition "identify several additional covenants, including an overarching 'covenant of grace.'"[7] The aforementioned four kinds of covenants—suzerainty (or vassal) treaties, loyalty oaths, bilateral parity covenants, and covenants of grant—are reflected in the OT. Many scholars see the covenants between YHWH and Abraham (Gen 12:1–3; 15:1–6, 7–21) and between YHWH and David (2 Sam 7:1–15) as covenants of grant.[8] The covenants between Abraham and Abimelech **(**Gen 26:25–33), Jacob and Laban (Gen 31:43–55), Jonathan and David (1 Sam 18:3–4), Asa and Ben-Hadad (1 Kgs 15:16–20), can be deemed bilateral parity covenants. There is a debate whether the Sinai covenant is a suzerainty covenant or loyalty oath. Waltke and Weinfeld see the Sinai covenant as unilaterally imposed by YHWH upon Israel.[9] On the other hand, scholars such as McCarthy, McKenzie, Mendenhall and Herion agree that obligations are placed on both YHWH and Israel in the Sinai covenant—with YHWH being the suzerain and Israel

[6] Weinfeld, "The Covenant" 184–203.
[7] Williamson, "Covenant," 420; and Kessler, *Old Testament*, 192–94.
[8] Weinfeld, "The Covenant," 184–203; Levenson, *Sinai and Zion*, 98–101; Waltke, "The Phenomenon," 123–55. For dissenting opinions, see Knoppers, "Ancient Near Eastern," 670–97 and Arnold, *Genesis*, 101.
[9] Waltke, "The Phenomenon," 132; Weinfeld, "Berit," 120–28.

being the vassal—making it a suzerainty covenant.[10] Currently, scholarly opinion leans predominantly toward Sinai being a suzerainty covenant.[11]

While attempts have been made to fit the various biblical covenants into the moulds of ANE treaties, Kessler cautions that

> Some studies of covenant in the OT appear to proceed from the assumptions that the biblical writers who employed the covenant concept did so by rigidly following ANE covenant forms in a point-by-point manner. For such approaches, Yahweh's relationship with Israel is a suzerainty covenant or loyalty oath. The promises to David constitute a promissory covenant. But this is to miss the critical step. While biblical materials may bear some resemblance to these ANE covenants, it does not mean that they are identical reproductions or "calques" of them. For example, despite the echoes of ANE covenants present in Exodus, Deuteronomy, and Joshua, nowhere in these books do we see all of the common elements of suzerainty covenants set together in the kind of orderly and structured way they appear in the many of the ANE materials. A more appropriate way of looking at the biblical materials is to understand the biblical writers as employing covenant forms loosely and metaphorically. Thus, certain aspects of ANE covenant patterns are borrowed and used to express Yahweh's purposes. The biblical representations of covenant do not follow the ANE patterns in a wooden manner. Rather, various ANE patterns of covenant (which may have been known to the Israelite writers in a general way) are creatively adapted and reframed for their use in the biblical text. Thus the biblical materials must not be rigidly pressed through the "grid" of ANE concepts and structures. Instead, they must be understood as innovative creations in their own right, and the meaning and purpose of the various biblical covenants must be understood from within the context of the individual biblical texts themselves.[12]

Several scholars agree with Kessler. For example, some have suggested that the most suitable context for understanding the covenant concept is the more specific social setting of the clan in the ancient Near East, particularly concerning the integration of unrelated individuals into the family unit.[13] Hugenberger goes on to define covenant as

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[10] McCarthy, "Covenant-Relationships," 103; McKenzie, *Covenant*, 39; Mendenhall and Herion, "Covenant," 1:1179–1202.

[11] Kessler, *Old Testament*, 182–83; Hahn, "Covenant in the Old," 263–67, 285–86.

[12] Kessler, *Old Testament*, 183–84.

[13] Boda, *A Severe Mercy*, 38; Hugenberger, *Marriage*; Cross, "Kingship and Covenant," 3–21; McKenzie, *Covenant*, 11–24. For a more in-depth review of scholarship see Hahn, "Covenant in the Old," 263–92.

"an elected, as opposed to natural, relationship of obligation established under divine sanction."[14] Hahn posits "in this definition Hugenberger avoids the extremes of those who would either reduce 'covenant' merely to 'relationship', or, on the other hand, merely to 'obligation'."[15]

In covenants between humans and YHWH, and various terms forms of phraseology are used to describe the making of a covenant such as YHWH "establishing" (הקים) a covenant (Gen 6:18; 9:9, 11, 17), YHWH "granting" (נתן) a covenant (Gen 17:2), and YHWH or persons "cutting" (כרת) a covenant. כרת is the predominant verb associated with covenant-making. Busenitz says of כרת that:

> The frequency of this phrase ("to cut") almost certainly owes its origin to the ancient practice in which the parties ratifying the covenant would cut a sacrifice in pieces and then walk between them (e.g., Gen 15:12–18). So common was this practice that 1 Sam 22:8 uses the term "cut" itself as a synonym for covenant making.[16]

For the purpose of investigating shifts in the covenant-making process in Ezra–Nehemiah, it would be proper first to do an overview of covenants in the Old Testament. It is important to note that covenants in the Old Testament can be broadly divided into two kinds— those between individuals where YHWH is not a partner (bi-lateral or "secular covenants"), and those between YHWH and individuals (covenants of grant or

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[14] Hugenberger, *Marriage*, 71.

[15] Hahn, "Covenant in the Old," 266.

[16] Busenitz, "Introduction," 178. It is on this basis that I select the texts to discuss covenant shifts in Ezra–Nehemiah in later chapters. Ezra 10:4 uses the phraseology נִכְרָת־בְּרִית לֵאלֹהֵינוּ placing the pericope within a covenantal context. כרת phraseology is also utilized in Neh 9:38 [10:1] אֲנַחְנוּ כֹּרְתִים אֲמָנָה וְכֹתְבִים וְעַל הֶחָתוּם שָׂרֵינוּ לְוִיֵּנוּ כֹּהֲנֵינוּ ("we cut a binding agreement, our heads, our Levites and our priests seal it," thereby placing the pericope within a covenantal context. In addition, these aforementioned actions are preceeded by penitential prayer that contains historical prologues. While Neh 5 exhibits democratic tendencies like Ezra 9–10 and Neh 9–10, it does not use כרת phraseology and in addition, there is not penitential prayer and or historical prologue in Neh 5, making me reluctant to consider it a divine-human covenant in Ezra–Nehemiah, even though it can be considered as another form of covenant possibly a covenant between the rich and the poor, where the rich obligate themselves to stop charging the poor usury and to restore what they had taken from them.

suzerainty covenants).[17] Herion further subdivides OT covenants between YHWH and individuals into those wherein God is under obligation (e.g., YHWH's covenant with Phinehas [Num 25:10–13]) and those where Israel is under obligation (e.g., Sinai).[18] The overview in this chapter has to be limited to covenants between YHWH and people groups (or individuals; divine human covenants), as the covenant text in our focus in Ezra–Nehemiah has the people making YHWH a partner using the words נכרת ברית לאלוהינו ("let us cut a covenant to our God," Ezra 10:3).[19]

Review of Covenant Texts

The OT/HB has preserved several covenant accounts including the Noahic (Gen 8:20–9:17), Abrahamic (Gen 15:1–21; 17:1–27), Sinai (Exod 19–24), Priestly (Num 25:10–13), Davidic (2 Sam 7:4–17) and covenant in Ezra–Nehemiah (Ezra 10:1–44), as well as a review of covenant in the Persian period based on Chronicles, Haggai, Zechariah and Malachi.

Noahic Covenant

The Covenant of Noah, as recorded in the book of Genesis, represents a pivotal moment in biblical history, reflecting divine judgment, mercy, and the establishment of a covenantal relationship between YHWH and humanity and the first express mention of

[17] Kessler, *Old Testament*, 181; Kalluveettil, *Declaration and Covenant*, 5; Weinfeld, "The Covenant," 184–203; Levenson, *Sinai and Zion*, 98–101; Waltke, "The Phenomenon," 123–40. Block categorizes all the covenants between YHWH and people groups and/or individuals as "monergistic suzerain-vassal pacts," where YHWH initiates the covenant, and determines the terms of the covenant. Block, *Covenant*, 2.

[18] Herion, "Covenant," 289.

[19] Some scholars see this arrangement as a non-religious, non-cultic "promise" or "pact." See Clines, *Ezra, Nehemiah, Esther*, 126; Fried, *Ezra*, 393, Valenton, "Das Wort ברית," 245–79; cf. Byun, "Confused Language," 211–12. I will discuss this further in my overview of covenant in Ezra–Nehemiah.

"ברית" (covenant, Gen 6:18).[20] YHWH's declaration וַהֲקִמֹתִי אֶת־בְּרִיתִי אִתָּךְ ("I will establish my covenant with you," Gen 6:18), indicates that the covenant was not made at this point of declaration, but refers to the future, i.e., after the flood, anticipating the actual anti-diluvian covenant in Gen 8:20–9:17.[21]

Biblical Account of the Noahic Covenant

In Gen 6–9, the biblical narrative provides the account of Noah, the great flood and YHWH's covenant with creation, Noah being the point of contact. Humanity's wickedness had reached a critical point, prompting YHWH to bring about a deluge to cleanse the earth (Gen 6:5–17). However, Noah, a righteous man, found favor in YHWH's eyes, and instructed by YHWH, Noah constructed an ark to save himself, his family, and representatives of every living creature (Gen 6:13–22).

Following the flood, as Noah and his family emerged from the ark (Gen 8:15–19). YHWH then established a covenant with Noah. This covenant was initiated with the offering of a sacrifice (Gen 8:20). What follows is a list of obligations YHWH places on himself and on creation.

Table 1: Promises and Obligations in the Noahic Covenant

Gen 8:21–22; 9:11b	YHWH's promise/obligation on himself not to curse or destroy the earth, to sustain agriculture, regulate temperature and seasons and time.
Gen 9:1–3, 7	YHWH's obligations on Noah and his sons to be fruitful and fill the earth and to have dominion over every living thing.
Gen 9:4–6	YHWH's obligations on Noah and his sons concerning dietary restrictions and respect for the sanctity of life

[20] Williamson, "Covenant," 421 and Boda, *A Severe Mercy*, 22.
[21] Williamson, "Covenant," 421.

Gen 9:8–11a	YHWH's proclamation of the covenant and the parties to the covenant—YHWH, Noah and his descendants, and all living creatures.
Gen 9:12–17	Establishment of the sign of the covenant—the rainbow, which was to serve as: 1. A reminder to YHWH of his obligations: to not destroy the earth with a flood (vv. 14–15)[22] 2. A reassurance to all creation of YHWH's promise/obligation

Essentially, the Noahic covenant can be understood as a covenant of peace between YHWH, humanity and all creation, symbolized by the rainbow. Knauth, states:

> In this context קֶשֶׁת which also indicates a warrior's bow (Psa. 7:12[MT 13]; Lam 2:4; Hab 3:9–11), recalls the ancient Near Eastern image of the warrior storm-god. (cf. Psa 18:7–15 [MT 8–16]). God is setting his war bow aside in the clouds to indicate a covenant of peace—a divine disarmament by which God has promised to withhold ultimate destructive judgment. Instead, part of the responsibility for judgment is given to mankind in the form of self-enforced laws.[23]

This covenant was symbolized by the rainbow, which served as a sign of God's promise never to flood the earth again. The terms of the covenant included blessings and responsibilities for both parties. God pledged to preserve life on earth and maintain the natural order, while Noah and his descendants were tasked with replenishing the earth and respecting the sanctity of life.

[22] Williamson, "Covenant," 422. Walton and Longman examine the symbolism of the rainbow as a sign of YHWH's faithfulness and covenantal promise. They argue that the rainbow serves as a visual reminder of YHWH's enduring commitment to humanity and his pledge never again to destroy the earth with a flood. The rainbow, in this interpretation, becomes a symbol of hope and restoration. Walton and Longman III, *The Lost World*, 105–6.

[23] Knauth, "Rainbow," 1108–1109. Cf. Williamson, "Covenant," 422.

The Abrahamic Covenant

The Abrahamic Covenant is first introduced in Gen 12:1–3, where God calls Abraham (then known as Abram)[24] to leave his homeland and journey to a land that God would show him. In this initial encounter, God promises to bless Abraham, make his name great, and bless all the families of the earth through him. This promise forms the context of the covenantal relationship between God and Abraham. As the narrative unfolds, subsequent encounters between God and Abraham further develop the covenantal promises. In Gen 15, God reaffirms His covenant with Abraham, promising him descendants as numerous as the stars and reaffirming His commitment to give Abraham and his descendants the land of Canaan as an inheritance. This covenant is ratified through a solemn ceremony involving the cutting of animals.

In Gen 17, YHWH establishes the covenant of circumcision as a sign of His covenant with Abraham and his descendants. This covenantal sign signifies the separation and consecration of Abraham's descendants as YHWH's chosen people and underscores the enduring nature of the covenantal relationship.

Beginning with Gen 12, we see that in the face of humans' inability to respond favourably to YHWH's grace provided in the Noahic covenant,[25] YHWH changes his *modus operandi.* Instead of destroying all humankind as in the flood, he singles out a man, Abraham from their midst. YHWH promises to make this man a great nation, to bless him and make him a blessing and that through him all humankind would be

[24] For simplicity, I will use the name "Abraham" for the remainder of this dissertation.
[25] Boda, *A Severe Mercy*, 24.

blessed (Gen 12:1–3).[26] Abraham was passively stuck in Haran, when, by YHWH's initiative and act of grace, YHWH pursues him and not *vice versa.* YHWH has the eventual blessing of all humankind in mind as seen in his concluding statement: "And in you all the families of the earth shall be blessed" (Gen 12:3). This is a turning point in Genesis—the focus turns from the whole of the cosmos to an individual and his descendants, Abraham and Israel.[27]

YHWH then makes an actual covenant with Abraham in Gen 15 and 17. [28] Williamson points out that there are four possible positions that can be proposed based on the two pericopes of Chapters 15 and 17 saying:

> Thus four distinguishable positions have been adopted on the question of the relationship between the covenant(s) in Genesis 15 and 17: (1) God established a single covenant in two stages; (2) God ratified a covenant with Abraham, and subsequently reaffirmed it; (3) two different accounts of the ratification of a single covenant have been incorporated within the composite Abraham narrative; (4) two distinct covenants were established between God and Abraham.[29]

I follow the view that YHWH first ratified a covenant with Abraham in Gen 15 and reaffirmed it in Gen 17.

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[26] This promise is made before the actual covenant itself is made (Gen 15 and 17). This is similar to what obtained in the Noahic covenant—where YHWH first promised to "I will establish my covenant with you" (i.e., Noah, Gen 6:18) before actually making the covenant (Gen 8:21–9:17). Kessler states, "Gen 12:1–3 does not portray YHWH and Abraham as entering into some kind of a covenant (as, e.g., in Gen. 15:18; 17:7). Rather, here we have a portrait of two parties bound together through a promise made by one to the other." Kessler, *Old Testament*, 286.

[27] See Kessler, *Old Testament*, 285 and von Rad, *Old Testament*, 1:161–65.

[28] Some scholars like Williamson conclude that there are not one, but two covenants with Abraham recorded in Gen 15 and 17 respectively, see Williamson, *Abraham, Israel*, 217–59.

[29] Williamson, *Abraham, Israel*, 21. For a comprehensive review of scholarship on these four positions, see Williamson, *Abraham, Israel*, 26–77. Williamson concludes that there are not one, but two covenants with Abraham recorded in Gen 15 and 17 respectively, see Williamson, *Abraham, Israel*, 217–59 and Williamson, "Covenant," 422.

Abrahamic Covenant in Genesis 15

The initiation of the covenant of Gen 15 is YHWH's response to Abraham's anxiety about YHWH's promise to him in Gen 12. YHWH asks him to present a sacrifice of a cow, a goat, a ram, a dove and a pigeon (v. 9).

In this covenant, YHWH confirms his promises to Abraham, that he would indeed have a son and many descendants, and that his descendants will inherit the land after the fourth generation (vv. 12–16). This inheritance demonstrates that not only is YHWH giving them land, but also that he was making them the dominant tribe in the land.[30] He also explains why the possession and dominance of the land is delayed: the iniquity of the inhabitants of the land was not yet complete (v. 16).

A marked difference from Hittite suzerainty covenants can be observed in this covenant. In the Hittite treaties, the vassal is bound by oath to obligations imposed by the suzerain.[31] Securing the interests of the suzerain was the principal objective. Even though the suzerain makes promises to help and support the vassal, these are rarely binding obligations.[32] Binding "himself to specific obligations with regard to his vassal would be an infringement upon his sole right of self-determination and sovereignty."[33]

This is not the case in the covenant between YHWH and Abraham. No obligations are placed on the latter. It is known that the vassals in Hittite treaties pledged their allegiance to the suzerain through formal oaths and accompanying solemn ceremonies.[34] Abraham makes no such pledge. Rather, in the accompanying solemn

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[30] Over the Kenites. Kenezzites, Kadmonites, Hittites, Perizzites, Amorites, Canaanites, Girgashites, Jebusites, and the Rephaim.

[31] Mendenhall, *Law and Covenant*, 30 and McCarthy, *Treaty and Covenant*, 32–33.

[32] Mendenhall, *Law and Covenant*, 30 and McCarthy, *Treaty and Covenant*, 33.

[33] Mendenhall, *Law and Covenant*, 30.

[34] Mendenhall, *Law and Covenant*, 34–35.

ceremony, in this case the killing and cutting in two of sacrificial victims, it is YHWH, not Abraham that goes between the cut pieces. In essence, YHWH binds himself to the promises he makes to Abraham,[35] demonstrating his faithfulness to the covenant.[36] In addition, YHWH initiates the covenant, it was entirely his idea. But unlike the Hittite suzerain, YHWH is not securing his interests, but Abraham's. For YHWH, Abraham's "suzerain," to do this and bind himself to it is purely an act of grace.

Abrahamic Covenant in Genesis 17

In Gen 17, YHWH confirms his covenant with Abraham, requiring him to live blamelessly (v. 1), and in return he will multiply him and make him fruitful (vv. 2–6).[37] However, YHWH adds some dimensions to his covenant with Abraham: firstly, kings would come from his descendants (v. 6), and secondly, he would be God to him and to his descendants forever (v. 7). Thirdly, Abraham and all his descendants were to keep the sign of the covenant in their bodies.

> This *is* My covenant which you shall keep, between Me and you and your descendants after you: Every male child among you shall be circumcised; and you shall be circumcised in the flesh of your foreskins, and it shall be a sign of the covenant between Me and you. He who is eight days old among you shall be circumcised, every male child in your generations, he who is born in your house or bought with money from any foreigner who is not your descendant. He who is born in your house and he who is bought with your money must be circumcised, and My covenant shall be in your flesh for an everlasting covenant. And the uncircumcised male child, who is not circumcised in the flesh of his foreskin, that person shall be cut off from his people; he has broken My covenant. (Gen 17:10-14).[14]

[35] Cf. Jer 34:18–19.
[36] Block, *Covenant*, 90.
[37] Cf. Gen 1:28–30; 9:1, 7.

Hillers and Mendenhall insist that circumcision was not an obligation but a sign of the covenant and a guarantee of YHWH's promise.[38] I do not agree that circumcision was only a sign and guarantee. YHWH required them to cut their foreskins, and who ever failed to do it was cut out of the covenant. So, circumcision is clearly part and parcel of the covenant arrangement, and an obligation YHWH placed on Abraham and his descendants. This point is buttressed by YHWH's statements referring to circumcision: "This is My covenant which *you shall keep* (תִּשְׁמְרוּ), between Me and your descendants after you: every male child among you shall be circumcised" (v. 10). This was not just a sign, but also a command from YHWH which Abraham and his descendants were required to fulfill to be part of YHWH's covenant. As Dyrness writes: "Their grateful participation in the grace that God was extending was registered by their faithfulness in circumcising their children."[39] Circumcision was a continuing sign of the covenant.[40] While it signified that Abraham and his descendants were in covenant with YHWH, it was an action or obligation that each male was to carry out. As Murray put it: "Keeping is the condition of continuance in this grace and of its consummating fruition; it is the reciprocal response apart from which communion with God is impossible."[41] The other obligation placed on Abraham was to walk before YHWH and be blameless. YHWH does not elaborate here, but does so much later, in the Mosaic Covenant.[42]

[38] Mendenhall, "Covenant," 1:718; Hillers, *Covenant*, 104.
[39] Dyrness, *Themes*, 118.
[40] Dyrness, *Themes*, 118; Murray, "Covenant," 118.
[41] Murray, "Covenant," 1:265–66.
[42] Or the Sinai Covenant.

The Sinai Covenant

The Sinai Covenant is detailed in the book of Exodus, particularly Chapters 19 through 24. According to the biblical narrative, after leading the Israelites out of slavery in Egypt, YHWH brought them to Mount Sinai, where he entered into a covenantal relationship with them. At Sinai, YHWH revealed himself in thunder, lightning, and fire, and delivered the Ten Commandments to Moses as the foundational laws of the covenant.

The covenant at Sinai is multifaceted, encompassing both ethical and ritual components. In addition to the Ten Commandments, YHWH provided the Israelites with a comprehensive legal code, known as the "Book of the Covenant" (Exod 20:22–23:33), which regulated various aspects of social, religious, and ethical life. The covenant also included instructions for the construction of the Tabernacle, the sacrificial system, and the appointment of priests and Levites.

YHWH took the initiative to redeem Israel from Egypt. This was the next step in fulfilling the promises to Abraham in Gen 12.[43] As with the case of Abraham, we can see a similar order of events: firstly, YHWH made pronouncements of grace with promises (Exod 2:7–10; 6:2–8);[44] secondly, YHWH rescued (or "drew out") Israel (cf. Exod 7–14), and third, YHWH made a covenant with Israel.

[43] Dyrness, *Themes*, 119.
[44] Cf. Gen. 12:1–3.

A Synoptic Understanding of the Sinai Pericope

The Sinai pericope is considered by source critics to be an awkward insertion in the Exodus narrative.[45] The pericope alternates between narrative and the listing of regulations,[46] and this style is not unique to the Sinai pericope but is also employed in other pericopes such as the Passover and Tabernacle pericopes, as well as in Leviticus and Numbers.[47] This alternating style is a deliberate literary technique used by the biblical writers to convey theological significance, but this poses challenges to the chronological sequence of the Sinai pericope.[48] These chronological problems have led scholars to suggest for instance that the Decalogue and the Book of the Covenant were originally separate from the narrative and were later inserted.[49] However, the pericope can be understood through the concept of synoptic/resumptive repetition, where the narrator tells a story and then retells it from a different perspective or expands on it.[50] This technique is used to explain and resolve the repetition and similarities in the narrative.[51]

Odimuko determines that the Sinai pericope challenges can be resolved and outlines the events in the pericope chronologically through the lens of synoptic/resumptive repetition.[52] Firstly, Moses has a meeting with YHWH on the

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[45] Wellhausen, *Prolegomena*, 342; Sprinkle, *Book of the Covenant*, 17; Sommer, "Revelation," 426–27; Schwartz, "The Priestly Account," 111.

[46] Odimuko, "Making Sense," 128.

[47] Sprinkle, *Book of the Covenant*, 18 and Wenham, *Numbers*, 14–18.

[48] Odimuko, "Making Sense," 129.

[49] Noth, *Exodus*, 154; Eissfeldt, *Old Testament*, 213–19; Hyatt, *Commentary*, 197; and Boecker, *Law*, 130.

[50] Sprinkle, *Book of the Covenant*, 19. Scholars that have observed the same technique elsewhere in the Hebrew Bible including Brichto, *Toward a Grammar*, 86, 118, 165; and Woudstra, *Book of Joshua*, 78.

[51] Sprinkle, *Book of the Covenant*, 19. See also Dozeman, *Commentary*, 433–34. For a detailed discussion and analysis of the chronological challenge in Sinai pericope and a synoptic understanding of the pericope, see Odimuko, "Making Sense," 127–37.

[52] Odimuko, "Making Sense," 132–33. See also Sprinkle, *Book of the Covenant*, 19.

mountain, during which YHWH proposes a covenant with Israel (Exod 19:3–6). The people agree to this proposition, and YHWH instructs Moses to prepare them for his theophany in three days (Exod 19:7–15). Secondly, on the third day, Moses leads the people to the base of the mountain, where YHWH's presence is manifested through lightning, thunder, a thick dark cloud, and the sound of a horn. Moses calls out to YHWH, and what the Israelites perceive as thunder is actually YHWH responding to Moses by delivering the Decalogue (Exod 19:16–19; 20:1–18).[53] Simultaneously, the people become frightened by the manifestations they are witnessing, causing them to retreat from the mountain and request Moses to act as their mediator (Exod 20:18–19). Moses attempts to reassure them and encourage them to draw near, but ultimately accepts their suggestion and ascends the mountain alone when YHWH summons him (Exod 19:20; 20:20–21). On the mountain, Moses receives additional regulations, known as the Book of the Covenant, which appears to expand upon the Decalogue (Exod 20:22–23:33). He is then instructed to descend the mountain and warn the people not to approach it, but rather to return with Aaron, Nadab, Abihu, and seventy elders of Israel (Exod 19:21–25; 24:1–3). Moses complies, relays YHWH's words to the people, and they accept them (Exod 24:3). Subsequently, Moses transcribes the words, known as the Book of the Covenant, offers sacrifices, reads the covenant to the people, and they ratify the covenant (Exod 24:4–8). Finally, Moses, along with Aaron, Nadab, Abihu, and the seventy elders of Israel, ascends the mountain in obedience to YHWH's command (Exod 24:9–11).

[53] Cf. Cassuto, *A Commentary*, 118, 231; Sprinkle, *Book of the Covenant*, 23; and Driver, *The Book of Exodus*, 176 – 177.

Drawing similar conclusions, Sprinkle constructs a chiastic structure for the Sinai pericope, which the resumptive repetition makes clear:[54]

A Narrative, the Covenant offered (ch. 19)

B General regulations, the Decalogue (20:1–17)

C Narrative, people's fear of God (20:18–21)

B' Specific regulations (20:22–23:33)

A' Narrative, the Covenant consummated (ch. 24)

The narratives address the establishment of the Covenant. The regulations outline the terms of the covenant, which the people are obligated to uphold as their part of the agreement. The palistrophic literary structure highlights and underscores the central principle of the fear of the Lord within the covenant relationship.[55]

Evidence of Suzerain-Vassal Relationship in the Sinai Covenant?

From the middle of the twentieth century, the Sinai Covenant has been compared to and comprehended through treaty documents from Israel's neighbours in the second millennium BCE. Most of the research in this area has been an attempt to determine the origins of the covenant concept in Israelite history and whether the Sinai Covenant was a real, enacted historical fact or a product of clever fabrication by later authors and redactors to epitomize Israel's belief system.[56]

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[54] Sprinkle, *Book of the Covenant*, 27.
[55] Sprinkle, *Book of the Covenant*, 27.
[56] Meyers, *Exodus*, 148.

For our studies in relation to the Sinai Covenant, suzerainty treaties from the Hittite Empire are important as this empire is contemporary with the emergence of Israel as a nation.[57]

Hittite suzerainty treaties established relations between two parties, the suzerain and a vassal, and the interests of the Hittite suzerain were the predominant concern.[58] Hence these treaties tended to be one-sided, with stipulations imposed only on the vassal who was forced to subordinate his crown and kingdom to the stronger Hittite suzerain.[59] Even though the treaties promised support for the vassal, the suzerain was not bound to any stipulation, as so doing "would be an infringement upon his sole right of self-determination and sovereignty."[60]

Scholars generally agree on a standard form for Hittite suzerainty covenants used in the ancient Near East in the late second millennium BCE.[61] They generally have a preamble (containing opening statements and introduction of the suzerain), a historical prologue (description of previous relationship emphasizing acts of benevolence by the suzerain), stipulations (prescribed by the suzerain and binding on the vassal), deposit and public reading (treaty document placed in the vassal's sanctuary and regular public reading of the document), a list of witnesses (usually the gods of suzerain and vassal),

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[57] Mendenhall, *Law and Covenant*, 27. Cf. Kitchen, *On the Reliability*, 283–94.
[58] Mendenhall, *Law and Covenant*, 30.
[59] McCarthy, *Treaty and Covenant*, 28 and Meyers, *Exodus*, 148.
[60] McCarthy, *Treaty and Covenant*, 30.
[61] Cf. Mendenhall, "Covenant," 1:714–15; Mendenhall, *Law and Covenant*, 32–34; Meyers, *Exodus*, 149–50; Kitchen, *On the Reliability*, 284, 288 and McCarthy, *Treaty and Covenant*, 28–29. In this dissertation I have used the terms "Preamble," "Historical Prologue," "Stipulations," "Deposit in Temple and Periodic Reading," "Witnesses" and "Curses and Blessings," which Mendenhall, Meyers and Kitchen adopted. McCarthy uses different terms: "Titulature," "History," "Stipulations," "Tablet Clause," "God List," and "Curses and Blessings," McCarthy, *Treaty and Covenant*, 7, 16, 20, 80. Despite the differences in terminology, McCarthy's definitions are similar to those of the aforementioned authors.

and blessings and curses (to be brought upon the vassal for obedience or disobedience by the divine witness).[62]

Mendenhall does recognize the Hittite covenant form in the Decalogue, and agrees that it is in keeping with covenant traditions in Mosaic times.[63] He sees the record of Israel's deliverance from Egypt by YHWH as the historical prologue.[64] Since YHWH delivered them, they are obligated to him as their suzerain, and the stipulations are clear in the commands of the Decalogue.[65] The eventual deposit of the written commands in the Ark of the Covenant also connects the Decalogue with the Hittite covenant form (cf. Exod 25:16).[66] He also recognizes the sprinkling of blood and the eating of a meal in the presence of YHWH as acts that initiated the covenant.[67]

However, Mendenhall sees the last three elements of the Hittite Suzerainty covenant lacking in the text of the Decalogue, namely: deposit and public reading, list of witnesses, blessings, and curses.[68] He points out that it would be preposterous to have a list of gods as witnesses in YHWH's covenant with Israel. Such a provision would undermine YHWH's command that they have no other gods before him.[69] In regard to blessing and curse and deposit and public formulae, Mendenhall points out that even though they are not written in the Decalogue text, they were very much a part of Israelite traditions and that these solemn actions continued as religious rites in Israel's history.[70]

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[62] Mendenhall, *Law and Covenant*, 34.
[63] Mendenhall, *Law and Covenant*, 38–39.
[64] Mendenhall, *Law and Covenant*, 37.
[65] Mendenhall, *Law and Covenant*, 36, 37.
[66] Mendenhall, *Law and Covenant*, 38.
[67] Mendenhall, *Law and Covenant*, 38.
[68] Mendenhall, *Law and Covenant*, 39-40.
[69] Cf. Mendenhall, *Law and Covenant*, 40.
[70] Mendenhall, *Law and Covenant*, 40. Cf. Exod 15:26 (depositing the text); Exod 24:7; Deut 31:9–13 (periodical reading); Exod 23: 20-33; Lev 26:13–43; Deut 28:1–68 (blessings and curses).

While Mendenhall points out parallels between Hittite Suzerainty Covenants and the Sinai Covenant, he tends to focus only the Decalogue and fails to consider the wider context of the Pentateuch namely Exodus, Leviticus and Deuteronomy.[71] By limiting his analysis on the Decalogue text and in essence equating it to YHWH's covenant with Israel, Mendenhall was bound to fail to see all parts of the Hittite covenant form in the Sinai Covenant.

In his analysis of the Sinai pericope in Exod 19–24, McCarthy does not see any correlation between the Sinai Covenant and Hittite suzerainty covenants.[72] In his analysis of the pericope, which leans heavily on the Documentary Hypothesis, he dismantles the entire pericope into smaller, and in his view, mutually exclusive sections. He bases this disassembly on the argument that some of these sections were later insertions into the final form of the pericope, differences in literary style and the apparent lack of sequence in the narrative.[73] He then proceeds to search for parallels to the Hittite covenant form exclusively in each of these smaller sections. Again, as in the case of Mendenhall, this was an exercise in futility. There is no way one would find all five parts of the Hittite covenant form in the Decalogue only or in the theophany only. In addition, in attempting to deny the parallels between the two covenant forms, McCarthy wrongly claims that some Hittite covenants, such as the treaty between Mursilis II and Niqmepa of Ugarit, lacked historical prologues.[74]

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[71] Kitchen, *On the Reliability*, 289–90.

[72] McCarthy, *Treaty and Covenant*, 151–67.

[73] I address these concerns more extensively in my literary analysis of the Sinai Pericope in Odimuko, "Making Sense," 127–37.

[74] McCarthy, *Treaty and Covenant*, 301–2.

However, Kitchen demonstrates clear correlations between the Sinai Covenant and contemporary Hittite covenant forms.[75] At the start of his comparison he states:

> We do not possess an official copy or formal text of the actual covenant itself, but only presentations of the enactment of that covenant (with considerable sections of its contents) at Sinai (in Exodus-Leviticus), and of the enactment of renewals of it both in the plains of Moab forty years later (extensively in Deuteronomy) and in Canaan soon afterward (Josh 8, mention only; and 24, summary). This distinction is of very great importance, because external evidence on treaties and covenants shows that the order of enactment does not always correspond to the final order of items in formal written copies of such a document. Nevertheless, the congruity of contents and the main order amply suffices to establish with utmost clarity what close correspondences and what contrasting differences actually exist between our biblical and external material.[76]

Kitchen's investigation into the correlations between the two covenant forms are reflected in the table below:

Table 2: Comparison between Hittite Covenant Forms and the Sinai Covenant[77]

Mid 2nd Mill. Treaties (ca. 1400 – 1200 BCE) Source: Hittite Corpus	Sinai Covenant Source: Exodus & Leviticus
Title	Exod 20:1; Now God spoke all these words, saying…
Historical Prologue	Exod 20:2; I am Yahweh your God who brought you out of Egypt…
Stipulations	a. Basic: Exod 20:3-17; 10 "Words." b. Details: Exod 20:22–26; 21–23, 25–31.
Deposit & Periodic Reading	Exod 25:16; book by Ark of the Covenant
Witnesses	Exod 24:4 the twelve stelae[78]
Blessings	Exod 23:22–23, 25–27, 31; If you obey his voice, I will be an enemy to your enemies…serve the Lord your God, and he shall bless your bread and water… Lev 26: 3-13; If you follow my word, I send…peace (etc.)

[75] Kitchen, *On the Reliability*, 283–89.
[76] Kitchen, *On the Reliability*, 283.
[77] From Kitchen, *On the Reliability*, 284 and 288.
[78] A list of deities is not to be expected in a covenant in which YHWH is sovereign. The stelae or pillars are likely the equivalent of divine witnesses. Cf. McCarthy, *Treaty and Covenant*, 162 and Meyers, *Exodus*, 149–50.

