

The Journal of Hebrew Scriptures

ISSN 1203-1542

<http://www.jhsonline.org> and

<http://purl.org/jhs>



Articles in JHS are being indexed in the ATLA Religion Database, [RAMBI](#), and [BiBIL](#). Their abstracts appear in Religious and Theological Abstracts. The journal is archived by *Library and Archives Canada* and is accessible for consultation and research at the Electronic Collection site maintained by [Library and Archives Canada](#) (for a direct link, click [here](#)).

VOLUME 7, ARTICLE 10

**MARK LEUCHTER, (ED.), SCRIBES BEFORE AND
AFTER 587 BCE: A CONVERSATION**

SCRIBES BEFORE AND AFTER 587 BCE: A CONVERSATION

MARK LEUCHTER, ED.
UNIVERSITY OF SYDNEY

1. Mark Leuchter, Introduction
2. Mark Leuchter, Zadokites, Deuteronomists, and the Exilic Debate Over Scribal Authority
3. Jacob L. Wright, Writing the Restoration: Compositional Agenda and the Role of Ezra in Nehemiah 8
4. Jeffrey C. Geoghegan, The Levites and the Literature of the Late-Seventh Century
5. Lauren A. S. Monroe, A Pre-Exilic 'Holiness' Substratum in the Deuteronomistic Account of Josiah's Reform

INTRODUCTION

MARK LEUCHTER,
UNIVERSITY OF SYDNEY

The papers collected here were presented at a special session at the 2006 Annual Meeting of the Association of Jewish Studies in San Diego, CA devoted to the shifting role of scribes in Biblical texts spanning the pre-exilic, exilic and post-exilic periods. The presenters at the session –Lauren A.S. Monroe (Cornell University), Jeffrey C. Geoghegan (Boston College), Jacob Wright (Emory University) and myself – independently attempted to address scribal matters related to the Temple culture in various literary contexts within the Hebrew Bible. It is widely recognized that scribes in the ancient Near East were either loosely or closely connected to the cultic institutions of their social worlds; the papers presented at the AJS session and collected here contribute to this understanding in relation to Israel's scribal tradition and affirm it when looking at the commonalities of the texts and scribal groups under examination. At the same time, though, the papers address the great diversity of methods, perspectives, and compositional processes within Israel's scribal tradition.

A brief summary of the papers collected here elucidates these points. My paper ("Zadokites, Deuteronomists, and the Exilic Debate Over Scribal Authority") attempts to reconstruct the polemical culture of the Babylonian Exile as witnessed by literature commonly associated with two literate groups: the Deuteronomists and the Zadokites. Jacob Wright ("Writing the Restoration: Compositional Agenda and The Role of Ezra in Nehemiah 8") reconsiders the place of Nehemiah 8 within the corpus of Ezra-Nehemiah; its compositional purpose reveals both the degree to which the Temple loomed large in the community of Yehud and the views of those who stood at a distance from its cultic purpose. Jeffrey C. Geoghegan ("The Levites and the Literature of the Late-Seventh Century") identifies the manner in which Levites in the late pre-exilic period attempted to categorize and transform the cultic history of the nation. Lauren A.S. Monroe ("A Pre-Exilic 'Holiness' Substratum in the Deuteronomistic Account of Josiah's Reform") provides an examination of the Josiah narrative to determine how scribal groups from diverse backgrounds (the Holiness School and the Deuteronomists, respectively) reframe that historical episode in vastly different terms.

The papers appear here in the order of their presentation at the session. We wish to extend our thanks to Marc Zvi Brettler for chairing

the session and to Ehud Ben Zvi for including these works into the *Journal of Hebrew Scriptures* in order for a larger audience to have access to them.

ZADOKITES, DEUTERONOMISTS, AND THE EXILIC DEBATE OVER SCRIBAL AUTHORITY

MARK LEUCHTER

UNIVERSITY OF SYDNEY

Most members of our guild would agree that in the literary history of Biblical Israel, two events stand above all others as defining moments that shaped communal identity and religious belief – the Exodus from Egypt and the Babylonian Exile.¹ While there may have been groups in ancient Israel who neither bought into the Exodus tradition as a defining myth nor endured deportation to Babylon in the 6th century BCE, the Israel that emerges from the pages of the Bible is clearly identified by these two events, which serve as essential bookends, one marking the nation's birth and the other signifying the end of their adolescence. In the story of Israel's life in the land, the nation rebels against the authority of their patron and caregiver, and like most rebellious teenagers, they suffer a punishment as a result of their insolence. Regardless of the actual historical forces that brought about the destruction of Jerusalem, the depopulation of the Judean countryside and the deportation of Judah's elite, the Biblical text ultimately declares that this turn of events is a direct result of national impiety, especially concerning the lack of adherence to the words of the prophets.²

It is perhaps not surprising, then, that prophecy became the primary vehicle for ideas and agendas in the exilic community, and two prophetic works – those of Jeremiah and Ezekiel – stand out as the dominant traditions during this time. While we cannot ignore the fact that the final shape of these literary works come from a much later time, it is quite likely that they obtained a fairly mature form during the exile, each addressing the pressing needs of people now separated from what was familiar and safe and facing uncertainty and desperation.³

¹ I do not suggest here that the Exodus was a single moment in history akin to the Babylonian conquest of Jerusalem and deportation of its populace, but rather that the literary tradition regarding the Exodus is presented as such.

² For a recent and thorough examination of the fall of Judah and its fate during the neo-Babylonian period, see Oded Lipschits, *The Fall and Rise of Jerusalem* (Winona Lake: Eisenbrauns, 2005).

³ Theories regarding the formation of both prophetic works vary considerably, though strong arguments have been advanced for the primary form of Jeremiah and Ezekiel as largely complete by the end of the exile. For the book of Ezekiel as deriving mostly from the prophet himself, see Risa Levitt Kohn, *A New Heart and A New Soul: Ezekiel, The Exile and The Torah* (JSOTSup 358; Sheffield: Sheffield Academic Press, 2002); Jon D. Levenson,

Few scholars, however, would look to the book of Jeremiah and the book of Ezekiel and see works that complement and support each other. This, too, is not surprising, for it is well known that Jeremiah and Ezekiel, as literary repositories, preserve two rather different ideological streams – the former is generally recognized as part of a Deuteronomistic stream of tradition, while the latter is equally recognized as reflecting Zadokite priestly thought.⁴ Traditionally, scholars have often viewed these perspectives in literary form as emerging in sequence, one after the other, though there has been very little agreement concerning which was earlier and which was later.⁵ However, a number of studies over the last two decades have made a strong case for both traditions as rooted in different socio-religious circles and reflecting different but contemporaneous understandings of the divine-human relationship. It is not uncommon today for scholars to argue that many of the Zadokite texts reflected in the Priestly traditions of the Pentateuch should be viewed as pre-exilic alongside the Deuteronomistic traditions, with the latter growing out of a Levitical perspective and the former inheriting the ancient worldviews adopted by the Jerusalem priesthood.⁶

These disparate systems of thought persisted into the exile, a condition that has been the subject of much critical inquiry, especially concerning investigations into the literary traditions of Jeremiah and Ezekiel. What has perhaps not been adequately addressed is the *inter-relationship*, indeed the polemical relationship, which obtained between the trustees of these prophetic texts and the currents of thought they each represented. Ezekiel did not simply carry on where Jeremiah left off as the major prophetic voice of his generation;⁷ likewise, the scribes

Theology of the Program of Restoration in Ezekiel 40-48 (HSM 10; Missoula: Scholars, 1976). The book of Jeremiah is a more complicated corpus to date, though much of its material should be seen as spanning the late pre-exilic and exilic periods. For a succinct discussion, see William M. Schniedewind, *How The Bible Became A Book: The Textualization of Ancient Israel* (New York/Cambridge: Cambridge University Press, 2004) 153-57.

