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**MARVIN LLOYD MILLER,**  
**NEHEMIAH 5:**  
**A RESPONSE TO PHILIPPE GUILLAUME**

## NEHEMIAH 5: A RESPONSE TO PHILIPPE GUILLAUME

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Nehemiah 5 has traditionally been understood as a description of an acute social and economic crisis. Understood in this way, the chapter can be seen as an example of a community which endeavored to overcome social stratification. Nehemiah is viewed by many scholars as a reformer who demands that the elite stop their predatory practices. Philippe Guillaume in his recent article “Nehemiah 5: No economic crisis”<sup>1</sup> contends that the “crisis” in Nehemiah 5 was not due to social stratification, but was a “political crisis provoked by a change of local dynasties” (21). By setting out the socio-historical context, he draws the conclusion that the Benjaminite elite that had served the Neo-Babylonians lost its privileges to a new group that benefited from the backing of the Achaemenids (21). Guillaume’s proposal deserves serious consideration, for his landmark article will need to be responded to by all who treat this subject. I am in agreement with many aspects of Guillaume’s position, but there are some areas in which I would like to suggest a modified proposal.

There are good reasons for following Guillaume when he argues against the scholarly tendency to multiply or lengthen crises, but then to conclude that the crisis in Nehemiah was mainly “on paper” (3) is to carry the argument too far in the opposite direction. Famines were common causes of immiseration in Palestine.<sup>2</sup> If for several years an area experienced under-producing yields followed by a crop failure, this would give reason enough for cultivators to feel the overwhelming effects of a famine. If this is the type of scenario Guillaume envisions when he states that the term “famine” is used in a rather loose manner, then I am in agreement with him, but that position does not necessarily follow that the famine was only “on paper” or that the people did not regard the calamity as a crisis.

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<sup>1</sup> Philippe Guillaume, “Nehemiah 5: No Economic Crisis” *Journal of Hebrew Scriptures* 10 (2010), article 8, available online at <http://www.jhsonline.org>.

<sup>2</sup> There are 100 uses in 87 verses in the HB of the word רעב (“famine”); the frequency of which carries some weight regarding the perceived concern over the lack of food production.

I part ways with Guillaume in the manner in which he understands the expressed needs of various groups. For instance when a group insists that they need to take wheat to survive (v 2) and another group mortgages fields, vineyards and houses to take grain during a famine (v 3), Guillaume claims that these outcries confirm that they are not destitute and that the problem is with credit and not a crisis (4). Therefore, the ultimate issue facing the farmer is the feeling of injustice, not a crisis of economics.

It is interesting that Guillaume is quick to suggest that the famine is a literary device and should not be taken at face value, and yet the complaints of the people, which should also be viewed in its literary context, seems to be taken at face value. Scholars have studied the responses of the marginalized when faced with exploitation, particularly when the marginalized had not crystallized their definition sufficiently to suggest or debate exact measures for amelioration or eradication of the undesirable condition.<sup>3</sup> According to Nehemiah 5:6, it appears that it would not have occurred to Nehemiah to effect reform without the cry from the people. The context of the moral life of the farmers as brothers of “the same flesh and blood as [their] countrymen” (v 5), implied that they had a set of expectations about relations between them and their brothers. This reference expressed the common value promoted by both the cultivators and the exploiters—the sons of the borrowers were children of Judah as well as those of the lenders. This bilateral kinship provided a justification that those who met the expectations of patronage, consideration, and helpfulness would be treated with respect, loyalty, and social recognition.<sup>4</sup> It was into this situation that the farmers used vocabulary of the weak to express dissidence with the large-scale structures of domination.

The terms of exploitation used by the farmers, which were strikingly different from the interpretation given by Nehemiah, are consistent with the resistance of the weak. The words of the farmers identified with the broad outlines of the struggle by speaking of meeting immediate needs of “getting grain” so that they “may eat and keep alive” (v 2). Another group of cultivators continued the complaint by stating that they were “mortgaging [their] fields, vineyards, and houses to get grain” (v 3) and being powerless to redeem those sold into debt slavery because they no longer owned

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<sup>3</sup> Richard C. Fuller and Richard R. Myers, “The Stages of a Social Problem,” Earl Rubington and Martin S. Weinberg (eds.) *The Study of Social Problems: Seven Perspectives* (5<sup>th</sup> ed.; Oxford, Oxford University Press, 1995), 100–01.