Curses	Exod 23: 21, 33; do not provoke him, for he will not pardon your transgressions…if you serve their gods, it will surely be a snare to you. Lev 26:14-43 (27 verses)

The similarity to and influence of a suzerain-vassal relationship is apparent in the Sinai covenant. In the Sinai covenant, YHWH stands in the place of the Suzerain. This is demonstrated by the recurring statement "I am the Lord Your God" in the events leading up to the Exodus and his covenant with Israel at Sinai (Exod 6:7; 15:26; 16:12; 20:2, 5).[79] In addition, YHWH sovereignly chose to deliver the Israelites from bondage, and he clearly reminds them of that fact (Exod 19:4). He also makes it clear that Israel was to have no other god apart from him (Exod 20:3), signifying the absolute loyalty he required of them. YHWH left no doubt as to who was in charge. However, as Dyrness points out, we cannot limit our understanding of YHWH's covenant with Israel to a suzerain-vassal treaty.[80] Kitchen agrees clarifying that

> Sinai is neither just law nor properly a treaty. It represents a confluence of these two, producing a further facet in group relationships, namely social-political-religious covenant. Law, treaty, and covenant in this context are three parts of a triptych. Law regulates relations between members of a group within the group. Treaty regulates relations between the members of two groups politically distinct (or, with vassals, originally so). Covenant in our context regulates relations between a group and its ruling deity. It is thus "religious" in serving deity through worship; social in that the mandatory content of the covenant is rules for practical living (law); and political in that the deity has the role of exclusive sovereign over the group. [81]

With these differences in mind, even though the form of Sinai aligns with those of Hittite suzerainty treaties, we cannot limit our understanding of the Sinai covenant to them. In addition, the concern of Hittite suzerainty treaties was the interests of the Hittite

[79] In prescribing the Law in Leviticus YHWH uses the statement 29 times.
[80] Dyrness, *Themes*, 119.
[81] Kitchen, *On the Reliability*, 289.

suzerain.[82] This is not the case with Sinai. Even though YHWH makes it clear that he is in charge, his actions on behalf of Israel are more than the acts of a suzerain. YHWH does not seek to subjugate Israel. Rather he shows his love for them. The Israelites are "adopted into a filial relationship with God. He was not only their suzerain; he was their father."[83] It is most likely that the familiar suzerainty treaty form was used in order to help relay YHWH's intentions to Israel. Since they understood the implications of a suzerainty covenant, they were well positioned to understand the Sinai covenant relayed in similar form. Hence Moses adopted this form in transmitting the covenant.[84]

Israel's Election by YHWH

YHWH initiates the Mosaic Covenant, with a promise that he would make them a special treasure to Himself above all people (Exod 19:5).[85] YHWH was proposing granting them a special status among all the people of the earth.[86] This special status is elaborated in YHWH's following statement: "And you shall be unto me a kingdom of priests and a holy nation" (Exod 19:6). By referring to them as priests, YHWH is signifying that they were to have access to Him and act as priests on behalf of the nations.[87] This connects Israel to the statement YHWH made to Abraham in Gen 12:3: "In you all the families of the earth shall be blessed." For these promises to come into

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[82] Cf. McCarthy, *Treaty and Covenant*, 28 and Mendenhall, *Law and Covenant*, 30.
[83] Cf. McCarthy, *Treaty and Covenant*, 28 and Mendenhall, *Law and Covenant*, 30.
[84] Law, "The Form," 23–24.
[85] The word סְגֻלָּה that is translated "special treasure" means a valued property or peculiar treasure; cf. *HALOT* 3:679.
[86] See Boda, *A Severe Mercy*, 39; Dozeman, *God on the Mountain*, 141–42. Also cf. Wright, *Mission of God*, 1–581. Cf. Gen 12:2.
[87] Johnstone, "Exodus," 91.

effect, YHWH points out that their obligation would be their obedience to him and their keeping the covenant (Exod 19:5).

The "Covenant Challenge"

The Israelites enthusiastically accepted YHWH's initial proposal (Exod 19:8). So, he proceeded to give them the details of their obligation. It is important to note here that YHWH's selection of Israel as his people was a unilateral act on his part. Hence their relationship was not conditional but based on YHWH's character and grace alone. He demonstrated this by delivering them from Egypt and drawing them to himself before bringing up the covenant idea. If their relationship was conditional, YHWH would have made a covenant with Israel while they were still in bondage. He would have insisted on their clear obedience to its stipulations before delivering them. However, though their salvation was not conditional, the relationship demanded a response. Their obligations were encapsulated in the Decalogue (Exod 20:1–17) and a number of laws found in Exod 20:23–23:19 collectively referred to as the Book of the Covenant (Exod 24:7).

The Decalogue

In the Mosaic Covenant, Israel's obligations are clearly stipulated. In making the covenant with Israel, YHWH first gives a synopsis of their obligations in Exod 20 in what is popularly referred to as the Ten Commandments or the Decalogue.

This series of commands appears in two distinct parts. The first part deals with Israel's obligations towards YHWH, and the second deals with the Israelite's obligations toward each other. The first set of commands relates to the Divine-Human relationship. They include the exclusion of all other gods except YHWH, the forbidding of the

making of carved images (idols) for worship, the prohibition of the use of YHWH's name in vain and the keeping of the Sabbath Day. They can be seen as laws set to separate Israel from the other peoples of the ancient Near East (ANE) who believed in a multiplicity of gods and established their presence by creating images of them.[88] These set of commands hint at the prohibition of any activity that would suggest human control over the divine. In the ANE people set up images of their gods in temples to invoke their presence. Israel was prohibited from doing this.[89] Also, the command on using the name of YHWH in vain suggests that the Israelites were not to drag his name into elementary human affairs, while the command of the Sabbath Day lays emphasis on the fact that YHWH was going to be inherently involved in their pattern of life.[90]

The second set of commands in the Decalogue dealt with human-human relationships. They covered honouring parents, murder, adultery, stealing, lying, and covetousness. This set of commands was similar to those in the ANE at that time and were aimed at maintaining an orderly society based on trust and respect.[91]

The Decalogue was a guide to Israel on how to relate with YHWH and with each other. Their obedience would be an act reflecting YHWH's goodness to and love for them in delivering them out of Egypt and drawing them near to himself. Therefore, Israel's obedient response was to be based on the same premise—love for YHWH. As YHWH had made them his special treasure, they too, guided by YHWH's commands were to make him their special treasure.

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[88] Hoppe, "Ten Commandments," 1:1286. Cf. Williamson, "Covenant," 424.
[89] Hoppe, "Ten Commandments," 1:1286. Cf. Williamson, "Covenant," 424.
[90] Hoppe, "Ten Commandments," 1:1286. Cf. Williamson, "Covenant," 424.
[91] Hoppe, "Ten Commandments," 1:1286. Cf. Williamson, "Covenant," 424.

The Book of the Covenant

The Book of the Covenant is a collection of laws, commandments, statutes and judgments found in the Sinai narrative between the Decalogue and the Covenant ceremony. These function as "a commentary on the decalogue."[92] The laws can be divided into two types. The first type is casuistic (Exod 20:23–22:16) and are generally characterized by "If …then you will…" They are specific laws that solve specific cases. For example, "If you buy a Hebrew servant, he shall serve six years; and in the seventh he shall go out free and pay nothing" (Exod 21:2). The other set of laws are apodictic (Exod 22:17 – 23:19). They are divine commands characterized by "You shall not…"[93] These laws cover issues such as building an altar (Exod 20:22-26), servants (Exod 21:1–11), violence (Exod 21:12–27); animal control (Exod 21:27–36), property (Exod 22:1–15), ethics and morality (Exod 22:16–31), justice (Exod 23:1–9), and Sabbaths and annual feasts (Exod 23:10–19). The book is concluded with promises from YHWH to bless, protect and fight for the Israelites, as well as to drive out the inhabitants of the Promised Land and give it to them, on the condition that they obey His commands and serve and worship Him exclusively (Exod 23:20–33).

Ratification of the Mosaic Covenant (Covenant Ceremony)

After Moses spoke the word of the Covenant to the Israelites, they accepted it by declaring: "All the words which the Lord has said we will do" (Exod 24:3). They then gave offerings of oxen to YHWH. This was an important step in the covenant-making

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[92] Propp, *Exodus 19–40*, 305.
[93] Hubbard, "Book of the Covenant," 1:292; Dyrness, *Themes*, 119.

process as the cutting and sacrifice of animals denoted the gravity of the covenant with YHWH symbolizing the fate that would befall them if they broke the covenant.[94] Johnstone writes that the burnt offering acknowledges the bond between YHWH and his people. YHWH himself had given his people their lives and everything they possessed, including the domestic animals from which the sacrificial victims were selected; the vital parts of the animal, especially the blood as its life force, were, therefore, returned in acknowledgment to YHWH as the giver at the altar. As domestic animals, the victims belong, too, to the support system on which the people's lives depend; the gracious acceptance by God of this offering is thus an expression of his favor toward them in every respect.[95]

Moses took half the blood of the sacrifices and sprinkled on the altar and reread the contents of the Book of the Covenant to them. Again, in response, the Israelites chorused: "All the Lord has said we will do and be obedient" (Exod 24:7). Moses then sprinkled the other half of the blood of the sacrifice on the people saying: "This is the blood of the covenant which the Lord has made with you according to all these words" (Exod 24:8). This sprinkling of blood on the people was performed to prepare and purify Israel for the covenant as Dozeman and Milgrom agree.[96] This blood ritual is laid out in three stages—the sprinkling of blood on the altar (v. 6), the public reading of the covenant and its acceptance by the people (v. 7), and the sprinkling of blood on the people (v. 8). This sprinkling of blood on both people and the altar, as Cassuto maintains, symbolizes a joining together of both YHWH and Israel, and "the execution

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[94] Boda, *A Severe Mercy*, 40; Propp, *Exodus 19–40*, 308–9.
[95] Johnstone, "Exodus," 94.
[96] Dozeman, *Commentary*, 566 and Milgrom, *Leviticus 1-16*, 528–29. Cf. Heb 9:22.

of the deed of the covenant between them."[97] After this, Moses, Aaron, Nadab, Abihu and seventy of the elders of Israel go up the mountain where they see YHWH and they had a covenant meal (Exod 24:9–11).

Scholars have raised questions as to whether this was an actual meal, and opinions vary greatly. Nicholson rejects the idea of an actual meal. Suggesting that eating and drinking is a means of worship and rejoicing in YHWH's presence (based on OT references such as Exod 18:12; Deut 12:7; 14:26; 27:7 and 1 Chr 29:22), he concludes that the last phrase of Exod 24:11 ("they saw God and they ate and drank") should read "They saw God and rejoiced" or, "They saw God and worshipped."[98] Robinson opposes this view stating

> The double phrase "to eat and drink" occurs in only one of these texts, that from Chronicles, and all the texts use the phrase לִפְנֵי יְהוָה which is absent from our text [i.e., Exod 24:11].[99] Also, MacDonald refutes Nicholson's claim by saying that the rejoicing that is to accompany the feast is always made explicit. In other words, "eating and drinking" are not used as a cipher for rejoicing in the examples that Nicholson adduces.[100]

McNiele and Cassuto agree that it was an actual meal. This meal, they claim, was the peace offering offered to the Lord (v. 5) and that it was eaten at the foot of the mountain and not the top.[101] But Robinson points out, and rightly so, that nothing in the text indicates that it was the peace offering that was eaten, and that since the description of their eating a meal follows right after the words indicating their seeing YHWH, it is most likely that the location of the meal was on top of the mountain.[102]

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[97] Cassuto, *A Commentary*, 312. Cf. Heb 9:18.
[98] Nicholson, *Exodus and Sinai*, 69, 80, 93–94.
[99] Robinson, "The Theophany," 164.
[100] MacDonald, *Not Bread Alone*, 193–94.
[101] McNiele, *Book of Exodus*, 148 and Cassuto, *A Commentary*, 315.
[102] Robinson, "The Theophany," 165.

Robinson cites examples of royalty hosting meals in the OT and likens these examples to YHWH being the royal host of the elders on Sinai. Hence, YHWH offers them food "as a signal of favor."[103] However, he does not think that YHWH participated in the meal with them, but that he merely "dispensed hospitality to his human visitors."[104] He then concludes: "I take the meal, therefore, not to be a covenant rite, nor a liturgical celebration, but a manifestation of divine hospitality shown to the leaders of Israel."[105] I do not accept Robinson's view that YHWH did not share the meal with them. That the text is silent with regard to YHWH's participation does not indicate that he did not eat with them. The same can be said of the scriptural parallels Robinson uses above—nothing suggests that royalty abstained from the meals they hosted. In another example, when Jacob made a covenant with Laban, all parties participated in the covenant meal on the mountain (Gen 31:44-54).

I agree with von Rad who perceives the meal as part of the covenant-making process and that YHWH was part of the meal. He states that

> The meal at Sinai in Ex. xxiv. 9-11 is a good example of a very primitive communion sacrifice. In such cases the deity is believed to be an unseen participant in the meal. The ritual meal at the conclusion of covenants was certainly understood in the same way.[106]

Polak and Childs both agree that the meal was the culmination of the covenant-making ceremony.[107] With that, the covenant between YHWH and Israel was made. He then invited Moses to receive the tablets of stone and the law and commandments written so he may teach it to the Israelites (Exod 24:12).

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[103] Robinson, "The Theophany," 165. Cf. 1 Kgs 1:25; 2:7 2 Kgs 25:29; 2 Sam 9:7, 10, 13; Esth 1:3.

[104] Robinson, "The Theophany," 165.

[105] Robinson, "The Theophany," 165.

[106] Rad, *Old Testament*, 1:254.

[107] Polak, "The Covenant," 119–34 and Childs, *The Book*, 502. Cf. Johnstone, "Exodus," 95.

The Sinai pericope employs the interplay of narrative and regulations. The first narrative in the pericope describes YHWH's offering of a covenant to the people of Israel through Moses. This is followed by the first set of regulations (the Decalogue), which are general in nature. Next is a brief narrative revealing the people's fear at YHWH's theophany and thereafter, a set of specific regulations (the Book of the Covenant). The closing narrative relays the consummation of the covenant in the sprinkling of blood and the covenant meal.

It has been determined also that even though the Sinai Covenant bears striking resemblance to a suzerainty covenant, we cannot limit its description to this form of covenant. YHWH acts as more than a suzerain to Israel. His actions are inspired by His love for Israel. Thus, he makes them his "treasured possession" not a conquered subjugated people. He is more than their suzerain; he is their father.

We find YHWH's heart for Israel in the pericope: his desire to be God to them and Israel his special people. YHWH reached out to Israel, and he proposed and initiated the Sinai covenant, just as in the Noahic and Abrahamic covenant. Therefore, He made provision for Israel to commune with Him. This provision, a gracious act on YHWH's part, had obligations for Israel. These obligations provided a means for Israel to respond to YHWH's graciousness in obedience and love. The obligations were also to be used to determine Israel's standing with YHWH. In addition, the covenant and its obligations set Israel apart from her surrounding nations through the unique form of worship and practice it prescribed, making them "a kingdom of priests and a holy nation" (Exod 19:6). One last observation we can make from the pericope is YHWH's desire, not only for Israel to love him, but also for them to reflect his goodness by loving one another in an environment of mutual respect and social order. Along with the Noahic and

Abrahamic covenants, the initiations of these three covenants were unilateral on the part of YHWH (all were proposed and initiated by YHWH, YHWH alone gave the terms for the covenant, thereby making it an undemocratic affair), and in each case, though each covenant applied to a wider group,[108] there was always a significant figure/mediator between YHWH and the intended "target group"—Noah, Abraham and Moses.

The Priestly Covenant

The selection and ordination of Aaron and his sons as priests in Exod 28–29 is not described using covenantal language. However, other texts such as Jer 33:21–22, Neh 13:29, and Mal 2:1–9 do use covenantal language in relation to the Levitical Priesthood.[109] YHWH termed the portion of the holy offerings set aside for the priests as "בְּרִית מֶלַח עוֹלָם" ("an everlasting covenant of salt," Num 18:19), suggesting a permanent covenant with Aaron and his descendants, the priests.[110] The idea of a covenant between YHWH and the priests is concretized in the covenant episode found in Num 25. It revolves around Phinehas, the grandson of Aaron, who takes decisive action to halt a plague afflicting the Israelites due to their involvement in idolatry and immorality.

The narrative unfolds as follows: The Israelites, seduced by the Moabite women, engaged in idolatrous practices and sexual immorality, angering YHWH who pronounced judgment on the leaders of Israel and a resultant plague broke out among the Israelites (vv. 1–4, 9). Simultaneously, a leader from the tribe of Simeon, Zimri brought

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[108] The Noahic Covenant applied to all creation, the Abrahamic Covenant to Abraham and his descendants, and the Sinai covenant to all Israel. By "undemocratic," I do not mean that the covenants were autocratic or dictatorial on YHWH's part; rather the sense is that the people did not participate nor have the opportunity to participate in setting the terms for the covenant.

[109] Williamson, "Covenant," 425.

[110] Williamson, "Covenant," 425.

a Midianite woman named Kozbi into the Israelite camp and into his tent (v. 6; see also vv. 14–15). Phinehas, zealous for YHWH's honor and the purity of the camp, takes a spear and kills Zimri and Kozbi who were engaged in a public act of adultery. Phinehas's decisive action halts the plague (v. 8), and YHWH rewards him with a covenant of peace and an everlasting priesthood for his descendants (vv. 10–13).

Proclaiming the covenant through Moses to Phinehas, YHWH declares: הִנְנִי נֹתֵן לוֹ אֶת־בְּרִיתִי שָׁלוֹם: וְהָיְתָה לוֹ וּלְזַרְעוֹ אַחֲרָיו בְּרִית כְּהֻנַּת עוֹלָם ("See I give my covenant of peace to him and it shall be to him and his offspring after him a covenant of an everlasting priesthood" Num 25:12–13). As in the previous covenants—Noahic, Abrahamic, and Sinai—the covenant is directed at a particular person (Phinehas) who stands in for a wider group (the priests). Also, YHWH unilaterally makes this covenant and vows it permanence. Phinehas was neither party to the initiation nor a participant in setting the terms of this covenant.

Williamson sees this covenant as an affirmation of YHWH's covenant with Aaron and specifically the line of his son Eleazar.[111] Levine agrees, saying:

> The line of Eleazar has been emphatically selected, and in Numbers 20:22–29, at the death of Aaron, Moses invests Eleazar as his father's successor. Even prior to this event, the sequence of the priestly narratives of Numbers had already made Eleazar the lead actor. He disposes of the copper pans in the aftermath of the Korah episode (Num 17:1–5), and he officiates at the purification rites of the so-called red heifer, both of which, at least in literary sequence, precede Aaron's death. After Aaron's death, Eleazar is consistently identified as the chief priest (Numbers 27, 31), and leader of the people along with Joshua, son of Nun (Num 32:28, 34:17). In Numbers 25:10–15, this line of succession is reinforced in anticipation, by endorsing Phinehas, Eleazar's son, as his heir apparent.[112]

[111] Williamson, "Covenant," 425.
[112] Levine, *Numbers 21-36*, 299.

The permanence of this covenant is reflected in Persian period sources of Ezra–Nehemiah and Chronicles. The priestly leader, Ezra is deemed a descendant of Zadok (Ezra 7:1–6), who is in turn descended from Phinehas, Eleazar and Aaron (v. 5).[113] 1 Chr 24:1–5 depicts Zadok, a descendant of Eleazar serving at the Temple along with Ahimelek.[114]

Additionally, Levine provides a detailed analysis of the Phinehas Covenant within its broader legal and ritual context,[115] He explores the significance of Phinehas's action in upholding the sanctity of the priesthood and the exclusive worship of YHWH and argues that Phinehas's zeal reflects the Priestly tradition's emphasis on maintaining purity and fidelity to the covenantal obligations.[116]

Schwartz agrees with Levine. He compares the Phinehas Covenant in relation to the priestly worldview and its emphasis on holiness and ritual purity.[117] He argues that the Phinehas narrative serves as a theological justification for the priestly laws regarding intermarriage, idolatry, and ritual purity, reinforcing the centrality of the priesthood in preserving the sanctity of the Israelite community.[118] These were themes that were important to the Persian period community in Ezra–Nehemiah.

Williamson rightly concludes,

> …the priestly covenant was closely related to the Mosaic covenant, serving the same general purpose: the priests facilitated the maintenance of the divine-human relationship between Yahweh and Abraham's descendants. Significantly, it was when they failed to do this that they were accused by Malachi of having

[113] Cf. Propp, "Ithamar," 3:579–81. The Zadokite priesthood from which Ezra descended is still endorsed in Ezek 44:15–31; see Levine, *Numbers 21-36*, 300.
[114] Levine, *Numbers 21-36*, 300.
[115] Levine, *Numbers 21-36*, 210–14.
[116] Levine, *Numbers 21-36*, 215–25.
[117] Schwartz, *The Holiness Legislation*, 138–39.
[118] Schwartz, *The Holiness Legislation*, 250–66.

> 'corrupted the covenant of Levi' (Mal. 2:8). Thus the priestly and Mosaic covenants, while remaining distinct, run in parallel with one another, and are closely related in purpose: the perpetuity of the relationship between God and Israel.[119]

The Phinehas covenant remains a significant narrative within Israelite tradition, symbolizing the ideal of zealous devotion to YHWH and the covenantal obligations (Ps 106:28–31).

The Davidic Covenant

The Davidic Covenant is introduced in 2 Sam 7:1–14, where David expresses his desire to build a permanent dwelling place for the Ark of the Covenant. In response, YHWH makes a covenant with David, promising to establish his dynasty and throne forever. God pledges to raise up a descendant of David who will rule over Israel and build a house (temple) for God's name. This covenantal promise is reaffirmed in various Psalms and prophetic texts, emphasizing the enduring nature of the Davidic dynasty.[120]

We read in 1 Sam 5 of David solidifying his reign over all Israel (vv. 1–5), his conquest of Jerusalem (vv. 6–10), the building of and establishment his house (vv. 11–16), and David's defeat of the Philistines (vv. 17–25). This is followed by the account in 1 Sam 6 of David bringing the ark of YHWH to Jerusalem (vv. 1–23). The next logical step then for David was to build a temple for YHWH.[121] Temple building was a royal and

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[119] Williamson, "Covenant," 425.

[120] See Amos 9:11–12; Hos 3:4–5; Mic 5:2–5; Isa 7:10–17; 9:2–7; 11:1–10; 16:5; 52:13–53:12; 55:3–5; Jer 21:1–23:8; 33:12–26; Ezek 17:1–6, 22–24; 34:20–31; 37:21–28; Zech 3:7–10 [cf. Jer 23:5–6]; Zech 6:12–13; 12:7–10; Pss 18:50; 2; 45; 72; 89:1–4, 19–37; 110; 132. For a detailed review of these texts and their relationship to the Davidic covenant, see Block, *Covenant*, 331–91.

[121] Laato demonstrates that it was the custom of ANE monarchs to build temples to their gods for the purpose of divine blessing. See Laato, *A Star*, and Laato, "Second Samuel," 244–69. See also Block, *Covenant*, 310–11. Fretheim et. al. outline the reasons for temple building: First, it organizes the worship of a divine being; second, a sanctuary offers a tangible manifestation of the "divine presence"; and third, it serves as a point of reassurance of the divine presence, Fretheim et al., *Deuteronomic History*, 114–15.

divine responsibility in the ANE.[122] So David proposes to Nathan the prophet to build YHWH a sanctuary and the prophet gives his support (1 Sam. 7:1–3). However, in a night vision, YHWH gives the prophet a different message for David that promises: (1) To appoint a domain for Israel (vv. 10–11); (2) that David's throne, dynasty and kingdom would be established forever (vv. 12–13); (3) that David's descendant (זֶרַע) will build a house for his name (v. 13); (4) that YHWH will be the father of David's זֶרַע and he shall be YHWH's son, (5) to discipline David's זֶרַע if he sins (v. 14): (6) to not withdraw his mercy from David's זֶרַע despite committing sin; and (7) that David's house, kingdom and throne shall be established forever (וְנֶאֱמַן בֵּיתְךָ וּמַמְלַכְתְּךָ עַד־עוֹלָם לְפָנֶיךָ כִּסְאֲךָ יִהְיֶה נָכוֹן עַד־עוֹלָם; v. 16).

Though the word בְּרִית is not used in the pericope, this arrangement is still considered a covenant with reason. Firstly, YHWH's speech to David (through Nathan) begins with a historical review similar to that of the ANE treaties.[123] We find similar historical prologues in the Sinai covenant (Exod 19:2–4; 20:2) which Kitchen parallels with Hittite Suzerainty treaties.[124] Weinfeld, parallels the David covenant with ANE royal grants which are structured this: (1) historical introduction, (2) border delineations, (3) stipulations, (4)witnesses, (5) blessings and curses.[125] Weinfeld finds each five parts of the ANE royal grant treaty represented in the Davidic covenant.[126]

For more on the theme of temple building and its relationship to the biblical text, see Hurowitz, *I have Built*, and essays in Ellis et al., *Foundations*.

[122] Kapelrud, "Temple Building," 56–62 and Kessler, *Old Testament*, 296.

[123] See de Vaux, "Le roi d'Israël," 119–33; Calderone, "Dynastic Oracle," 41–47; Kline, *By Oath Consigned*, 13–22, 39–49; Block, *Covenant*, 313.

[124] Kitchen, *On the Reliability*, 284 and 288.

[125] Weinfeld, "The Covenant," 185.

[126] See Weinfeld's in-depth discussion and analysis of various ANE Grant treaties and their relationship to the Davidic covenant in Weinfeld, "The Covenant," 184–203. Knoppers, contra Weinfeld contends that on the basis of structure, parallels in language and unconditionality, there is insufficient evidence to support the Royal grant form in the "Davidic promises." However, he does not throw away the

Secondly, as Williamson posits, the use of the word חֶסֶד in 2 Sam 7:15 connects the Davidic oracle to the promises of YHWH to Abraham: (1) Both Abraham and David are promised that their names would be great (Gen 12:2, 2 Sam 7:9); they are promised triumph over their enemies (Gen 22:17; 2 Sam 7:11; cf. Ps 89:23); both are promised that their lines would be perpetuated through their offspring (זֶרַע, Gen 21:12; 2 Sam 7:12–16); and their descendants are required to keep YHWH's laws (Gen 18:19; 2 Sam 7:14; cf. Pss 89:30–32; 132:12).[127] Essentially, Williamson concludes, the Abrahamic and Davidic covenants are "inextricably related," and states

> The Davidic dynasty inherits the promises of the patriarchal covenant; the special divine-human relationship and attendant blessings now belong primarily to the David royal lineage. Thus the Davidic covenant serves to identify at a later stage in Genesis-Kings the promised line of 'seed' that will mediate blessing to all the nations of the earth.[128]

Again, as noted with the Noahic, Abrahamic, Sinai and Priestly covenants, YHWH initiated the covenant with David and his line, it involved a significant figure who received the covenant on behalf of his descendants (the kings) and the people (Israel), and it was undemocratic in the sense that David was not a party to determining the terms of the covenant.

Covenant in Ezra–Nehemiah

There are two instances related to covenant in the biblical record of Ezra–Nehemiah. In Ezra 9, Ezra, a priest, was informed by the leaders in Jerusalem that the people, priests

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covenant idea of the Davidic arrangement, rather he sees not one, but multiple Davidic covenants, Knoppers, "Ancient Near Eastern," 670–97. See McKenzie, "Typology," 154–55 for a detailed review of the Weinfeld-Knoppers debate on the Davidic covenant.

[127] Williamson, "Covenant," 425.

[128] Williamson, "Covenant," 425–26. Cf. Block, *Covenant*, 303–6.

and Levites had taken foreign wives (vv. 1–2). This information so moved Ezra that he tore his clothes, plucked out some of his hair, and sat before in fasting (vv. 3–4). At evening he lifted up a penitent prayer unto the Lord (vv. 5–15).

While Ezra prayed, a large group of people gathered to him weeping (Ezra 10:1). At that point Shechaniah the son of Jehiel, one of the sons of Elam, confessed the sins of the people and they proposed a covenant before YHWH[129] to send away all the foreign wives and their children, pledging support for Ezra (vv. 2–4). In response, Ezra got up, and made all the priests and Levites swear to act in accordance with the words of Shechaniah (v. 5). After that Ezra arose and sequestered himself, fasting and mourning over the guilt of the returnees (v. 6). When all the men of Judah and Benjamin gathered, Ezra charged them to put away the foreign wives (vv. 9–11). The people agreed to take action accordingly but informed Ezra that this was a huge undertaking that would need time, and urged Ezra that the leaders should take charge of things and bring up their people who had sinned at appointed times until the wrath of YHWH had passed (vv. 12–14). The text also notes that there were some who were opposed to this arrangement—Jonathan son of Asahel and Jahaziah son of Tivkah, supported Meshullam and Shabbethai, a levite (v. 15). But despite the opposition, the matter was carried out as proposed—Ezra, assisted by the family heads, dealt with the all the cases of men who had married foreign women (vv. 16–17). What follows then is a list of the men who had foreign wives (vv. 18–44), however, the text does not inform us if they actually put away their wives and children.[130]

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[129] נִכְרָת־בְּרִית לֵאלֹהֵינוּ "Let us cut a covenant with our God" (v. 3).

[130] Byun recognizes the difficulty of interpreting Ezra 10:44 a verse in the book of Ezra that is known for its awkward syntax and unconventional use of words. He argues that the verse is deliberately constructed in a confusing manner and is an example of "confused language," the implication being that

It begins to become clear that the task of putting away foreign wives was not dealt with completely for Nehemiah had to deal with the same problem in Neh 13. The pericope begins with the people fasting in humility, separating themselves from foreigners, confessing their sins and the sins of their fathers and subsequently reading from the Book of the Law and worshipping YHWH (Neh 9:1–3). Then some Levites cried out to YHWH and charged the people to worship and bless YHWH while praying to YHWH (Neh 9:4–38 [9:4–10:1]). At the end they declared:

אֲנַחְנוּ כֹּרְתִים אֲמָנָה וְכֹתְבִים וְעַל הֶחָתוּם שָׂרֵינוּ לְוִיֵּנוּ כֹּהֲנֵינוּ ("we cut a binding agreement, our heads, our Levites and our priests seal it," v. 38 [10:1]). Then follows a list of the men that sealed the agreement along with Nehemiah, some Levites and heads (Neh. 10:1–27 [2–28]). After that all who gathered entered into a curse and an oath to walk in YHWH's law which he gave to Moses, vowing not to give their daughters as wives to the peoples of the land or take their daughters for their sons, to observe the Sabbath, and observe the Sabbath year and the erasure of debts (vv. 28–31 [29–32]). They placed obligations on themselves to pay a Temple tax, and to bring wood offerings into the house of YHWH, to bring in the firstfruits of their vegetation, livestock and food, to bring the tithes of their land along with their offerings to the house of YHWH and promised not to neglect the house of YHWH (vv. 32–39 [33–40]).

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the ending of the book remains unresolved and unclear, hence there is uncertainty about the outcome of the foreign wives and their children, which raises questions about the success of the community's efforts to address the issue of intermarriage. Byun, "Confused Language," 208–19. See also Blenkinsopp, *Ezra–Nehemiah*, 200; Fried, *Ezra*, 409; Fensham, *The Books*, 144; and Shepherd and Wright, *Ezra and Nehemiah*, 47.

Covenant or Covenant Renewal in Ezra-Nehamiah?

Many scholars consider the events in Ezra 9 and Neh 10 as covenant renewals. Fensham argues that the events in Neh 10 constitute a covenant renewal as the covenant had been broken by the sin of intermarriage in addition to the sins that resulted in the destruction of the temple and Jerusalem.[131] He also sees the leaders taking an oath to carry out Shechaniah's proposal as the last ritual in the covenant renewal,[132] and interprets the word אֱמָנָה to mean "covenant,"[133] and the signing of the covenant document followed by the making of an oath as stages in the covenant renewal process.[134] Kalluveettil considers both כרת בְּרִית and כרת אֱמָנָה to be synonymous, and its context in Neh 9–10 is a covenant renewal.[135] Williamson determines the arrangement in Neh 9–10 a serious one stating that "The force of the agreement is attested by the fact that its being set in writing and sealed as a guarantee of its authenticity and to preserve against subsequent tampering."[136]

Baltzer also deems the Ezra 9–10 a covenant renewal citing what he sees as stages in the covenant-making process namely (1) assembly before the house of YHWH (Ezra 9:1; 10:5), (2) historical review (encapsulated in the penitent prayer [9:6–15]), (3) confession of sin (10:2), stipulations (10:3, employing the word בְּרִית), and (5) the oath (by the leaders [10:5], and then by the all the people [10:9–44]).[137] However, Nykolaishen challenges Baltzer asserting that Shecaniah was not "self-consciously" proposing a renewal of YHWH's covenant with Israel, rather that Shecaniah was

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[131] Fensham, *The Books*, 113.
[132] Fensham, *The Books*, 114.
[133] Fensham, *The Books*, 184.
[134] Fensham, *The Books*, 185–86.
[135] Kalluveettil, *Declaration and Covenant*, 51.
[136] Williamson, *Ezra, Nehemiah*, 385.
[137] Baltzer, *The Covenant*, 47–48.

proposing a "solemn agreement to take action on a specific issue."[138] Nykolaishen raises another important point:

> In other instances of covenant renewal, the impetus for renewal comes from a prominent character in the narrative, in fact, generally the most prominent available, whether Joshua (Josh 24:1), Jehoiada (2 Kgs 11:17), or Josiah (2 Kgs 23:1). In Ezra 10, however, the exhortation to commit to sending away the foreign wives comes from Shecaniah, who is not identified further, other than by his descent from Jehiel of the Elamites.[139]

Nykolaishen is correct, for all aforementioned covenants as well as covenant renewals had YHWH making the covenants with significant figures or had significant figures leading the people to renew a covenant. Additionally, as I have already established in Chapter 1, there is a democratization of the covenant-making process in both the Ezra and Nehemiah episodes.[140] The people, and neither Ezra nor Nehemiah take the lead and initiate the covenant-making process. We even find individuals making objections and opposing the process without fear of censure (Ezra 10:15), even though in the end the majority decision carried (v. 16).

Linking this "democratization to Neh 10, Nykolaishen continues

> The nearest parallel to this unusual state of affairs [i.e., the absence of a significant figure steering covenant affairs in Ezra 9–10] is in Neh 10, where the community as a whole makes a "firm agreement" (v. 1[9:38]) to obey the law of God. In that case, however, the narrative simply records the text of the written document containing their commitment, without specifying who suggested that it be drawn up. As the narrative stands, that agreement is clearly a response to the penitential Levitical prayer of Nehemiah 9, as well as to the reading of the law that preceded the prayer. But there is no mention in the prayer of renewing the covenant, or, indeed, of any specific course of action. Insofar as the impetus for covenant renewal comes from a relatively minor character, then, the account of Ezra 10 is distinctive.[141]

Nykolaishen then concludes:

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[138] Nykolaishen, "Solemn Oath?," 377.
[139] Nykolaishen, "Solemn Oath?," 378
[140] Eskenazi, *In an Age*, 102–103; Boda, *Praying the Tradition,* 35–36. Also Japhet, "Law," 151.
[141] Nykolaishen, "Solemn Oath?," 378.