⁴ For the Deuteronomistic connections to the book of Jeremiah, see among others Richard E. Friedman, “The Deuteronomistic School”, in A. Beck et al (ed.) *Fortunate The Eyes That See* (Fs. D.N. Friedman; Grand Rapids: Eerdmans, 1995) 70-80; Jeffrey C. Geoghegan, *The Time, Place and Purpose of The Deuteronomistic History: The Evidence of “Until This Day”* (BJS 347; Atlanta: Scholars, 2006) 159-64. On Ezekiel as a Zadokite, see Marvin A. Sweeney, “Ezekiel: Zadokite priest and visionary prophet of the exile”, *SBL 2000 Seminar Papers* (Atlanta: SBL, 2000) 728-51.

⁵ One recent example of this view, albeit with a different concept of the scope of these works, is found in David Noel Freedman and Brian Kelly, “Who Redacted The Primary History?” in C. Cohen et al (ed.) *Sefer Moshe: The Moshe Weinfeld Jubilee Volume* (Winona Lake: Eisenbrauns, 2004) 49-62.

⁶ For an overview, see Deborah Rooke, *Zadok’s Heirs* (Oxford: Oxford University Press, 2000) 12-13. See also Moshe Weinfeld, *The Place of the Law in the Religion of Ancient Israel* (Leiden: Brill, 2004) 80-94; Israel Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (Minneapolis: Fortress Press, 1995) 204-220; Jacob Milgrom, *Leviticus 1-16* (AB; New York: Doubleday, 1991). This is not to say, though, that a literature’s origins in the pre-exilic period preclude its development in later times; see below.

⁷ Pace Freedman and Kelly, “Primary History”.

who developed the Jeremiah tradition as well as the Deuteronomistic texts did not work in isolation from the Zadokite culture Ezekiel sought to advance through his own written oracles. These groups were responsive, feeding off of each other's earlier accomplishments for the sake of advancing their specific ideologies to the exclusion of the other, often making overt references to each other's written texts, but primarily for the purposes of subordination or condemnation.

Let us first consider what I will suggest is the basis for this culture of exilic polemics, namely, the pre-exilic oracles of Jeremiah. Though there have been a number of scholars who question the likelihood that any of these oracles may be attributed to the historical Jeremiah,⁸ the majority of researchers accept that much of the tradition bears the mark of this prophet's personal thought in varying degrees. This is especially the case in Jeremiah chapters 1—25, versions of which must have existed already by the beginning of the exile in 587 BCE, and which already contained Deuteronomistic ideas and language.⁹ Though the book of Jeremiah developed in different ways among the Babylonian and Egyptian communities that gave us the respective MT and LXX texts of the book, both traditions maintain the basic integrity of these chapters.¹⁰ Despite the ideas introduced through some later redaction, the prevailing sentiment in the pre-exilic layers of these chapters is simple: the nation has sinned and Babylon will be their punishment.

I do not wish to address here the complicated relationship between the MT and LXX versions of the Jeremianic texts.¹¹ Rather, what I wish to suggest is that both traditions bear witness to Jeremiah's insights into history and world politics as historically accurate. Babylon came and conquered, and the prophet's oracles regarding this eventuality were

⁸ See, most notably, Robert Carroll, *Jeremiah: A Commentary* (OTL; Philadelphia: Westminster Press, 1986).

⁹ For the presence of Deuteronomistic thought already in Jeremiah's pre-exilic oracles, see Mark Leuchter, *Josiah's Reform and Jeremiah's Scroll: Historical Calamity and Prophetic Response* (HBM 6; Sheffield: Sheffield Phoenix Press, 2006) chapters 4-8.

¹⁰ Schniedewind, *Book*, 155.

¹¹ The majority scholarly view on this relationship is that the LXX is an earlier version of the book, with both the sequence and content of material in the MT resulting from subsequent expansions and reworking. See Emanuel Tov, "The Literary History of the Book of Jeremiah in the Light of its Textual History", in Jeffrey H. Tigay (ed.) *Empirical Models for Biblical Criticism* (Philadelphia: University of Pennsylvania Press, 1985) 211-37; Jack R. Lundbom, "Baruch, Seraiah, and Expanded Colophons in the Book of Jeremiah", *JOT* 36 (1986) 108-109 (though Lundbom's recent Anchor Bible commentaries suggest that many LXX passages are textually inferior to the MT); Richard C. Steiner, "The Two Sons of Neriah and the Two Editions of Jeremiah in the Light of two Atbash Code Words for Babylon", *VT* 46 (1996) 74-84. Though I agree with the view that many texts in the LXX are indeed earlier, I do not believe the LXX corpus en masse to have been the first "edition" of the book of Jeremiah in a recognizable form. Individual LXX units and passages bear witness to an early stage in their respective development in relation to their parallels in the MT, but the LXX (or proto-LXX) collection as a whole should not be viewed as the starting point for evaluating the growth of the MT. I discuss this matter in detail in the monograph cited immediately below.

preserved among those taken into exile. The story of *how* this took place is largely related in the supplemental material in the book of Jeremiah, chapters 26—45.¹² Many scholars have looked to this Supplement – which we may loosely identify as Deuteronomistic – as an exilic attempt to prove that Jeremiah was a true prophet, but this would hardly have been necessary for an exilic audience.¹³ History proved Jeremiah's words to be authentic, and if his words were preserved by those taken into exile, they would have become central to the intellectual and spiritual curriculum of that community in their search for a meaningful existence by the rivers of Babylon.

That Jeremiah's oracles became central to exilic thought is the main point for our current discussion. The prophet Ezekiel was among those who saw Jeremiah's oracles come to fruition, and this invariably affected his thinking as he too lingered in exile. But as many scholars have pointed out, Ezekiel is first and foremost a Zadokite priest and advocates a Zadokite agenda.¹⁴ His turn to prophecy as a vehicle for Zadokite ideology represents an attempt to appropriate a tradition that had largely been Levitical in the past and recently claimed by the Deuteronomists.¹⁵ This also meant the appropriation of *Jeremiah's*

¹² For a full examination of these chapters and their role in the development of the larger book of Jeremiah, see Mark Leuchter, *The Polemics of Exile in Jeremiah 26—45* (Cambridge/New York: Cambridge University Press, 2007).

¹³ As per my discussion in *The Polemics of Exile* (see especially the introduction and chapter 5), the Supplement comprising Jeremiah 26—45 was generated by the same Shaphanide scribal circle that stood behind the Deuteronomistic literature of the late pre-exilic period. Jack R. Lundbom also makes the connection between the Jeremiah tradents and the scribal school of Shaphan, though he views the composition of materials in Jeremiah as arising primarily from the prophet and Baruch rather than from a slightly larger scribal school; see his *Jeremiah 1-20* (AB; New York: Doubleday, 1999) 92 and passim. See also Friedman, "The Deuteronomistic School", 79-80, for a brief outline of the compositional sequence placing Jeremiah 26—45 in direct succession to the pre-exilic Deuteronomistic literature.