<sup>4</sup>James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985), 184. See also Scott’s subsequent work, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University, 1990).

their land (v 5). The issue that is expressed is not that the landowners needed more credit, but of depleted assets (“for other men have our fields and vineyards” [v 5]). What is remarkable is that the verbs that are used speak to the private concerns of planting, harvesting, eating and debt-slavery, but no verbs accusing the rich of exploitation are employed. The difference in the vocabulary of the exploited from the exploiters is a familiar pattern of “hidden transcripts of the weak.”<sup>5</sup>

If we claim that the cultivators faced an ideological struggle, can we also safely say that it was matched by real peril. Guillaume would have us believe that this account is not dealing with the marginalized nor are the complainers in real danger. If this account is read against other scholarly examples of the voices of the marginalized, then it seems reasonable to conclude that the farmers who cried out because of the loss of seed grain were relegated to poverty, experienced the loss of a meaningful roles as brothers in the community, and contended with the loss of social recognition in the context of their village life. As a consequence of this crisis, Nehemiah responded by promising reform and seeking priestly support for his program.

A potential loss of property is expressed in a contract described in *Brooklyn Museum of Aramaic Papyri* (papyrus 11) in which Anani b. Haggai borrowed spelt (grain) and agreed to pay back from the ration. Failure to pay the debt made Anani liable to the fine of one *karsb* of refined silver. In the event that he died before paying his children would pay. If they failed to do so, Pahnum would have power to confiscate from his house enough to pay the debt—he was given complete authority over his slaves, his utensils, both of copper and of iron, clothing and grain. If the practice at Elephantine is at all comparable, loans of grain carried high interest and heavy penalties for default of payment. In Nehemiah the call for seed grain, the pledging of fields, vineyards and houses, the borrowing of money to pay taxes appears to be consistent with vocabulary of the weak employed to engender sympathy of the rich. A protest, even if embellished to “get the message out,” does not mean that the need is not real. The issue that is merely “on paper” is their assets, because without intervention they stand to lose everything, because their property is mortgaged.

We have only episodic information about the agrarian economy in depopulated areas in antiquity. If we imagine a situation in which a significant number of squatters were given free land and were able to cultivate as much arable land as possible, then Guillaume’s comments about land itself having no value and lenders being interested in securing labour rather than land (6), hold true. I

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<sup>5</sup> This is Scott’s term, *Domination and the Arts of Resistance*.

have my doubts concerning his optimistic view that ordinary farmers had the potential to plan properly for the future and that across the millennia they possessed and applied these principles successfully; therefore, what the farmers needed to do was to produce surpluses and anticipate harvest failures (9). The problem with this portrayal that is most immediately obvious, however, is that many scholars would argue that the economic system employed in the fifth century Yehud consisted of a royal imperial policy that established a command economy for the purpose of administering taxation and security. In that system taxation was frequently administered at the whim of a governor, who could reduce a farmer's surplus and effectively derail his/her fiscal plan. As a possible example of the state's interference in the life of farmers, we could draw attention to injustices denounced by the eighth-century prophets, which were mainly committed by the state.<sup>6</sup> In addition, Nehemiah explicitly mentions the "king's tax" as a reason for the financial burden placed on the farmer (5:4). I find it too idealistic to conclude that "common sense dictated that the taxation authority took into account the economic health of its tax base" (13). The phrase "economic health of its tax base" is freighted with concepts of foreign fiscal planning, which may be a much later invention.