> The initiative of Shecaniah…without any epithetical or genealogical connection that would indicate leadership, he appears to be simply one of the returned exiles. But he is presented as taking the initiative in dealing with the crisis. This departure from the pattern in other covenant renewals points to a shift. Whereas the covenants were previously renewed for Israel at the instigation of priests, kings, or Joshua, here it is an apparently common Israelite who takes the lead.[142]

The same can be said for the covenant arrangement in Neh 10. Even if one would insist that the events of Ezra 9–10 and Neh 9–10 were covenant renewals, they are covenants that stand in a class of their own, different from both covenants and covenant renewals.

Conclusion

In the overview of the covenants between YHWH and people—the Noahic, Abrahamic, Sinai, Priestly and Davidic covenants—a common trend was discovered: (1)YHWH always initiated those covenants, (2) YHWH made the covenants with a significant person or with a significant person as mediator (Noah, Abraham, Moses, Phinehas and David), and (3) these covenants were undemocratic affairs in that neither the significant persons nor those the significant persons represented had a say in the terms and/or obligations of the covenants; they were set by YHWH. In the covenants in Ezra–Nehemiah, a clear shift in all three trends can be observed: (1) persons initiate the covenants, (2) the significant persons (namely, Nehemiah and Ezra) are relegated to the background in the covenant-making process while persons take the lead, and (3) the covenants in Ezra–Nehemiah were democratic affairs—not only were they initiated and led by the people, but they determined the terms and obligations of the covenants. The

[142] Nykolaishen, "Solemn Oath?," 384.

goal of this dissertation from this point is to determine what (if any) were the sociological factors that influenced these shifts.

CHAPTER 4: JUDEAN SOCIOLOGICAL FACTORS I

Introduction

The purpose of this chapter is to attempt to uncover some of the social conditions that existed in early Persian Yehud, specifically the historical timeframe covered in Ezra–Nehemiah. It will investigate what influence migration and ethnic factors had on the return to Yehud and whether the return migrants experienced ethnic and socio-economic marginalization while settling in Yehud.

Takeyuki Tsuda examines the socio-economic factors that influence "diasporic return" and reintegration of diasporic migrants with their ethnic homeland communities.[1] He studied various migration events such as the Jewish migration from Russia to Israel (1990–1999); ethnic German returns to Germany from Eastern Europe (1950–1999); return migration of diasporic communities from Latin America and Eastern Europe to Spain, Italy, Greece, Poland and Hungary (1950–1990); migration of ethnic Russians from former Soviet and communist states in Eastern Europe, Central Asia and the Caucasus to their ethnic homeland after the collapse of the communism in the USSR (1990–1998); and the return migration of ethnic Koreans, Japanese, Indians and Chinese from North and South America, Europe, and other South Asian nations to their ethnic homelands (late 1980s–1990s).

[1] Tsuda, "When the Diaspora Returns," 172–89.

The intent in this dissertation is to review his findings and subsequently generate a set of related questions that can aid this investigation into the social conditions in Yehud. In answering these questions, the focus would be on the history reflected in Ezra–Nehemiah.

Causes of Diasporic Return

First, Tsuda deals with the causes of diasporic return. He finds that there are two causes for this kind of return migration: transnational ethnic ties and economic motives. For migrants from less developed nations, the main "pull" factor is more economics than ancestral connections.[2] It is more or less a "form of international labour migration caused by widening economic disparities between rich and poor countries."[3] Ethnicity plays a larger role in return migration when the migrants move in from more developed countries. There is less economic enticement to move in this case. So even though they go seeking economic opportunities, their desire to reconnect with their ancestral communities is stronger. Because of the lack of economic incentives, these kinds of migrants are limited in number.[4] Usually, these return migrants would have lost their social and cultural connections with their ethnic origins, therefore their return is inspired by "imagined, nostalgic, ethnic affinity to an ancestral country which most have never visited."[5] Such "sentimental ethnic attachments vary depending on whether the migrant has been culturally assimilated by their host nation or not."[6] Tsuda states that

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[2] Tsuda, "When the Diaspora Returns," 173.
[3] Tsuda, "When the Diaspora Returns," 173.
[4] Tsuda, "When the Diaspora Returns," 174; Christou, "Deciphering Diaspora," 1050–51; Kim, "Finding Our Way," 305–24.
[5] Tsuda, "When the Diaspora Returns," 174 and Remennick, "A Case Study," 370–84.
[6] Tsuda, "When the Diaspora Returns," 174.

> Russian Jews do not have a strong transnational ethnic affiliation to Israel because of their cultural assimilation and suppression of nationalist sentiments among ethnic minorities in the former Soviet Union. Others like the Argentines of Spanish and Italian descent, do not have a strong awareness of their ethnic heritage, but develop an appreciation for it while recovering their homeland nationality.[7]

It is important to note however that they can sometimes develop strong attachments to their ethnic homelands because such homelands have been portrayed in positive light, causing them to "imagine their ancestral homelands from afar in rather idealized, romantic, if not mythical ways" from persons such as parents or grandparents.[8] As stated earlier, Tsuda also notes that when ethnic homeland governments are involved in attracting these migrants, their (i.e., governments') interests are mainly economic—to supply skilled manpower to their societies—and do so believing their shared ethnicity and culture would enhance their reintegration into the said societies and "not disrupt the country's ethno-racial balance."[9]

Ethnic and Socio-economic Marginalization

Tsuda then turns his focus to the issue of ethnic and socio-economic marginalization in the ethnic homeland. For migrants coming in from less developed nations, their experience is more or less negative. They are excluded ethnically because, depending on the length of time they have been away from the ethnic homeland, they have mostly lost their ancestral culture and language, due to having been assimilated culturally in foreign

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[7] Tsuda, "When the Diaspora Returns," 174–75.

[8] Tsuda, "When the Diaspora Returns," 175. See Kim, "Finding Our Way," 305–24.

Tsuda, "When the Diaspora Returns," 176; Skrentny et al., "Defining Nations," 44–72; Joppke, *Selecting by Origin*, 158–59.

lands.[10] Hence they are treated as "foreigners and strangers" in their ethnic homelands and sometimes even identified as foreigners.[11] Tsuda points out that

> Jews from Russia in Israel are called "Russians"; ethnic Germans from Russia or Poland are labeled "Russians" or "Poles" in Germany; ethnic Hungarian descendants from Romania become "Romanians" in Hungary; Korean-descent Chosōnjok from China become "Chinese" in South Korea; and Japanese descent *nikkeijin* from South America are seen as Brazilians, Peruvians, or simply *gaijin* (foreigners) in Japan. In this manner, co-ethnic descendants from abroad who were once seen as integral members of a deterritorialized and racialized ethnic nation based on a shared bloodline are now excluded from the ethno-national community on the basis of cultural difference.[12]

As a result, such migrants also face socio-economic marginalization in that they are offered mostly unskilled low-status jobs, which most people in the ethnic homeland would shun.[13]

On the other hand, return migrants from more developed nations than their ethnic homeland have a more positive experience than their colleagues from less developed nations. Tsuda points out that

> They are generally more respected because of their first world origins. Most importantly, they are not socio-economically marginalized in stigmatized working-class jobs because most of them return-migrate with relatively high status as professionals, business investors, or students, leading to a more positive reception and social experiences.[14]

However, they tend not to escape negative attitudes from the locals due to negative views of the nations they migrated from or their cultural incompetence. For

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[10] Tsuda, "When the Diaspora Returns," 177; and Žmegač, "Ethnically Privileged Migrants," 206–7.

[11] Žmegač, "Ethnically Privileged Migrants," 206–7, Remennick, "A Case Study," 370–84, Fox, "National Identities," 456–57, Cook-Martín and Viladrich, "Imagined Homecomings," 133–58, Pilkington, *Migration, Displacement*, 168–71; and Tsuda, "When the Diaspora Returns," 178.

[12] Tsuda, "When the Diaspora Returns," 178.

[13] Tsuda, "When the Diaspora Returns," 179–180.

[14] Tsuda, "When the Diaspora Returns," 181.

example, Korean Americans tend to be stigmatized because of poor views of the United States and the immigrants being too "Americanized."[15]

Ethnic Identity and Diasporic Return

Tsuda then turns his focus to the ethnic identity of diasporic return migrants. He observes that negative reception of return migrants in their ancestral lands influences their "ethno-national identities" in a number of ways. In some cases, in the face of social alienation, the return migrants identify themselves more as nationals of the nations they migrated from instead of their ancestral homelands as they see themselves as cultural foreigners.[16] Tsuda terms this "deterritorialized migrant nationalism."[17] For example,

> Japanese Brazilians were seen (and saw themselves) as a "Japanese" minority in Brazil and did not strongly identify with majority Brazilians. However, they suddenly embrace their "Brazilianness" in Japan to an extent they never had in Brazil. Likewise, Aussiedler [i.e., ethnic migrant Germans from Russia] were regarded as Germans in Russia but are seen as Russians after migration to Germany. Korean Chinese were an ethnic Korean minority in China but see themselves as Chinese in South Korea.[18]

It is noted that the strength of deterritorialized nationalism depends on the level of alienation the return migrants experience in their ancestral lands.[19]

Another form of deterritorialized nationalism occurs when return migrants react to alienation by asserting their ethnic heritage, by claiming they are the pure ethnic migrants having kept their culture and traditions better than those who have been dwelling in the homeland.[20] Tsuda gives the example of Hungarian Romanians who

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[15] Tsuda, "When the Diaspora Returns," 181. See Kim, "Finding Our Way," 305–24.
[16] Tsuda, "When the Diaspora Returns," 182.
[17] Tsuda, "When the Diaspora Returns," 182.
[18] Tsuda, "When the Diaspora Returns," 182.
[19] Tsuda, "When the Diaspora Returns," 182.
[20] Tsuda, "When the Diaspora Returns," 183.

refused identification as "Romanians" but considered themselves the "real Hungarians," while considering the co-ethnics in their homeland as "contaminated by modernity and are no longer truly Hungarian." [21]

Some migrants take on "non-nationalist diasporic identities," if, the nations from where the return migrants came from were seen negatively for one reason or the other in the ancestral homeland; in this case the return migrants would neither claim heritage of their ethnic homeland nor the nation of their birth.[22]

A few ethnic return migrants take on "transnational identities."[23] This is where, due to their coming from more developed nations than the ethnic homeland, the migrants are accepted socio-economically, and they maintain strong allegiances to both their ethnic homeland and their diasporic home countries.[24]

In addition to influencing their ethnic identities, diasporic return migration also influences the meaning of "home" and "homeland" for the return migrants.[25] Tsuda defines "homeland" as "a place of origin to which one feels emotionally attached," and "home" as "a stable, place of residence that feels secure, comfortable, and familiar."[26] He points out that ethnic return migrants generally have to homelands: where they were born ("natal homeland") and the place of origin of their ethnic group ("ethnic homeland") and that return migrants are usually minorities in both homelands—in the natal homeland because of their foreign accents and looks, and in the ethnic because of

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[21] Tsuda, "When the Diaspora Returns," 183. Cf. Fox, "National Identities," 458–59.

[22] Tsuda, "When the Diaspora Returns," 183. For instance, because Peru is viewed in poor light in Japan, Japanese Peruvians identify themselves with a distinct ethnic identity: *nikkei* (i.e., ethnic Japanese born abroad). Cf. Takenaka, "Ethnic Hierarchy," 280–290.

[23] Tsuda, "When the Diaspora Returns," 184.

[24] Tsuda, "When the Diaspora Returns," 184.

[25] Tsuda, "When the Diaspora Returns," 184.

[26] Tsuda, "When the Diaspora Returns," 184. Cf. Constable, "At Home," 206–7; Markowitz, "The Home(s)," 24 and Stefansson, "Refugee Returns," 174.

their foreign cultural tendencies—giving them a sense of "a people without a homeland."[27] But this may play out differently for different groups. Sociocultural alienation in the ethnic homeland causes the return migrant to lose their emotional attachment to the ethnic homeland and transfer these emotional attachments to their natal homeland, making it their true homeland.[28] While home and homeland are often used interchangeably, the same is not the case for the return migrant. For instance, a Korean American may not feel as alienated from the ethnic homeland of South Korea as Korean migrants from less developed nations. However, such Korean Americans may not feel at home in South Korea and consider the country their homeland, while the United States would be considered as their home "where they feel more culturally familiar and comfortable."[29] Hence home shifts from their ethnic roots of South Korea to the United States. But even though the ethnic homeland does not feel like home initially for most return migrants, Tsuda says it can gradually become home over time as they get used to life in the ethnic homeland. They resist the negative pushback from the locals and form a strong community in the homeland, "supported by extensive transnational economic, political and social connections with their sending countries."[30]

As we noted in Chapter 2, Tsuda's work raises a number of questions when applied to the community in Persian Yehud. These include:

1. What role did economics play in return migration to Yehud?
2. Did transnational ethnic ties influence this return?

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[27] Tsuda, "When the Diaspora Returns," 185.
[28] Tsuda, "When the Diaspora Returns," 185.
[29] Tsuda, "When the Diaspora Returns," 185.
[30] Tsuda, "When the Diaspora Returns," 185 Cf. Markowitz, "The Home(s)," 25, and de Tinguy, "Ethnic Migrations," 124.

3. Were the return migrants to Yehud marginalized or accepted ethnically and socio-economically?
4. What was the ethnic identity of the return migrants?
5. Was there a shift in the return migrants' definition of home and homeland?[31]

Researching these questions will give greater insight into the world of early Persian Yehud, and ultimately the shifts in the covenant-making process depicted in the biblical record of Ezra-Nehemiah.[32] However, before unearthing the insights that these questions offer, it is essential to consider demographic factors in return migration to Persian Yehud.

Demographic Changes in Early Persian Yehud

As a result of the Babylonian invasion of Judah and subsequent forced migration of the inhabitants of the land to Babylon, the population of Judah reduced drastically (Lam 1:4; 2 Kgs 25:9–12; Jer 52:14–16).[33] As we shall see, population growth was marginal from the Babylonian period to the end of the Persian period. Due to the paucity of information and sources, calculating the exact population of Yehud in the early Persian period is an almost impossible task.[34] Both Faust and Lipschits agree that exact estimates of such populations are based on speculation.[35] Faust warns that the margin of error for population estimates for a single archaeological site can go as high as 400 percent.

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[31] Due to limitations of time and space, questions 4 and 5 will not be covered in this dissertation. I will deal with these in future research.

[32] Due to time and space, I shall limit the scope of this chapter to the first three questions and leave the last two for further research.

[33] See Lipschits, *Fall and Rise*, 210–71; Faust, "Social, Cultural," 106–32; and Carter, *The Emergence*, 246–47.

[34] Faust, "Social, Cultural," 117.

[35] Lipschits, *Fall and Rise*, 259 and Faust, "Social, Cultural," 117.

However, Lipschits points out that such estimates are important because they "serve as a figure that permits comparisons among various periods, thus helping to identify the changes in settlement pattern and population size."[36]

Albertz determines that there were 80,000 people in Judah just before the Babylonian exile in 587 BCE.[37] However, the challenge with his estimate is that it considers areas that lay outside the Persian Province of Yehud. Carter sidesteps this problem, determining that the part of Judah that became Yehud had a population of 68,500 for the same time period.[38] Lipschits, based on an estimate of 25 persons per dunam, determines that the population in pre-exile Yehud was 71,150.[39]

Carter divides the Persian period into two: Persian I period and Persian II period.[40] His population estimates for these are 13,350 and 20,650 respectively.[41] Lipschits does not see any justification in Carter's division of the Persian period into two, as archeological evidence does not support this demarcation.[42] Lipschits's estimate for Yehud during the Persian period is 28,000,[43] while the low figure of 10,850 is determined for the Persian I period by Meyers and Meyers.[44] It must be noted that even

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[36] Lipschits, *Fall and Rise*, 260.

[37] Albertz, *Israel In Exile*, 89.

[38] Carter, *The Emergence*, 247.

[39] Lipschits, *Fall and Rise*, 262 This number does not include his estimates for the Shephelah and Beer-Sheba–Arad Valleys which were not part of Yehud. Faust disputes that Lipschits does not consider some larger villages in his estimation and that whereas Lipschits sees continuity in the rural areas of Judah before and after the forced migration, less than half of newer excavations in these areas demonstrate such continuity. See Faust, *Judah*, 126, 130–31.

[40] He sets Persian I period between 538 and 450 BCE and Persian II between 450 and 332 BCE (see Carter, *The Emergence*, 27 for the purposes of this dissertation, I will focus only on the Persian I period.

[41] Carter, *The Emergence*, 201–2.

[42] Lipschits, *Fall and Rise*, 266.

[43] Lipschits, *Fall and Rise*, 269 As mentioned earlier, this figure is derived from the areas within the boundaries of the Province of Yehud, hence excludes areas such as the Shephelah, etc.

[44] Meyers and Meyers, "Demography and Diatribes," 282.

though their numbers are close to Carter's, Meyers and Meyers numbers were derived from interpretations based on literary sources and not archaeological data.[45]

We can therefore deduce that the population decline from just before the Babylonian exile to the Persian 1 period lies between 60.6 percent (based on Lipschits's numbers) and 80 percent (based on Carter's numbers).[46] However, as Faust points out, the numbers in the Persian period do not represent the lowest numbers in the period but the highest, and that the population peak in the Persian period most likely occurred toward the end of the Persian period.[47] This indicates that the drop in population was more significant than 66 percent, and Carter's estimation of an 80 percent drop may represent the lowest population numbers and a direct result of the Babylonian invasion and exile of 586 BCE. The population subsequently rose from a low of 80 percent of the pre-exile population to 66 percent at the end of the Persian period.

The reasons for the initial decline are obvious and clearly outlined by Faust. They were a direct result of the Babylonian campaigns in Judah and they include: high death tolls as a result of war, famine, epidemics, executions, refugees fleeing the region, and exile.[48] I agree with Faust that there must have been growth in the population of Yehud between the Babylonian and Persian periods because there was no other catastrophic event during the period that would have caused a further decline. However, looking at the numbers, we can see that population growth during the Persian period was

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[45] Faust, *Judah*, 129. My interest however is not in the exact population figures, but in the demographic trends in Yehud.

[46] Faust settles for a decline of 66%, see Faust, *Judah*, 131, 132. Cf. Levin, "Judea, Samaria and Idumea," 7.

[47] Faust, *Judah*, 134–35.

[48] Faust, *Judah*, 140–43.

marginal (20 percent to 34 percent of the pre-exile population). Why, despite Cyrus's policy of permitting exiles to return to their land was population growth slow in Yehud?

Economic Realities in Yehud

As seen earlier, Tsuda's observations on return migration indicate that in return migration from a more developed nation to a less developed one, the number of migrants is limited due to the lack of adequate economic incentives. To demonstrate this, a quick overview of the economic situation in Yehud is necessary.[49]

Occupation Challenges

Samuel Adams points out that the two major occupations in Yehud after the Babylonian exile were farming and animal husbandry, and that these occupations were carried out under difficult conditions.[50] First he notes that most farmers either had small portions of land or none at all. For the latter, they served as laborers to landlords in order to settle debts or to get food to eat.[51] The labor was intensified by the sparse and sometimes unpredictable amounts of rainfall and frequent droughts that occurred in the land.[52] Adams goes on to state that:

> Farmers had to set aside a certain amount of crop for the next year's seed (as much as a third), use one-fourth or more to pay various taxes and tithes, and then have as little as a third of their yield for subsistence. If they lacked the necessary amounts to meet these demands, great misfortune could ensue, including land seizures by creditors or the state (e.g., Neh 5).[53]

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[49] These would be explored further in subsequent chapters.
[50] Adams, *Social and Economic Life*, 82–98.
[51] Adams, *Social and Economic Life*, 83.
[52] Adams, *Social and Economic Life*, 86, 87; cf. Joel 7.
[53] Adams, *Social and Economic Life*, 89. We shall discuss taxes further later in the dissertation.

Many farmers in addition to farming engaged in some level of animal husbandry. In this case, the animals were kept close to their homes, and they slept on the ground floor in the homes of the shepherds/farmers.[54] These animals included cattle, sheep and goats, which provided things such as dairy products, clothing, meat, tent making material, and parchment.[55] Oxen were used to plow the fields. However, because animal husbandry was carried out mostly at a subsistence level, animals were not killed for meat on a regular basis, as such a practice would end the production of materials they provide. Hence animals were killed only when they were no longer useful in other areas, hence grain was the major diet in Yehud.[56] Work in Yehud was difficult, and the people mostly organized their lives with the objective of survival in mind.[57] I will expound on this in the next chapter.

Loans

Due to the difficult farming conditions mentioned above, along with a burdensome taxation system, people in Yehud needed to borrow to sustain themselves regularly. But lending rates were high—an interest of 20 percent per year for money and at least 33.3 percent for grain (and even higher rates in times of drought).[58] Where the borrower lacked the means to pay, the lender could change the terms of lending by claiming the debtor's grain, land or both.[59] Should the lender seize the borrower's land, the borrower

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[54] Borowski, *Every Living Thing*, 40; Schloen, *The House*, 40; and Adams, *Social and Economic Life*, 90.
[55] Adams, *Social and Economic Life*, 91 and Borowski, *Every Living Thing*, 55–56.
[56] Adams, *Social and Economic Life*, 91; and Pastor, *Land and Economy*, 5.
[57] Adams, *Social and Economic Life*, 100.
[58] Yaron, *The Laws*, 235–46 and Wunsch, "Debt, Interest, Pledge," 228–29, 234–38, 240.
[59] Adams, *Social and Economic Life*, 105.

then became a "tenant-farmer" on his former land.[60] Nehemiah was forced to confront this problem during his time as governor of Yehud (Neh 5).

State Taxation and Persian Interests

It has been noted that migrations within an empire are usually economically driven.[61] It must be stated that the Persians had economic interests in temple (re)building and these interests are at play in return migration to Yehud.

Cyrus demonstrated respect for the gods of the many lands dominated by Persia.[62] He rebuilt the Enunmakh temple at Ur and the Eanna temple in Uruk, amongst others.[63] Succeeding Persian rulers continued Cyrus's policy of temple rebuilding and were involved (directly or indirectly) with local religious issues.[64] Cambyses restored the sanctuary of the goddess Neith in Sais.[65] Darius I upgraded the Eanna Temple in Uruk and (re)built many temples in Egypt.[66] Through the satrap of Lydia, Artaxerxes is believed to have exalted the cult of Zeus over all cults in Lydia.[67] While the biblical texts claim that the involvement of the Persians in Judah's religion was due to YHWH's favour and a desire by the king to attract YHWH's benevolence (Ezra 7:23, 27), Brosius and Briant show that this was also politically motivated. Apparent benevolence (on the king's part) would cause the people of Judah to see the king as a defender of their religion and thereby mitigate rebellion amongst the people. But their involvement in

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[60] Adams, *Social and Economic Life*, 105.
[61] Ahn, "Forced Migrations," 183–4.
[62] Brosius, *The Persians*, 63–4.
[63] Cf. Blenkinsopp, "Temple and Society," 24.
[64] Blenkinsopp, "Temple and Society," 65.
[65] Dandamaev et al., *The Culture*, 360–66.
[66] Yamauchi, "The Archaeological Background," 195–211 and Blenkinsopp, "Temple and Society," 24–25.
[67] Blenkinsopp, "Temple and Society," 25.

temple reconstruction was economically motivated as well. Not only did temples in the Persian Empire serve as religious centers, but they were also utilized in the collection of taxes and tributes.[68] Hence the return migration of Ezra and Nehemiah to Yehud points to an economic agenda on the part of the Persians. With indigenous leadership that was loyal to the Persian overlords in place, the Persians could exact enough taxes and tributes from the people.[69] Three kinds of taxes were collected in the temple. The first was מִנְדָּה־בְלוֹ וְהֶלֶךְ (tribute tax, which comprised precious metals, cf. Ezra 4:20 and Neh 5:4); the second was הֶלֶךְ (custom tax, which consisted of produce from the land, see Ezra 4:13, 20 and 7:24).[70] A third tax, תְּרוּמָה (Neh 10:40) was imposed on the people and consisted of the regular offerings the people brought to the Temple (Neh 10:35–39).[71] While all three forms of tax were considered the king's, the tribute tax was sent to the king, the custom tax was used for the upkeep of the governor (and temple officials in some cases) and the תְּרוּמָה was for the upkeep of the temple and priests.[72] So the Temple served a dual purpose: a center of worship and an "Inland Revenue" outlet.[73] Therefore, Ezra's and Nehemiah's work was two-fold: on the one hand they were to serve the people by uniting them under their common faith and seeing to the upkeep of both temple and officials and, on the other hand, in so doing they were creating a stable

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[68] Berquist, *Judaism*, 26, 238, McNutt, *Reconstructing the Society*, 196 and Schaper, "The Jerusalem Temple," 528. Cf. Adams, *Social and Economic Life*, 137.

[69] Berquist, *Judaism*, 26. Cf. Hoglund, "The Achaemenid " 65–66.

[70] Schaper, "The Jerusalem Temple," 535.

[71] I will expound on the taxes and levies more extensively in Chapter 5.

[72] Schaper, "The Jerusalem Temple," 535, 537–38. Schaper claims there were three forms of taxes that were collected for the king in the Temple during the Persian Period apart from תְּרוּמָה :מִדָּה (tribute tax); בְּלוֹ (poll [?] tax,); and הֶלֶךְ (custom tax). Schaper separates מִדָּה (or מִנְדָּה) from בְּלוֹ. But examination of the texts shows that both are linked. For instance, in Ezra 4:13 employs the construction מִנְדָּה־בְלוֹ וְהֶלֶךְ ("tribute-tax or custom"). Ezra 4:20 and 7:24 uses the construction מִנְדָּה בְלוֹ וְהֶלֶךְ ("tribute tax or custom,) but Schaper has interpreted this as ("tribute, tax and custom). While Nehemiah only uses מִדָּה to describe taxes for the king (Neh 5:4), Ezra linking "tribute" to "tax" simply emphasizes the point that מִדָּה was the king's portion.

[73] Schaper, "The Jerusalem Temple," 539.

populace that supplied the Persian administration with adequate taxes and tributes. The latter was the socio-economic agenda behind the Persian magnanimity and religious tolerance toward Yehud.

The combination of a difficult work environment, harsh credit requirements and heavy taxation must have contributed to a bleak economic climate in Yehud,[74] and Neh 5:1–5 reflects this. This text reveals three groups of people in the land: those who had to give away their children to get food to eat, those who had to give their lands and homes as collateral for food during famine, and those who used their fields to borrow money to pay the kings taxes.[75] We can then deduce that due to the unattractive economic situation in Yehud, not many exiles would have been encouraged to return and this explains the slow rate of growth in Yehud during the Persian period, confirming Tsuda's observations that only a limited number of return migrants would journey back to a less developed ethnic homeland.[76] The biblical text also reveals that those who did return did so with economic support from the Persian rulers and their fellow exiles, along with tax breaks for returnee priests (Ezra 1:4, 6–11; 7:15–24; Neh 2:7–9). These (especially in the examples in Ezra) were incentives to encourage them to return considering the bleak economic climate in Yehud. While this is not clear in the case of Nehemiah, it is obvious that being an officer of Persia, he must have received some level of support from the Persian king (see Neh 2:7–9).

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[74] See Adams, *Social and Economic Life*, 131–32.

[75] Cf. Adams, *Social and Economic Life*, 137–38. I will expand this construct further in Chapter 5.

[76] Tsuda, "When the Diaspora Returns," 174. See Albertz, *Israel In Exile*, 102.

Ethnic Ties and Return Migration to Yehud

As noted earlier, Tsuda observed that most return migrants tend to lose their socio-cultural connections with their ethnic homeland and therefore their return is based on an imagined ethnic affinity to their ethnic homeland.[77] But is difficult to determine how this played out amongst the exile community in Babylon, as we do not have records that point to such ties between the exile community and the homeland. Jeremiah's admonition to the first-generation exiles to build, plant, marry and live in Babylon (Jer 29:5–10) indicates that the exiles actually had intentions of returning as soon as possible.[78]

Taking a cue from Tsuda, we can speculate that with subsequent generations, this resolve to return weakened, and their connection to the ethnic homeland was through their parents and grandparents in exile with them.[79] However, since they were exiled as a group to Babylon and lived in enclaves together,[80] it seems unlikely that they lost their cultural and religious identity, nor did the Babylonians or Persians assimilate them culturally and religiously. This appears to be a sub-theme in the book of Daniel (cf. Dan 1:1–16; 3:8–18; 6:6–17).[81] The books of Ezra and Nehemiah show a willingness by the Persian kings to support their religious causes of Yehud (see Ezra 1:1–11; 6:1–11; 7:1–28; Neh 2:1–9; howbeit, as seen earlier, with an economic agenda). Artaxerxes acknowledges Ezra as כָּהֲנָא סָפַר דָּתָא דִּי־אֱלָהּ שְׁמַיָּא ("priest, scribe of the law of the God of heaven," Ezra 7:12), and gives him free reign to do in Yehud as he and YHWH deemed

[77] Tsuda, "When the Diaspora Returns," 174.
[78] See Grabbe, "They Never Returned," 168.
[79] Tsuda, "When the Diaspora Returns," 175; cf. Grabbe, "They Never Returned," 169.
[80] Albertz, *Israel In Exile*, 100–101.
[81] Though many date this later, it could note a memory from the Persian Period.

fit (Ezra 7:14, 18, 21, 23). These suggest that the Persian rulers neither interfered with the religion and culture of the exiles nor attempted to assimilate them religiously and culturally as was the case centuries later with the Greeks.

Nehemiah does show some ethnic connection to the remnants in the land (Neh 1:2–3). He has contact with Hanani and some men from Judah who had come from Judah. Nehemiah asks them a pointed question concerning the welfare of "the Jews who had escaped, who had survived the captivity, and concerning Jerusalem" (Neh 1:2). This indicates that he did have some level of social and ethnic contact (possibly indirectly) with the remnant in Yehud,[82] and this was indeed a factor in his return to Yehud.

For the return migrants to Yehud, Tsuda's work alerts us to re-reading the biblical text with the understanding that since they were migrating from a relatively advanced society (Babylon) to a decimated one, their return to Yehud was inspired by ethnicity and the desire to reconnect with the homeland and not economics. Because of the dire economic situation in Yehud, and as Tsuda's case studies suggest, the number of migrants was small compared to the numbers of the people of the land (i.e., those who were already in the land on the arrival of the migrants from Babylon) who were in the tens of thousands.[83]

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[82] This raises the question of those who had returned to the land before Nehemiah. Are they included in Nehemiah's question or is he overlooking them? While this may suggest that Ezra and Nehemiah returned to Israel at the same time, it does not account for the earlier migration of the Zerubbabel group. On the other hand, his question may also suggest that he was aware of the plight of the earlier return migrants but not that of those who remained in the land. This investigation is an area of research that time and space would not permit in this dissertation.

[83] Carter, *The Emergence*, 201–2; Lipschits, *Fall and Rise*, 269; and Meyers and Meyers, "Demography and Diatribes," 282. This is an important point. As will be discussed later in the dissertation, the institution of a covenant by the return migrants was a means of asserting their ethnicity and right to the land.

Ethnic and Social Marginalization in Yehud?

Nehemiah's question to Hanani and his group and their answer indicate that there were people who escaped the captivity and remained in Jerusalem (Neh 1:2–3). However, it is difficult to tell whether people from other ethnicities joined with the remnant in Yehud. Grabbe seems to think so, asserting that the text suggests the return migrants referred to the locals as "foreigners, Canaanites and peoples of the lands."[84] Blenkinsopp opines that the "peoples of the land" (Ezra 10:2, 11; Neh 9:24; 10:31–31) and "peoples of the lands" (Ezra 3:3; 9:1–2, 11; Neh 9:30) refer to the inhabitants of either Judah (Yehud) and/or the surrounding provinces of Samaria and Idumea.[85] This is most likely. However, the number of people in Jerusalem itself may have been very insignificant compared to the numbers that returned to the city from the exile; supporting the idea of the desolation of Jerusalem (2 Kgs 25:1–9; Jer 52:12–16).

Considering the above ideas, it is then unlikely that the return migrant community faced any significant marginalization. The biblical texts indicate that Zerubbabel, Ezra and Nehemiah were accepted as leaders in Jerusalem.[86] Opposition to the rebuilding projects came from the "peoples of the land" outside Jerusalem, from whom they (the return migrants) may have experienced some ethnic marginalization, hence the statement from Nehemiah in response to Sanballat, Tobiah and Geshem: "you have no heritage or right or memorial in Jerusalem" (Neh 2:20).

Finally, considering the fact that the return migrants had economic backing for the most part from the Diaspora in Babylon and the Persian rulers, it is most unlikely

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[84] Grabbe, "They Never Returned," 170.

[85] Blenkinsopp, *Ezra–Nehemiah*, 108.

[86] However, the texts reveal subtle dynamics of opposition even from priestly figures and others who are in Yehud.

that the "people of the lands" were not in a position to marginalize them economically. While the migrant community may have experienced economic difficulty in Jerusalem, it appears from the text of Ezra–Nehemiah that the "peoples of the land" were not entrenched in the city. But this may not be the case outside the city. Could it be that these "peoples of the lands" had land holdings in the country, and in the time of famine (as discussed earlier) exacted usury from them and seized their lands? While this sounds plausible, the biblical text in Neh 5 disputes this claim. When Nehemiah receives the report of people having to sell their children and mortgaging their lands in order to eat, first, the outcry of the people is against their Yehudite (Jewish) brethren (אֲחֵיהֶם הַיְּהוּדִים Neh 5:1). It is most unlikely that "the peoples of the lands" would be referred to as "Jewish brethren" to the return migrants. Neither does it seem plausible that Nehemiah would refer to these "oppressors" as "exacting usury from *your brother*" (אִישׁ־בְּאָחִיו Neh 5:7), after declaring to them that they had no heritage, right or memorial in Jerusalem (Neh 2:20).

Judging from the biblical record of Ezra–Nehemiah, one could conclude that the return migrants did settle in the land without much difficulty. However, with time, they had to face harsh economic realities. It must be noted though, that the biblical texts are ideological, and the writer is describing the groups in ways to create a sense that the migrant community did not receive rejection from their own. But then, the definition of who is their own is according to their definition. We will investigate this in subsequent chapters.

Conclusion

We have gained insight into some of the conditions influencing the return migration and settlement in Yehud by the exile community. Economic conditions in Yehud were bleak. This was as a result of poor farming conditions, resulting from poor precipitation in Yehud and famine. We shall ascertain this in Chapter 5. These difficult situations enabled some to take advantage of distressed farmers by imposing harsh lending practices on them. Heavy taxation by the Persian rulers also added to the strain on the return migrant populace. Understanding that economics plays a vital role in migration, we can now understand that the harsh economic climate in Yehud discouraged most exiles from returning.

Secondly, it appears that due to the scale of destruction and forced migration from Judah to Babylon, the exile community essentially lost their social and ethnic connections with the remnant in Yehud. However, because most of the exiles lived together in enclaves in Babylon, they, along with subsequent generations did not lose their cultural and religious heritage. This situation was aided by the fact that neither the Babylonians nor the Persians attempted to forcibly assimilate them culturally or religiously.