¹⁴ See especially the discussion by Sweeney, "Ezekiel"; Paul Hanson, "Israelite Religion in the Early Postexilic Period", in Patrick D. Miller et al. (ed.) *Ancient Israelite Religion* (Fs. F.M. Cross; Philadelphia: Fortress Press, 1987) 486; Avi Hurvitz, *A Linguistic Study of the Relationship Between the Priestly Source and the Book of Ezekiel* (Paris: Garbala, 1982); Menahem Haran, "The Lawcode of Ezekiel xl—xlvi and its Relationship to the Priestly Source", *HUCA* 50 (1979) 45-71. We should, however, draw distinctions between what I have termed here a Zadokite agenda and an active Zadokite priesthood. There were doubtlessly Zadokite supporters of Ezekiel's prophetic activity, but Baruch J. Schwartz cautions against seeing Ezekiel (or any Zadokite supporters he had) as members of a consolidated priesthood in any traditional sense of the term; see his article "A Priest Out of Place: Reconsidering Ezekiel's Role in the History of the Israelite Priesthood" in Stephen L. Cook and Corrine L. Patton (ed.) *Ezekiel's Hierarchical World: Wrestling with a Tiered Reality* (Atlanta: SBL, 2004) 61-71.

¹⁵ For an example of Levite associations with pre-Deuteronomistic prophetic literature, see Stephen L. Cook, "The Lineage Roots of Hosea's Yahwism", *Semeia* 87 (1999) 145-62. The Deuteronomists themselves are equally concerned with both prophetic and Levitical thought (Geoghegan, *The Time, Place and Purpose*, 149).

prophetic message, but this was a delicate matter, since the exilic public would have viewed Jeremiah's time-tested authentic oracles as sacrosanct.

As such, we can detect a careful strategy in Ezekiel's oracles, namely, the exegetical development of Jeremiah's oracles in a Zadokite manner. In many places, Ezekiel takes up the language and themes of Jeremiah's pre-exilic oracles but crafts them into a Zadokite-centric lesson. The following brief examples are instructive:

Ezek 3:17/33:2,6	prophet as a "watchman" (cf. Jer 6:17) ¹⁶
Ezekiel 16	Israel's "youth" and "harlotry" (cf. Jeremiah 2)
Ezekiel 18	"New heart" covenant (cf. Jer 31:31-34) ¹⁷
Ezekiel 23	Two harlot sisters (cf. Jer 3:6-11)
Ezekiel 38—39	Gog and Magog (cf. Jer 1:11-19; Jer 25:1-13) ¹⁸

In these cases, and in others, Ezekiel presents himself as the inheritor of Jeremiah's authority, empowered by his own priestly

¹⁶ See Lena Sofia Tiemeyer, "The Watchman Metaphor in Isaiah lvi—lxvi" *VT* 55 (2005) 378-400. The idea of a prophet as a watchman discussed by Tiemeyer may be traced to distinctively Ephraimite prophetic traditions; the **צופים** constitute a prophetic typology associated with Shiloh, and Hosea identifies himself as a member of their ranks in contradistinction to the ecstatic prophetic guilds of his day (Hos 9:7-9). See Leuchter, *Josiah's Reform and Jeremiah's Scroll*, 24-25. Jeremiah's connection to northern tradition places him much closer to this typological qualification than does Ezekiel's Zadokite Jerusalemite heritage. The latter's adoption of the term is very likely motivated by an attempt to identify himself as the inheritor of prophetic authority paradigmatically defined by Jeremiah and thus as part of a long succession of well known (mostly Ephraimite) prophets (*pace* Hendrik Leene, who does not consider the connection between the term **צפה** and earlier Ephraimite/Shilonite circles to which Jeremiah boasted a familial connection; see his article "Blowing the Same Shofar: An Intertextual Comparison of Representations of the Prophetic Role in Jeremiah and Ezekiel", in Johannes C. de Moor [ed.] *The Elusive Prophet: The prophet as a Historical Person, Literary Character and Anonymous Artist* [Leiden: Brill, 2001] 187-192).

¹⁷ Many scholars would date Jer 31:31-34 to 587 or later, but it is better seen as directed to the exiles of 597 in the attempt to sever ties to the community remaining in the land under Zedekiah, a group Jeremiah viewed as corrupt (cf. Jer 24:8-11). The passage is part of the larger redaction of Jeremiah 30—31 directed to the exiles of 597; see Mark Leuchter, "Jeremiah's 70-Year Prophecy and the **לֵב קָמִי / שֵׁשׁ־לֵב** *Atbash* Codes", *Bib* 85 (2004) 516-20.

¹⁸ Gog and Magog take on the pseudo-mythic "enemy from the north" tradition evident in Jeremiah's pre-exilic oracles fashioned after the prototype of Assyria. See Peter Machinist, "The Rab Šāqēh at the Wall of Jerusalem: Israelite Identity in the Face of the Assyrian 'Other'", *HS* 41 (2000) 151-68 (166-68). The identification of these enemies with Indo-Aryan peoples is geographically consistent with the shift eastward from a Syro-Palestinian setting to a Mesopotamian setting. On the "enemy from the north" motif as pseudo-mythic in Jeremiah, see Brevard S. Childs, "The Enemy from the North and the Chaos Tradition", in Leo G. Perdue and B.W. Kovacs, *A Prophet To The Nations: Essays in Jeremiah Studies* (Winona Lake: Eisenbrauns, 1984) 151-161. On Ezekiel's merging of mythic motifs with political entities, see Michael Fishbane, *Biblical Myth and Rabbinic Mythmaking* (Oxford: Oxford University Press, 2004) 60-61.

heritage to advocate an ideology he believed should replace the outdated and failed program of Deuteronomy that was the true cause of the exile.¹⁹ Relying upon Jeremianic lexemes and motifs simply reinforced his ability to make a case for the Zadokite agenda, suggesting that while it stood in contrast to the Deuteronomistic tradition, it was consistent with the proven oracles of the revered Jeremiah.

One can imagine that with the failure of the Deuteronomic reform and the demolition of Jerusalem, many of the exiles would have found Ezekiel's arguments compelling, and there are indications within the book of Ezekiel that this was indeed the case.²⁰ If Ezekiel was an effective spokesperson for the Zadokites, this might account for the rehabilitation of the Holiness School doctrines of the pre-exilic period and the development of the Holiness Code as an example of proper conduct. Israel Knohl has made a strong case for the beginnings of the Zadokite Holiness School in the pre-exilic period,²¹ but recent examinations by Bernard Levinson and Jeffrey Stackert make clear that the Holiness Code as it now stands responds to and revises some key passages in the Deuteronomic lawcode.²² The audience that heard Ezekiel's oracles was likely the same audience that ultimately saw the Holiness Code take on its final form.²³ The Zadokites constructed a legal tradition to replace that of Deuteronomy as an example of how the nation *should* have behaved during its tenure in the land...a status that would eventually be restored, if Ezekiel 40—48 are any indication.²⁴ In

¹⁹ Leuchter, *Polemics of Exile*, chapter 5. For Deuteronomy as the cause of the exile, see Scott W. Hahn and John S. Bergsma, "What Laws Were 'Not Good'? A Canonical Approach to the Theological Problem of Ezekiel 20:25-26", *JBL* 123 (2004) 201-18.

²⁰ See Dalit Rom-Shiloni, "Facing Destruction and Exile: Inner-Biblical Exegesis in Jeremiah and Ezekiel", *ZAW* 117 (2005) 194-98.

²¹ Knohl, *Sanctuary of Silence*, 204-220.

²² Levinson: "The Manumission of Hermeneutics: The Slave Laws of the Pentateuch as Challenge to Contemporary Pentateuchal Theory" in Andre Lemaire (ed.) *Congress Volume 2004* (VTSup; Leiden: Brill, 2006) 281-324. Stackert: *Rewriting the Torah: Literary Revision in Deuteronomy and the Holiness Legislation* (Ph.D. Dissertation; Brandeis University, 2006).