Although Guillaume views the economic situation in the fifth century Yehud as improving, there are some indicators that may suggest that there existed deterioration in the economy. There appears to have been an increase of taxes in the Achaemenid period from 20 per cent under Cyrus and Cambyses up to 40 to 50 percent at the end of the fifth century.<sup>7</sup> This increase in taxes may have been due to the expensive campaigns under Darius, who put down the Ionian revolt in 500 BCE and suffered a major defeat at the battle of Marathon. Xerxes invaded Greece in an attempt to finish a project of his father's. Artaxerxes was involved in putting down a number of revolts. During these expensive campaigns local farmers may have benefited in a market economy, but as the Persian military traveled overland the province "would have been required to supply food and drink and probably a contingent of troops as well for the army in transit."<sup>8</sup> Scholars are not of one mind concerning whether there was inflation or economic growth during this period. The economic situation in the fifth century Yehud is imperfectly known; therefore, the evidence must be viewed with caution.

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<sup>6</sup> J. A. Dearman, *Property Rights in the Eighth-Century Prophets: The Conflict and its Background* (SBLDS, 106; Atlanta: Scholars Press, 1988), 9-52, 133-34.

<sup>7</sup> Maloney, "Usury and Restrictions on Interest-Taking in the Ancient Near East" *CBQ* 36 (1974), 1-20.

<sup>8</sup> Diana Edelman, *The Origins of the "Second" Temple: Persian Imperial Policy and the Rebuilding of Jerusalem* (London: Equinox, 2005), 341.

Guillaume's thesis centers around the question of whether the administration waited for the extra burden imposed on the province to turn into a crisis before acting to relieve it or whether it dealt preventatively with problems that were easily foreseeable by granting some basic fiscal facilities to finance the building project (17). Before we foreclose too quickly on an answer, two issues still need to be raised. Is this crisis related to the wall building of the previous chapter? Guillaume devotes a section to arguing that the walls of Jerusalem were repaired during a slack time of farming and connects the crisis several times to wall building (6, 16, 18, 19, and 21). There is much debate regarding whether Nehemiah 5 was originally placed here or the work of a later redactor.<sup>9</sup> A recent proponent of chapter 5 originally following chapter 13 is Throntveit.<sup>10</sup> In my opinion there are good reasons for following Throntveit, who argues that chapter 5 interrupts the expected connection between 4:23 and 6:1. Second, Guillaume states that the restoration of Jerusalem placed the Nehemiah group in direct competition with the Benjaminite elite. The evidence for a conflict between these two groups is flimsy—we know very little about the political situation in Yehud before Nehemiah arrived. If the view of a political conflict is expanded to include all the long term residents of Yehud, that is, not restricted to the Benjaminite elite but includes the northern immigrants as well as non-Jewish residents, then I give the position more credence. This modified scenario does not need to lean so heavily on defending a conflict between specific groups, but may wish to employ the sociological model of a charter group conflict.<sup>11</sup>

In my opinion there was an outcry of marginal cultivators to Nehemiah, the Persian governor, of a real economic crisis. Nehemiah responds to their concerns, but his reforms did not touch the Persian imperial tax or the contributions to the temple—he negotiated support for his reforms at a minimal cost. With Guillaume, I hold the position that the crisis was episodic rather than structural,

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<sup>9</sup> Loring Batten, *The Books of Ezra and Nehemiah: A Critical and Exegetical Commentary* (ICC; Edinburgh: T & T Clark, 1913); Mark Throntveit, *Ezra-Nehemiah* (Interpretation; Louisville, Kentucky: John Knox, 1992).

<sup>10</sup> Throntveit, *Ezra-Nehemiah*, 59.

<sup>11</sup> The concept of “charter myth” was coined by the anthropologist Bronislaw Malinowski in 1926. It refers to myths which provide a record and validation of titles, lands, families, privileges, customs, and of course rituals (Sylvie Honigman, *The Septuagint and Homeric Scholarship in Alexandria* [New York: Routledge, 2003], 38). For an application of the charter group to Nehemiah 5, see John Kessler, “Persia’s Loyal Yahwists: Power, Identity and Ethnicity in Achaemenid Yehud” in Oded Lipschits and Manfred Oeming (eds.) *Judah and Judeans in the Persian Period* (Winona Lake, Ind.: Eisenbrauns, 2006),” 102–04.

temporary rather than systemic. We differ on which sociological model best illuminates the text, which in turn produces different trajectories of application. The biggest obstacle to coming to a firm conclusion on Nehemiah 5 is having a limited knowledge of the economic situation in the fifth century Yehud. This topic will need further research.