Finally, while it is difficult to ascertain the exact ethnic makeup of the remnant in Yehud during the return reflected in Ezra–Nehemiah, we can deduce that they comprised some mix of people groups in Yehud, and I speculate that the inhabitants of Yehud were insignificant in number at the time of the return of the exiles. Hence the return migrants settled in the land fairly easily and the eventual economic challenges they experienced were not as a result of ethnic or socio-economic marginalization from the “peoples of the lands,” but rather influenced by fellow returnees with means who exacted usury from

them and seized their lands. If they experienced any opposition from the “peoples of the lands” this opposition was directed against their reconstruction of the city of Jerusalem and the Temple.

CHAPTER 5: JUDEAN SOCIOLOGICAL FACTORS II

Introduction

The return of Judahite exiles from Babylon in the late sixth century BCE was an important milestone in the history of Yehud. It was a period fraught with significant socio-economic transformation. This chapter explores the tapestry of socio-economic conditions that characterized Persian Yehud, delving into the dynamics of economy, society, and the interplay between them. This chapter will demonstrate that there was an economic crisis in Persian Yehud, and we will arrive at this conclusion first by reviewing relevant archaeological data and information from ancient writings and inscriptions, which we shall compare to the biblical record of Ezra–Nehemiah. A review of primary occupations in Yehud in Persian Yehud along an examination of the impact of geographic and climatic factors in the region on the product of these occupations will also contribute to an understanding of the economic situation, and with a clearer picture of this economic situation, we will delve into the effect of taxation in Persian Yehud on its economy and the resultant debt crisis depicted in the Ezra–Nehemiah record.

The economic restoration of Yehud was a complex process influenced by various factors including agricultural practices (influenced by geographic and climatic factors), and land ownership. Additionally, the Persian administration's policies on taxation and governance played a crucial role in shaping the economic realities of Yehud.

Understanding these economic foundations is crucial for appreciating the broader socio-economic conditions of the period.

The biblical text of Ezra–Nehemiah claims to contain historical information on Persian Yehud, but using the text as a historical source has its problems.[1] For example, the material tends to be propagandistic in nature.[2] Some scholars consider the text completely fictitious.[3] However, scholars such as Davies, though not making a case for the historicity of Ezra–Nehemiah, argue that extrabiblical historical data generally confirms some processes outlined in the biblical text of Ezra–Nehemiah.[4] The text gives a glimpse into economic practices and challenges in Yehud such as borrowing money to pay the king's taxes, mortgaging of land for food, indentured slavery, and heavy tributes placed upon the people by governors (Neh 5:1–5, 15). The prophetic book of Haggai portrays a dire economic situation at that time (Hag 1:6, 9–11; 2:15–19).[5]

Considering the aforementioned challenges with the biblical text of Ezra–Nehemiah, one must consider contemporary extrabiblical texts as sources. Scholars have relied on ancient royal Babylonian and Persian documents and inscriptions,[6] Greek historians such as Herodotus, Thucydides, and Xenophon.[7] Elamite texts from Persepolis provide an understanding of the Persian empire's economy, while the Elephantine papyri

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[1] McNutt, *Reconstructing the Society*, 183. For an extensive review of the problems of Ezra–Nehemiah as a historical source, see Eskenazi, "Current Perspectives," 59–86. Cf. Berquist, *Judaism*, 105–20.

[2] McNutt, *Reconstructing the Society*, 183.

[3] Carroll, "So What?," 45–46.

[4] Davies, *In Search*, 83. See McNutt, *Reconstructing the Society*, 183.

[5] McNutt, *Reconstructing the Society*, 184.

[6] Like the texts of Ezra–Nehemiah, these tend to be propagandist in nature, e.g. cuneiform records of the Neo-Babylonians and Persian documents such as the Weisman chronicles, the Weidner texts, the Nabonidus account, the Cyrus Cylinder and the Behistun inscription. See McNutt, *Reconstructing the Society*, 184.

[7] For an exhaustive overview and evaluation of these writings, see Hoglund, *Achaemenid*, 97–164, and Grabbe, *Judaism*, 1:54–67.

and ostraca provide a rich source of historical data regarding the Jewish community that lived in upper Egypt during the Achaemenid empire.[8] Each of these sources contributes to a deeper understanding of Ezra–Nehemiah and aids in discerning its significance and implications for the history of Achaemenid Yehud's history.[9] Also, some archaeological evidence shows some consistency with some elements of the biblical narrative of Ezra–Nehemiah.[10] Hoglund's work, for example, is key for incorporating economic and political factors with archaeological evidence from the Levant, and relates these to the specifics of Judah in the Persian period, specifically, the missions of Ezra and Nehemiah.[11] A more recent work on the relationship between archaeology and the economy of Persian Yehud is Lipschits's 2015 chapter in Miller's *The Economy of Ancient Judah in Its Historical Context.* Lipschits determines from archaeological evidence that Judah/Yehud remained predominantly a rural society and a primarily agricultural-based economy from when it was an Assyrian vassal kingdom in the seventh century BCE, to its transition to a Babylonian vassal kingdom to a Persian Province.[12] He states:

> The corpus of stamped and incised jar handles found in Judah and especially in and around Jerusalem and Ramat Raḥel is a key to such understanding. About 3,000 stamped jar handles were discovered in Judah during archaeological excavations and surveys of the 600 years when the kingdom and then the province of Judah were under the rule of the empires.[13]

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[8] See Eskenazi, "Current Perspectives," 61–62.
[9] Eskenazi, "Current Perspectives," 62.
[10] McNutt, *Reconstructing the Society*, 185.
[11] Hoglund, *Achaemenid*, 165–240.
[12] Lipschits, "The Rural Economy," 239.
[13] Lipschits, "The Rural Economy," 239.

The stamped jars were used for storing agricultural products, primarily wine and oil and their presence indicates a well-established administrative and economic system in Judah, where Ramat Raḥel served as the main collection center for agricultural products.[14]

There are several implications that can be drawn from these stamped jars: (1) The presence of a large number of stamped jars suggests that the economy of Judah during this period was primarily based on agriculture and the production of agricultural products.[15] This is consistent with the historical evidence that Judah continued to exist as a rural society during the Babylonian and Persian periods. (2) The stamped jars indicate the existence of a centralized administrative system in Judah, with Ramat Raḥel serving as the main administrative center.[16] The collection and storage of agricultural products in these jars were likely part of a well-organized system of taxation and tribute. (3) The fact that the use of stamped jars continued for more than half a millennium suggests that this administrative and economic system endured throughout the 600 years of Judah's existence under the rule of the empires indicating a level of stability and continuity in the governance and economy of Judah during this period. [17] (4) The presence of these stamped jars provides valuable archaeological evidence for understanding the history of Judah during the Persian and Hellenistic periods. They help to confirm the existence of a well-established settlement pattern, economy, and administration in Judah, particularly in the regions around Jerusalem and Ramat Raḥel.[18]

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[14] Lipschits, "The Rural Economy," 239. See also Lipschits, "First Thought," 17–19.
[15] Lipschits, "The Rural Economy," 240.
[16] Lipschits, "The Rural Economy," 258.
[17] Lipschits, "The Rural Economy," 238, 240.
[18] Lipschits, "The Rural Economy," 240.

Occupations in Yehud

Agriculture was the main product of Yehud.[19] Therefore, it makes sense that the predominant occupation was farming. However, there were other forms of work in Yehud including animal husbandry and pottery.[20] Scholars concur that the population in Persian Yehud predominantly lived in small, unwalled village settlements, running a subsistence-level economy.[21] These communities were largely agrarian, focusing on basic agricultural practices to meet their daily needs, with minimal surplus for trade or economic growth.

Farming

The primary food crops that were cultivated in the Levant included wheat, peas, lentils, mustard, olives and grapes.[22] The yearly farming cycle revolved around planting and harvesting cereals, while farmers carefully observed rainfall patterns.[23] The comparison of current weather trends with ancient inscriptional evidence shows that sowing of seed was done for two months at the beginning of the planting season (October–December), and this was followed by a colder period when the grounds softened and the farmers would break up the soil by plowing and spreading seed.[24] The winter period was

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[19] Dandamaev et al., *The Culture*, 130; Grabbe, *History*, 202; Adams, *Social and Economic Life*, 82, 83; Lipschits, "The Rural Economy," 239. According to Jonker, the economic conditions reflected in the genealogies of Chronicles show an agrarian economy, with Jerusalem functioning as a temple-city complex and the rural-tribal villages and areas surrounding it. Jonker, "Agrarian Economy," 91.

[20] Adams, *Social and Economic Life*, 90–99.

[21] Carter, *The Emergence*, 247–48; Lipschits, "Demographic Changes," 363–66; and Grabbe, *History*, 204.

[22] Dandamaev et al., *The Culture*, 130; Hopkins, *The Highlands*, 241–50; King and Stager, *Life*, 103–6; Grabbe, *History*, 202; and Adams, 84, 85.

[23] Adams, *Social and Economic Life*, 83.

[24] King and Stager, *Life*, 86–89; Adams, *Social and Economic Life*, 84.

typically from the middle of February to the middle of April, and during this time barley and legumes were planted, while flax was cut between March and April.[25]

Adams describes the harvesting and processing of wheat in Yehud saying

> Wheat was harvested from May to mid-June (1 Sam 12:17). Farmers would cut stalks of grain with sickles (Deut. 16:9), tie them into sheaves (Gen 37:7), and bring the stalks to threshing floors. To thresh the grain, workers beat it with a flail (Judg 6:11), let animals trample it (Deut 24:4), or had them pull weighted wooden sledges with embedded sharp stones or metal across it (Isa 28:27–28). Then the workers winnowed the remains by tossing it into the air, letting the wind blow stalks and chaff aside as the grain dropped onto a pile (Psa 1:4); Matt 3:12). They put them into grain silos, barns granaries, barrels, or large jars…the entire household often joined in these labor-intensive efforts, including children.[26]

In the summer months, from mid-June to mid-August, following the grain harvest, farmers focused on collecting other crops.[27] The end of the farming cycle, from mid-August to October, was dedicated to harvesting olives, figs, grapes, and pomegranates.[28] This basic farming cycle persisted for many centuries, as evidenced by the Gezer Calendar from the tenth century BCE.[29] This ancient calendar provides detailed accounts of the farming activities throughout the year and aligns with descriptions found in various rabbinic texts.[30] Hamel also discovered intriguing parallels between the agricultural cycle described in Mishnaic texts and the farming practices observed in the farmlands surrounding the modern city of Kufr al-Ma' in Jordan.[31]

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[25] Barley was harvested between late April and early May, see Adams, *Social and Economic Life*, 84; cf. Ruth 1:22).

[26] Adams, *Social and Economic Life*, 84.

[27] Adams, *Social and Economic Life*, 84.

[28] Adams, *Social and Economic Life*, 84.

[29] Albright, "The Gezer Calendar," 16–28; Adams, *Social and Economic Life*, 84.

[30] See Albright, "The Gezer Calendar," 16–26.

[31] Hamel, *Poverty and Charity*, 109–10.

Poor environmental geographic factors impacted agriculture in Yehud negatively, making the occupation of farming difficult.[32] The difficult terrain of Yehud exacerbated locust infestations and droughts.[33] King and Stager highlight the geographic challenges in Yehud.[34] They state that the more fertile soil of coastal plains, such as those found in the Shephelah (outside Yehud's borders), allowed farmers to practice intercultivation, a method that enabled the growing of multiple crops simultaneously. In contrast, regions like Galilee (also outside Yehud's borders) required terraced farming, which demanded significant labor from households. These terraces relied on effective water management, necessitating the channeling of water from springs and wells. King and Stager go on to say that families with fewer resources often lived on plots above valleys, where soil erosion was more common and constructing terraces was more challenging. Despite these difficulties, some farmers utilized rocky and less hospitable terrain in regions like the Negev, where they planted olive trees and other crops, adapting their agricultural practices to thrive in harsher conditions.[35]

Focusing on Yehud, Grabbe demonstrates that the environmental challenges were more dire. He states that

> …the northern part of the Samarian Hills [outside Yehud's borders] tends to provide a more favourable context for agriculture than other parts of the hill country, with its higher rainfall, more rolling hills, and good soil for growing in general.Much is depenent on rainfall, which tends to diminish as one moves south [into Yehudite territory]. The higher section of the hill country also causes a rain shadow so that rainfall rapidly diminishes the further east one goes from the ridge of hills. The result is that the eastern slope down to the Jordan River is

[32] Adams, *Social and Economic Life*, 85.
[33] Adams, *Social and Economic Life*, 85.
[34] King and Stager, *Life*, 114–15.
[35] King and Stager, *Life*, 114–15.

> mainly useful for animal husbandry rather than crops except where the Jordan can be used for irrigation (or the oasis around Jericho).[36]

Grabbe continues

> An annual rainfall of 300mm is the minimum required for most farming, but even when adequate precipitation falls, the timing can be crucial. Rain needs to be distributed through the six months of the rainy season (from October to April) to allow ploughing and planting at the beginning, a good period of growth peaking in the middle three months, and a gradual tapering off toward the end. Failure of rain in the first or last parts of the rainy season—even if otherwise adequate—can be a major problem. Out of a ten-year period there will be three or four years in which the rains come too late or stop too early. Equally possible is that two or even several such years can come in a row, exhausting reserves and creating a potential for famine. Farming in Judah would always be a risky business with the threat of serious crop failure an ever-present spectre in the background.[37]

During the Persian period, the province of Judah was primarily confined to the Judean hill country, an area that faced several disadvantages compared to other regions of Palestine, such as Samaria. The arid zone extending from the Jordan Valley widens toward the south, placing Jerusalem right at its edge.[38] In addition to the unpredictable and inconsistent rainfall patterns across different sites, much of the soil in the Judaean hill country consists of Senonian chalk.[39] While this type of soil is relatively easy to cultivate and provides a stable base for travel routes, it is not particularly fertile.[40] The desolate Wilderness of Judea, stretching along the western shores of the Dead Sea, was largely uninhabitable. Only a few oases, such as those in En-Gedi, Jericho, and along the Dead Sea coast, provided habitable conditions. These factors collectively posed significant challenges to agricultural and settlement activities in the region.

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[36] Grabbe, *History*, 198.
[37] Grabbe, *History*, 198.
[38] Grabbe, *History*, 198.
[39] Grabbe, *History*, 198.
[40] Grabbe, *History*, 198. See also Lipschits, "The Rural Economy," 248 and Gadot, "Setting the Chronology," 3–26.

Animal Husbandry

In a bid to compensate for the difficulties related to farming, many people in Yehud engaged in animal husbandry. Archaeological excavations demonstrate that both farming and pastoral activities were typically engaged in the same household.[41] While most pastoral activity appears to be sedentary (i.e., the animals were reared close to the settlements and homes, sometimes kept indoors on the ground floors of homes at night), there is evidence of semi-nomadic and nomadic lifestyles in Persian Yehud. This occupation form was challenging, compounded by the constant threat of predatory animals, necessitating vigilant watchfulness (1 Sam 17:34–35). This was especially true for those managing larger flocks, as the risk of attacks increased with the size of the herd, requiring even greater effort to ensure the animals' safety.[42]

Adams provides an overview of animals that were reared in Persian Yehud. These animals included (1) goats, which provided milk and cheese, while their skins and hair provided material for clothing, tents, parchment and the exteriors of liquid containers;[43] (2) cattle, which primarily provided milk;[44] (3) Sheep, which supplied wool for clothing, and secondarily, meat; (4) Oxen, which were used predominantly in farming to pull ploughs; and (5) donkeys, mules and camels, which were used as a means of long-distance transportation of goods.[45] Adams states that

> Killing animals for food meant an end to their production, and therefore meat eating did not occur on a regular basis among many households, at least till the animal had lost its usefulness in other areas.[46]

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[41] Schloen, *The House*, 138.
[42] See Adams, *Social and Economic Life*, 90–91.
[43] Adams, *Social and Economic Life*, 91.
[44] Adams, *Social and Economic Life*, 91.
[45] Adams, *Social and Economic Life*, 91; and King and Stager, *Life*, 118–19.
[46] Adams, *Social and Economic Life*, 91. Cf. Pastor, who demonstrates that grain constituted at least half of people's diet in Yehud; Pastor, *Land and Economy*, 5.

Pottery

Archaeological records and literary texts point to the existence of pottery making in Persian Yehud. Lipschits writes extensively on the discovery of stamped and incised jar handles in Judah and specifically in and around Jerusalem and Ramat Raḥel.[47] These jar handles were used for storing agricultural products, primarily wine and oil. Over 3,000 stamped jar handles were found in Judah during archaeological excavations and surveys spanning 600 years of the kingdom and province of Judah under the rule of the Assyrian, Babylonian and Persian empires.[48] Ramat Raḥel, an administrative center in the region, was the main collection center for these jar handles.[49] Lipschits also mentions specific types of stamp impressions found on the jar handles, such as *lmlk* and "private" stamp impressions, concentric-circle incisions, and rosette stamp impressions, which can be dated to different periods in the history of Judah from the Assyrian to Persian periods.[50] The presence of these stamped jar handles at Ramat Raḥel for over half a millennium indicates a steady administrative system for collecting and storing agricultural products.[51]

The existence of these jars indicates the evidence of workers who specialized in pottery.[52] The Chronicler, in documenting Judah's genealogy, mentions a family of

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[47] Lipschits, "The Rural Economy," 237–64. See also Lipschits and Vanderhooft, "Continuity and Change," 43–66; Lipschits et al., "Palace and Village," 7–8, 16–17; Lipschits et al., "Royal Judahite," 3–32; Koch and Lipschits, "Rosette Stamped Jar," 60–61; Lipschits, "First Thought," 17–19; Lipschits and Vanderhooft, *Yehud Stamp Impressions*, 107–10; and Bocher and Lipschits, "Corpus," 103–4.

[48] Lipschits et al., "Palace and Village," 16–17; and Lipschits, "The Rural Economy," 240–41.

[49] Lipschits, "The Rural Economy," 239; Lipschits and Vanderhooft, "Continuity and Change," 43–66; Lipschits et al., "Palace and Village," 7–8, 16–17; Lipschits et al., "Royal Judahite," 3–32; Koch and Lipschits, "Rosette Stamped Jar," 60–61; Lipschits, "First Thought," 17–19; Lipschits and Vanderhooft, *Yehud Stamp Impressions*, 107–10; and Bocher and Lipschits, "Corpus," 103–4.

[50] Lipschits, "The Rural Economy," 237–64.

[51] Lipschits, "The Rural Economy," 240.

[52] Adams, *Social and Economic Life*, 91.

potters (1 Chr 4:22–23), and Ben Sira alludes to the difficult work and quality and mass production of pottery (Sir 38:29), to which Adams states:

> This passage is instructive in two respects: it demonstrates the patronizing perspective of a scribal voice and the fact that potters had to work diligently and effectively in order to meet the needs of the populace. Part of the constant demand stemmed from purity laws, since priestly tradition held that impure vessels had to be broken (e.g., Lev. 11:33).[53]

Apart from the jars used to store grain and oil, archaeologists have discovered numerous utilitarian clay items with common features, including bowls of all sizes, cooking pots, hole-mouth jars, flasks, jugs, and vessels for sacred observances.[54]

Though there is evidence indicating the existence of a pottery industry and workforce, there is no evidence to indicate the measure of the impact that the industry had on the economy of Persian Yehud, nor is there evidence to demonstrate whether it was a viable industry or not. This is a recommended area for further research. However, it is crucial to recognize the presence of this industry in our discussion of occupations in Persian Yehud. What we can infer from research and archaeological data is that the production and distribution of the aforementioned pottery items would have been crucial for daily life, supporting subsistence activities and possibly contributing to local trade. Additionally, the presence of standardized pottery forms and production techniques suggests an organized economic structure and skilled labor force, highlighting the importance of pottery in the economic framework of Persian Yehud.

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[53] See Adams, *Social and Economic Life*, 91.

[54] Adams, *Social and Economic Life*, 92. For an extended overview see Stern, *Material Culture*, 1–74.

The Priests and Levites

One aristocratic group in Persian Yehud was the Priests and Levites, who gained prominence after the exile. The biblical record for instance cites the authority given to Ezra, a priest and scribe sent to Yehud to establish the law as an agent of the king:

> And you, Ezra, in accordance with the wisdom of your God, which you possess, appoint magistrates and judges to administer justice to all the people of Trans-Euphrates—all who know the laws of your God. And you are to teach any who do not know them. Whoever does not obey the law of your God and the law of the king must surely be punished by death, banishment, confiscation of property, or imprisonment (Ezra 7:25–25; NIV).

Horsley argues that this edict by Artaxerxes was not a reference to Ezra's task of establishing Mosaic law, arguing that

> It is rather a matter of judging cases according to a culturally derived sense of justice identical with the rule of the Persian deity Ahura Mazda and the decrees of the Persian emperor—backed by rather stern sanctions for violation.[55]

The people were to bring the finest of the crops and the best of the animals as tithes to the Temple to support the priesthood (Mal 1:6–8). The priesthood was taxed with the collection of tributes on behalf of the Persian administration.[56] They also had the responsibility of collecting taxes on behalf of the emperor (Ezra 4:13, 20; 6:8; 7:24; Neh 5:4) as well as collecting the firstfruits into the Temple storehouses (Neh 10:36–40 [35–39]).[57]

Citing the prominence of the priestly class Adams states

> Those who belonged to this profession generally enjoyed a respectable social status and leadership roles within the postexilic political structure. The lists of priestly families in Ezra–Nehemiah demonstrate the hereditary nature of the profession and the elite position of those who filled cultic offices. Both of these

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[55] Horsley, *Scribes, Visionaries*, 19. See also Fried, *The Priest*, 215–17.

[56] Schaper, "The Jerusalem Temple," 528–39; Tuplin, "Coinage," 109–66; Lipschits, "Achaemenid Imperial Policy," 38–40; Hoglund, *Achaemenid*, 213; Carter, *The Emergence*, 281; and Horsley, *Scribes, Visionaries*, 20.

[57] Horsley, *Scribes, Visionaries*, 20.

> texts mention prominent priestly and Levitical families among the thousands coming back to Judah (Ezra 2:36–40; Neh. 7:39–43). Even if the authors embellish the members here, the multitude of priestly genealogies in Second Temple texts highlights the importance of these descendants for the postexilic community. The Levites in particular gained in status: the books of 1 and 2 Chronicles give special prominence to this group (e.g., 1 Chr 23:3–5), though the Levites are subservient to the Aaronide priests, the cultic officials thought to be descendants of Aaron (e.g., Neh 10:38; 12:47). Those who held the priestly office interpreted the law and oversaw official sacrifices (e.g., Sir 50:12–16). The high priest also became a major figure, particularly as the postexilic community developed hierarchical temple bureaucracy with obligatory donations to cultic officials (e.g., Mal 3:8–10; Sir 7:29–31).[58]

With such sweeping powers, it can be seen then that the Priests and Levites were major aristocratic players in the economic life of Yehud. For example, the fulfillment of their duties as agents of the empire charged with the collection of tithes, tributes and taxes placed a heavy toll on the subsistence farmers and peasants from the village communities, leading to debt and associated problems such as mortgaging of property to pay debts, loss of children and even debt-slavery.[59] The biblical record alludes to this reality stating that some did not have enough grain, others had mortgaged their lands, vineyards and houses, and others had borrowed to pay the king's tax; and these problems had forced the people to give up their children as slaves and due to debt, their lands had been seized (Neh 5:1–5). When this information was brought to Nehemiah's attention, he rebuked the אֶת־הַחֹרִים וְאֶת־הַסְּגָנִים (the nobles and the officials; Neh 5:7). Who these nobles and officials were is not stated, however, it appears to be a group that included the priests, for after they (the nobles and officials) had committed to reverse their interest charges, and return their property (Neh 5:12), the account narrates:

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[58] Adams, *Social and Economic Life*, 98–99.
[59] Horsley, *Scribes, Visionaries*, 24.

וָאֶקְרָא אֶת־הַכֹּהֲנִים וָאַשְׁבִּיעֵם לַעֲשׂוֹת כַּדָּבָר הַזֶּה ("I summoned the priests and required an oath from them to do as they promised." Neh 5:12b). Knowing that the priests were responsible for collecting taxes, tributes and other collections (as seen above), it can be concluded that the priests were not merely summoned to perform the oath for the nobles and officials, but they were also part of the group of nobles and officials making the oath. Horsley states:

> A key aspect of the structural conflicts, both that between wealthy (priestly and lay) aristocracy and peasants and that between the immigrant in and around Jerusalem and the people who had remained in the land, may thus have been the different set of customs and covenantal/legal traditions they cultivated. In many agrarian societies one of the functions of the religious elites is to develop an ideology, to cultivate cultural traditions in certain ways, in order to persuade the peasant producers to generate and part with a "surplus" that will support the wealthy and powerful. The immigrant Yehudim, however, seem to have been preoccupied with legitimating their own tenuous position in the newly established temple-state…And, as we can see in the memoirs of Nehemiah, it was necessary for the Persian Governor to strong-arm the rapacious wealthy families so they would not destroy the viability of the peasantry, who formed the economic base for both temple-state and empire.[60]

While the priests were not entirely responsible for the bleak economic situation in Yehud, it can be seen that they had a hand in it, and the place of temples in Persia expatiates this point, which we will see in the next section.

We have seen that due to a combination of factors—the negative impact of climate and geographic factors on agricultural yields, small-scale subsistence animal husbandry, and the various temple contributions—the economic situation in early Persian Yehud was bleak. But in addition to these factors, the people had to deal with the tax system in place which added an extra burden to the economic climate of Persian Yehud.

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[60] Horsley, *Scribes, Visionaries*, 25–26.

Taxation

Herodotus claims that the first systematic and comprehensive taxation system in the Persian empire was put in place first by Darius I (Herdotus *Histories* III, 89). However, Herodotus has been found to contradict himself elsewhere, stating that Gaumata had rescinded taxes for three years, and that Cyrus II had forced all of Ionia to pay taxes (Herodotus *Histories* VII, 51).[61] Dandamaev, describes the various kinds of taxes in detail, writing that

> In order to designate tribute the Behistun and other Achaemenid inscriptions use the Old Persian word *bazi*; this word corresponds to the term *mandattu* (from the verb *nadānu* – "to give") in the Akkadian versions of these inscriptions. In the Fortification tablets taxes are designated by the word *baziš* [*PF* 267, etc.], borrowed from the Iranian, while the tax-gatherer is called *bazikara*. The Book of Ezra (4:20; 6:8) designates taxes for the Persian king with the word *mdt* [i.e., מִידַּת], which corresponds to the Akkadian *mandattu*. The Iranian word *barra* (from the root *bar* – "to carry, bring") is also quite frequently used in the Akkadian texts od Achaemenid times alongside *mandattu*, with the same meaning. But in the fifth century B.C. the word *ilku*, which initially had the meaning of "service from the land" and which continued to retain this meaning even in the first millennium B.C., is used most frequently of all in Babylonia to designate royal taxes from the land. Such a widespread usage of this term can be explained by the fact that the military obligations of the royal colonists in the fifth century B.C. were usually replaced by taxes, whereas they continue to use the same word *ilku*, which gradually began to supplant the term *mandattu*, to designate the duties of these colonists in respect to the state. In the Aramaic endorsements to the Babylonian documents, the word *halāk*, which is also encountered in the Book of Ezra (4:13, 20; 7:24) to designate taxes, corresponds to the Akkadian *ilku*. From the Aramaic, this word was borrowed through the middle Persian *xarāg* by the Arabic lanfuage in the form of *harāg* with the meaning of "land tax." The terms *middā* and *belō* – the first with the meaning of "monetary tax" in accordance with the size of the land, and the second with the

[61] See Dandamaev et al., *The Culture*, 177. By the early twentieth century scholars had also determined that taxation in the Persian empire was in place as early as the reign of Cyrus, see Meyer, *Geschichte des Altertums*, 3:37; and Ehtécham, *L'Iran*, 92–6. Also, ancient inscriptions such as the Cyrus Cylinder (line 30), and the Behistun Inscription (I, 19) confirm that taxes had existed from the time of Cyrus and Cambyses. However, Darius I implemented was the first to establish a new comprehensive, empire-wide tax system. See Dandamaev et al., *The Culture*, 178 and Adams, *Social and Economic Life*, 132–33.

> meaning of "tax in kind" – are also encountered in the Book of Ezra (4:13, 20) to designate tribute to the Persian king.[62]

Drawing evidence from Herodotus (*Histories* III, 90–4) and other sources such as the Persepolis reliefs, Dandamaev estimates the taxes levied on the Persian satrapy of "Across the River," covering Syria, Palestine, Phoenicia and Cyprus, stating that the satrapy was levied

> 350 *talents*. Obviously, a large part of this sum was paid by the Phoenician cities, which were engaged in international trade. Hundreds of vessels from the fourth century B.C. with the inscription *yhwd* ("Judah") have been preserved from Judah, which was part of this satrapy. Among them are to be found 108 impressions of official stamps of tax-collectors in Judah.[63]

If the coastal Phoenician cities paid a much higher percentage of the taxes of the satrapy, it lends credence to the conclusion that Yehud was predominantly a rural, subsistence, agro-centric economy, with the aforementioned hardships; hence they were required to pay a lesser percentage of taxes along with Syria and Cyprus compared to Phoenicia.

The Murašu archives give some insight into how taxes in Persia were collected, providing evidence of estates taken over by the Persian king, the royal family and their agents.[64] Dandamaev states that

> [A]fter the conquest of Babylon by the Persians, great changes took place in this area in agricultural relations. Part of the land, and to be sure, the most fruitful part, was transferred into the actual ownership of the king. Furthermore, the Achaemenids distributed to the members of the royal house, their friends, agents of the Persian nobility, high officials and to all those persons who had shown great service to the Persian king, land that had been removed [i.e., confiscated] from their subject populations.[65]

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[62] Dandamaev et al., *The Culture*, 178–79.

[63] Dandamaev et al., *The Culture*, 184.

[64] Cardasçia, *Les Archives*, 189–98; Dandamaev et al., *The Culture*, 188–89; and Fried, "Exploitation," 151.

[65] Dandamaev, "Die Lehnsbeziehungen," 37–42. English translation from Fried, "Exploitation," 151–52.

Following Darius I's administrative and fiscal reforms after 518 BCE, the people of Egypt, Syria, Babylonia, Asia Minor, and likely other regions of the Achaemenid Empire were dispossessed of their lands and these lands were redistributed into large estates, becoming the hereditary property of the royal family, Persian nobility, and high-ranking officials.[66] Fried opines that this likely occurred in Persian Yehud.[67] She mentions the existence of a land exploitation scheme called the *ḫadru* which was a type of land-for-service agreement that granted blocks of land to a "corporate group of feudatories, usually agnatic relatives."[68] Each *ḫadru* was led by a foreman who was responsible for distributing fiefs or shares among members, ensuring land productivity, collecting taxes, and overseeing the military or service duties of the feudatories.[69] Hence, the *ḫadrus* served as a means of cultivating land, providing a military reserve, and integrating deportees into the economy.[70] Jursa observes that through the system of *ḫadrus*, Nippur which was sparsely populated and isolated in the sixth and early fifth centuries BCE, created conditions for foreign workers to be settled there and to receive land in exchange for their services.[71] Fried, commenting on Jursa's observation, says

> This characteristic of Nippur is similar to sixth century Judah, which was also depopulated, also enabling large number of newcomers—in this case, Judean exiles—to be settled in Judah in a similar land-for-service scheme. In fact, archaeological evidence suggests that those settling in rural sites in Persian period Judah did not settle in places that had been inhabited before. Continuity of rural settlements between the Iron Age and the Persian period was negligible. Of 45 excavated late Iron Age farmsteads in Judah and Benjamin, only 7 showed limited habitation in the Persian period, and this was probably due simply to coincidence. Most Persian period rural sites did not exist in the Iron Age. The unavoidable conclusion is that farmers in Persian period Judah did not go back to

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[66] Dandamaev, "The Domain-Lands," 123–7.
[67] Fried, "Exploitation," 152.
[68] Fried, "Exploitation," 152. See also Cardaşçia, *Les Archives*; Ries, *Die neubabylonischen*; and Stopler, *Entrepreneurs and Empire*.
[69] Fried, "Exploitation," 152 and Stopler, *Entrepreneurs and Empire*, 70.
[70] Fried, "Exploitation," 152 and van Driel, *Elusive Silver*, 227–28.
[71] Jursa, "Debts and Indebtedness," 406.

> homesteads from which their families had been deported. This suggests either a random return to locations suitable for farming or that Persian officials had assigned suitable land to the returnees irrespective of their place of origin. [72]

The Persian rulers required the subject peoples of the empire to fulfill substantial taxation and tribute obligations.[73] The biblical record of Ezra gives some indicators of this as it speaks of royal taxes. The Aramaic section speaks of מִנְדָּה, בְּלוֹ, and הֲלָךְ ("tribute," "custom," and "duty," Ezra 4:13; cf. 7:24), and a reference to their collection (Ezra 4:20).[74] This same chapter, with multiple sources briefly outlines the political dynamics under a number of rulers—Xerxes and Artaxerxes, with one Rehum and Shimshai writing a letter to the Persian king recommending cessation of the reconstruction project in Jerusalem. Amongst other things they reportedly wrote:

> יְדִיעַ לֶהֱוֵא לְמַלְכָּא דִּי יְהוּדָיֵא דִּי סְלִקוּ מִן־לְוָתָךְ עֲלִינָא אֲתוֹ לִירוּשְׁלֶם קַרְיְתָא מָרָדְתָּא וּבְאִישְׁתָּא בָּנַיִן וְשׁוּרֵי אַשְׁכְּלְלוּ וְאֻשַּׁיָּא יַחֲיטוּ׃
> כְּעַן יְדִיעַ לֶהֱוֵא לְמַלְכָּא דִּי הֵן קַרְיְתָא דָּךְ תִּתְבְּנֵא וְשׁוּרַיָּה יִשְׁתַּכְלְלוּן מִנְדָּה־בְלוֹ וַהֲלָךְ לָא יִנְתְּנוּן וְאַפְּתֹם

> The king should know that the people who came up to us from you have gone to Jerusalem and are rebuilding that rebellious and wicked city. They are restoring the walls and repairing the foundations. Furthermore, the king should know that if this city is built and its walls are restored, no more taxes, tribute or duty will be paid, and eventually the royal revenues will suffer. (Ezra 4:12–13; NIV).

Adams notes that though questions about the authenticity may be raised in light of the mention of more than one Persian king in the text, the references to levies in Ezra imply that the Persians anticipated consistent revenue streams, even from smaller provinces; and the section also suggests that local leaders sought to gain favor with their Persian benefactors by ensuring the regular collection of taxes.[75] Fried observes in Ezra

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[72] Fried, "Exploitation," 152–53. See also Faust, *Judah*, 56–57; and Hoglund, "The Achaemenid," 54–72.

[73] Adams, *Social and Economic Life*, 132.

[74] Adams, *Social and Economic Life*, 137.

[75] Adams, *Social and Economic Life*, 137.

4:13 and 7:24 that בְּלוֹ, and הֲלָךְ are used in conjunction with מִנְדָּה, and these have certain implications.[76]

כְּעַן יְדִיעַ לֶהֱוֵא לְמַלְכָּא דִּי הֵן קִרְיְתָא דָּךְ תִּתְבְּנֵא וְשׁוּרַיָּה יִשְׁתַּכְלְלוּן מִנְדָּה־בְלוֹ וַהֲלָךְ לָא יִנְתְּנוּן וְאַפְּתֹם מַלְכִים תְּהַנָּזֵק׃

> Furthermore, the king should know that if this city is built and its walls are restored, no more taxes, tribute or duty will be paid, and eventually the royal revenues will suffer. (Ezra 4:12–13; NIV).