²³ This does not mean, though, that the redaction of H occurred at the same time that Ezekiel was active. As the many thematic and linguistic parallels suggest, Ezekiel may have been a member of the Holiness School, reviving and advancing their theological agenda, but the redaction of H as a literary work likely occurred only after Ezekiel's oracles were completed and committed to writing. There are strong indications that the H author or authors knew a fairly well-developed form of Jeremiah 26-45 (which, as I discuss in the present study, post-dates Ezekiel) and respond to it, even if the themes and ideas in H were stimulated by Ezekiel's activity. See below for a proposed sequence of composition and redaction regarding Ezekiel and H. I discuss this and related matters more thoroughly in a forthcoming study entitled "The Manumission Laws in Leviticus and Deuteronomy: The Jeremiah Connection."

²⁴ It is clear, though, that the H legislation is meant to be theoretical and to a degree utopian, in contradistinction to Ezekiel's practical (if idealistic) reform program. See, among others, John Seitz Bergsma, "The Jubilee; A Post-Exilic Attempt to Reclaim Lands?" *Bib* 84 (2003) 225-46; Levinson, "Manumission of Hermeneutics", 322, 324; even Knohl recognizes that certain laws in H were meant to establish ideological principles rather than legislation that could be

short, this was a time when the Zadokite priests flexed their muscle, demonstrating the integrity of their traditions and the need for the exilic public to adopt them as a theological standard, one consistent with Jeremiah's own thought.

What did this mean for the Deuteronomists? Three things. First, it meant that Jeremiah was in danger of losing his position as the prophetic symbol of exclusively Deuteronomistic ideas.²⁵ Second, it meant that the competing Zadokite doctrines threatened to marginalize the Deuteronomists' impact in exilic society and religious thought. Finally, it meant that Ezekiel's status as a prophet of YHWH provided the community with direct access to divine will. Any Deuteronomistic appeal to tradition could be obviated by a fresh declaration from YHWH that would certainly benefit the Zadokites and their public standing.²⁶

The Deuteronomists therefore spearheaded a counter strategy: they redefined the very parameters of the Jeremianic literary tradition that all the exiles would have revered. Chief among this strategy would be the construction of the composite Supplement we now encounter in Jeremiah 26—45, which repeatedly places scribes *on par* with the prophet (but cast in typological distinction from the prophet) and presents them as the true inheritors of Jeremiah's authority.²⁷ The examples below summarize some of the major points at which this Supplement carries forward the scribal argument against the Zadokites. In each case, the Ezekiel tradition and the Zadokite agenda are alternately countered, criticized, or condemned:

Jeremiah 26	Citations interpret earlier prophets and prophecy (vv. 4-6, 18, 20-23) and place them in opposition to Jerusalem priests and affiliated prophets.
-------------	---

implemented (*Sanctuary of Silence*, 220).

²⁵ The Jeremiah tradition certainly adjusts Deuteronomistic ideas from the Josianic period, but it is within a Deuteronomistic paradigm that these adjustments take place. See Adele Berlin, "Jeremiah 29:5-7: A Deuteronomistic Allusion?" *HAR* 8 (1984) 3-11; Mark Leuchter, "The Temple Sermon and the Term **מקום** in the Jeremianic Corpus", *JOT* 30 (2005) 93-109. Furthermore, these adjustments are not inconsistent with the Deuteronomistic legislation, which allows for exegetical development when the extant corpus of laws/ideology is unable to address communal needs or problems (Deut 17:8-13).

²⁶ See the discussion of Ezekiel 20 by Rom-Shiloni "Facing Destruction", 194-198, 201. The chapter declares new oracles while simultaneously engaging in a sophisticated exegesis of older traditions. Stephen L. Cook makes a similar observation regarding Ezekiel 44; see his "Innerbiblical Interpretation in Ezekiel 44 and the History of Israel's Priesthood", *JBL* 114 (1995) 193-208.

²⁷ As many scholars have recognized, the author or authors of Jeremiah 26—45 periodically have the prophet recede into the background while the scribes step into his shoes as the primary dramatic personalities within the Supplement. Nevertheless, it is still Jeremiah whose personality looms largest in the book, as the redactors of the MT hermeneutically ascribe the entirety of the tradition to him via the **דברי ירמיהו** *inclusio* in Jer 1:1/51:64.

Jer 32:6-15	Baruch the scribe facilitates prophecy via land transaction, but it is hinterland territory in Benjamin, not Jerusalem, which will be restored and repopulated. ²⁸
Jer 34:8-22	Criticism of the royal and priestly circles in Jerusalem is cast in Deuteronomistic language (v.14), and Jeremiah is presented Deuteronomic law (cf. Deut 31:9-11; see also below).
Jeremiah 36	Deuteronomistic scribes are entrusted with Jeremiah's prophetic words, not the Zadokite priesthood (see especially vv. 17-18; cf. Ezek 2:9-3:4).
Jeremiah 44	Rejection of Jeremiah–Dtr. tradition=foreign status; compare to Ezek 20:25-26.
Jeremiah 45	Baruch as a second Jeremiah and trustee of his legacy, who is told <i>not</i> to pursue “greatness” (גדלות); in Jeremiah the root גדל most often refers to prophetic status (claimed in exile, of course, by Ezekiel). ²⁹

At various points, authentic oracles and writings of Jeremiah have been worked into this Supplement, and this would serve to authenticate the larger composition.³⁰ But it is primarily a *scribal* assault on Zadokite exclusivity, appealing not only to the role of scribes as facilitators of Jeremiah's prophecy but identifying these scribes as Levitical figures as well. Whereas Deuteronomy charges Levites to read and execute the teachings of Moses, these same responsibilities are carried out by the scribes in Jeremiah:

Jeremiah 36	Baruch reads Jeremiah's scroll publicly <i>Deut 31:11: Levites charged with reading the torah publicly</i> ³¹ Shaphanide scribes read/summarize the scroll to the king <i>Deut 17:18-19: Levites charged with teaching the torah to the king</i>
Jer 40:7	Gedaliah congregates the remaining people in the land

²⁸ The redaction of this text into the Supplement contributes to a larger agenda, but it appears to have originated independently immediately before the exile; see Lundbom, “Baruch, Seraiah”, 97-98.

²⁹ See the discussion by J.E. Wright, *Baruch Ben Neriah: From Biblical Scribe to Apocalyptic Seer* (Columbia: University of South Carolina Press, 2003) 32.

³⁰ These may be found especially in Jer 27-31, though other smaller authentic oracles may be discerned throughout the work. See the closing discussion in Leuchter, *Polemics of Exile*, chapter 3, regarding Jer 36:30.

³¹ See also J. Andrew Dearman, “My Servants the Scribes: Composition and Context in Jeremiah 36”, *JBL* 109 (1990) 409 n. 17, who makes a similar observation regarding the parallel to Deut 31:11, but not in connection to the Levitical context of the latter.

	<i>Deut 31:12: Levites charged with congregating all the people in the land:</i>
	Jer 40:7 כי הפקיד אתו אנשים נשים וטף ³²
	Deut 31:12 הקל את העם האנשים הנשים הטף
Jer 40:9-10	Gedaliah's decree as implementation of Jeremiah's teachings/oracles: ³³
	Service to the king of Babylon (cf. Jer 27:12-17)
	"It will be good for you" (לכם ייטב) cf. Jer 29:10)
	Summer Fruit (קִיץ; cf. Jer 24:5-7) ³⁴
	Dwelling in the [new] cities (ערים; cf. Jer 29:7)

Many scholars view Deuteronomy as reflecting the interests of Levites.³⁵ Amplifying those interests in the construction of the Supplement would prove that the Deuteronomistic scribes, like Ezekiel and the Zadokites, were advocating an ancient priestly perspective that could not simply be rejected or ignored. Furthermore, since Jeremiah himself had been a Levite, the Deuteronomists positioned themselves as closer to the prophet in outlook and authority than Ezekiel or his Zadokite peers.