וּלְכֹם מְהוֹדְעִין דִּי כָל־כָּהֲנַיָּא וְלֵוָיֵא זַמָּרַיָּא תָּרָעַיָּא נְתִינַיָּא וּפָלְחֵי בֵּית אֱלָהָא דְנָה מִנְדָּה בְלוֹ וַהֲלָךְ לָא שַׁלִּיט לְמִרְמֵא עֲלֵיהֹם׃

> You are also to know that you have no authority to impose taxes, tribute or duty on any of the priests, Levites, musicians, gatekeepers, temple servants or other workers at this house of God. (Ezra 7:24; NIV).

The translation of these three words as "tribute, custom, and duty" suggest a general interpretation of them as various forms of payments owed to the king, without a precise understanding of their specific meanings.[77] הֲלָךְ is derived from the Akkadian word *ilku*, which we noted earlier as referring to a service, military or otherwise, that is owed on land given as a fief by a king or governor.[78] Paid in exchange for the use of the land, the *ilku* service can be fulfilled through actual service or through the payment of silver or other goods so that someone else could serve.[79] It was a means for ensuring cultivation of land and providing a military reserve or state-controlled workers.[80] The *ilku* service was common in the Achaemenid Empire, including in Judah during the fifth century BCE. A document in the Murašu archive, which serves as an example of *ilku* rendered as military service states:

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[76] Fried, "Exploitation," 155.

[77] The NRSV translates them as "tribute, custom and toll." See Fried, "Exploitation," 156.

[78] Dandamaev et al., *The Culture*, 178; Hoftijzer and Jongeling, *Dictionary*, 283; Rosenthal, *A Grammer*, #188; Naveh and Shaked, *Aramaic Documents*, 30; Fried, "Exploitation," 156.

[79] Fried, "Exploitation," 156.

[80] Stopler, *Entrepreneurs and Empire*, 70; and Fried, "Exploitation," 152, 156.

> In the joy of his heart, Gedaliah son of Rahim-ili speaks thus to Rimut- Ninurta son of Murašu:
> You hold the land both planted and in stubble, the horse-land (*bît-sisî*) of Rahim-ili, the whole part of Barik-ili, because in adopting Rahim-ili, your uncle Ellil-šum-iddin has received it.
> Give me one horse with his *ḫušuku* and the harness, a DI of leather, an iron caparison, an iron helmet, a bodysuit of *ḫattu* leather, a shield for my torso, 120 (heavy)-impact and flying (light) arrows, an iron *rebû* for the shield, two iron swords, and one mina of silver for my supplies on the order of the king in view of my mission to Uruk, and I will fulfill the *ilku* service incumbent upon the horse-land (*bît-sisî*) all of it.
> Then Rimut-Ninurta agreed to it and gave me one horse and all the accessories of combat, conforming to what is written above, plus one mina of silver for my supplies on the order of the king in view of the mission to Uruk which is incumbent (as the *ilku* service) upon the said horse-land (*bît-sisî*). Gedaliah carries the responsibility if he does not present what has been entrusted to him. Gedaliah will draw up the receipt coming from Sabin, head of the army paymasters, and will give it to Rimut-Ninurta.
> Names of nine witnesses and of the scribe, Nippur, 18th day of the ninth month, the second year of Darius II.[81]

According to this text, Ellil-šum-iddin of the house of Murašu "adopted" Rahim-ili to gain control of a property called "horse-land" (*bît-sisî*), and this land was a fief subject to *ilku* service, specifically military duties.[82] Rahim-ili's adoption was a legal fiction intended to allow the Murašu firm to manage the land's produce, as the land itself was inalienable, and the *ilku* service owed by Rahim-ili was subsequently performed by his son.[83]

Another example of *ilku* is found in the letter by Arsames, a Persian satrap of Egypt at the end of the fifth century BCE and a member of the Persian royal family.[84] The letter shows that he controlled estates in Egypt which he subdivided and gave to whomever he pleased or kept for himself.[85] Land given to Pamun was given over to

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[81] This is Fried's English translation of Cardasçia's French translation of the document. See Fried, "Exploitation," 158 and f.n. 2; and Cardasçia, *Les Archives*, 179–82.
[82] Fried, "Exploitation," 157.
[83] Fried, "Exploitation," 157.
[84] Pritchard, ed., *ANET*, 453.
[85] Fried, "Exploitation," 157.

Pamun's son, Petosiri at Pamun's death, and the letter reveals that the land was a fief encumbered by *ilku* service which Petosiri now had to pay.

> (Outside)
> From Arsames to the officer Nakht-Hor the Comptroller and his colleagues the accountants in Egypt.
> (Inside)
> From Arsames to the Nakht-Hor the Comptroller and his colleagues.
> Now, Petosiri (as he is called), a forester, a servant of mine, has written to me as follows: "In the matter of [my father] Pamun (as he [was called). When] the rebellion occurred in Egypt, in the course of it my father the said Pamun (as he was called) perished and the farm occupied by him, measuring a seed requirement of 30 ardabs, was abandoned; for our staff pe[rished] to a man. [Therefore, let them assign] the farm of my father Pamun to me. Take thought on my behalf: let them assign it to me to occupy."
> Arsames, therefore, commands thus: If the facts accord with the above statement of Petosiri in his letter to [me concerning] his father the said [Pamun] (as he was called)—if he did perish together with [his] st[aff] when the rebellion occurred in Egypt, [and] the farm of his father [the said] Pamun, measuring a seed requirement of 30 ardabs, was abandoned—and if it has not been (re)joined [to my estate] and assigned by me to another servant of mine, then I hereby assign the farm of the said Pamun to Petosiri. You for your part advise him (thus): Let him occupy it and let him pay the landtax (*hlk;* i.e., הלכא, *ilku*) to my estate just as it was formerly paid by his father Pamun.
> Artohi is cognizant of this order; Rasht is the clerk.[86]

Commenting on the letter, Fried states that

> It is clear from this letter that estates throughout the Empire were confiscated by the satrap and then rented out by him, sometimes back to the original owner or his heir. Besides the rent, these were additionally encumbered with the ilku-service. This service-tax was then inherited along with the land and obligated the son.[87]

The biblical account in Neh 5:1–5 sheds light on the effect of these taxes on people in Yehud:

וַתְּהִי צַעֲקַת הָעָם וּנְשֵׁיהֶם גְּדוֹלָה אֶל־אֲחֵיהֶם הַיְהוּדִים׃
וְיֵשׁ אֲשֶׁר אֹמְרִים בָּנֵינוּ וּבְנֹתֵינוּ אֲנַחְנוּ רַבִּים וְנִקְחָה דָגָן וְנֹאכְלָה וְנִחְיֶה׃
וְיֵשׁ אֲשֶׁר אֹמְרִים שְׂדֹתֵינוּ וּכְרָמֵינוּ וּבָתֵּינוּ אֲנַחְנוּ עֹרְבִים וְנִקְחָה דָגָן בָּרָעָב׃
וְיֵשׁ אֲשֶׁר אֹמְרִים לָוִינוּ כֶסֶף לְמִדַּת הַמֶּלֶךְ שְׂדֹתֵינוּ וּכְרָמֵינוּ׃
וְעַתָּה כִּבְשַׂר אַחֵינוּ בְּשָׂרֵנוּ כִּבְנֵיהֶם בָּנֵינוּ וְהִנֵּה אֲנַחְנוּ כֹבְשִׁים אֶת־בָּנֵינוּ וְאֶת־בְּנֹתֵינוּ לַעֲבָדִים

[86] Pritchard, ed., *ANET,* 452–53.
[87] Fried, "Exploitation," 158.

וְיֵשׁ מִבְּנֹתֵינוּ נִכְבָּשׁוֹת וְאֵין לְאֵל יָדֵנוּ וּשְׂדֹתֵינוּ וּכְרָמֵינוּ לַאֲחֵרִים׃

> Now the men and their wives raised a great outcry against their fellow Jews. Some were saying, "We and our sons and daughters are numerous; in order for us to eat and stay alive, we must get grain." Others were saying, "We are mortgaging our fields, our vineyards and our homes to get grain during the famine." Still others were saying, "We have had to borrow money to pay the king's tax on our fields and vineyards. Although we are of the same flesh and blood as our fellow Jews and though our children are as good as theirs, yet we have to subject our sons and daughters to slavery. Some of our daughters have already been enslaved, but we are powerless, because our fields and our vineyards belong to others." (Neh 5:1–5; NIV).

Guillaume's reading of this text leads him to conclude that there was no debt crisis in Yehud. He argues this because all three groups mentioned in the text had property and were not poor, though they lacked access to credit. The first group consisted of those who lost their land and resorted to committing their children to debt-slavery (v. 2). The second group retained possession of their lands but needed to mortgage their properties to obtain food (v. 3). The third group needed to borrow money to pay the king's tax (v. 4). Guillaume highlights that these groups had assets to secure loans, and there is no record of foreclosures on their properties.[88] But Guillaume seems to ignore Neh 5:5, where the people reportedly complained that they had to force their children to become slaves (with some of their daughters being ravished) and their properties were being taken over by others. If they got to the point where they were giving up their children and powerless to ransom them, that speaks of a debt crisis. Adams, contra Guillaume, states:

> The specifics of this "king's tax" do not receive much attention except for the difficulty of paying it. Residents of Judah presumably have to contribute a portion of their yields, possibly grain and/or silver, for the benefit of the larger empire. Such a situation posed the greatest threat to the lower classes as they sought to provide for their households and generate enough surplus to meet

[88] Guillaume, "Nehemiah 5," 2–21.

> taxation demands and settle any existing loans. Nehemiah 5 underscores the problem of meeting these requirements during times of famine, especially when local elites conspire against vulnerable farmers. If repayment proved difficult, the seizure of landholdings and other possessions and even selling children into debt slavery became tragic alternatives, as the passage indicates. The scene in the Nehemiah Memoir involves the precise set of circumstances that Lenski and Eisenstadt describe in their anthropological work: demanding imperial taxation and local overlords seeking to profit from financial inequality in society (i.e., the "non-agricultural elites operating as harsh creditors against their neighbors). This passage supports Lenski's claim that the small landowner suffers most under such a system. Officials in Judah, estate owners, and other resourceful persons with means could operate in an advantageous intermediary role and thrive within the imperial system while most agrarian households faced adverse power structures. The description in Nehemiah 5 makes clear that the majority of the populace is in danger, and onerous taxes are contributing to the crisis.[89]

The charging of interest by wealthy lenders was a scenario that played out in other regions in the Persian empire.[90] The Murašu archives reveal that the house of Murašu in Babylon charged people up to forty percent interest for loans, and that combined with additional royal taxes was a heavy financial burden to bear.[91] If this were the case during Nehemiah's term as governor of Yehud, then forcing the farmers to rebuild the wall in the time of an economic crisis would have been an added burden, where the farmers were being pulled away from their farms during a critical period, leaving them more vulnerable to grain shortfalls and predatory lending practices.[92]

Of particular interest is the word *mandattu* or *middat* as it appears in Neh 5:4.

וְיֵשׁ אֲשֶׁר אֹמְרִים לָוינוּ כֶסֶף לְמַדַּת הַמֶּלֶךְ שְׂדֹתֵינוּ וּכְרָמֵינוּ׃

> Still others were saying, "We have had to borrow money to pay the king's tax on our fields and vineyards" (Neh 5:4; NIV).

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[89] Adams, *Social and Economic Life*, 138.

[90] Adams, *Social and Economic Life*, 139. See also Dandamaev et al., *The Culture*, 193; who writes that toward the end of the fifth century BCE interest rates were as high as 40 percent. Cf. Maloney, "Usury and Restrictions," 1–20.

[91] Maloney, "Usury and Restrictions," 1–20.

[92] Adams, *Social and Economic Life*, 139, see also 104–14.

A similar construction is found in Akhvamadza, Satrap of Bactria to his governor, Bagavant. Naveh and Shaked render it thus:

> . . . you (plural) worked in his grain (field)
> . . . Bactria, in order to collect the king's rent (*mindat malkaʾ*)
> . . . You (plural) bring [it] to me, to the fortress Zariaspi (i.e., the fortress in the capital city of Bactria)
> . . . [as] I said, and thus do (plural), as one
> . . .[and if you (plural)] do not act completely as [you were told?]…[93]

Naveh and Shaked interpret *mindat malkaʾ* as the king's rent, meaning that since the property belonged to the Persian king, the people living and working on the land were required to pay rent for using the royal fields.[94] Fried surmises that Bagavant the governor was a renter of the property or more likely the official charged with the collection of the king's rent from the renters, which rent he was to forward to the satrap Akhvamazda for onward transmission to the royal treasury.[95]

Another example of the construction is found in the letter from Arsames to Nakhtḥor, Kenzasirma and his colleagues:

> And now, Varuvahya, "son of the house" (*bar baitaʾ*, member of the Persian royal family) says to me here thus, saying:
> "The domain (*bagaʾ*) which was given to me by my lord in Egypt—that (one), they are not bringing to me anything from there. If, then, it thus please my lord, let a letter be sent from my lord to Nakhtḥor, the official (*pakidaʾ*), and [to] the accountants (*hammarakarriaʾ*, tax accounts/registrars) that they issue instruction to one named Ḥatubasti, my official, to the effect that he release the rent of those domains (*mandat bagayaʾ*) and bring it to me with the rent (*mandattaʾ*) which Nakhtḥor is bringing."[96]

Varuvahya, a royal family member had received land from Arsames, but complains that he had not received the *mandat* that should accrue from it. The

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[93] Naveh and Shaked, *Aramaic Documents,* A 8. Akhvamazda is assumed to be the writer of the letter and Bagavant, the addressee, as all other letters in the archive indicate this. In this particular letter, the additional recipients are possibly soldiers from the local garrison. See Fried, "Exploitation," 159.

[94] Fried, "Exploitation," 159.

[95] Fried, "Exploitation," 159.

[96] Porten and Yardeni, *TAD,* A 6.13.

construction here *mandat bagaya*ʾ meaning "*mandat* of the domains" parallels לְמַדַּת הַמֶּלֶךְ שְׂדֹתֵינוּ וּכְרָמֵינוּ in Neh 5:4 and describes rent which was to be paid on the king's properties.[97]

In the Murašu archive, the term is also present, but with a wider semantic range—it does refer to rent on lands, but also a surcharge over and above the normal rent (*sūtu*), and while the *sūtu* rent was always paid in barley, the mandate was typically in sheep, cattle, or flax.[98] Fried then says that:

> the *maddat hammelek* in Nehemiah 5 refers to a rent on fields and vineyards that belonged to the Persian king, in this case, Artaxerxes I, and that have been rented out to the Judeans. They are not borrowing against their own fields and vineyards to pay the king's tax. They are borrowing money in order to pay rent to the king for the fields and vineyards that they are renting from him. We learn from this word, moreover, that they do not own their land, but it is the King's, and they are simply renters.[99]

This also appears to be what is portrayed in Neh 9:36–37 where the writer quotes the people lamenting:

> הִנֵּה אֲנַחְנוּ הַיּוֹם עֲבָדִים וְהָאָרֶץ אֲשֶׁר־נָתַתָּה לַאֲבֹתֵינוּ לֶאֱכֹל אֶת־פִּרְיָהּ וְאֶת־טוּבָהּ הִנֵּה אֲנַחְנוּ עֲבָדִים עָלֶיהָ׃
> וּתְבוּאָתָהּ מַרְבָּה לַמְּלָכִים אֲשֶׁר־נָתַתָּה עָלֵינוּ בְּחַטֹּאותֵינוּ וְעַל גְּוִיֹּתֵינוּ מֹשְׁלִים וּבִבְהֶמְתֵּנוּ כִּרְצוֹנָם וּבְצָרָה גְדוֹלָה אֲנָחְנוּ׃
>
> But see, we are slaves today, slaves in the land you gave our ancestors so they could eat its fruit and the other good things it produces. Because of our sins, its abundant harvest goes to the kings you have placed over us. They rule over our bodies and our cattle as they please. We are in great distress (Neh 9:36–37; NIV).

Weighing in on the issue of whether there was a debt crisis in Yehud, Fried concludes:

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[97] Fried, "Exploitation," 160.

[98] Fried, "Exploitation," 160; Stopler, *Entrepreneurs and Empire*, 140–41; Cardaşçia, *Les Archives*, 75, 135; and Ries, *Die neubabylonischen*, 76–78.

[99] Fried, "Exploitation," 160.

> Guillaume claims that there was no economic crisis in fifth century Judah because these were antichretic loans. Guillaume is right in seeing the loan as antichretic, but he errs in underestimating the effect of this type of loan. These fiefs were inalienable, so that if the holder wanted to take out a mortgage it had to be an antichretic mortgage; that is, the creditor did not receive the land, only the usufruct, and the creditor had the right to the usufruct until the debt was paid. Deprived of the usufruct of his own property, he then had no way ever to repay the loan. The debtor was reduced to the status of a tenant, and as Wunsch puts it, "[R]epayment of the debt becomes a matter of wishful thinking, rather than economic reality." The creditor assumed the position of owner, paying the taxes and liens on the property, and enjoying the usufruct without actually holding title—thus the cry: "Our property is in the hands of others!"[100]

In addition to all these levies and taxes, temple officials were not required to pay any tributes, customs or tolls (Ezra 7:24), and Nehemiah's record states that the people were obligated to pay a third of a shekel to the temple for these officials (Neh 10:33–39 [34–40]).[101]

Conclusion

That the economic situation in Persian Yehud was dire is very clear. To gain insight into this economic situation, one cannot rely solely on the biblical account in Ezra–Nehemiah as historical fact, considering the propagandist nature of the writings. Therefore, one needs to consider both archaeological and extrabiblical inscriptions and writings to paint a composite picture of what was going on economically in Persian Yehud. Through this process, we have determined the dominant occupations in Persian Yehud including farming, animal husbandry, pottery, and the work of the priests and Levites.

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[100] Fried, "Exploitation," 161–62; cf. Neh 5:5. Wunsch's quote here is from Wunsch, "Debt, Interest, Pledge," 240.

[101] Blenkinsopp, *Ezra–Nehemiah*, 146–47; and Adams, *Social and Economic Life*, 142–43. See Mal 3:8–9.

Geographic and environmental factors had a negative impact on agriculture in Persian Yehud—the terrain was difficult, and the land suffered regular locust infestations and droughts; and there was relatively less precipitation in Yehud compared to surrounding areas such as the Phoenician coast and the Samarian highlands outside Yehud. All these posed a challenge to the agricultural yield of Yehud.

Furthermore, the various royal taxes, rents, and other obligations, coupled with high interest charges exacerbated the already difficult economic situation in Yehud, resulting in the situation reflected in Neh 5 where people did not have enough to eat, had taken out antichretic loans/mortgages and were giving away their children to debt slavery to meet their obligations.

In Chapter 8, we shall examine the effect, if any, of this bleak economic situation in Yehud on the covenant-making process reflected in the biblical text of Ezra–Nehemiah.

CHAPTER 6: JUDEAN SOCIOLOGICAL FACTORS III

Introduction

To gain insight into the covenant shifts in Ezra–Nehemiah, it is important that while exploring the social framework of Persia Yehud, an examination of the political dynamics in the empire and province of Yehud be explored. This in turn will provide a better understanding of the Ezra–Nehemiah text, particularly, as it relates to covenant. The ultimate goal is to uncover political factors that influenced the covenant-making process as portrayed in Ezra–Nehemiah.

The Socio-Political Makeup of the Persian Empire: The Persian Kings

Persian political influence and context is evident from the beginning of the book of Ezra–Nehemiah, which introduces the Persian monarch, Cyrus (559–530 BCE), who grants amnesty to the Babylonian exiles to return to Yehud and rebuild the temple of YHWH in keeping with the Lord's command to him (Ezra 1:1–4). Other monarchs mentioned in the text include Darius, Xerxes, and Artaxerxes, and the text portrays them making decisions on the temple's reconstruction (and the rebuilding of Jerusalem's walls in the reign of Artaxerxes).

It is important at this juncture to note that the accuracy of the history of the Persian period portrayed in both the biblical and ancient Persian texts have been called

into question.[1] However, historians still rely on these sources, howbeit with caution, "understanding that all textual resources are perspectival in nature and demand assessment of their claims."[2] The writer(s) demonstrate knowledge of the political contexts of the periods in question by making reference to the Persian monarchs and "governors such as Tattenai (Ezra 5:3), Sheshbazzar (Ezra 5:14) and Nehemiah (Neh 5:14).[3]

The historical period portrayed in Ezra–Nehemiah span the reigns of Cyrus the Great to Artaxerxes I. This argument may be deemed problematic, since a linear reading of the text (Ezra 4 for instance) does not appear to follow the well-accepted order of reigns of the Persian monarchs based on Persian and Greek sources and acknowledged by scholars. A linear reading of Ezra 4 would suggest it covers the historical period between Cyrus the Great (559–530 BCE) and Darius II. Boda spots the problem with this interpretation by stating that

> …most have not followed this approach, since the Darius referred to in Ezra 5 and connected with the figures of Haggai, Zechariah, Zerubbabel and Joshua is most often identified with Darius I and this appears to be the understanding of Ezra 2–4, which refers to Zerubbabel and Joshua in connection with the early restoration efforts in the reigns of Cyrus and Darius I. If Zerubbabel and Joshua were working in these early reigns, they could not still be active in the reign of Darius II a century later.[4]

Boda, agreeing with Williamson, opines that the solution to this linear problem in Ezra 4 is recognizing that the writer engaged resumptive repetition.[5] Boda states:

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[1] Grabbe, "The Persian Documents," 531–70; Grätz, "The Literary," 239–52; Bowick, "Characters in Stone," 87–118; Waters, "Darius," 11–18; Waters, *Herodotus the Historian*.

[2] Boda, "Old Testament," 16. Cf. Barjamovic, "Propaganda and Practice," 43–59.

[3] Boda, "Old Testament," 17. For more on the arguments for or against the historicity of Ezra–Nehemiah, see Williamson, *Ezra, Nehemiah*, 17; Knoppers, "Revisiting the Samarian," 265–89; Lipschits, *Fall and Rise*, 158–59; Boda, "Redaction," 25–54.

[4] Boda, "Old Testament," 22.

[5] Boda, "Old Testament," 23. See Williamson, *Ezra, Nehemiah*, 43–44; Williamson, *Ezra and Nehemiah*, 45, 53; Boda, "Flashforward," 247–60.

> This technique employs catchwords at the beginning and end of the material which does not fit into the linear flow, marking it out as material which may relate to the rest thematically even if not historically. Thus, Ezra 4:5 marks the beginning of the material which does not fit the linear flow and Ezra 4:24 provides the resumptive repetition that marks the conclusion of the material where the record picks up where it left off at first mention of this vocabulary[6]

Boda proceeds to outline Ezra 4:4–24 in the following table:

Table 3: Outline of Ezra 4:4–24[7]

Ezra 4:4–5	4 וַיְהִי עַם־הָאָרֶץ מְרַפִּים יְדֵי עַם־יְהוּדָה ׳וּמְבַלֲהִים׳ ״וּמְבַהֲלִים״ אוֹתָם לִבְנוֹת׃ 5 וְסֹכְרִים עֲלֵיהֶם יוֹעֲצִים לְהָפֵר עֲצָתָם כָּל־יְמֵי כ֫וֹרֶשׁ מֶלֶךְ פָּרַס וְעַד־מַלְכוּת דָּרְיָוֶשׁ מֶלֶךְ־פָּרָס׃	4Then the people of the land discouraged the work of the people of Judah, and deterred them from building. 5They bribed officials against them to frustrate their plans all the period of Cyrus king of Persia, even until the reign of Darius king of Persia.
Ezra 4:6	Material from reign of Xerxes I	
Ezra 4:7	Material from reign of Artaxerxes I	
Ezra 4:8–23	Material from reign of Artaxerxes I	
Ezra 4:24	בֵּאדַיִן בְּטֵלַת עֲבִידַת בֵּית־אֱלָהָא דִּ בִירוּשְׁלֶם וַהֲוָת בָּטְלָא עַד שְׁנַת תַּרְתֵּין לְמַלְכוּת דָּרְיָוֶשׁ מֶלֶךְ־פָּרָס׃	Then work on the house of God in Jerusalem ceased, and it ceased until the second year of the reign of Darius king of Persia.

Boda concludes:

> The material in between these catchwords provides evidence from the later reigns of Xerxes I and Artaxerxes I of the kind of opposition that the writer of Ezra 1–6 is identifying with the earlier period of Cyrus and Darius, but for which the writer does not have actual documents. That he knows the proper order of Cyrus, Darius I and Artaxerxes I is suggested by the list of these royal figures in the summary note in Ezra 6:14.[8]

[6] Boda, “Old Testament,” 23.
[7] Boda, “Old Testament,” 23.
[8] Boda, “Old Testament,” 24.

The rest of the narrative (Ezra 7–Neh 13:6) places all the proceeding activities under the reign of Artaxerxes I (Ezra 7:1, 7, 11, 12, 21, 8:1; Neh 2:1; 5:14; 13:6). We can safely deduce then, that the historical period reflected in Ezra–Nehemiah spanned the reigns of Cyrus the Great, Darius I (522–486 BCE), Xerxes I (486–465 BCE) and Artaxerxes I (465–425 BCE).

Effects of the Persian Socio-Political Makeup on Yehud

Reading the biblical text of Ezra–Nehemiah, one gets the sense that the early Persian kings, namely Cyrus the Great, Darius I, Xerxes I, and Artaxerxes I, were magnanimous benefactors of the Yehudite religion. From the text, it is apparent that Cyrus's Edict of Restoration was the main catalyst for the restoration of Judah to their covenant land. He declares a God-given mandate to rebuild the Jerusalem Temple, orders the return of the temple vessels, and offered articles of silver and gold as well as other financial resources for the reconstruction project (Ezra 1:2, 7; 2:8–11; 3:7). Cyrus is held in high esteem as earlier noted. Darius categorically overruled Tattenai's and Shethar-Bozenai's objections to the Temple's reconstruction (Ezra 5; 6:1–12). Artaxerxes ordered Ezra to restore the worship of YHWH in Jerusalem, giving him access to the king's treasury and a generous offering of silver and gold for this purpose; and excluded the priests, Levites and temple officials from royal taxes (Ezra 7:11–24). He also granted permission and provided resources for the reconstruction of Jerusalem's walls under the leadership of Nehemiah (Neh 2). What motivated these Persian kings to have a vested interest in the religion of Judah? Was it mere magnanimity? What influence did the Persian administration have on the characters of Ezra and Nehemiah and their mission in Judah?

A Brief Overview of the Missions of Ezra and Nehemiah[9]

The biblical record depicts the missions of Ezra and Nehemiah to have been set during the reign of Artaxerxes I. According to the biblical record, Ezra is sent to Jerusalem in the seventh year of Artaxerxes (i.e., 458 BCE; Ezra 7:7).[10] A scribe and priest, his task is to facilitate worship, implement the law of YHWH and set up an administration of judges and magistrates in "the province Beyond the River" (Ezra 7:25).[11] Sometime during his mandate, he is confronted with a problem of the people taking foreign wives, which he sees as a violation of the Torah (Ezra 9). This leads to a decision to make a covenant before YHWH.

Nehemiah on the other hand is commissioned by Artaxerxes I in 445 BCE to primarily rebuild the walls of Jerusalem and provide leadership as governor for the people (Neh 2:1–20; 5:1–19; 13:1–31).[12] There is opposition to the fortification of the city from hostile neighbours, as well as disunity amongst inhabitants of the city (Neh 2:10; 4:1–9; 6:1–19). Hence Nehemiah had the task of uniting the city, and, as we shall see, setting up a structure for administrative oversight by the Persians. At a certain point, he collaborates with Ezra to institute religious reform which influences the making of a covenant.

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[9] While we have already reviewed the missions of Ezra and Nehemiah, in this overview and the rest of the chapter, we will be looking at their mission from a different perspective—the perspective of socio-politics of the region.

[10] Briant, *From Cyrus*, 583; and Eskenazi, "Book of Ezra," 450.

[11] Briant, *From Cyrus*, 584.

[12] Cf. Throntveit, "Book of Nehemiah," 957 and Briant, *From Cyrus*, 584–5.

Persian Influences

Persian Kings and Religion

Persian period biblical texts clearly point to the participation of Persian monarchs in the religious activities of Persian Yehud. The Book of Isaiah refers to Cyrus as a messiah and describes him as God's shepherd that would serve God's purposes in the restoration of the Temple and Jerusalem (Isa 44:28; 45:1–6). Both Ezra and Chronicles credit him with issuing an edict of restoration enabling the exiles to return to Judah and rebuild Jerusalem and the Temple.

וּבִשְׁנַת אַחַת לְכוֹרֶשׁ מֶלֶךְ פָּרַס לִכְלוֹת דְּבַר־יהוה בְּפִי יִרְמְיָהוּ הֵעִיר יהוה אֶת־רוּחַ כּוֹרֶשׁ מֶלֶךְ־פָּרַס
וַיַּעֲבֶר־קוֹל בְּכָל־מַלְכוּתוֹ וְגַם־בְּמִכְתָּב לֵאמֹר׃
כֹּה־אָמַר כּוֹרֶשׁ מֶלֶךְ פָּרַס כָּל־מַמְלְכוֹת הָאָרֶץ נָתַן לִי יהוה אֱלֹהֵי הַשָּׁמַיִם וְהוּא־פָקַד עָלַי לִבְנוֹת־לוֹ בַיִת
בִּירוּשָׁלַם אֲשֶׁר בִּיהוּדָה מִי־בָכֶם מִכָּל־עַמּוֹ יהוה אֱלֹהָיו עִמּוֹ וְיָעַל׃

> In the first year of Cyrus king of Persia, in order to fulfill the word of the LORD spoken by Jeremiah, the LORD moved the heart of Cyrus king of Persia to make a proclamation throughout his realm and also to put it in writing: "This is what Cyrus king of Persia says: 'The LORD, the God of heaven, has given me all the kingdoms of the earth and he has appointed me to build a temple for him at Jerusalem in Judah. Any of his people among you may go up, and may the LORD their God be with them.'" (2 Chr 36:22–23; NIV. Cf. Ezra 1:1–4).

The Cyrus cylinder, which was inscribed early in Cyrus's reign, seems to give credence to the claims of the aforementioned biblical text, portraying Cyrus as a generous ruler who respected and supported local religious institutions in the Persian Empire. It states:

> All the kings of the entire world from the Upper to the Lower Sea, those who are seated in throne rooms, (those who) live in other [types of buildings as well as] all the kings of the West land living in tents," Babylon (S u . a n . n a) . (As to the region) from .. .as far as Ashur and Susa, Agade, Eshnunna, the towns Zamban, Me-Turnu, Der as well as the region of the Gutians, I returned to (these) sacred cities on the other side of the Tigris, the sanctuaries of which have been ruins for a long time, the images which (used) to live therein and established for them permanent sanc tuaries. I (also) gathered all their (former) inhabitants and returned (to them) their habitations. Furthermore, I resettled upon the command of Marduk, the great lord, all the gods of Sumer and Akkad whom Nabonidus has

> brought into Babylon (S u . a n . n a ") to the anger of the lord of the gods, unharmed, in their (former) chapels, the places which make them happy.[13]

Data from Babylonian archaeological sites also support Cyrus's claim. We saw in Chapter 4 that Cyrus was known to have respected the gods of the many lands ruled by Persia.[14] A number of temples are known to have been rebuilt or renovated during his reign, such as the Enunmakh temple at Ur and the Eanna temple in Uruk.[15] Subsequent Persian rulers continued this trend and involved themselves directly or indirectly with local religious issues.[16] Cambyses is credited with the restoration of the sanctuary of the goddess Neith in Sais.[17] Darius I modernized the Eanna Temple in Uruk and is noted to have built and restored many temples in Egypt.[18] Artaxerxes is believed to have been indirectly involved in the preference and promotion of the cult of Zeus over all others through the satrap of Lydia.[19] In one of the Elephantine letters, Hananiah writing to Jedaniah refers to Darius II authorizing the celebration of the Passover and Feast of Unleavened Bread in accordance to Jewish customs.[20] An edict by Pixodarus, the Carian satrap under Artaxerxes III approved the construction of a temple for the goddess Leto and in addition granted her priests tax and land exemptions.[21] During the reign of the Achaemenids, the cult of Ahura Mazda seems to have come to prominence as the

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[13] A. Leo Oppenheim's translation from *ANET*, 316; Grabbe, *Judaism*, 1:57–58, 97 and Blenkinsopp, "Temple and Society," 24. While the biblical texts suggest that Cyrus' resettlement and rebuilding policies were directed to Judah only, evidence from the cylinder suggests this generosity was extended to all people groups in the empire.

[14]Brosius, *The Persians*, 63–4.

[15] Cf. Blenkinsopp, "Temple and Society," 24.

[16]Brosius, *The Persians*, 65.

[17]Dandamaev, *The Culture*, 360–66.

[18]Yamauchi, "The Archaeological Background," 195–211; and Blenkinsopp, "Temple and Society," 24–25.

[19]Blenkinsopp, "Temple and Society," 25.

[20]Porten et al., *The Elephantine Papyri*, 125–6.

[21] Teixidor, "The Aramaic Text," 181–5; and Bryce, "A Recently Discovered Cult," 115–87.

personal deity of the kings but not the general populace.[22] While the biblical text claims that the involvement of the Persians in Yehud's religion was due only to YHWH's favour and a desire by the king to attract YHWH's benevolence,[23] I agree with Brosius and Briant that this was politically motivated; for apparent benevolence (on the king's part) would cause the people of Judah to see the king as a defender of their religion and thereby mitigate rebellion amongst the people.[24] The goal was stability in the land.

Persian Indirect Rule

Another well-known fact is that the Persian rulers to some extent employed local rule in the administration of their domains. Judah and Samaria were known to have governors of Jewish ancestry.[25] The kings did use local priests and leaders to establish various cults in the lands in their domain.[26] Udjahorresnet, an Egyptian military officer, physician and priest of Neith in Sais, who defected to the Persians, served their cause under Cambyses and Darius I. Under Cambyses he restored order to and serves as priest in the Temple of Neith, and then he is sent to Susa where he serves as an adviser and physician in the royal court.[27] Under Darius, he is sent back to Egypt to establish the "House of Life."[28] Blenkinsopp sees distinct persuasive parallels between Ezra and Nehemiah on the one hand, and Udjahorresnet on the other. He states that the *Demotic Chronicle*

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[22] For a detailed overview of the Achaemenids and Ahura Mazda, see Brosius, *The Persians*, 66–70 and Wiesehöfer, *Ancient Persia*, 94–101.

[23] Cf. Ezra 7:23, 27.

[24] Briant, *From Cyrus*, 584 and Brosius, *The Persians*, 70.

[25]Heltzer, *The Province Judah*, 74–5.

[26] Blenkinsopp, "Mission of Udjahorresnet," 413. Cf. Gerstenberger, *Israel*, 56.

[27] Blenkinsopp, "Mission of Udjahorresnet," 410–12 and Grabbe, "Ezra's Mission," 294.