It is worth noting that Gedaliah's decree not only presents him as a Levite administrator of a Mosaic prophet's words, but that it draws primarily from oracles that Jeremiah had earlier directed to the exiles of 597 (the "good figs" of Jer 24:5-7). It was this community that the author viewed as fit for ongoing blessing; the author behind Jeremiah 40 suggests that had it not been for Ishmael's massacre and the subsequent flight to Egypt (Jeremiah 41-43), Gedaliah's decree would have bestowed upon the remnant group the same blessed status as the exiled community. To a post-587 exilic audience in Mesopotamia, the lesson learned here is that the members of the Shaphanide circle such as Gedaliah were instrumental to the sustenance of that community's status as "good figs". Rejection of their role – even in the furthering of Zadokite interests – would result in the dissolution of that legitimacy, the fate that befell those who fled into Egypt (Jeremiah 44).

³² The LXX does not allow for this parallel due to the absence of these lexemes, but considering the consistency in the Supplement of associating the Shaphanides and related scribes with Levites, this is very likely the result of haplography, and the MT preserves the better reading. See Jack R. Lundbom, "Haplography in the Hebrew *Vorlage* of LXX Jeremiah", *HS* 46 (2005) 317.

³³ This must be categorized alongside the aforementioned passages, as Jeremiah is presented within his book as a Mosaic prophet (Jer 1:9; cf. Deut 18:18).

³⁴ Significant here is Lipschits' observation that the summer fruit in question would have likely been figs (*The Fall and Rise of Jerusalem*, 99, n. 224), the metaphorical vehicle for Jeremiah's vision in Jer 24.

³⁵ For a current overview of scholarship and new proposals regarding the status of the Levite in Deuteronomy, see Mark Leuchter, "The Levite In Your Gates?: The Deuteronomic Redefinition of Levitical Authority", *JBL* 126 (2007) n.p. (forthcoming).

Judging by the fact that the Supplement became a standardized part of the book of Jeremiah, we can safely assume that it was a compelling piece of work that strongly affected the exilic community.³⁶ We can also see a variety of places where the now-expanded Jeremiah corpus exerted influence on the exilic redaction of Deuteronomy and the Deuteronomistic History, further strengthening the connection between the Jeremiah and Deuteronomistic literary works.³⁷ The emphasis on Jeremiah and the scribes' Levitical status must have affected other Levites in exile, which would in turn affect the exilic population that looked to these Levites for leadership and religious stability. Indeed, through the Supplement, the Deuteronomists may have secured a coalition of sorts with exilic Levites, whose interests and authority were well represented therein.³⁸

But if this collection of material evoked a strong public reaction, it also appears to have prompted an equally strong Zadokite response. Many scholars have suggested that the redaction of the Pentateuch began during the period of the exile as a way of setting important legal and narrative traditions beyond the homeland, and it is generally recognized that this was primarily a Zadokite enterprise. Yet the production of the Pentateuch, in some form, may well have been conceived as a historiography to compete against the Deuteronomistic works, with both vying for the same audience. The linchpin in all of this is the book of Deuteronomy. As Jon D. Levenson demonstrated over 30 years ago, Deuteronomy was eventually inserted into the Deuteronomistic History, setting the ideological stage as a law code for what would follow in the historical narratives.³⁹ Yet its position at the *end* of the Zadokite Pentateuch deflates the idea that the Deuteronomists had an exclusive claim to the authority it represented, and argues that this authority was truly at home in a Zadokite work.

I have argued elsewhere that the inclusion of the Blessing of Moses into Deuteronomy should be assigned to a Zadokite redaction of the book.⁴⁰ Deuteronomy 4, an exilic Deuteronomistic composition, makes allusions to material in Deuteronomy 31—32 but not to the Blessing of Moses in Deuteronomy 33, suggesting that the latter was only subsequently brought into the book and by a non-Deuteronomistic hand.⁴¹ Furthermore, the Blessing of Moses establishes a parallel to the

³⁶ As is well known, the Supplement appears at the end of the LXX and in the middle of the MT. See Schniedewind, *Book*, 155.

³⁷ Leuchter, *Polemics of Exile*, chapter 7 (conclusion). See also Baruch Halpern, "Why Manasseh is Blamed for the Babylonian Exile: The Evolution of a Biblical Tradition" *V/T* 48 (1998) 510-514; Friedman, "The Deuteronomistic School", 79-80.

³⁸ Leuchter, *Polemics of Exile*, chapter 6.

³⁹ "Who Inserted the Book of the Torah?", *HTR* 68 (1975) 303-333. Though Levenson argues that this occurred during the exile, Halpern and Vanderhooft suggest a late pre-exilic background to this redactional reflex ("The Editions of Kings", 237).

⁴⁰ Leuchter, "Song of Moses", 299-300.

⁴¹ For Deuteronomy 4 as an exilic work, see Marc Zvi Brettler, "A 'Literary Sermon' in Deuteronomy 4", in Saul M. Olyan and Robert C. Culley (ed.) *A Wise and Discerning Mind: Essays in Honor of Burke O. Long* (BJS; Providence: Brown University, 2000) 33-50.

Blessing of Jacob in Genesis 49, forging the basic expanse of the Pentateuch as a single, cohesive unit and suggests that Moses, great as he was, occupied a typology similar to that of the Patriarchs in Genesis, i.e., a founder of traditions entrusted to Israel's priesthood. In addition, the retrospective note in Deuteronomy 34:10-12 looks back not simply upon Deuteronomy, but upon the entire collection of Moses narratives in the Pentateuch beginning with the Exodus.⁴² We might also view the statement that no comparable prophet arose after Moses (Deut 34:10-12) as a Zadokite attempt to place limits on a persistent prophetic tradition which the Deuteronomists claimed as their own ideological *nabala*. With respect to the hermeneutical shape of the Pentateuch, then, Moses' great interpretation of tradition in Deuteronomy is entirely contingent upon the Zadokite laws now at the center of the Torah. Like Ezekiel before them, the Zadokite redactors of the Pentateuch realized that if Deuteronomy could not be ignored, it could at least be kept in check.⁴³

All of this suggests a sort of pre-Rabbinic *responsa* literature emerging among the various intellectual and religious elites of the exilic community, with each group acutely aware of the views and arguments of their opposition. We may tentatively propose the following sequence of composition (with some likely dates provided):

1. Jeremiah's pre-exilic oracles are redacted (between 597-587 BCE).⁴⁴
2. Ezekiel's oracles are formed (between ca. 592-572 BCE) as an attempt to appropriate both Jeremiah's rhetoric and the language of Deuteronomy for the Zadokite circles.⁴⁵
3. The Shaphanide-Deuteronomistic scribes construct Jeremiah 26—45 as a counter-measure to the influence of the Ezekiel tradition (ca. 570 BCE).⁴⁶
4. The Holiness Code is redacted as a Zadokite response to Jeremiah 26—45 (though not as a rebuke of that work).⁴⁷

⁴² See Marc Zvi Brettler and Thomas C. Römer, "Deuteronomy 34 and the Case for a Persian Hexateuch", *JBL* 119 (2000) 403-404, 406-407.

⁴³ Risa Levitt Kohn also notes the similarities here between Ezekiel's approach to Deuteronomy and that of the Pentateuchal redactors "A Prophet Like Moses? Rethinking Ezekiel's Relationship to the Torah", *ZAW* 114 (2002) 250-54.

⁴⁴ On 597-587 as the date range for the redaction of substantial collections of Jeremiah's pre-exilic oracles, see Leuchter, *Polemics of Exile*, Excursus 1.

⁴⁵ On these dates for Ezekiel's activity, see Sweeney, "Ezekiel".

⁴⁶ We may date the principal redaction of this material to circa 570, and no later than 567. The last datable oracle in the Supplement (Jer 44:30) presupposes Hophra's deposition in 570, but Nebuchadnezzar supported Hophra's attempt to reclaim power before the latter's death in 567. A relatively pro-Babylonian text such as Jer 44 would not have lashed out so viciously at Hophra if he had already aligned himself with Nebuchadnezzar. For a historical overview, see Rainer Albertz, *Israel in Exile: The History and Literature of the Sixth Century B.C.E.* (Atlanta: SBL, 2004) 56-57.

⁴⁷ The H author behind Leviticus 25 relies upon certain literary and hermeneutical precedents in Jeremiah 34 in the creation of his Jubilee legislation; the H author felt compelled to engage the rhetoric of Jeremiah 34

5. Amel-Marduk's pardon of Jehoiachin prompts the exilic redaction of the Deuteronomistic History (between 562-560 BCE), which relies upon and reinforces Jeremiah 26—45.⁴⁸
6. The Zadokite Pentateuch (or the core of this work) is redacted as an alternate or competing historiography to the Deuteronomistic History.⁴⁹

Strong arguments have been made for dating the exilic redaction of the Deuteronomistic History to a specific historical period. But determining whether the Holiness Code was constructed before, during, or after this time is a more difficult assessment. As noted above, the author behind the final form of the Holiness Code knows the Jeremiah tradition, thus establishing the temporal priority of the latter. However, this does not automatically mean that the Holiness author's work must have *preceded* that of the Deuteronomists. The Holiness Code could have been redacted after the redaction of the Deuteronomistic History or independently from it during the same period of time. In this case, we may restructure our proposed sequence of composition to allow for items 4 and 5 – the Holiness Code and the Deuteronomistic History, respectively – to reverse their order of composition or to be presented as emerging as fairly contemporaneous compositions.

It seems likely, though, that the final Zadokite redaction of the Pentateuch is indeed a response to the Deuteronomistic History, and that this Pentateuchal redaction is an enterprise independent of the activity of the authors behind the Holiness Code and subsequent to it.⁵⁰ Saul Olyan has noted that certain lexical considerations suggest that the author responsible for the current shape of various Pentateuchal texts *combines* the P and H ideologies.⁵¹ Moreover, though the Zadokite

but did not attempt to negate the content of that narrative so much as present H as the legal standard that Jeremiah would have personally emulated (see my forthcoming discussion in “The Manumission Laws”).

⁴⁸ Lipschits sees 2 Kgs 25:27-30 as a later addendum to a work already largely complete by the time of Jehoiachin's release (*The Fall and Rise of Jerusalem*, 297-99), but this redaction is unlikely to have taken place after the deposition of that king in 560 BCE. See the recent examination by Serge Frolov, “Evil-Merodach and the Deuteronomist: The Sociohistorical Setting of Dtr in the Light of 2 Kgs 25,27-30”, *Bib* 88 (2007) 174-190, who makes a strong case for this small window of opportunity as the likely circumstances for the exilic redaction of the Deuteronomistic History. I disagree, though, with Frolov's suggestion that the entirety of this work was constructed during this period (“Evil-Merodach”, 182-189) which, while plausible, does not account for a variety of intertextual dynamics with the Jeremianic material that should be dated before the exilic redaction of the Deuteronomistic History.

⁴⁹ It is possible that the rise of Cyrus prompted the redaction of the Pentateuch; Rooke, *Zadok's Heirs*, 12-13. The fall of the regime presented as dominant in 2 Kgs 25:27-30 would have been a useful moment for the Zadokite redactors of the Pentateuch to lodge a counter-argument by producing an alternate historiography. However, it is also possible that this process began earlier, when Amel-Marduk was deposed by Nergal-Sharezer in 560 BCE. For an overview of these events, see Albertz, *Israel In Exile*, 60-62.

⁵⁰ Pace Knohl, *Sanctuary of Silence*, 103.

⁵¹ Saul M. Olyan, “Exodus 31:12-17: The Sabbath According to H or the Sabbath According to P and H?”, *JBL* 124 (2005) 201-209.

redactors of the Pentateuch favor H over D (as many scholars recognize, the placement of H in the center of the work is a strong indication of this favoritism), their appearance in a single literary corpus suggests that these redactors did not view them as mutually exclusive. By contrast, Levinson and Stackert have argued convincingly that the Holiness authors did indeed attempt to push aside the Deuteronomic legislation.⁵² We may suggest that the evolution of the Zadokite perspective regarding Deuteronomy from that of the Holiness authors to that of the Pentateuch's final redactors presupposes the need to abstract Deuteronomy from its place in the Deuteronomistic History, thereby dissolving the applicability of that work in the formation of their own.⁵³ Thus however we choose to date the construction of the Holiness Code and the exilic redaction of the Deuteronomistic History, both must predate the final redaction of the Pentateuch, which evidences an evolution of Zadokite consciousness and an attempt to keep their characteristic literature as current as possible.

The foregoing discussion points to a flurry of literary activity in a fairly limited period of time by scribal groups in furious dialogue with each other. We should not be surprised by this; separated from the land and facing a fragmented community overwhelmed by an indomitable Mesopotamian culture, a strictly literary revolution was the only real option for any type of connection to older national traditions.⁵⁴ What we must note is that despite the spatial and temporal proximity, the Deuteronomists and Zadokites behind this literary activity could not be more distant from each other in terms of their respective visions for Israel's self-identity during the exile. No longer could geography create or sustain social cohesion – the underlying purpose of Jeremiah 44 suggests as much – even among a population that saw itself as the “true” Israel by virtue of their experience of exile.⁵⁵ It was adherence to literary ideologies that provided the basis for any understanding of Israelite identity among those no longer living in Judah.⁵⁶

Perhaps most significantly, the development of Israel's priestly lines during the exile became a matter of literary expression. Separated from regional shrines, village gates or a central national sanctuary, priesthood and scribalism became inextricably linked.⁵⁷ The hostility in the battle for scribal authority of the time may have been the defining characteristic of Israel's exilic intellectual and ideological development, and this hostility no doubt continued in subsequent generations during the period of Restoration under Persia and beyond.⁵⁸ And yet the

⁵² See above, note 22.

⁵³ Leuchter, “Song of Moses”, 299-300.

⁵⁴ So also Levinson, “Manumission”, 322, 324.

⁵⁵ We will recall that Jeremiah 44 equates the Zadokite agenda with the Egyptian remnant group who relinquish their claims to Israelite ethnic identity; see above.

⁵⁶ The circumstance was much different, though, for the substantial number of those who remained behind. See Jill Middlemas, *The Troubles of Templeless Judah* (Oxford: Oxford University Press, 2005).

⁵⁷ See especially Joachim Schaper, “Exilic and Post-Exilic Prophecy and the Orality/Literacy Problem”, *V/T* 55 (2005) 324-342 for a full discussion of this phenomenon.