[28] Grabbe, "Ezra's Mission," 294. The "House of life" appears to be a kind of hospital or place of healing, but Blenkinsopp points out that medicine also involved the practice of religion and magic, hence this "house" must have been a medicolegal-religious establishment. Cf. Blenkinsopp, "Mission of Udjahorresnet," 412.

> speaks of two phases in the career of Udjahorresnet after he had thrown in his lot with the Persian conquerors: the restoration of the cult in the dynastic sanctuary under Cambyses; the reorganization of the institutions of scribalism and religious learning as part of Darius's new order based on the codification, interpretation, and enforcement of traditional Egyptian law, including ritual law.[29]

He continues:

> It also fits rather well with what we know of Persian policy elsewhere in the empire. The central government tended to support local priesthoods and to take a detailed interest in the proper carrying out of local cults. [30]

He also points out that in administering the empire, the Persian rulers adopted a form of indirect rule:

> It was also Persian policy to make use of local and native dignitaries, of acknowledged pro-Persian sympathies, as instruments of imperial policy in the different satrapies. Among the many examples of "medising" Greeks, a case in some respects similar to that of Udjahorresnet would be Histiaeus of Miletus. Darius transferred him to Susa as a counselor for Ionian affairs and then, during the revolt backed by Athens, authorized his return with the idea of contributing to the restoration of the *pax Persica* in those parts.[31]

The parallels observed between the depiction biblical texts of Ezra and Nehemiah and Udjahorresnet demonstrate Persian influence upon Ezra and Nehemiah. This lends plausibity to the claims of the biblical text that both Ezra and Nehemiah were sent to Yehud by the Persian king.[32] Like Udjahorresnet, Ezra is a scribe and a priest who is instrumental in reinstituting the Feast of Tabernacles. Under Darius, the governorship and priesthood were closely linked in the administration of the society.[33]

Miller, Hayes and Blenkinsopp note that, like Nehemiah, Udjahorresnet punctuates his writings with direct addresses to deity, usually with a request for the deity

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[29]Blenkinsopp, "Mission of Udjahorresnet," 413.
[30]Blenkinsopp, "Mission of Udjahorresnet," 413.
[31]Blenkinsopp, "Mission of Udjahorresnet," 414.
[32] Ezra 7:1, 6, 11–26; Neh 2:1–10.
[33]Berquist, *Judaism*, 235.

to remember him or a claim to have done a good work for the deity.[34] Udjahorresnet prays:

> O great gods who are in Sais! Remember all the useful things accomplished by the chief physician Udjahorresnet! May you do for him whatever is useful and make his good name endure for ever in this land![35]

Nehemiah's prayers are similar in nature:

זָכְרָה־לִּי אֱלֹהַי לְטוֹבָה כֹּל אֲשֶׁר־עָשִׂיתִי עַל־הָעָם הַזֶּה׃

> "Remember me, my God, for good, according to all that I have done for this people" (Neh 5:19).

זָכְרָה־לִּי אֱלֹהַי עַל־זֹאת וְאַל־תֶּמַח חֲסָדַי אֲשֶׁר עָשִׂיתִי בְּבֵית אֱלֹהַי וּבְמִשְׁמָרָיו׃

> "Remember me, O my God, concerning this, and do not wipe out my good deeds that I have done for the house of my God, and for its services" (Neh 13:14).

וַאֲמָרָה לַלְוִיִּם אֲשֶׁר יִהְיוּ מְטַהֲרִים וּבָאִים שֹׁמְרִים הַשְּׁעָרִים לְקַדֵּשׁ אֶת־יוֹם הַשַּׁבָּת גַּם־זֹאת זָכְרָה־לִּי אֱלֹהַי וְחוּסָה עָלַי כְּרֹב חַסְדֶּךָ׃

> "Remember me, O my God, concerning this also, and spare me according to the greatness of your mercy!" (Neh 13:22).

וּלְקָרְבַּן הָעֵצִים בְּעִתִּים מְזֻמָּנוֹת וְלַבִּכּוּרִים זָכְרָה־לִּי אֱלֹהַי לְטוֹבָה׃

> "Remember me, O my God, for good!" (Neh 13:31).

It is observed that there is one instance of this kind of prayer credited to Ezra, howbeit without a request to be remembered:

בָּרוּךְ יהוה אֱלֹהֵי אֲבוֹתֵינוּ אֲשֶׁר נָתַן כָּזֹאת בְּלֵב הַמֶּלֶךְ לְפָאֵר אֶת־בֵּית יהוה אֲשֶׁר בִּירוּשָׁלָם׃
וְעָלַי הִטָּה־חֶסֶד לִפְנֵי הַמֶּלֶךְ וְיוֹעֲצָיו וּלְכָל־שָׂרֵי הַמֶּלֶךְ הַגִּבֹּרִים וַאֲנִי הִתְחַזַּקְתִּי כְּיַד־יהוה אֱלֹהַי עָלַי וָאֶקְבְּצָה מִיִּשְׂרָאֵל רָאשִׁים לַעֲלוֹת עִמִּי׃

> Blessed be the Lord God of our fathers, who has put such a thing as this in the king's heart, to beautify the house of the Lord which is in Jerusalem, and has extended mercy to me before the king and his counselors, and before all the king's mighty princes. So I was encouraged, as the hand of the LORD my God was upon me; and I gathered leading men of Israel to go up with me. (Ezra 7:27–28).

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[34]Miller and Hayes, *A History*, 468; Blenkinsopp, "Mission of Udjahorresnet," 415.
[35] *Demotic Chronicle*, Line 55, as it appears in Blenkinsopp, "Mission of Udjahorresnet," 415.

Interestingly, the inscription on Darius's gravestone bears a claim of good work in the name of a deity and a request of remembrance and protection suggesting Persian royal connections to and influence upon Ezra and Nehemiah:

> I have done everything according to the will of Ahura Mazda. Ahura Mazda granted me support until I accomplished the work. May Ahura Mazda protect me from evil, as well as my royal house and this country! This I beg from Ahura Mazda; may Aura Mazda [*sic*] grant it.[36]

Xerxes declaring his exploits on behalf of Ahura Mazda said:

> All these things which I did, I performed under the "shadow" of Ahuramazda and Ahuramazda gave me his support until I had accomplished everything. Whosoever you are, in future (days) who thinks (as follows): "May I be prosperous in this life and blessed after my death!"—do live according to this law which Ahuramazda has promulgated: "Perform (religious) service (only) for Ahuramazda and the arta (cosmic order) reverendy." A man who lives according to this law which Ahuramazda has promulgated, and (who) performs (religious) service (only) to Ahuramazda and the arta (cosmic order) reverently, will be prosperous while he is alive and—(when) dead—he will become blessed. Thus speaks king Xerxes: May Ahuramazda protect me, my family and these countries from all evil. This I do ask of Ahuramazda and this Ahuramazda may grant me![37]

It is reasonable therefore to assume that not only were Ezra and Nehemiah sent to Judah by the Persian king, but they were also in effect double agents—agents of the king to propagate his purposes and at the same time agents of YHWH and Judah to establish their religion. One can understand their mission as agents of Judah from the biblical texts and the earlier discussion. I wish to now focus on their mission on behalf of the Persian administration.

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[36] Gerstenberger, *Israel*, 50–51. This is the English translation of the German as appears in Koch, *Es kündet Dareios*, 294.

[37] A. Leo Oppenheim's translation as transcribed from *ANET*, 317.

Regional Security

In order to secure their borders, the Persians reversed the strategy of the Babylonians of moving conquered peoples to the center of the Empire, a strategy that weakened the periphery. By moving the people groups back to the fringes of the Empire, the Persians secured the boundaries of the Empire.[38] It would then be easy for an invading army to take over a sparsely populated area. But with the area populated by local Persian loyalists within fortified cities, the probability of invaders easily overrunning the land would be much less. Egyptian rebellion led by Inaros (464–454 BCE), the subsequent revolt by the Syrian Satrap Megabyzus during the reign of Artaxerxes I and military pressures from the Greeks in the west must have intensified the need for greater security in the Mediterranean colonies including Judah.[39] This explains the apparent eagerness of the king to send Nehemiah to Judah to rebuild the walls of the city.

Regional Stability

The system of indirect rule of the Persians over the colonies is one of the secrets to their maintenance of such a vast empire. Adams states that

> Royal officials wisely determined that culturally informed flexibility breeds loyalty. Consequently, those in charge of the bureaucratic system accepted differences across their diverse territories, and authorities used this tolerance to their advantage. Traditions involving a particular deity or other local practices might differ sharply from one region to another, but the Persians did not see this as an obstacle to stability.[40]

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[38] McNutt, *Reconstructing the Society*, 188.

[39] Adams, *Social and Economic Life*, 140–1, McNutt, *Reconstructing the Society*, 190 and Blenkinsopp, "Mission of Udjahorresnet," 415–6. Cf. Hoglund, "The Achaemenid," 62–64. While Hoglund acknowledges the fortification of Judah and surrounding areas, he disputes the claim that Megabyzus staged a revolt against Artaxerxes.

[40] Adams, *Social and Economic Life*, 131.

This explains the generosity of the Persian rulers towards the Jerusalem city wall and Temple projects (Ezra 1:7–11; 5:8–10; 7:6, 15–24; Neh 2:7–9). This would ensure the loyalty of the people to the Persian king and thereby circumvent any aspirations for independence by the people.[41] Ezra and Nehemiah were to be bearers of the king's largesse towards the people and thereby were his propaganda agents.

However, there was division between returning exiles and the remnants of the land (i.e., those who had remained in Judah during the captivity) which threatened the stability of the region These returning exiles for generations formed a social dominant upper class over the socially lower remnants of the land, with the former group asserting that the Persian administration was functioning under God's direction and in their best interests.[42] This ideology must have been nauseating to the lower class, causing a rift between the two groups. In addition, Bautch proposes that the exiles had developed "differing perspectives" on Mosaic Law tailored to meet their social circumstances in exile. On their return, being the dominant group, they attempted to impose their beliefs on the remnant, causing an ideological conflict.[43] This necessitated the need for a unifying factor for the migrant community such as a covenant as we see in Ezra–Nehemiah.[44]

[41] Dor, "The Rite of Separation," 176.
[42] Berquist, *Judaism*, 234 and McNutt, *Reconstructing the Society*, 199, 210.
[43] Bautch, *Glory and Power*, 47.
[44] Cf. Bautch, "The Function of Covenant," 14.

Taxation

Ahn rightly pointed out that migrations within an empire are usually economically driven.[45] The migration of Ezra and Nehemiah to Judah indicates an economic agenda, partially on the part of the migrants, but also on the part of the Persian administration. A strong, united colony of Judah was in the best interest of the Persian Empire. With sympathetic leadership in place, the administration could exact enough taxes and tributes from the people.[46] Temples in the Persian Empire served not only as religious centers, but were also utilized in the collection of taxes and tributes.[47] We saw in Chapter 5 that there were various forms of funds and taxes that were collected in the Temple during the Persian Period.[48] While some taxes and levies were considered the king's, some were used for the upkeep of the temple officials and the governor.[49] So the Temple served a dual purpose: a center of worship and an "Inland Revenue" outlet.[50] Therefore, Ezra's and Nehemiah's work was two-fold: on the one hand they were to serve the people by uniting them under their common faith and seeing to the upkeep of both temple and officials; and on the other hand, in so doing they were creating a stable populace that supplied the Persian administration with adequate taxes and tributes. Indeed, there was a socio-economic agenda behind the Persian magnanimity and religious tolerance toward Judah.

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[45]Ahn, "Forced Migrations," 183–4.

[46] Berquist, *Judaism*, 26. Cf. Hoglund, "The Achaemenid," 65–66.

[47] Berquist, *Judaism*, 26, 238, McNutt, *Reconstructing the Society*, 196; and Schaper, "The Jerusalem Temple," 528. Cf. Adams, *Social and Economic Life*, 137.

[48] Schaper, "The Jerusalem Temple," 535.

[49] Schaper, "The Jerusalem Temple," 535, 537.

[50] Schaper, "The Jerusalem Temple," 539.

Persian Influence on Covenant Shifts

With an understanding of the task imposed on Ezra and Nehemiah, it becomes easier to determine Persian influences on the covenants in Ezra–Nehemiah. As discussed in earlier chapters, when compared to the Sinai Covenant, one detects some shifts in the covenant-making process. At this point, our focus is on covenant in Ezra 9–10 and Neh 9–10.

Overview of Biblical Text: Ezra 9–10: The Intermarriage Crisis

Ezra is informed that the people had taken foreign wives (Ezra 9:1–2). Ezra responds emotionally by tearing his clothes, plucking his hair and sitting (Ezra 9:3). He then offers a prayer of penitence to God (Ezra 9:5–15). While praying a large group of people, weeping bitterly, approached Ezra, and one of them, Shechaniah, son of Jehiel, confessed their sin of taking pagan wives and suggested a covenant between them and God (Ezra 10:1–4). This covenant was essentially to put away these wives and their children.

Ezra makes the people swear an oath to do as they had proposed (Ezra 10:5). He then fasts and mourns "for the guilt of those from the captivity" (Ezra 10:6). Then a proclamation is made, summoning "all the descendants of the captivity" who gathered to Ezra in three days (Ezra 10: 7–9). Ezra then lays the charge before them—that they had taken pagan wives—and essentially outlines what their obligations in their covenant with God was: confession of sin, separation from the people of the land and from their pagan wives (Ezra 10:10–11).

The people deliberate on the obligations and because the group was large and it was the season of heavy rains, the proposal was tabled that the people come at various

times to fulfill their obligations (Ezra 10:13–14). That opponents and proponents of the proposal are mentioned indicates some form of democratic process in the deliberations on terms of the covenant (Ezra 10:15). It took four months for all the returned exiles with pagan wives to appear before the elders for questioning and to promise to abide by the obligation of putting away their pagan wives (Ezra 10:16–19). A list of these men is provided in the text (Ezra 10:18–44).

Overview of Biblical Text: Nehemiah 9–10: A Covenant Renewal

After Ezra the priest and Nehemiah the governor inspired religious fervor amongst the people, which resulted in the reinstitution of the Feast of Tabernacles, Neh 9 opens with the people assembling in penitence, reading the Book of the Law and worshipping (Neh 9:1–3). Then eight Levites lead the people in penitential prayer, which contained a call to worship (Neh 9:5b), adoration of God (Neh 9:5c–6), historical prologue (Neh 9:7–31), a request for mercy (Neh 9:32–37), and a commitment to make a covenant (Neh 9:38 [10:1]).

The phrase employed in Neh 9:38 [10:1] is אֲמָנָה כֹּרְתִים (cutting an agreement). Some scholars posit that אֲמָנָה is a synonym for ברית.[51] Comparing the use of the word in Neh 11 Boda finds that אֲמָנָה is employed in referring to temple service, a sound argument considering that in Neh 10, most of the obligations are also related to temple service.[52] While אֲמָנָה is not used as a synonym for ברית in Neh 10, the אֲמָנָה which is "a voluntarily entered and universally binding promise or agreement,"[53] is encapsulated in

[51] Cf. Torrey, *The Chronicler's History*, 180, Baltzer, *The Covenant*, 43; Eskenazi, *In an age*, 110; and Kalluveettil, *Declaration and Covenant*, 50–51.

[52]Boda, *Praying the Tradition*, 34.

[53]Williamson, *Ezra, Nehemiah*, 332.

the covenant-making ceremony of Neh 10.[54] These temple services include the payment of temple tax, and bringing the wood offering to the temple (Neh 10:32–34). The other obligations appear to be derivatives of Mosaic Law. A list of those who signed the covenant, as in the Ezra pericope, is provided, and all the people swore an oath binding themselves to the covenant that had been set up (Neh 10:28–29).

Human Initiative in the Ezra–Nehemiah Covenants

Unlike the Sinai covenant, humans and not YHWH initiate the covenant in Ezra–Nehemiah. They choose their obligations. In Ezra 9–10, they chose the obligation to impose on themselves and how they were to appear before the elders for questioning in the matter. They chose to make a covenant with God by putting away their foreign wives. This was a boundary setting move to separate the returned exiles from the local populace, because, as mentioned earlier, their religious beliefs with the people of the land were out of sync.[55] Because Ezra needed to unite the people to create a stable colony in the interest of Persia, he comes up with an interpretation of the Law of Moses and in addition, to get all with foreign wives involved in the required assembly, he (with the leaders) threatens those who would not attend with expulsion from the community and confiscation of their properties (Ezra 10:7–8).

The covenant in Neh 9–10 bears the same conciliatory tone. They place a number of obligations on themselves. The obligations include the prohibition of marriage of their children to foreigners, to care for the temple and bring the necessary offerings and tithes to the house of YHWH. The decision to refuse trade on the Sabbath was to reverse

[54]Boda, *Praying the Tradition*, 34.
[55] Dor, "The Rite of Separation," 184.

practices they must have adopted while in exile. The other stipulations dealt with temple tax and service, and dedications.

But the question that begs an answer is, why is Nehemiah, who is not a priest, deeply involved in the covenant-making process? This can be explained by the fact that, both governor and priest were tightly linked in the administration of the community under Persia.[56] Also, we saw that the temples were centers of administration for the Persian government at the local level. This would explain Nehemiah's involvement. By uniting the people under the temple establishment through covenant, Nehemiah and Ezra were also securing the interests of Persia by essentially providing a strong stable people base that taxes and tributes could be exacted from.

Democratization of the Covenant-making Process

As we have already seen in Chapter 3, in the Sinai covenant, YHWH set the obligations of the people; it was not up for discussion. But in the covenant renewals in Ezra–Nehemiah, this is not the case. In order for Ezra and Nehemiah to achieve stability in the region and peace between the feuding social classes (again, in the interest of Persia), it was important that the obligations set had grassroots support. Therefore, the people themselves chose their obligations, and in the case of Ezra, they deliberated over the terms in a democratic manner with a small minority opposing (Ezra 10:15). In so doing, the obligations were widely accepted; unification of the two social groups was achieved, and through this strategy, Ezra and Nehemiah had engineered a stable community in the interest of Persia.

[56]Berquist, *Judaism,* 235.

Conclusion

Based on this chapter, one can come to a number of conclusions. First, the Persian kings demonstrated respect for the gods of the different people groups (including Judah) in their domain by supporting the rebuilding of temples and providing resources for the upkeep of such sacred places. This was done to propagate themselves as benefactors of the religion of the people. If the people saw the king in good light, the chances of them rebelling against the king were low. Hence the king's actions ensured stability in the land.

Second, the biblical claim that Ezra and Nehemiah were sent to Jerusalem to rebuild the society is plausible as we see parallels in the person of Udjahorresnet. Their prayers for remembrance to YHWH resemble the prayers of Udjahorresnet to the gods in Sais. This points to a common source of influence—the Persian king—and we see this connection in the prayers of Darius and Xerxes to Ahura Mazda.

A third conclusion we can make from this chapter is that Ezra and Nehemiah were sent back to Judah to ensure security and stability in the land. While the Babylonians moved conquered people to the center of the empire, weakening the empire in the process, the Persians sent people to the fringes, securing their outer borders. An organized society would help secure the Levant, and considering the fact that the Syrian Satrap Megabyzus had rebelled against the king, it was important for a trusted official like Nehemiah to be sent to Jerusalem to organize the community and fortify the city.

Fourth, apart from securing the land and organizing the society, Ezra and Nehemiah had the task of rebuilding the temple structure and administration. As seen, temples were used as locations to collect taxes. A stable Judah centered around a

functional temple was an opportunity for the Persians to efficiently collect taxes in large amounts.

It can be seen then that Persian support for the missions of Ezra and Nehemiah (restoring the city and temple) was not merely magnanimous, nor was it mere religious tolerance. There was a socio-economic agenda behind their actions: a stable society, secure borders and increased revenues. On the Persians part, it was not an act of charity but an investment. They took advantage of a genuine religious desire in Ezra and Nehemiah to restore the city of Jerusalem and the Temple. Hence unwittingly, Ezra and Nehemiah became double agents—agents of Persia (in setting up an efficient socio-economic system) on the one hand, and on the other, agents of YHWH and the people (in restoring the Temple and the holy city).

We also re-examined some of the shifts in the covenant-making process in Ezra–Nehemiah. The Sinai covenant was suggested and initiated by YHWH. He imposed the obligation on the people. But in Ezra–Nehemiah, the roles are reversed. There is a democratization of the covenant-making process. The people suggest the covenant, and they set their own obligations, YHWH seems to have taken a back seat. In Chapter 7 we will demonstrate how the social factors outlined in this chapter and Chapters 4 and 5 influenced the covenant-making process as depicted in the biblical account of Ezra–Nehemiah. At this point however, we can begin to discern that amongst other factors, there were socio-political factors at play, the political end being to create an environment favorable to Persia in order to attain their objective of a stable, secure and effective socio-economic society.

CHAPTER 7: THE INFLUENCE OF JUDEAN SOCIOLOGICAL FACTORS ON THE COVENANT-MAKING PROCESS IN EZRA–NEHEMIAH

We have concluded from previous chapters that there were observable shifts in the covenant-making process in Ezra–Nehemiah, and that these Ezra–Nehemiah covenants were unique in comparison to other covenants. In examining the biblical covenants between YHWH and humanity—specifically the Noahic, Abrahamic, Sinai, Priestly, and Davidic covenants—three common trends are evident. First, each of these covenants was initiated by YHWH. Second, these covenants were made with significant individuals such as Noah, Abraham, Moses (mediator), Phinehas, and David. Third, these covenants were undemocratic, with neither the key figures nor the people they represented having any input on the terms or obligations; these were entirely set by YHWH.

However, in the covenants described in the books of Ezra and Nehemiah, a distinct shift in these trends were observed. First, the initiation of the covenants in these texts comes from relatively insignificant individuals rather than prominent leaders. For instance, Shechaniah, a seemingly ordinary person, proposes a covenant in Ezra 10. In the Nehemiah record (Chapters 9 and 10), all those listed who were involved in initiating the covenant do not have any epithetical or genealogical connection that would indicate leadership in the covenant-making process. Second, the significant figures such as Ezra and Nehemiah play more of a background role, with common people taking the lead in the covenant-making process. Third, these covenants are characterized by a democratic

approach where the people collectively initiated and lead the covenant process, determining the terms and obligations themselves, rather than having them imposed by YHWH. The change from divinely initiated, leader-focused, undemocratic covenants to those initiated and shaped by the community represents a significant shift in the way covenants are understood and enacted in the Ezra–Nehemiah texts.

Having determined shifts in the covenant-making process, along with some sociological factors that were in place in Persian Yehud, the next step in our process is to explore how these sociological factors may have influenced these shifts.

Migration and Covenant in Ezra–Nehemiah

Recapping Tsuda's sociological study of diasporic return migration identifies two primary causes: transnational ethnic ties and economic motives.[1] For migrants from less developed nations, economic factors are the main driving force. These migrations resemble international labor movements driven by economic disparities between rich and poor countries. In contrast, ethnic ties play a larger role when migrants come from more developed nations, where economic incentives are less compelling. These migrants, often seeking to reconnect with ancestral communities, are fewer in number and driven by a nostalgic, imagined affinity to an ancestral homeland they may never have visited.[2] The extent of these sentimental ethnic attachments varies depending on the cultural assimilation of the migrants in their host nations. The demographic studies of Faust, Carter, Lipschits, Meyers and Meyers, and Albertz, determined that population

[1] Tsuda, "When the Diaspora Returns," 173.

[2] Tsuda, "When the Diaspora Returns," 173–75, 177; Žmegač, "Ethnically Privileged Migrants," 206–7.

growth in Persian Yehud was marginal, and the population in Persian Yehud was 20 percent to 34 percent of the pre-exile population.[3] This implies that the number of returning exiles was low. While it is difficult to distinguish the number of returnees from the people that remained in the land (i.e., people of the land), it can be assumed that their numbers were such that the people of the land posed a threat to the return migrants and *vice versa*. As Horsley states:

> It seems highly unlikely that the immigrants sent by the imperial regime would have been able to assert their dominance unchallenged by the people who remained in the land. The latter had developed their own functioning village communities and indigenous Israelite/Judahite) traditions. Local leadership would have emerged during the generations since the former elite had been deported.[4]

But issues of dominance were not the only problem, the situation of the return migrants and Persian Yehud would have catalyzed problems of identity. Tsuda addressed the impact of return migration on ethnic identity. Negative reception in ancestral lands can lead migrants to identify more with their countries of migration, a phenomenon Tsuda calls "deterritorialized migrant nationalism."[5] We have already seen, for example, Japanese Brazilians, seen as a minority in Brazil, embrace their "Brazilianness" in Japan. Similarly, ethnic Germans from Russia are regarded as Germans in Russia but as Russians in Germany.[6] Some migrants respond to alienation by asserting their ethnic heritage, claiming to be the true bearers of their culture, unlike the locals who they see as culturally diluted. For example, Hungarian Romanians may consider themselves the

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[3] Faust, *Judah*, ; Carter, *The Emergence*; Lipschits, *Fall and Rise*; Meyers and Meyers, "Demography and Diatribes," and Albertz, *Israel In Exile*, 89. See my review of these scholars' findings in Chapter 4.

[4] Horsley, *Scribes, Visionaries*, 23.

[5] Tsuda, "When the Diaspora Returns," 178.

[6] Tsuda, "When the Diaspora Returns," 178.

"real Hungarians," viewing homeland residents as "contaminated by modernity."[7] A few migrants develop transnational identities, maintaining strong connections to both their ethnic homelands and diasporic home countries, especially when they come from more developed nations.

The biblical record highlights the migrants' connections to Persia and Babylon. For example, the language of the text indicates that they were loyal to the Persian overlords—the governor was not described as מֶלֶךְ (king) or רֹאשׁ (chief), but rather פֶּחָה (governor).[8] From the biblical records, though the returning migrants did not consider themselves Babylonians or Persians, they considered themselves separate from the people of the land. They either worked for the Persian kings—Nehemiah was the king's מַשְׁקֶה (cupbearer; Neh 1:11)—had connections to the king's court (Ezra 7:1–6, 11–26; Neh 2:1–8) or cooperated with them (see Ezra 1:2–4; 3:2, 8; 4:3). Another example of them retaining their "foreignness" is the retention of Babylonian names such as זְרֻבָּבֶל (Zerubbabel) by a key Yehudite leader. It makes sense that these individuals with close ties to Persia were trusted by the Persians and these "privileged group of semi-foreigners" with strong ties to Persia were imposed on the local populace of Yehud, and this was a breeding ground for conflict.

We also observed from Tsuda's research (see Chapter 4) that return migrants from more developed nations generally have more positive experiences due to their higher socio-economic status. They return as professionals, business investors, or students and are respected for their first-world origins.[9] However, they may still

[7] Tsuda, "When the Diaspora Returns," 183. See Fox, "National Identities," 458–59.
[8] Berquist, *Judaism*, 136.
[9] Tsuda, "When the Diaspora Returns," 181.

encounter negative attitudes due to poor views of their countries of migration or their perceived cultural incompetence.[10] We also learned in Chapter 4 of the ethnic and socio-economic marginalization experienced by return migrants in their ethnic homelands. Migrants from less developed nations often face negative experiences due to cultural assimilation in foreign lands, leading to a loss of ancestral culture and language.[11] Consequently, they are treated as foreigners in their ethnic homelands, often labeled based on their country of migration. For example, Jews from Russia in Israel are called "Russians," ethnic Germans from Russia or Poland are labeled "Russians" or "Poles" in Germany, and Korean-descent Chosonjok from China are seen as "Chinese" in South Korea.[12] Although return migrants may initially feel alienated in their ethnic homelands, over time they can form strong communities supported by transnational connections, gradually making the ethnic homeland feel like home.[13] This appears to be one of the scenarios that the Ezra–Nehemiah text seeks to portray. We see opposition to the migrant's efforts right from the temple reconstruction project (Ezra 4:4–5). From their responses to the people of the land at different points in the Ezra–Nehemiah account, it appears that they were asserting their Israelite identity and their "separateness" from the people of the land in their responses to them:

וַיֹּאמֶר לָהֶם זְרֻבָּבֶל וְיֵשׁוּעַ וּשְׁאָר רָאשֵׁי הָאָבוֹת לְיִשְׂרָאֵל לֹא־לָכֶם וָלָנוּ לִבְנוֹת בַּיִת לֵאלֹהֵינוּ כִּי אֲנַחְנוּ יַחַד נִבְנֶה לַיהוה אֱלֹהֵי יִשְׂרָאֵל כַּאֲשֶׁר צִוָּנוּ הַמֶּלֶךְ כּוֹרֶשׁ מֶלֶךְ־פָּרָס׃

> But Zerubbabel, Joshua and the rest of the heads of the families of Israel answered, "*You have no part with us in building a temple to our God. We alone*

[10] Tsuda, "When the Diaspora Returns," 181. See Kim, "Finding Our Way," 305–24.

[11] Tsuda, "When the Diaspora Returns," 177; Žmegač, "Ethnically Privileged Migrants," 206–7.

[12] Žmegač, "Ethnically Privileged Migrants," 206–7; Remennick, "A Case Study," 370–84; Fox, "National Identities," 456–57; Cook-Martín and Viladrich, "Imagined Homecomings," 133–58; Pilkington, *Migration, Displacement*, 168–71; and Tsuda, "When the Diaspora Returns," 178.

[13] Tsuda, "When the Diaspora Returns," 185. See also Markowitz, "The Home(s)," 25; and de Tinguy, "Ethnic Migrations," 124.

> *will build it for the LORD*, the God of Israel, as King Cyrus, the king of Persia, commanded us." (Ezra 4:3; NIV; emphasis mine).
>
> וָאָשִׁיב אוֹתָם דָּבָר וָאוֹמַר לָהֶם אֱלֹהֵי הַשָּׁמַיִם הוּא יַצְלִיחַ לָנוּ וַאֲנַחְנוּ עֲבָדָיו נָקוּם וּבָנִינוּ וְלָכֶם אֵין־חֵלֶק וּצְדָקָה וְזִכָּרוֹן בִּירוּשָׁלָם׃
>
> I answered them by saying, "The God of heaven will give us success. *We his servants will start rebuilding, but as for you, you have no share in Jerusalem or any claim or historic right to it.*" (Neh 2:20; NIV; emphasis mine).
>
> Both the Ezra and Nehemiah texts distinguished the people that entered into a covenant as separate from the "people of the land"
>
> וּשְׁאָר הָעָם הַכֹּהֲנִים הַלְוִיִּם הַשּׁוֹעֲרִים הַמְשֹׁרְרִים הַנְּתִינִים וְכָל־הַנִּבְדָּל מֵעַמֵּי הָאֲרָצוֹת אֶל־תּוֹרַת הָאֱלֹהִים נְשֵׁיהֶם בְּנֵיהֶם וּבְנֹתֵיהֶם כֹּל יוֹדֵעַ מֵבִין׃
>
> The rest of the people—priests, Levites, gatekeepers, musicians, temple servants *and all who separated themselves from the neighboring peoples* for the sake of the Law of God, together with their wives and all their sons and daughters who are able to understand (Neh 10:28 [29]; NIV, emphasis mine]).

It is not far-fetched then to conclude that one of the reasons for their making a covenant was identity—they saw themselves as the "true Israel" and that they were separate from the people of the land, and the making of a covenant was a move to stress that point that they were a "set-apart" people unto YHWH. By defining themselves as the "only true Yehudim," they either excluded the indigenous "people of the land" altogether or relegated them to a lower social stratum under the dominance of the immigrant elite who controlled the temple-state, treating them as subordinates of lesser status.[14] This hierarchical structure ensured that the local populace had limited influence and power compared to the ruling class of immigrants. These immigrants maintained control over religious and administrative affairs, and thus indigenous people were marginalized and deprived of significant roles within the temple-state, reinforcing a

[14] Horsley, *Scribes, Visionaries*, 23.

social order that prioritized the authority and privileges of the immigrant group.[15] Horsley also points out that the restored elite responded by asserting exclusive claims to the land and its produce, cultivated by the "cursed" laborers, and some prophecies in Ezekiel, such as Ezek 11:14–18 and 33:23–27, were leveraged to support the exiles' claims to the land over those of the current inhabitants.[16] The Chronicler also depicted the land as completely desolate and devoid of any people for seventy years (2 Chr 36:17–21), as opposed to other texts that describe a deportation of most classes of people except the most indigent (2 Kgs 24:14; 25:12; Jer 39:10; 52:15). This "myth of the empty land,' according to Carroll

> Read as an ideological story controlling membership in the new community, needs also to be read in conjunction with another myth, that of the land polluted by its Canaanite inhabitants. These aboriginal peoples had to be annihilated before Israel could possess the land (Exodus-Deuteronomy), and it was failure to do so that polluted the land and undermined Israel's possession (Joshua-Judges). The two myths of the empty land and the impurely occupied land play an important part in the representation of the founding of the Second Temple community. The empty land waits, having paid off its sabbath debts, for the returning deportees; the occupied land (occupied by "the people of the land") threatens the returnees with opposition and pollution (cf. Ezra 4:1-5,10:1-17). The myth of the empty land holds the sacred enclave for the returnees, while allowing the land to regain its holiness after the period of pollution (cf. 2 Chr 36:14). The myth of the occupied land allows the holy community, on its return, to keep itself separate.[17]

Being the only surviving people (or descendants of people) from the destruction of Jerusalem and the Babylonian exile, one can see how their claim of being the true Israel or Yehudites comes into play. In addition to the utilization of the myth of the empty land and the myth of the land polluted, we see the use of genealogies in the book

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[15] Blenkinsopp, "Temple and Society," 44–47; cf. Weinberg, *The Citizen-Temple*, 1–145.
[16] Horsley, *Scribes, Visionaries*, 23.
[17] Carroll, "The Myth," 79.

of Ezra as a means to justify the claim of the returned exiles to the land (Ezra 2:1–70; 8:1–20).[18] Horsley also points out that

> …the heavy emphasis on the imperial initiative in Ezra, with extensive citation of emperor's edicts and other official documents, indicates a need by the immigrants, who claimed the land and ruling power over "the people of the land," to legitimate themselves. But that also reveals the real source of their authorization and basis for their somewhat shaky position in Yehud.[19]

We can therefore begin to see a sociological reason for the covenant in Ezra–Nehemiah—they were attempting to legitimize their identity as first, a holy people set apart from their adversaries people of the land, and since they were connected to YHWH by covenant, and in addition to the other reasons outlined above, they were the true "inheritors of the land, sanctioned by both YHWH and the Persian king.[20] There was also a religious aspect to the democratization of the covenant-making process— the return from exile was seen as a fulfillment of prophetic promises, and there was a strong emphasis on religious revival and reform. By making the covenant a communal affair, it reinforced the idea that all members of the community were bound by the same religious obligations and commitments. Also, the process of public reading and interpretation of the Torah by Ezra (Neh 8) and the communal confession and covenant renewal (Neh 9–10) ensured that everyone had access to the laws and understood their responsibilities. This inclusivity promoted accountability and helped prevent the centralization of religious authority in the hands of a few in the case of making the covenant. Additionally, the democratization of the covenant-making process also served to

[18] Horsley, *Scribes, Visionaries*, 23.
[19] Horsley, *Scribes, Visionaries*, 23.
[20] This also explains the need to put away foreign wives, a point I will expound later in this chapter.

strengthen social cohesion. Involving the entire community in the covenant helped to unify the people, fostering a shared sense of purpose and destiny.