⁵⁸ Tensions between the Zadokite priesthood and the scribal class from the

development of a rich intellectual tradition in Judaism would be characterized in subsequent generations by similar literary legacies of disagreement, creating a multifaceted culture that invited committed inquiry and challenges rather than conformity and complacency.⁵⁹

eastern Diaspora may be sensed with the selection of Ezra as judicial administrator of Yehud by Artaxerxes. The authenticity of the letter of Artaxerxes preserved in Ezra 7:11-26 is disputed, though most scholars agree that it is based on an authentic charge similar in nature to the contents of the present passage. See Richard C. Steiner, "The *MBQR* at Qumran, the Episkopos in the Athenian Empire, and the meaning of *LBQR*' in Ezra 7:14: On the Relation of Ezra's Mission to the Persian Legal Project", *JBL* 120 (2001) 623-46; Lisbeth Fried, "You Shall Appoint Judges": Ezra's Mission and the Rescript of Artaxerxes", in James W. Watts (ed.) *Persia and Torah: The Theory of Imperial Authorization of the Pentateuch* (Atlanta: SBL, 2001) 63-89. Ezra's identification as both a Zadokite and as a trained scribe suggests a diplomatic strategy with the aim of reconciling disparate traditions of authority within the Second Commonwealth. For a preliminary discussion, see Hugo Mantel, "The Dichotomy of Judaism in the Second Temple Period", *HUCA* 44 (1973) 55-87.

⁵⁹ Mantel, "Dichotomy of Judaism". See also Shaye J.D. Cohen, "The Significance of Yavneh: Pharisees, Rabbis and the End of Jewish Sectarianism", *HUCA* 55 (1984) 50-51; Israel Knohl, *The Divine Symphony: The Bible's Many Voices* (Philadelphia: JPS, 2003).

WRITING THE RESTORATION: COMPOSITIONAL AGENDA AND THE ROLE OF EZRA IN NEHEMIAH 8

JACOB L. WRIGHT
EMORY UNIVERSITY

1. INTRODUCTION

For the present paper I was asked to treat scribal activities in the early Second Temple period. In deciding how to approach this assignment, I thought rather than presenting a general research overview, it would be best to confine my attention to Ezra, the scribe par excellence in Second Temple history.⁶⁰ With regard to Ezra's historical role, much has been written.⁶¹ Thus, in what follows, instead of attempting to say something more about the historicity of this figure, I would like to examine how he is imagined in the book of Ezra-Nehemiah (hereafter EN), and above all, in the pivotal eighth chapter of Nehemiah.⁶²

2. COMPARISON OF EZRA 3 AND NEHEMIAH 8

The account of Ezra's Torah-reading in Nehemiah 8 is a rich source for studying scribal activities. But it would be a mistake to focus on this passage, as has sometimes been done,⁶³ without considering its place in the wider context of EN.

⁶⁰ Generous financial support for my attendance to the AJS meeting was provided by a faculty prize from the University of Heidelberg as well as a travel grant from the German Research Society.

⁶¹ See most recently Yitzhak Avishur and Michael Heltzer, "The Scribe and Priest Ezra: A Leader under Achaemenian Rule," *Transeuphratène* 29 (2005), pp. 17-36.

⁶² For a recent discussion of my book on EN, see G. N. Knoppers (ed.), "Revisiting the Composition of Ezra-Nehemiah: In Conversation with Jacob Wright, *Rebuilding Identity: The Nehemiah Memoir and its Earliest Readers* (BZAW, 348; Berlin: de Gruyter, 2004)," *Journal of Hebrew Scriptures* 7 (2007), article 12 soon to be available at <http://www.jhsonline.org>.

⁶³ A good example of this neglect may be found in the otherwise original and thoughtful interpretation of the passage by Thomas Willi, *Juda-Jebud-Israel: Studien zum Selbstverständnis des Judentums in persischer Zeit* (FAT 12; Tübingen: Mohr Siebeck, 1995), 116. In attempting to demonstrate that the narrative does not portray a cultic event but rather the political ratification of the Torah as the legal constitution of Yehud, Willi fails to pay sufficient attention the *Tendenz* of

One of the most striking aspects of the scene portrayed in our text is that it is set at the beginning point of the cultic calendar (see Neh 7:73, 8:2, 14). This is not the first time the book refers to the 7th month. Already Ezra 3 recounts how Zerubbabel and Joshua erected the Altar in Jerusalem and reinitiated the sacrificial cult during this month of Cyrus's first year. Significantly, both Nehemiah 8 and Ezra 3 are directly preceded by the same register of *'ōlīm* in Neh 7:5-72 and Ezra 2. The presence of this lengthy list in both halves of the book would seem to indicate an intentional literary structure, and thus we may follow others in viewing these chapters as a kind of *inclusio* in the narrative of the book: Ezra 2-3, on the one hand, and Nehemiah 7-8, on the other.⁶⁴

Although many scholars agree that these chapters serve to bracket the narrative of EN, they often fail to appreciate the significance of the radical shift in emphases from one end of the book to the other: The authors of Ezra 3 go to great lengths to demonstrate how the first generation of *'ōlīm*, under the leadership of Zerubbabel and the High Priest Jeshua, hastened to have everything in place for the sacrificial ordinances required by the Torah for the seventh month. In contrast to Ezra 3's depiction of orthopraxis, Nehemiah 8 affirms that the subsequent generation who built the Wall of Jerusalem under the leadership of Nehemiah was governed by one desire when the seventh month arrived, namely that Ezra the Scribe "bring" the book of the Torah.⁶⁵

Now what has transpired in the chapters between Ezra 3 and Nehemiah 8 to prompt this profound change in the way the Judeans celebrate the seventh month – from sacrificing on the Altar in compliance with the Torah, on the one hand, to reading Torah without a particular interest in the Altar, on the other? In offering a response to this question, I hope to show that the book of EN provides us a glimpse into the incipient tension between Temple and Torah, and that this tension has informed the book's portrayal of Ezra the Scribe.

Let us begin by comparing these texts more closely. The lengthy list of the returnees in Ezra 2 concludes by reporting that "all Israel were in towns" (וּכְלֵי יִשְׂרָאֵל בְּעָרֵיהֶם, v. 70b). Ezra 3 begins by repeating this statement, yet it makes a significant addition: "And when the seventh month arrived, the children of Israel were in (their) towns" (וַיָּגַע הַחֹדֶשׁ הַשְּׁבִיעִי וּבְנֵי יִשְׂרָאֵל בְּעָרֵיהֶם, v. 1a).⁶⁶ By referring to the seventh

the account and the intertextual threads connecting it to other parts of EN.

⁶⁴ See the articles in the forthcoming volume edited by Mark J. Boda and Paul L. Redditt, *The (Dis-)Unity of Ezra-Nehemiah* (Hebrew Bible Monographs; Sheffield-Phoenix: Sheffield, 2007).

⁶⁵ I capitalize the words "Wall," "Temple" and "Altar" in this paper as a way of signifying the symbolic value these building projects possess in the narrative of EN.

⁶⁶ For an analysis of the development of these lines and their relationship Neh 7:72-8:1, see Juha Pakkala, *Ezra the Scribe. The Development of Ezra 7-10 and Nehemia 8*. BZAW 347. Berlin/New York: Walter de Gruyter, 2004, pp. 137-40, 165-67, and Jacob L. Wright, *Rebuilding Identity: The Nehemiah Memoir and Its Earliest Readers*. BZAW 348. Berlin/New York: Walter de Gruyter, 2004, pp. 301-303.

month, the author prepares the reader for an account of cultic activities. And sure enough, the following account describes how Jeshua and Zerubbabel set up an Altar in order to inaugurate the cultic calendar with abundant sacrifices. The paragraph goes on to describe how the Altar served from this point on (“from the first day of 7th month...,” v. 6) for the various sacrifices prescribed in the Torah.