Socio-Economic Factors and Covenant in Ezra–Nehemiah

In Chapter 5, we determined the economic conditions that were prevalent in Persian Yehud and in essence the prevalent economic context of the period depicted in the Ezra–Nehemiah account. We had noted that using the biblical text alone was problematic, therefore, it was necessary to review contemporary extrabiblical historical data, archaeological data, texts and inscriptions.[21]

The study into the main occupation in Yehud, farming, revealed that there were many challenges. Farming in the Levant was a challenging endeavor due to various geographic and environmental factors.[22] The farming cycle revolved around planting and harvesting cereals, with specific periods dedicated to different crops.[23] But despite this variety, the geographic challenges in Yehud, such as arid conditions, soil erosion, and limited habitable and arable areas, posed significant obstacles to agricultural and settlement activities.[24] The success of farming relied on rainfall patterns, with the timing and distribution of rain crucial for crop growth. Despite these challenges, ancient communities adapted their agricultural practices to subsist in harsher conditions, utilizing rocky and less hospitable terrain to plant olive trees and other crops.[25] To compensate for these challenges, many people engaged in sedentary animal husbandry,

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[21] See McNutt, *Reconstructing the Society*, 183; Eskenazi, "Current Perspectives," 59–86; Berquist, *Judaism*, 105-20; Carroll, "So What?," 45–46; Davies, *In Search*, 83.

[22] Adams, *Social and Economic Life*, 85.

[23] Adams, *Social and Economic Life*, 83.

[24] Adams, *Social and Economic Life*, 85; King and Stager, *Life*, 114–15.

[25] King and Stager, *Life*, 114–15.

but like farming, animal husbandry was also challenging. Our examination of the priestly class determined that they gained prominence in Persian Yehud after the exile and they were responsible for administering justice, interpreting the law, overseeing official sacrifices, and collecting taxes, tributes, and tithes on behalf of the Persian administration and the Temple.[26] The priestly class enjoyed a respectable social status and held leadership roles within the Persian period political structure.[27] The fulfillment of the duties of the Priests and Levites, such as collecting tithes, tributes, and taxes, placed a heavy toll on the subsistence farmers and peasants, contributing to a debt crisis—debt, mortgaging of property, and even debt slavery.[28] The priests were part of the group of nobles and officials who made an oath to reverse their interest charges and return their property, indicating their involvement in economic matters and conflicts with the peasant producers. Another layer of difficulty for the people of Persian Yehud was the system of taxes and levies. The Persian rulers required subject peoples to fulfill substantial taxation and tribute, rent and levy obligations, which could include payments in grain, silver, or other goods.[29] This heavy taxation system contributed to economic hardships for the people. In times of famine or crop failure, it became even more challenging for them to fulfill their tax obligations.[30] Some individuals had to mortgage their fields, vineyards, and homes to obtain grain during times of scarcity. This led to a cycle of indebtedness and vulnerability to predatory lending practices. The Persian rulers implemented a system where they confiscated land and redistributed it into large estates

[26] McNutt, *Reconstructing the Society*, 200.
[27] Adams, *Social and Economic Life*, 98–99.
[28] Horsley, *Scribes, Visionaries*, 24–26.
[29] Fried, "Exploitation," 156.
[30] Guillaume, "Nehemiah 5," 2–21.

owned by the royal family, Persian nobility, and high-ranking officials.[31] This land redistribution resulted in the loss of land ownership for many people. They became tenants on the land they once owned, paying rent to the new landowners. This further reduced their economic autonomy and increased their dependence on the landowners. The combination of heavy taxation and land confiscation created a debt crisis among the people. Some individuals had to borrow money to pay the king's tax or to meet their basic needs. The high interest rates charged by lenders, sometimes as high as 40 percent, exacerbated the debt burden. In some cases, people were forced to give up their land or even sell their children into debt slavery to repay their debts. The taxation system contributed to social inequality, with a small group of elites, including the royal family, Persian nobility, and high-ranking officials, benefiting from the land redistribution and accumulating wealth. Meanwhile, the majority of the population, especially the lower classes and agrarian households, faced adverse circumstances and struggled to meet their tax obligations. This created a divide between the privileged few and the economically disadvantaged majority.

In the face of economic hardship and in light of our study, the logical question then is "what was the effect of this dire situation on covenant portrayed in Ezra–Nehemiah? For this we will look specifically at the covenant in Neh 10.[32]

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[31] Cardasçia, *Les Archives*, 189–98; Dandamaev et al., *The Culture*, 188–89; Dandamaev, "Die Lehnsbeziehungen," 37–42 (English translation from Fried, "Exploitation," 151–52); and Fried, "Exploitation," 151.

[31] Dandamaev, "Die Lehnsbeziehungen," 37–42. English translation from Fried, "Exploitation," 151–52.

[32] There were economic factors behind influencing the covenant in Ezra, however, I shall unpack this later in the chapter.

Covenant Obligation of Maintenance of the Temple

As has already been noted, the people bound themselves with a "curse and an oath" to follow the Mosaic law (Neh 10:29–30 [28–29]). But then they proceed to specify their obligations regarding intermarriage of their daughters with the people of the land and trade with them on the Sabbath and Sabbath rest for the land (vv. 31, 32 [30, 31]). Then they turn their focus to support for the temple. They obligate themselves to bring contributions of wood for the altar (v. 34 [33]). For them to have made such a specific commitment suggests that this was an obligation that they had neglected prior to making the covenant.[33] The Haggai text indicates that during the reconstruction of the Temple, the provision of wood for the construction project had been neglected by the people and the prophet upbraids them saying:

וַיְהִי דְבַר־יהוה בְּיַד־חַגַּי הַנָּבִיא לֵאמֹר׃
הַעֵת לָכֶם אַתֶּם לָשֶׁבֶת בְּבָתֵּיכֶם סְפוּנִים וְהַבַּיִת הַזֶּה חָרֵב׃
כֹּה אָמַר יהוה צְבָאוֹת שִׂימוּ לְבַבְכֶם עַל־דַּרְכֵיכֶם׃
עֲלוּ הָהָר וַהֲבֵאתֶם עֵץ וּבְנוּ הַבַּיִת וְאֶרְצֶה־בּוֹ וְאֶכָּבֵד אָמַר יהוה׃

> Then the word of the LORD came by Haggai the prophet, saying, "Is it time for you yourselves to dwell in your paneled houses, and this temple to lie in ruins?"… Thus says the LORD of hosts: "Consider your ways! Go up to the mountains and bring wood and build the temple, that I may take pleasure in it and be glorified," says the LORD (Hag 1:3–4, 7–8; NIV).[34]

[33] See Lev 6:12–13. That the priests had to perpetually burn fire on the altar suggests that there had to be a constant supply of firewood from the people.

[34] This is universally understood as wood to be used for building the temple and not for burning on the altar. However, if they were negligent in bringing wood for building, then most likely the same would have been the case for wood for the altar. Whatever factors prevented them from providing wood for the reconstruction are most likely the same factors that influenced their eventual negligence of the wood offering.

Similarly, the people obligated themselves to bring in the temple tax (v. 32 [33]),[35] firstfruits of their produce, livestock and their firstborn,[36] other offerings and tithes (vv. 35–37 [34–36]). The prophetic biblical text of Malachi addresses the people's neglect of the tithes and offerings

בַּמְאֵרָה אַתֶּם נֵאָרִים וְאֹתִי אַתֶּם קֹבְעִים הַגּוֹי כֻּלּוֹ׃
הָבִיאוּ אֶת־כָּל־הַמַּעֲשֵׂר אֶל־בֵּית הָאוֹצָר וִיהִי טֶרֶף בְּבֵיתִי וּבְחָנוּנִי נָא בָּזֹאת אָמַר יהוה צְבָאוֹת אִם־לֹא
אֶפְתַּח לָכֶם אֵת אֲרֻבּוֹת הַשָּׁמַיִם וַהֲרִיקֹתִי לָכֶם בְּרָכָה עַד־בְּלִי־דָי׃
וְגָעַרְתִּי לָכֶם בָּאֹכֵל וְלֹא־יַשְׁחֵת לָכֶם אֶת־פְּרִי הָאֲדָמָה וְלֹא־תְשַׁכֵּל לָכֶם הַגֶּפֶן בַּשָּׂדֶה אָמַר יהוה צְבָאוֹת׃
וְאִשְּׁרוּ אֶתְכֶם כָּל־הַגּוֹיִם כִּי־תִהְיוּ אַתֶּם אֶרֶץ חֵפֶץ אָמַר יהוה צְבָאוֹת׃

> You are under a curse—your whole nation—because you are robbing me. Bring the whole tithe into the storehouse, that there may be food in my house. Test me in this," says the LORD Almighty, "and see if I will not throw open the floodgates of heaven and pour out so much blessing that there will not be room enough to store it. I will prevent pests from devouring your crops, and the vines in your fields will not drop their fruit before it is ripe," says the LORD Almighty. "Then all the nations will call you blessed, for yours will be a delightful land," says the LORD Almighty (Mal 3:9–12; NIV).

The prophet also addresses the transgression of the people offering blemished animals to YHWH:

בֵּן יְכַבֵּד אָב וְעֶבֶד אֲדֹנָיו וְאִם־אָב אָנִי אַיֵּה כְבוֹדִי וְאִם־אֲדוֹנִים אָנִי אַיֵּה מוֹרָאִי אָמַר יהוה צְבָאוֹת לָכֶם
הַכֹּהֲנִים בּוֹזֵי שְׁמִי וַאֲמַרְתֶּם בַּמֶּה בָזִינוּ אֶת־שְׁמֶךָ׃
מַגִּישִׁים עַל־מִזְבְּחִי לֶחֶם מְגֹאָל וַאֲמַרְתֶּם בַּמֶּה גֵאַלְנוּךָ בֶּאֱמָרְכֶם שֻׁלְחַן יהוה נִבְזֶה הוּא׃
וְכִי־תַגִּשׁוּן עִוֵּר לִזְבֹּחַ אֵין רָע וְכִי תַגִּישׁוּ פִּסֵּחַ וְחֹלֶה אֵין רָע הַקְרִיבֵהוּ נָא לְפֶחָתֶךָ הֲיִרְצְךָ אוֹ הֲיִשָּׂא פָנֶיךָ
אָמַר יהוה צְבָאוֹת׃

> "A son honors his father, and a slave his master. If I am a father, where is the honor due me? If I am a master, where is the respect due me?" says the LORD Almighty.
> "It is you priests who show contempt for my name.
> "But you ask, 'How have we shown contempt for your name?'
> "By offering defiled food on my altar.
> "But you ask, 'How have we defiled you?'

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[35] They were obligated by mosaic law to bring half a shekel to the tabernacle for the upkeep of the sacred space see Exod 30:11–16. The Chronicler alludes that this contribution had been neglected in the monarchic period and Josiah had to have it reinstated referring to it as "the collection according to the law of Moses," (see 2 Chr 24:4–12).

[36] The offering of the firstborn was also an obligation of mosaic law, see Exod 13:2, 12–13; Lev 27:26–27. However, they could redeem the firstborn child or beast (except for a cow, sheep or goat) for five shekels of silver, see Num 18:15–18.

> "By saying that the LORD's table is contemptible. When you offer blind animals for sacrifice, is that not wrong? When you sacrifice lame or diseased animals, is that not wrong? Try offering them to your governor! Would he be pleased with you? Would he accept you?" says the LORD Almighty (Mal 1:6–8; NIV)

As in the case of the wood offering, the practice of bringing the various contributions, offerings, and levies for the temple had been neglected, hence the need to include it in the covenant of Neh 10. But as we have seen, there were harsh, geographic, climatic conditions, and pest infestations that negatively impacted agriculture and animal husbandry in Persian Yehud, and which the prophetic texts allude to. Malachi speaks of pests devouring their crops (Mal 3:11), while Haggai alludes to lack of precipitation, drought, famine and resultant poor yields (Hag 1:10–11; 2:17). These conditions precipitated the crisis portrayed in the Nehemiah text, where people were mortgaging their fields and homes because of poor returns as a result of the famine (Neh 5:3). As we have also seen, the people were reluctant to kill their animals for food because such an action would hinder the flow of other products the animals produced such as milk, cheese, clothing, parchment.[37] It makes sense then that they would have been unwilling to offer their flocks as sacrifices in the temple, or at best they would offer blemished sacrifice as a "compromise" since such animal would not produce viable products.

The people's ability to reach a point where they could commit to providing the required offerings and sacrifices can be attributed to Nehemiah's decision to waive the governor's levies.

גַּם מִיּוֹם אֲשֶׁר־צִוָּה אֹתִי לִהְיוֹת פֶּחָם בְּאֶרֶץ יְהוּדָה מִשְּׁנַת עֶשְׂרִים וְעַד שְׁנַת שְׁלֹשִׁים וּשְׁתַּיִם לְאַרְתַּחְשַׁסְתְּא
הַמֶּלֶךְ שְׁנֵים שְׁתֵּים עֶשְׂרֵה אֲנִי וְאַחַי לֶחֶם הַפֶּחָה לֹא אָכָלְתִּי׃
וְהַפַּחוֹת הָרִאשֹׁנִים אֲשֶׁר־לְפָנַי הִכְבִּידוּ עַל־הָעָם וַיִּקְחוּ מֵהֶם בְּלֶחֶם וָיַיִן אַחַר כֶּסֶף־שְׁקָלִים אַרְבָּעִים גַּם
נַעֲרֵיהֶם שָׁלְטוּ עַל־הָעָם וַאֲנִי לֹא־עָשִׂיתִי כֵן מִפְּנֵי יִרְאַת אֱלֹהִים׃
וְגַם בְּמְלֶאכֶת הַחוֹמָה הַזֹּאת הֶחֱזַקְתִּי וְשָׂדֶה לֹא קָנִינוּ וְכָל־נְעָרַי קְבוּצִים שָׁם עַל־הַמְּלָאכָה׃
וְהַיְּהוּדִים וְהַסְּגָנִים מֵאָה וַחֲמִשִּׁים אִישׁ וְהַבָּאִים אֵלֵינוּ מִן־הַגּוֹיִם אֲשֶׁר־סְבִיבֹתֵינוּ עַל־שֻׁלְחָנִי׃

[37] Adams, *Social and Economic Life*, 91.

וְאַשֶּׁר הָיָה נַעֲשָׂה לִיוֹם אֶחָד שׁוֹר אֶחָד צֹאן שֵׁשׁ־בְּרֻרוֹת וְצִפֳּרִים נַעֲשׂוּ־לִי וּבֵין עֲשָׂרֹת יָמִים בְּכָל־יַיִן לְהַרְבֵּה וְעִם־זֶה לֶחֶם הַפֶּחָה לֹא בִקַּשְׁתִּי כִּי־כָבְדָה הָעֲבֹדָה עַל־הָעָם הַזֶּה׃

> Moreover, from the twentieth year of King Artaxerxes, when I was appointed to be their governor in the land of Judah, until his thirty-second year—twelve years—neither I nor my brothers ate the food allotted to the governor. But the earlier governors—those preceding me—placed a heavy burden on the people and took forty shekels of silver from them in addition to food and wine. Their assistants also lorded it over the people. But out of reverence for God I did not act like that. Instead, I devoted myself to the work on this wall. All my men were assembled there for the work; we did not acquire any land. Furthermore, a hundred and fifty Jews and officials ate at my table, as well as those who came to us from the surrounding nations. Each day one ox, six choice sheep and some poultry were prepared for me, and every ten days an abundant supply of wine of all kinds. In spite of all this, I never demanded the food allotted to the governor, because the demands were heavy on these people. (Neh 5:14–18; NIV)

This tax reprieve, including the commitment of debt relief from lenders (Neh 5:12–13) relieved the people's burden, making more resources available to them. Even their commitment to giving the land its Sabbath rests was tied to the condition of debt forgiveness (see Neh 10:3 [32]).

Persian Socio-Political Factors and Covenant in Ezra–Nehemiah

We learned from Tsuda that when ethnic homeland governments actively attract migrants from foreign lands, their motivations are primarily economic. They aim to boost their societies with skilled manpower, assuming that shared ethnicity and culture will ease the reintegration process without disrupting the country's ethno-racial balance. This anthropological concept helps us to unpack the apparent "magnanimity" of the Persians perceived by the biblical writers. The Chronicler portrays Cyrus as the great emancipator of the Babylonian exiles and the primary propagator of the reconstruction of the temple in Jerusalem, a sentiment shared by the Ezra record (2 Chr 36:22–23; Ezra 1:1–11). The book of Isaiah refers to him as YHWH's shepherd (רעה) who will fulfill his

will of restoring Jerusalem (Isa 44:28), and YHWH's anointed one or messiah (מָשִׁיחַ), whom YHWH would use to subdue nations (Isa 45:1), and to rebuild his city and set the exiles free (Isa 45:13), and deemed a restorer of the articles of the Temple (Ezra 1:7–11; 5:13–15). Darius is depicted as a defender of the temple reconstruction who specifies the dimensions for the temple and orders funding for the project from the royal treasury (Ezra 6:3–12). Artaxerxes grants everything that Ezra asks of him, and Ezra is sent by Artaxerxes with more royal grants for the temple in Jerusalem and to appoint officials to administer justice, and for him to teach the law of YHWH (Ezra 7:27–28). Similarly, the Nehemiah account depicts Artaxerxes as an empathetic, generous monarch who supplies Nehemiah with all the resources he requests for rebuilding the walls of Jerusalem (Neh 2:1–9).[38] In agreement, Römer writes:

> The Persian Period is apparently considered as an accomplishment of sorts. This fits well with the fact that the Persian kings and the Persian empire are, in the Bible, never said to be an abomination and are never condemned, as is the case with the Egyptians, the Assyrians, and the Babylonians. There may be some Persian individuals who act badly, as narrated in the book of Esther, but once their intrigues are thwarted, the Persian king will act favorably with regard to the Jews.[39]

Römer reaches the conclusion that there are two reasons for the biblical writers' positive assessment of the Persians, (1) they are considered the "liberators" from captivity as they routed the Babylonians, and (2) when it came to the administration of Yehud, they were "liberal" with regard to Persian Yehud's internal affairs as long as the people were "loyal and paid their taxes."[40]

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[38] The Ezra text depicts Artaxerxes stopping the work due to a letter from Tattenai, Shethar-Bozenai, and their associates.

[39] Römer, "Conflicting Models," 34.

[40] Römer, "Conflicting Models," 34.

It is important to note that the Persians did not only empower the leaders of the exiles like Ezra and Nehemiah, but their administrative network required them to empower a dominant upper class from the returned exiles. One class of such empowered people we saw were the priests in Chapter 5. Evidence we have uncovered also points to a class of people who were indirectly empowered—who had power to grant loans, pay taxes and levies on behalf of people and collect them back in return with high interest rates and fief-holders.[41] It makes sense that these were members of the aristocratic class, former exiles who were supported by the Persians.[42] Also, as we had seen, the practices of this aristocratic class, empowered indirectly by the Persian authorities, contributed to the debt crises in Yehud. Therefore, it can be said that the Persian political context played an indirect role in the crisis, which in turn as we have seen, influenced the covenant-making process in Neh 10.

Additionally, the empowerment of this aristocratic group must have given them impetus to propose a covenant and thereby democratize the covenant-making process. The exile had disrupted the traditional structures of power and authority. In this new context, involving the broader community in covenant-making was essential for fostering a sense of collective responsibility and unity. By democratizing the process, Ezra and Nehemiah were able to engage a wider segment of the population in the religious and social renewal of the community.

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[41] McNutt acknowledges that there were other stakeholders in the local governance of Yehud; see McNutt, *Reconstructing the Society*, 207–8. Weinberg posits that the community and administration in Yehud was more autonomous, Weinberg, *The Citizen-Temple*. Davies notes confusion in the texts regarding a possible separate provincial administration from the Temple administration, but suggests that the two were probably not in tension and that a unified ruling elite most likely existed; Davies, *In Search*, 101–3. Smith-Christopher and McKenzie speak of *rošîm* who were heads of *Bēt ʾĀbôt* and were leaders in the Persian period community; Smith-Christopher, *The Religion*, 98–99, and McKenzie, "The Elders," 522–40.

[42] Davies, *In Search*, 101–3.

The Intermarriage Problem and Covenant Shifts in Ezra–Nehemiah

One more aspect of the covenant in Ezra–Nehemiah that has not been discussed in relation to covenant shifts in the covenant-making process, and that is the intermarriage issue in Ezra 9–10 and Neh 10. In the Nehemiah account, the people in making the covenant, amongst other obligations, make an oath saying:

וַאֲשֶׁר לֹא־נִתֵּן בְּנֹתֵינוּ לְעַמֵּי הָאָרֶץ וְאֶת־בְּנֹתֵיהֶם לֹא נִקַּח לְבָנֵינוּ׃

> We promise not to give our daughters in marriage to the peoples around us or take their daughters for our sons. (Neh 10:30; NIV [31]).

The scenario in the Ezra account is slightly different. Ezra is informed of an intermarriage problem

וּכְכַלּוֹת אֵלֶּה נִגְּשׁוּ אֵלַי הַשָּׂרִים לֵאמֹר לֹא־נִבְדְּלוּ הָעָם יִשְׂרָאֵל וְהַכֹּהֲנִים וְהַלְוִיִּם מֵעַמֵּי הָאֲרָצוֹת
כְּתוֹעֲבֹתֵיהֶם לַכְּנַעֲנִי הַחִתִּי הַפְּרִזִּי הַיְבוּסִי הָעַמֹּנִי הַמֹּאָבִי הַמִּצְרִי וְהָאֱמֹרִי׃
כִּי־נָשְׂאוּ מִבְּנֹתֵיהֶם לָהֶם וְלִבְנֵיהֶם וְהִתְעָרְבוּ זֶרַע הַקֹּדֶשׁ בְּעַמֵּי הָאֲרָצוֹת וְיַד הַשָּׂרִים וְהַסְּגָנִים הָיְתָה בַּמַּעַל הַזֶּה רִאשׁוֹנָה׃

> After these things had been done, the leaders came to me and said, “The people of Israel, including the priests and the Levites, have not kept themselves separate from the neighboring peoples with their detestable practices, like those of the Canaanites, Hittites, Perizzites, Jebusites, Ammonites, Moabites, Egyptians and Amorites. They have taken some of their daughters as wives for themselves and their sons, and have mingled the holy race with the peoples around them. And the leaders and officials have led the way in this unfaithfulness.” (Ezra 9:1–2; NIV)

Smith-Christopher, in observing differences between the marriage issues in the Nehemiah account on the one hand, and the Ezra account on the other, sees Ezra as providing a nuanced difference in the groups defined as “foreign.”[43] From the Ezra account he sees the foreigners as those defined in Ezra 9:1— Canaanites, Hittites,

[43] Smith-Christopher, “The Mixed Marriage,” 247.

Perizzites, Jebusites, Ammonites, Moabites, Egyptians, and Amorites.[44] This would suggest that foreigners do not include the "people of the land," a wider group that could include, the minority in the Land who were not forced migrants in the Babylonian invasions and exile. I caution against this narrow definition on the basis of the Ezra text which uses the כְּ preposition with תּוֹעֵבָה ("abomination," or "detestable practice"). The preposition indicates manner or norm, hence "*like* the abomination or detestable practice."[45] The text is simply demonstrating what the detestable practices of the foreigners were. I suggest that these foreigners or "people of the land" may include people from families with different religious practices or beliefs from the returned exiles, or people from lands outside of Yehud, or Yehudites who did not (or whose ancestors did not) experience the Babylonian exile.[46] Camp agrees, maintaining that foreigners can be defined not only as individuals of foreign nationality, but also as those outside one's household or family, non-members of the priestly class, or deities and practices that do not align with the covenant relationship with YHWH.[47] I agree, that there are points in the Ezra–Nehemiah text where the foreigners are defined such as Neh 13:23, which specifies men who had married women from Ashdod, Ammon, and Moab.[48]

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[44] Smith-Christopher, "The Mixed Marriage," 247.

[45] van der Merwe et al., *BHRG*, 283–84. Eskenazi and Judd agree that the correct rendering of the text is "'The people of Israel and the priests and the Levites have not separated themselves from the peoples of the land whose abhorrent practices are like those of the Canaanites, the Hittites, the Perizzites, the Jebusites, the Ammonites, the Moabites, the Egyptians, and the Amorites." Eskenazi and Judd, "Marriage," 268. See also Williamson, *Ezra, Nehemiah*, 125. Though Smith–Christopher refers to Ezra 9:1–2 in his definition, he does not cite the text nor use it in his analysis, rather he uses Neh 13; see Smith-Christopher, "The Mixed Marriage," 243–64.

[46] Eskenazi and Judd, "Marriage," 270.

[47] Camp, "What's So Strange," 17–38.

[48] Eskenazi and Judd, "Marriage," 269.

Just as the text in Ezra 10 is ambiguous concerning the exact backgrounds of these foreign wives, at the end of the chapter (v. 44), the text is also ambiguous as to what happened to them—whether they were eventually divorced or not. Blenkinsopp, who says the text is indecipherable, goes on to suggest that the writer wished to project that "the matter was settled amicably, almost unanimously, but that in reality, the matter was not resolved at all and that such an action was outside Ezra's jurisdiction."[49] Williamson agrees that the text's meaning is "uncertain" and advices against creating constructs out of the ambiguity, and that "the MT may stand as an indication that the narrator was not insensitive to the personal tragedies he was recording."[50] Shepherd and Wright say the text is so incomprehensible that it adds nothing to the understanding of the chapter, while Fensham attributes the confusion to text corruption, and as a result what happened can never be known.[51] Byun says that writer deliberately constructed Ezra 10:44 in a confusing manner, using awkward syntax and unconventional word usage and that this confused language is a literary device employed by the author to create a sense of ambiguity and uncertainty. [52] The use of confused language indicates that the author did not want to provide a clear outcome for the foreign wives and their children, leaving the reader with no clarity as to what ultimately happened to them. However, notwithstanding the action taken against the foreign wives, the fact remains that the problem was such that it affected the covenant-making process in Ezra–Nehemiah.

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[49] Blenkinsopp, *Ezra–Nehemiah*, 179, 200. Fried is in agreement that the verse makes no sense, Fried, *Ezra*, 409.

[50] Williamson, *Ezra, Nehemiah*, 144–45, 159.

[51] Shepherd and Wright, *Ezra and Nehemiah*, 47; and Fensham, *The Books*, 144.

[52] Byun, "Confused Language," 211.

Eskenazi and Judd see a religious angle to the intermarriage crises in Ezra–Nehemiah, comparing Persian Yehud, which was undergoing a resurgence in immigration after the Babylonian exile, with modern Israel in the twentieth century which was also undergoing a similar resurgence.[53] Both societies experienced a seemingly benevolent empire replacing another as rulers of the land (the Persians replacing the Babylonians on the one hand, and on the other the British empire replacing the Ottoman empire). Both empires made declarations ensuring return to the homeland—the Cyrus Edict (Ezra 1) and the Balfour Declaration of 1917.[54] The immigration into modern Israel resulted in tension between Jewish groups, especially between orthodox and non-orthodox Jews, the latter known as the Haredim.[55] Jewish settlements that pre-dated the 1930s had the Chief Rabbinate (with British backing) control marriage and divorce laws, whose application were "somewhat flexible in practice.[56] But then, from the 1930s orthodox rabbis began to move to Israel with the migrations from Poland and Lithuania. Eskenazi and Judd narrate:

> The greatest among them refused official position within the Chief Rabbinate. Yet, within a short time they, not the official structures, came to exert great religious power and authority in Israel: practices within many religious communities depended on the decisions of the Eastern European orthodox rabbis rather than those of the official Chief Rabbinate. Over a period of time, the name Haredim ('those who tremble'—see Ezra 9.4 and 10.3) came to designate these groups.[57]

By the 1970s, it became necessary to regulate family laws in light of the "Law of return," which granted citizenship to every immigrant self-professing Jew. The state

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[53] Eskenazi and Judd, "Marriage," 277.
[54] Eskenazi and Judd, "Marriage," 277.
[55] Eskenazi and Judd, "Marriage," 279–80.
[56] Eskenazi and Judd, "Marriage," 281.
[57] Eskenazi and Judd, "Marriage," 281.

ruled that a Jew was "only a person who has been born to a Jewish mother or who has been converted to Judaism and is not a member of another religion."[58] The Chief Rabbinate, which had more authority than the Israeli Supreme Court in marriage and divorce matters, voided many marriages that the courts had sanctioned based on this definition of a Jew. The Haredim, considered the Chief Rabbinate too moderate, and as the Chief Rabbinate declined, the Haredim superseded its rulings "by the teachings of the European rabbis and their disciples."[59] With an increase in their influence and power,

> The Haredim have called non-orthodox Jews 'gentiles' and denied their Jewish identity. From a haredi perspective, a marriage between a haredi and a non-haredi constitutes a mixed marriage.[60]

Eskenazi and Judd continue

> As a result of the evolving definition of who is a Jew, many modern marriages in Israel have been declared illegal because people who had considered themselves Jews have been otherwise defined by the new laws.[61]

Then they conclude:

> As the British established the Chief Rabbinate for Jewish affairs, so, we can suppose, the Persians created a structure for Jewish affairs (or elevated an already existing one), that is, the priesthood. Like the illustrious haredi European rabbis in the 1930s, Ezra arrived from diaspora late, after certain patterns had been established. He offered a more stringent definition of who is a Jew, which gained popular support among some segments of the population, leading to further legal reformulation of the issues and to communal tension. In this process, previously sanctioned relations had to be re-evaluated. Given this interpretation, the women of Ezra 9–10 could have been Judahites or Israelites who had not been in exile and who, in the eyes of the early returnees, were appropriate marriage partners. Ezra 9.1–2 does not refer to these women as Canaanites or Ammonites because they are not. Nevertheless, on the basis of a redefinition, they come to be regarded as those outsiders and shunned accordingly.[62]

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[58] Eskenazi and Judd quote M. Amon's citation of The Law of Return (Revision §2) March 10, 1970, Definition 4B in Amon, "Israel and Jewish," 16. See Eskenazi and Judd, "Marriage," 282 f.n. 47.

[59] Eskenazi and Judd, "Marriage," 283.

[60] Eskenazi and Judd, "Marriage," 283.

[61] Eskenazi and Judd, "Marriage," 284.

[62] Eskenazi and Judd, "Marriage," 284–85.

Therefore, it can be seen, that the covenant in Ezra 9–10 represents an action undertaken with religious undertones—an attempt to redefine who a true Israelite was and by setting aside their foreign wives, they were setting themselves apart to the exclusion of all other groups.

But religious, identity and boundary issues were not the only driving factors in the intermarriage crises. Socio-economics was a driving factor as well. Speaking of the intermarriage crises in Ezra–Nehemiah, Berquist states that

> The issues that have appeared throughout the books of Ezra and Nehemiah are matters of regional competition and economic differentiation within Yehud. In both of these issues, Yehud was increasingly isolating itself from other geographic and political entities, and the ruling classes of Yehud found themselves increasingly distant from the economic concerns of the masses. Both of these factors can lead to a concern against intermarriage. Nehemiah's perception of the dangers of intermarriage seems clear: it could produce opportunities for foreign officials to exercise undue influence on Yehud's internal matters (Nehemiah 13:28). In an atmosphere of economic depletion by the Persian Empire's central authority and harsh competition from other regions, regulations against intermarriage would enhance a sense of Yehudite solidarity over against the other regions. The concern would be to solidify political control and economic security within the ruling stratum of Jerusalem society.[63]

There were a number of factors at play here—religious factors, boundary and identity factors and socio-economic factors.

In another study, Eskenazi opines that marriage was connected to the transfer of property, and they were concerned about losing communal land to foreign wives.[64] Though the biblical record is generally silent about women (except in the case of the intermarriage crises), she demonstrates that the pushback on intermarriage was related to socio-economic issues and that women were more visible and active than the text made

[63] Berquist, *Judaism*, 118.
[64] Eskenazi, "From the Shadows," 25–43.

them out to be.[65] Drawing evidence from the Elephantine documents she demonstrates that women had economic power—through marriage they could transfer property and social status.[66] One such women is Mibtahiah, who on the occasion of her marriage to Jezaniah in 459 BCE is granted a house by her father, which she was entitled to pass on to her children (B25).[67] The husband, Jezaniah was granted to live in the house with his wife, with rights to renovate it, but could not sell or bequeath it to anyone but his children with Mibtahiah. But if Mibtahiah divorced him and left him, she could not remove him, and should she wish to claim the house, half would be Jezaniah's as reward for his labour in renovating the house. Only their children would have the right of inheritance of the house at the parents' death, thereby ensuring the house was "passed on in perpetuity within a limited family circle" (B26).[68] Later the same Mibtahiah remarries after the presumed death of Jezaniah,[69] and the marriage contract outlines the vast properties she was bringing into the marriage, which would remain hers despite the marriage and its dissolution (B28). If either party initiated divorce, the initiating party would pay the other seven-and-one-half shekels as compensation.[70] In addition, her husband, Eshor, could not pass on his property without Mibtahiah's consent, nor could he pass it on to a former spouse or children, and no one could evict her from the house after his death.

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[65] Eskenazi, "From the Shadows," 27.

[66] In the following summary of three women identified in the Elephantine documents, I follow the outline of Eskenazi. See Eskenazi, "From the Shadows," 27–31.

[67] Porten, *The Elephantine Papyri*, 163–70.

[68] Porten, *The Elephantine Papyri*, 172–75.

[69] See Eskenazi, "From the Shadows," 28.

[70] Porten, *The Elephantine Papyri*, 177.

Eskenazi reviews another woman cited in the Elephantine documents, Tamet (or Tapemet),[71] who was a slave but married to a free man Ananiah, a temple official (B36).[72] As in Mebtahiah's marriage contracts, either spouse could initiate divorce, but the initiating party would pay the other 7 shekels of silver (B36.7–10).[73] Though a slave, as a wife she possessed both property and legal rights. In addition, when Ananiah purchases a house, he gives her 50 percent ownership and should they die, the house was to pass on to their children Jehoishma and Pilti (B38).[74] A few years after Tamet and her children were released from slavery by their master Meshullam (B39), Ananiah bequest part of a house to Jehoishma (B40), and she marries shortly after. Jehoishma's marriage contract reveals that she is very wealthy despite being a former slave (B41). The stipulations for divorce are again similar to that of Mibtahiah and Tamet, where the spouse initiating divorce would pay the other seven-and-one-half shekels (B41.21–22). As Eskenazi points out, the recurrence of this divorce stipulation indicates that they were common for Elephantine. Finally, in the contract outlined in document B45 of the sale of an apartment to their son-in-law, Ananias, husband of Jehoishma, depicts both Ananias (husband of Tamet) and Tamet together making the sale for thirteen shekels. Not only was an ex-slave selling property with her husband, but she had also become a temple official (לחנה) with her husband as indicated in the parties to the contract:

> On the 12th of Thoth, year 4 of Artaxerxes the king,
> then said Anani son of Azariah, a servitor of YHW, and lady Tapemet his wife,
> a servitor of YHW the God dwelling (in) Elephantine the fortress, to Anani son
> of Haggai son of Meshullam son of Busasa an Aramean of ephantine the

[71] Tapemet is the form of Tamet's name that the scribe Haggai preferred. See Porten, *The Elephantine Papyri,* 246 f. n. 2.

[72] Porten, *The Elephantine Papyri*, 208–11.

[73] Porten, *The Elephantine Papyri*, 209–10.

[74] Porten, *The Elephantine Papyri*, 216–19.

> fortress of the detachment of Nabukudurri (B45.1–3).[75]

Eskenazi concludes:

> These documents from Elephantine begin to sketch legal and social roles for women that we do not normally ascribe to biblical or postexilic communities. They show women in the Jewish community who are able to rise from slavery to a position in the temple, to divorce their husbands, hold property, buy and sell. The documents also confirm the fact that daughters inherit even when there is a son. Consequently, these documents compel us to revise some typical assumptions about women's roles in the postexilic era.[76]

Eskenazi argues that these roles and rights of women were not unique to Egypt, but that there were other connectors that point to the fact that they were common in the Persian empire, namely, the Jewishness of Elephantine and Yehud (they would have had similar practices being under the same Persian rule), and communications were "relatively easy" and frequent.[77] Taking a cue from Lipiński who postulates that the wife's initiative in divorce as observed in Egypt was a result of semitic influence and that there were affinities between Elephantine and Mesopotamian marriage contracts,[78] then in the case of the Jewish migrant community in Yehud who had migrated from Babylon, "the influence of Mesopotamia upon its marriage practices becomes all the more probable."[79]

Knowing that women in the Persian empire had property rights, and considering the concerns of the migrant community in Yehud, not only was the obligation to set aside foreign wives a religious one (i.e., separating themselves from the "unclean") and a move to preserve their identity, the obligations had concerns for land tenure and economics embedded in it. Keeping foreign wives (in the mind of majority of the

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[75] Porten, *The Elephantine Papyri*, 246-47.
[76] Eskenazi, "From the Shadows," 31.
[77] Eskenazi, "From the Shadows," 32.
[78] Lipiński, "The Wife's Right," 20–23.
[79] Eskenazi, "From the Shadows," 32.

migrant community),[80] was a necessity in an attempt to keep the land and its resources within the limited circle of the migrant community and their descendants in perpetuity. That women had rights to inheritance and bequeathing of property posed a risk to the community in cases where a wife was foreign.[81] To not lose their lands through foreign wives, they found it necessary to embed the clause to remove foreign wives in the covenant.

Conclusion

The shifts in the covenant-making process in Ezra–Nehemiah were influenced by several factors. First, the sociological factors in Persian Yehud, such as migration and the presence of a diverse population, played a significant role in shaping the covenant-making process. The return migrants from Babylon and Persia had connections to their ancestral lands and were driven by ethnic ties and economic motives. They saw themselves as separate from the "people of the land" and sought to assert their identity as the true Israelites. This led to a shift in the initiation of the covenants in Ezra–

[80] Some were in opposition to the idea as indicated in Ezra 10:15. However, the majority prevailed. That there was room for opposition highlights the democratization of the covenant-making process and obligations.

[81] Smith Christopher has a nuanced view of the intermarriage issue. While he is in agreement that the problem was in part an economic matter with land tenure at its core, he diverges in his conclusion positing that migrant men marrying women from the people of the land was "marrying up;" a means to the end of improving their social status. In Smith-Christopher's estimation and analysis, he determines that the migrants were not just a minority, but disadvantaged economically, and therefore, one way to improve their social status, and economic power was to marry wives from the people of the land, who were, in Smith-Christopher's estimation, the dominant group economically. See Smith-Christopher, "The Mixed Marriage," 243–64. But this conclusion raises a number of problems, like, why would the migrant community do away with foreign wives if it was to their advantage economically? Maintaining those marriages would have empowered them with time to become substantial land stakeholders with the people of the land. Secondly, it does not align with the biblical text. However, despite Smith-Christopher's nuanced view, it still points to the fact that there were economic underpinnings in the idea and covenant obligation of putting away their foreign wives for the migrant community. And as McNutt rightly observes, "The value of these studies, whether or not they agree, is that they provide some insight into the complexities associated with group and boundary definition and its interrelationship with economic and political as well as social and religious dynamics." McNutt, *Reconstructing the Society*, 206.

Nehemiah, with relatively insignificant individuals taking the lead instead of prominent leaders like Ezra and Nehemiah. The common people played a more active role in the covenant-making process, leading to a more democratic approach where the terms and obligations were determined collectively by the community.

Second, the return migrants in Ezra–Nehemiah sought to legitimize their identity as the true Israelites and the rightful inheritors of the land. They used genealogies, the myth of the empty land, and the myth of the land polluted, to justify their claim to the land. The covenants in Ezra–Nehemiah served as a means to reinforce their identity as a separate and holy people, set apart from the rest of the people of the land. By entering into a covenant with YHWH, they believed they were sanctioned by both YHWH and the Persian king, further legitimizing their position in Yehud.

Third, is the issue of religious revival and reform. The return from exile was seen as a fulfillment of prophetic promises, and there was a strong emphasis on religious revival and reform. The democratization of the covenant-making process served to promote religious inclusivity and accountability. The public reading and interpretation of the Torah by Ezra and the communal confession and covenant renewal ensured that everyone had access to the laws and understood their responsibilities. This helped prevent the centralization of religious authority in the covenant-making process and fostered a shared sense of purpose and destiny among the migrant community.

Fourth, there is the matter of Persian socio-political influence. While not directly influential in the covenant-making process in Ezra–Nehemiah, the biblical texts emphasize the imperial initiative in the restoration efforts. The Persian kings, particularly Cyrus and Darius, are portrayed as instruments of YHWH's will, issuing edicts and decrees that authorized and supported the return of the exiles and the

rebuilding of the temple. The inclusion of these imperial edicts in the biblical narrative served to legitimize the authority of the return migrants and their covenant-making process. The Persians' recognition of the return migrants' rights to their ancestral land and their support for the restoration projects provided a foundation for the covenant. In addition, the Persian rulers directly provided resources from the royal treasuries and indirectly supported an aristocratic class in Yehud, granting them privileges and authority in the administration of justice, collection of taxes, and levies. This aristocratic class played a significant role in the covenant-making process. Their close ties to and support from the Persians and their positions of influence allowed them to shape the covenant and assert their authority over the community. And as seen in this chapter, this aristocratic class contributed to the debt-crisis in Yehud that contributed in some way in the eventual covenant.

Lastly, there were social and economic implications in relation to intermarriage. As had been noted, the return migrants from Babylon and Persia were faced with the challenge of maintaining their distinct Israelite identity while living among a population that included foreigners and indigenous people. The intermarriage with foreign wives posed a threat to the purity of the migrant community and their adherence to the Mosaic law in their estimation. But as noted, the covenant obligation to put away their foreign wives was not only driven by religion and maintaining their distinct identity, but there were also social and economic implications as well. Marrying foreign wives could lead to the integration of foreign families into the migrant community, potentially diluting the resources and privileges of the return migrants. By enforcing the prohibition, the return migrants sought to maintain their social and economic status as the rightful inheritors of

the land and the dominant group within the community and prevent land holdings from switching into foreign hands by means of inheritance by their foreign wives.

These factors collectively contributed to the shifts in the covenant-making process in Ezra–Nehemiah, moving away from divinely initiated, leader-focused, and undemocratic covenants as in the Noahic, Abrahamic, Mosaic, Priestly, and Davidic covenants towards covenants initiated and shaped by the community.

CHAPTER 8: CONCLUSION

This dissertation discussed the concept of "shifts" in the covenant-making process, specifically focusing on the covenant in Ezra–Nehemiah. The dissertation explored these shifts using a comparative sociological method and argued that some of the shifts in the covenant-making process were sociological in nature. It also highlights that the covenants shifts depicted in the biblical record of Ezra–Nehemiah was the result of a number of sociological factors such as defining the identity of the early Persian Yehud migrant community, religious reform, Persian socio-political influence, and socio-economic challenges.

This study reviewed Israelite covenants such as the Noahic, Abrahamic, Sinai, Davidic, and Phinehas covenants. These covenants were initiated by YHWH, who set the terms for the covenants without input from the people they were directed to. But in the Ezra–Nehemiah covenants, there is a role-reversal. In this role reversal, humans became the main initiators of covenants, and communally propose obligations, while the significant persons—Ezra and Nehemiah become passive parties to the covenant. This shift is explicitly depicted in the covenant-making process in Ezra–Nehemiah. While some scholars argue that this role reversal does not indicate a shift, the dissertation agrees with other scholars and argues that there is indeed a definite shift in roles.

To address the lack of reasons given by proponents of the shift claim, the dissertation examined the social character of Yehud within the Persian Empire. By doing

so, it sought to uncover sociological factors that influenced the covenant-making process in Ezra–Nehemiah. Although the focus of this dissertation is on the covenant in Ezra–Nehemiah, it is my hope that the study will lead to a broader exploration of Persian influence on the Judean worldview in the Persian period.

Chapter 1 dealt with a brief review of research in the area of shifts in the covenant-making process in Ezra–Nehemiah. It highlighted the importance of studying these shifts and the lack of reasons given by scholars for these changes in the covenant-making process. The chapter then reviewed previous research on covenant formulae in the Old Testament, particularly the similarities between the Hittite suzerainty treaties and the Sinai covenant. This examination of the work of scholars who have explored the covenant shifts in Ezra–Nehemiah leads to the recommendation that further investigation into sociological factors may shed light on these shifts.

The chapter noted that unlike pre-exilic covenants, the people themselves take the initiative and propose a covenant to Ezra and Nehemiah. The role of leaders is less pivotal, and the people commit themselves to specific obligations rather than general obligations from YHWH. This represents a "democratization" of the covenant-making process, with the people playing a more active role. The chapter highlighted the work of scholars such as Klaus Baltzer, Tamara Eskenazi, Mark Boda, and Douglas Nykolaishen, who have identified these shifts and explored their implications. It also reviewed the research conducted by scholars such as Joel Weinberg, who focused on the structure and nature of the Persian period community in Yehud. Weinberg identified the Persian period as a time of socio-economic development, urbanization, and the emergence of a "citizen-temple community." He argued that this community was connected to both the Persian empire and the Temple. The chapter also discussed the research of Christiane

Karrer, who applied sociological and political theory to investigate Yehud's socio-political structure in Ezra–Nehemiah.

The chapter suggests that sociological factors may have influenced the covenant shifts in Ezra–Nehemiah. It introduces the work of Michael Duggan, who analyzed the covenant renewal ceremony in Nehemiah synchronically. Duggan argued that the people's grasp and appropriation of the Torah was constantly improving, the covenant renewal signified democratic growth and communal autonomy, and there was a shift in leadership from Ezra to the community leaders. In the chapter, mention is also made of the research of Sara Japhet, who explored the issue of intermarriage stipulations in the context of prevalent customs and contemporaneous theological concepts.

Chapter 1 establishes the existence of shifts in the covenant-making process in Ezra–Nehemiah and suggests that further research is needed to explore the sociological factors that may have influenced these shifts. By understanding the sociological context of the early Persian Yehud community, we can gain a deeper understanding of the covenant shifts in Ezra–Nehemiah and their significance.

Chapter 2 discussed the application of sociological approaches to the study of the Old Testament, specifically focusing on the Persian Yehud community as portrayed in the books of Ezra and Nehemiah. It began by providing an overview of sociological methodologies in biblical studies, emphasizing the importance of understanding the social context, structures, and dynamics depicted in the Bible. It explained that sociological approaches offer diverse analytical tools for understanding the social world depicted in the Bible and its relevance to contemporary issues and concerns.

The chapter then delved into the early sociological methods used in the study of the Old Testament, starting with the work of Herodotus in the ancient world. It discussed

how scholars in the Renaissance and later periods explored the connections between government, religion, and culture in ancient Israel. The chapter also highlighted the contributions of scholars like Max Weber and Martin Noth in understanding the social and economic conditions of early Israel.

Moving on to more recent sociological methods, the chapter focused on the work of Norman K. Gottwald, who proposed a detailed reconstruction of early Israelite society. Gottwald argued that early Israelites were organized in "egalitarian" social groups like tribes or bands, who came together in times of crises. The chapter also discussed the work of other scholars, such as John Ahn, who further developed Gottwald's ideas and explored the social structures of forced migrations using the comparative method. The chapter also mentioned the contributions of scholars like Daniel L. Smith-Christopher and Takeyuki Tsuda, who studied the experiences of diasporic return migrants and their reintegration into their ethnic homeland communities. The chapter concluded by outlining the application of sociological approaches to the dissertation's research on the community in Persian Yehud depicted in the biblical account of Ezra–Nehemiah. It proposed three hypotheses related to the sociological conditions in Yehud and the shifts in the covenant-making process as portrayed in the books of Ezra and Nehemiah. It was revealed in this chapter how the dissertation would engage the research of Tsuda and other to uncover the socio-economic conditions that existed in early Persian Yehud and determine the influence of economic, political, and ethnic factors on the return migration to Yehud and the Persian period community's religion.

Overall, this chapter provided a comprehensive overview of the application of sociological approaches to the study of the Old Testament, particularly in relation to the migrant community in Yehud. It highlighted the importance of understanding its social

context and dynamics in order to gain a deeper understanding of biblical texts and their relevance to contemporary issues and concerns.

Chapter 3 discussed the concept of covenant in the biblical texts of Genesis, Exodus, Numbers, 2 Samuel, and Ezra–Nehemiah. It explored the different covenants made between YHWH and the people of Israel, including the Noahic Covenant, the Abrahamic Covenant, the Sinai Covenant, the Priestly Covenant, the Davidic Covenant, and the covenants in Ezra–Nehemiah. The chapter began by examining Noahic and Abrahamic covenant, noting the how YHWH initiates each covenant electing the significant persons of Noah and Abraham. It also examined the establishment of the Sinai Covenant, which the book of Exodus sets after the exodus of the Israelites from Egypt while they camped in the wilderness at Sinai. The people accepted the Covenant by declaring their willingness to obey all the words of the Lord. They then offered sacrifices to YHWH, symbolizing the gravity of the covenant and their commitment to it. The sprinkling of blood on the altar and the people further emphasized the joining together of YHWH and Israel in the covenant. The chapter also discussed different scholarly opinions on whether the covenant meal mentioned in the text was an actual meal or a symbolic act of worship and rejoicing in YHWH's presence.

Next, the chapter explored the Priestly Covenant, which is associated with the selection of Phinehas and his descendants as priests in perpetuity by YHWH. While this covenant is not explicitly described using covenantal language, other biblical texts use covenantal language in relation to the Levitical Priesthood. The idea of a covenant between YHWH and the priests is concretized in the covenant episode found in the book of Numbers. This episode revolves around Phinehas, the grandson of Aaron, who takes decisive action to halt a plague afflicting the Israelites due to their involvement in

idolatry and immorality. In response to Phinehas's actions, YHWH rewards him with a covenant of peace and an everlasting priesthood for his descendants.

The chapter then focused on the Davidic Covenant, which is introduced in 2 Sam 7. In this covenant, YHWH promises to establish David's dynasty and throne forever. He pledges to raise up a descendant of David who will rule over Israel and build a house (temple) for God's name. The Davidic Covenant is reaffirmed in various Psalms and prophetic texts, emphasizing the enduring nature of the Davidic dynasty. The chapter highlighted the parallels between the Davidic Covenant and the previous covenants, such as the Noahic, Abrahamic, and Sinai covenants. It also discussed the significance of the Davidic Covenant in identifying the promised line of "seed" that will mediate blessing to all the nations of the earth. Then the chapter examined covenant in Ezra–Nehemiah. There are two instances related to covenant in the biblical record of Ezra–Nehemiah. In Ezra 9, Ezra is informed that the people, priests, and Levites have taken foreign wives. This information moves Ezra to tears, and he prays to the Lord in penitence. A large group of people gathers to him, weeping, and they propose a covenant before YHWH to send away foreign wives amongst them. In response, Ezra makes all the priests and Levites swear to act in accordance with the words of the proposer, Shechaniah. In Nehemiah 10, the community as a whole makes a firm agreement to obey the law of God. They enter into a curse and an oath to walk in YHWH's law, vowing not to intermarry with the peoples of the land and to observe various religious practices.

The chapter discussed different scholarly opinions on whether the events in Ezra 9 and Nehemiah 10 should be considered covenant renewals. Some scholars argue that these events constitute covenant renewals, while others see them as solemn agreements

or specific actions taken to address a particular issue. The conclusion on this matter is that whether one considers the arrangements in Ezra–Nehemiah covenants or covenant renewals, they are unique when compared to other covenants and covenant renewals. The chapter also highlights the shift in the covenant-making process in Ezra–Nehemiah, where the initiative comes from the people rather than a significant figure like a priest, king, or mediator. This shift reflects a democratization of the covenant-making process, with the people determining the terms and obligations of the covenants. The chapter highlighted the common trends in these covenants, such as YHWH's initiation, the involvement of significant figures or mediators, and the undemocratic nature of the covenants except those depicted in the Ezra–Nehemiah text. It also emphasized the unique aspects of the covenant-making process in Ezra–Nehemiah, where the people take the lead and determine the terms and obligations of the covenants and deemed it a shift in the covenant-making process.

Chapter 4 of the dissertation titled "Judean Sociological Factors I" focused on the social conditions in early Persian Yehud, specifically during the historical timeframe covered in Ezra–Nehemiah. The chapter began by introducing the purpose of the study, which is to uncover the social conditions that existed in Yehud during this period and to investigate the influence of migration and ethnic factors on the return migrants. The chapter referenced the work of Takeyuki Tsuda, who examined the socio-economic factors that influence diasporic return and reintegration of diasporic migrants with their ethnic homeland communities. Tsuda's research includes various migration events such as Jewish migration from Russia to Israel, ethnic German returns to Germany from Eastern Europe, and return migration of diasporic communities from Latin America and Eastern Europe to various European countries. Tsuda's findings serve as a basis for

generating questions that can aid in the investigation of the social conditions in Yehud during this time.

The chapter then delved into the causes of diasporic return, as identified by Tsuda. He identified two main causes: transnational ethnic ties and economic motives. Migrants from less developed nations are primarily motivated by economic factors, seeking better opportunities in more developed countries. On the other hand, migrants from more developed countries are driven by a stronger desire to reconnect with their ancestral communities, although economic opportunities still play a role. Tsuda noted that return migrants from more developed nations tend to have a more positive experience due to their higher status and skills, while migrants from less developed nations may face ethnic and socio-economic marginalization.

The chapter then explored the issue of ethnic and socio-economic marginalization in ethnic homelands, focusing on the experiences of migrants from less developed nations. These migrants often face exclusion and are treated as foreigners or strangers due to their cultural assimilation in foreign lands. They may also face socio-economic marginalization, being limited to unskilled low-status jobs. In contrast, return migrants from more developed nations tend to be respected and have a more positive reception due to their higher status and skills. The chapter also reviewed Tsuda's findings on the topic of the ethnic identity of diasporic return migrants. Tsuda observes that the negative reception in the ethnic homeland can influence their ethno-national identities in various ways. Some migrants may identify more with the nation they migrated from, seeing themselves as cultural foreigners in their ancestral homeland. Others may assert their ethnic heritage and consider themselves the "true" members of their ethnic group, while viewing the co-ethnics in their homeland as "contaminated" by

modernity. Some migrants may adopt non-nationalist diasporic identities, while others may develop transnational identities, maintaining strong allegiances to both their ethnic homeland and their diasporic home countries. Chapter 4 concludes by discussing the demographic changes in early Persian Yehud. The population of Judah drastically reduced due to the Babylonian invasion and forced migration to Babylon. The exact population of Yehud during the early Persian period is difficult to determine, but estimates suggest a decline of 60.6 percent to 80 percent from the pre-exile population. The chapter also touches on the economic realities in Yehud, including occupation challenges, loans, and state taxation. These economic factors, along with the difficult farming conditions and heavy taxation, contributed to a bleak economic climate in Yehud, discouraging many exiles from returning. Chapter 4 provided insights into the social conditions, causes of diasporic return, ethnic and socio-economic marginalization, and demographic changes in early Persian Yehud. It highlighted the influence of migration and ethnic factors on the return migrants and sheds light on the challenges they faced in settling in Yehud.

Chapter 5 of the dissertation focused on the socio-economic factors that characterized early Persian Yehud. The chapter explored the tapestry of socio-economic conditions in Yehud by examining the dynamics of the economy, society, and the interplay between them. The chapter also delved into the impact of taxation in Persian Yehud on its economy and the resultant debt crisis depicted in the biblical record of Ezra–Nehemiah.

The chapter began by acknowledging the challenges of using the biblical text of Ezra–Nehemiah as a historical source. While some scholars consider the text completely fictitious, others argue that extrabiblical historical data generally confirms some events

and activities outlined in the biblical text. The text provides insights into economic practices and challenges in Yehud, such as borrowing money to pay taxes, mortgaging of land for food, indentured slavery, and heavy tributes placed upon the people by governors. The prophetic book of Haggai also portrays a dire economic situation during that time. To gain a deeper understanding of the economic situation in Yehud, scholars have relied on contemporary extrabiblical texts as sources. Ancient Babylonian, Persian and Aramaic documents and inscriptions, as well as Greek historians such as Herodotus, Thucydides, and Xenophon, provide valuable insights into the economy of the Persian empire. Elamite texts from Persepolis and the Elephantine papyri and ostraca also contribute to understanding the Jewish community in upper Egypt during the Achaemenid empire. These sources help paralleled elements of the biblical narrative of Ezra–Nehemiah and provide a broader historical context.

Archaeological evidence also plays a significant role in understanding the economy of Persian Yehud. The discovery of stamped and incised jar handles in Judah, particularly in and around Jerusalem and Ramat Raḥel, provides valuable insights. These jar handles were used for storing agricultural products, primarily wine and oil. The presence of over 3,000 stamped jar handles indicates a well-established administrative and economic system in Judah, with Ramat Raḥel serving as the main collection center for agricultural products. The existence of these jar handles for over half a millennium suggests stability and continuity in the governance and economy of Judah during this period.

The primary occupation in Yehud was farming, with agriculture being the main product. The main food crops cultivated in the region included wheat, peas, lentils, mustard, olives, and grapes. The farming cycle revolved around planting and harvesting

cereals, with careful observation of rainfall patterns. Barley and legumes were planted during the winter period, while flax was cut between March and April. Wheat was harvested from May to mid-June, and the process involved cutting stalks of grain, threshing, winnowing, and storing the grain. In the summer months, farmers focused on collecting other crops, and the end of the farming cycle was dedicated to harvesting olives, figs, grapes, and pomegranates. This basic farming cycle persisted for many centuries, as evidenced by the Gezer Calendar from the tenth century BCE. However, this research determined that farming in Yehud was challenging due to poor environmental geographic factors. The difficult terrain, locust infestations, and droughts negatively impacted agriculture in the region. The Judean hill country, where the province of Judah was primarily confined during the Persian period, faced several ecological disadvantages compared to other regions of Palestine. The soil in the Judaean hill country consisted of Senonian chalk, which was relatively easy to cultivate but not particularly fertile. The arid zone extending from the Jordan Valley widened toward the south, placing Jerusalem at its edge. These geographic challenges made farming in Yehud a risky business, with the constant threat of serious crop failure. To compensate for the difficulties related to farming, many people in Yehud engaged in animal husbandry. Both farming and pastoral activities were typically engaged in the same household, with evidence of primarily sedentary lifestyles, but also semi-nomadic, and nomadic lifestyles. Goats, cattle, sheep, oxen, donkeys, mules, and camels were reared for various purposes such as milk, cheese, meat, wool, and transportation.

Pottery making was another occupation in Persian Yehud, as evidenced by archaeological records and literary texts. Stamped and incised jar handles were used for storing agricultural products, and numerous utilitarian clay items such as bowls, cooking

pots, flasks, and jugs were discovered. The existence of these pottery items suggests an organized economic structure and skilled labor force, highlighting the importance of pottery in the economic framework of Persian Yehud.

The Priests and Levites were a prominent aristocratic group in Persian Yehud. They gained prominence after the exile and played a significant role in the economic life of Yehud. The Priests and Levites were responsible for collecting tithes, tributes, and taxes on behalf of the Persian administration. They also oversaw official sacrifices and interpreted the law. While the priests were not entirely responsible for the bleak economic situation in Yehud, their role in collecting taxes and tributes and especially levies for the temple placed a heavy toll on the subsistence farmers and peasants, leading to debt and associated problems such as mortgaging of property and debt slavery.

Chapter 5 provided a comprehensive overview of the socio-economic factors in Persian Yehud, specifically during the Persian period. It explored the dynamics of the economy, society, and the interplay between them as it relates to Persian Yehud. It highlights the challenges faced by the agricultural sector, the importance of animal husbandry and pottery making, and the role of the Priests and Levites in the economic life of Yehud. The chapter emphasized the need to consider both biblical and extrabiblical sources, as well as archaeological evidence, to gain a deeper understanding of the economic realities of Persian Yehud.

Chapter 6 of the book provided an analysis of the socio-political factors at play during the time of early Persian Yehud. It explored the influence of the Persian Empire on the restoration efforts and the making of a covenant in Yehud as depicted by the Ezra–Nehemiah text. The chapter highlighted the accuracy of the historical portrayal in the biblical and ancient Persian texts, the chronological order of the Persian monarchs,

and the motivations of the Persian kings in supporting the religion of Judah. It also examined the missions of Ezra and Nehemiah and their roles in fortifying the city and organizing the community. Overall, the chapter shed light on the significant Persian political influences on Yehud and how the biblical texts of Ezra–Nehemiah depict how these factors shaped the missions and actions of Ezra and Nehemiah.

The chapter began by emphasizing the importance of understanding the socio-political framework of Persia Yehud to help gain insight into the covenant shifts in portrayed in Ezra–Nehemiah. It highlights the significance of exploring the political dynamics in both the empire and the province of Yehud to better comprehend the text's portrayal of covenant. The ultimate goal is to uncover the political factors that influenced the covenant-making process as depicted in Ezra–Nehemiah.

To establish this socio-political context, the chapter probed into the Persian political influence evident from the beginning of the book of Ezra–Nehemiah. It introduced the Persian monarchs mentioned in the text, including Cyrus, Darius, Xerxes, and Artaxerxes. The text portrays these kings as making decisions regarding the reconstruction of the temple and the walls of Jerusalem. However, the chapter acknowledged that the accuracy of the historical accounts in both the biblical and ancient Persian texts has been called into question. Despite this, historians still rely on these sources, albeit with caution, recognizing that all textual resources are perspectival in nature and require critical assessment.

The chapter highlighted the writer(s)' knowledge of the political contexts of the periods in question by referencing the Persian monarchs and governors such as Tattenai, Sheshbazzar, and Nehemiah. It acknowledged the discrepancies in the linear reading of the text, which does not align with the well-accepted order of the reigns of the Persian

monarchs based on Persian and Greek sources. The chapter presented the argument that the writer engaged in resumptive repetition, using catchwords at the beginning and end of the material that does not fit into the linear flow. This technique marks out the material thematically rather than historically, allowing for a better understanding of the narrative. To illustrate this argument, the chapter presents a table outlining the material in Ezra 4:4–24. The table demonstrated how the material from the reigns of Xerxes I and Artaxerxes I are inserted between the catchwords, providing evidence of opposition similar to that faced during the earlier period of Cyrus and Darius. The chapter concluded that the writer knew the proper order of Cyrus, Darius I, and Artaxerxes I, as suggested by the list of these royal figures in the summary note in Ezra 6:14. This understanding helps establish the historical period reflected in Ezra–Nehemiah, spanning the reigns of Cyrus the Great, Darius I, Xerxes I, and Artaxerxes I.

Moving on to the effects of the Persian socio-political makeup on Yehud, the dissertation explored the portrayal of the early Persian kings as benefactors of the Yehudite religion in the biblical text. It emphasized Cyrus's Edict of Restoration as the main catalyst for the restoration of Judah to their covenant land. Cyrus is depicted as granting amnesty to the Babylonian exiles, allowing them to return to Yehud and rebuild the temple of YHWH. He provides financial resources and orders the return of the temple vessels. Darius, too, overrules objections to the temple's reconstruction, while Artaxerxes orders the restoration of worship and provides resources for the reconstruction of Jerusalem's walls.

This chapter raised questions about the motivations of these Persian kings in supporting the religion of Judah. It pondered whether their actions were driven by mere magnanimity or if there were other factors at play. It also explored the influence of the

Persian administration on the characters of Ezra and Nehemiah and their mission in Judah. The chapter suggested that the Persian kings' support of the Yehudite religion may have been a strategic move to maintain stability in the region and secure their borders. By supporting the restoration efforts and religious practices of Judah, the Persian kings could gain the loyalty and cooperation of the people.

The chapter then provided a brief overview of the missions of Ezra and Nehemiah, focusing on their activities during the reign of Artaxerxes I. Ezra is sent to Jerusalem to facilitate worship, implement the law of YHWH, and establish an administration of judges and magistrates. He encounters the problem of the people taking foreign wives, which he sees as a violation of the Torah. This leads to the decision to make a covenant before YHWH. Nehemiah, on the other hand, is commissioned by Artaxerxes I to rebuild the walls of Jerusalem and provide leadership as governor. He faces opposition from hostile neighbors and disunity among the inhabitants of the city. Nehemiah's task is to unite the city and establish administrative oversight.

Chapter 6 provided a comprehensive analysis of the Persian influences on the restoration efforts in Judah during the time of Ezra–Nehemiah. It highlights the political motivations behind the Persian support for the restoration, the strategies employed to secure the borders and maintain stability, and the socio-economic agenda behind the Persian magnanimity and religious tolerance. The chapter also examined the shifts in the covenant-making process and argued that the involvement of the people in choosing their obligations was a strategic move to create a stable and loyal community in the interest of Persia. Overall, the chapter throws light on the complex dynamics between the Persian Empire, the province of Yehud, and the missions of Ezra and Nehemiah.

Chapter 7 discussed the causes for the covenant-shifts observed in Ezra–Nehemiah, as well as the intermarriage problem in the text and its impact on the covenant-making process. It explores the different perspectives and interpretations of scholars regarding the intermarriage issue and its significance. One aspect of the covenant in Ezra–Nehemiah that was discussed is the intermarriage issue in Ezra 9–10 and Nehemiah 10. The people in making the covenant promise not to give their daughters in marriage to the peoples around them or take their daughters for their sons. This issue is seen as a covenant shift in the covenant-making process.

The dissertation also examined the differences between the marriage issues in the Nehemiah account and the Ezra account. It posited that the foreigners mentioned in the Ezra account include the "people of the land," and are a wider a wider group that could include the minority in the land who were not forced migrants in the Babylonian invasions and exile, people from foreign lands and people who returned from the exile by have a different set of religious beliefs from the dominant migrant group.

The intermarriage problem in Ezra–Nehemiah is seen as a complex issue with religious, identity, and boundary factors at play. The return migrants from Babylon and Persia sought to maintain their distinct Israelite identity while living among a population that included foreigners and indigenous people. The intermarriage with foreign wives posed a threat to their identity and adherence to the Mosaic law. The chapter also explored the socio-economic factors that influenced the intermarriage crises. The return migrants were concerned about losing communal land to foreign wives and sought to maintain their social and economic status as the rightful inheritors of the land. Marrying foreign wives could potentially dilute the resources and privileges of the return migrants. Religious revival and reform were also driving factors in the intermarriage crises. The

return from exile was seen as a fulfillment of prophetic promises, and there was a strong emphasis on religious revival and reform. The democratization of the covenant-making process promoted religious inclusivity and accountability. The dissertation in this chapter also discusses the influence of Persian socio-political factors on the covenant-making process. The Persian kings, particularly Cyrus and Darius, are portrayed as instruments of YHWH's will, issuing edicts and decrees that authorized and supported the return of the exiles and the rebuilding of the temple. The inclusion of these imperial edicts in the biblical narrative served to legitimize the authority of the return migrants and their covenant-making process.

In conclusion, the shifts in the covenant-making process in Ezra–Nehemiah were influenced by several factors, including sociological, religious, socio-economic, and Persian socio-political factors. These factors collectively contributed to the changes in the covenant-making process, moving towards a more democratic and community-driven approach.

Areas for Further Research

This project uncovers potential areas for further research, some on the task of unraveling the history of Persian Yehud and others relating to how voices unearthed from ancient times speak to us today and help us unpack our present sociological circumstances.

I believe a satisfactory resolution has not been found for the question of whether the arrangements depicted in Ezra–Nehemiah, specifically Ezra 9–10 and Neh 9–10, are definitively covenants or covenant renewals. While many scholars have strong views on this issue, the complexity and nuances of the texts invite further exploration. Additional sociological studies might uncover previously unnoticed aspects of these arrangements,

shedding light on the historical and cultural contexts that influenced their formation and interpretation. Insights from anthropology, comparative religion, and historical sociology could provide valuable perspectives on this ongoing debate.

Another area for further research would be the pottery industry in Persian Yehud. Archaeological findings and data have shown that this was an active industry in Yehud, but the full economic impact remains unclear. Key questions include how the industry related to the debt crisis in Yehud and whether this crisis slowed production or increased its pace. Additionally, understanding the tax system's operation within this industry, its profitability, and its overall contribution to the economy of Persian Yehud could provide valuable insights. Exploring these aspects may reveal new dimensions of the social and economic fabric of the time.

In relation to our present day, another area of research worth mentioning is the lessons the church and Christians today can learn from the dynamics at work in the early Persian Yehud community. The migrant community in Yehud strove to maintain their identity and preserve their religion, influenced by migratory, political, economic, and religious factors. Understanding how these factors applied to Persian Yehud can provide valuable insights for Christianity today, especially in North America, where church growth currently centers around immigrants from Latin America, Asia, and Africa, while immigration from these regions is at an all-time high. By examining the parallels between Persian Yehud and current church and social dynamics, we can leverage these lessons to ensure the church's survival, the success of world evangelism, and effective missions. How did Yehud's community strategies support identity preservation and faith maintenance amidst diverse pressures, and how can these strategies inform modern approaches to similar challenges faced by immigrant congregations and the Church in

the global north as a whole? Furthermore, what specific actions can churches take to integrate lessons from Yehud into contemporary practices to strengthen community bonds and religious adherence?

And one last area of research I recommend is the effect of the COVID-19 pandemic lockdowns on the church, particularly on church attendance at worship services. Most churches have not returned to their pre-pandemic attendance levels, and many shut down during the pandemic. Are there parallels to be drawn from the exile and restoration in Persian Yehud? Can we learn from the slow recovery in Persian Yehud and apply these lessons to the gradual return to worship services? Additionally, are there a parallels between post-COVID church economies and the economic recovery in Persian Yehud? How can these parallels influence our reading of the Ezra–Nehemiah text? Exploring these questions could provide valuable insights into how modern churches can adapt and thrive in a post-pandemic world. How did the Persian Yehud community navigate economic and social challenges, and what strategies did they use to re-establish religious practices and community cohesion? How can these historical strategies inform contemporary efforts to rebuild church communities and support economic stability?

These questions show that the research presented in this dissertation is just tip of the proverbial iceberg. As the Scriptures exhort: “Of making many books there is no end…” Eccl 12:12; NIV)

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