Turning now to the other half of the book, we would anticipate the authors of Nehemiah 8 to report how the Judeans, when celebrating the seventh month, were still using the Altar built almost a century earlier before. But this is not the case. Just as in Ezra 2-3, the account in Nehemiah 8 follows the long list of returnees in chap. 7. The introduction to the account resembles the introduction to Ezra 3: “When the seventh month arrived, the children of Israel were in their cities” (ויגע החדש השביעי ובני ישראל בעריהם) (Neh 7:72b). As in Ezra 3, they all assemble unified (כאיש אחד) in Jerusalem (Neh 8:1). But in sharp distinction to Ezra 3, the public gathering does not take place in the Temple precincts, but rather in the plaza before the Water Gate, which stood at a significant distance from the Temple.⁶⁷ And it is at this gate that they all call on Ezra the Scribe to bring the Book of the Torah (... ויאמרו לעזרא חספר להביא את ספר תורת משה).

The account of Ezra’s compliance with this popular petition emphasizes two aspects of the activities. On the one hand, there is the cognitive: Torah is both read and explained. At the end of the day the people are happy because they understood what they had heard (v. 12; cf. vv. 3 and 8). On the other hand, there is the cultic: The Torah is treated as an iconic book.⁶⁸ When Ezra opens it, the people stand, utter blessings, respond with “Amen! Amen!,” then prostrate themselves, and so on. Finally, Nehemiah and Ezra proclaim the day holy to God and send the people away to make merry.

Given this emphasis on the cultic aspect of the day, we would expect at least a passing reference to the High Priest, the Altar or at least the Temple. But our expectations are disappointed, and the rest of chaps. 8-9 fails to compensate for the neglect of the Altar.

The following paragraph in chap. 8 describes a second assembly at a peculiar place (vv. 13-18). On the first day of the seventh month, the people had gathered at the Water Gate, rather than at the Temple.⁶⁹ On

⁶⁷ See M. Burrows, “Nehemiah 3:1-32 as a Source for the Topography of Ancient Jerusalem,” *AASOR* 14 (1933-4): 115-140 and H.G.M. Williamson, *Ezra, Nehemiah*. WBC 16. Waco, Texas: Word, 1985, p. 287.

⁶⁸ For the expression “iconic book” in biblical studies, see Martin Marty, “America’s Iconic Book,” *Humanizing America’s Iconic Book* (Gene Tucker and Douglas A. Knight (ed.), Centennial Publications – Society of Biblical Literature; Chico, CA: Scholars Press, 1982), 1-23; Karel van der Toorn, “The Iconic Book. Analogies between the Babylonian Cult of Images and the Veneration of the Torah” in *The Image and the Book. Iconic Cults, Aniconism, and the Rise of Book Religion in Israel and the Ancient Near East* (idem. (ed.), Contributions to Biblical Exegesis and Theology 21; Leuven: Peeters, 1997), 229-48. See also the description of the “Iconic Book Project” at Syracuse University in J.W. Watts, “The Ten Commandments: Monuments and the Rivalry of Iconic Texts,” *Journal of Religion and Society* 6 (2004) <http://moses.creighton.edu/JRS/2004/2004-13.htm>.

⁶⁹ In Esdras α, which has a pronounced priestly orientation (see below), the

the second day, the representatives of the people now assemble, with the priests and Levites, around “Ezra the Scribe to study the words of the Torah” (v. 13). In the narrative world of EN, time, space and characters are imbued with symbolic significance. Just as the authors of Nehemiah 8 use a particular month of the calendar, so they also use particular places and characters to get their message across to their readers. With regard to “Ezra the Scribe” here, the authors of Nehemiah 8 employ the verb “gather” (פָּאָס, *niph'al*) to represent Ezra as both a person and a place where the leaders gather.⁷⁰ Ezra thus personifies in this passage an institution that contends with the Temple for a leading role in Judean society.

In their study of Torah with Ezra, the Judean leaders discover the commandment to dwell in Sukkoth during the festival of the seventh month. According to this passage, however, the prescribed way to celebrate the festival is different from both the pentateuchal ordinances and Ezra 3. For example, the Torah study group overlooks the sacrificial ordinances. In Ezra 3:4 we are told the Judeans celebrated Sukkoth “as it written” (בְּכַתּוּב) by *sacrificing* “day by day” (יוֹם בְּיוֹם). Instead of sacrifices, the account in Nehemiah 8 reports that during this festival *Torah was read* “day by day” (יוֹם בְּיוֹם, v. 18).

The people also celebrate the festival by gathering branches in order to make and live in Sukkoth. This emphasis on constructing a dwelling place is appropriate in a book devoted to the rebuilding of Jerusalem. But notice the order of places where they make the Sukkoth: “on their roofs, in their courtyards, in the courtyards of the Temple, in the square of the Water Gate and in the square of the Ephraim Gate” (v. 16). Strange about this list of locations is that the Temple is mentioned so casually rather than having a position of prominence.

In describing the final activities of the seventh month, chap. 9-10 continues to avert attention away from the Temple. When the people gather again on the 24th day, Ezra the Scribe, whose role in the second paragraph of chap. 8 was symbolic and passive, is now not even mentioned.⁷¹ The location of the assembly this time is left undefined; the Israelites gather among themselves. In the absence of a prominent personality, they read in the Book of the Torah and engage in worship on their own. Rather than sacrificing, they offer confessions. The lengthy prayer of the Levites reviews the history of Israel in great detail. However, it passes over the Temple and cult in silence.⁷² Instead, it focuses on God’s faithfulness in keeping his promise of land to Abraham. The precondition for possession and tenure in this promised

gathering takes place in the square before the East Gate of the Temple (9:38).

⁷⁰ Cf. v. 13 with v. 1; 9:1 and Ezra 3:1. A similar dynamic is at work in Ezra 9:4, 10:1, 7, 9. See my *Rebuilding Identity*, p. 251 and 327-30.

⁷¹ See T. C. Eskenazi, *In An Age of Prose: A Literary Approach to Ezra-Nehemiah* (SBLMS 36; Atlanta: Scholars Press, 1998), 97-104.

⁷² The comparable psalms with lengthy historical reviews (e.g. 105 and 106) also do not mention the Temple, but they, in stark contrast to Nehemiah 9, focus on Israel’s history before the conquest and loss of the land. Not only is Nehemiah 9 the most comprehensive of these prayers, but it is found in a book that recounts at length the building of the Temple. Furthermore, it is uttered in the seventh month.

land is obedience – above all obedience to the Torah and Mitzvoth.⁷³ Finally, the prayer prompts the community in chap. 10 to pledge themselves to the Torah. At this point the reader would assume that the Temple had passed into complete oblivion if it were not for the stipulations of the pact, especially the concluding affirmation: “We will not forsake (ולא נעזוב) the House of our God” (v. 40).⁷⁴

3. THE PROBLEMS POSED BY NEHEMIAH’S ACCOUNT FOR THE PRIESTHOOD

How should one explain this shift in EN from a focus upon the Temple to a focus upon the Torah?⁷⁵ It is important to note that Deut 31:9-13 requires an assembly and reading of the Book of the Torah during the festival of Sukkoth every seventh year (the *שנת השמטה*). These directions for the septennial *haqbel* share many features with Nehemiah 8. Given that Nehemiah three chapters earlier calls for a cancellation of all debts (5:1-13), it is quite possible that the authors of chap. 8, like many readers since, understood this as “a year of remittance” and thus portrayed the reading of the Torah as the *haqbel* in keeping with Deuteronomy. Ezra 3 would accordingly have been influenced by P, and Nehemiah 8 by D.

This is a nice neat scheme, but the problem persists: If the book begins by following the priestly traditions so closely, why does it also not end by doing the same? A more adequate response requires that we begin with an examination of Nehemiah’s first-person account. This work would have posed serious problems for priestly circles:

⁷³ The priests are mentioned twice, yet among the groups who failed to follow the Torah. The Levites, who utter the prayers, significantly do not mention themselves in these groups (see 9:32 and 34).

⁷⁴ These stipulations are widely thought to have been heavily expanded, and the list of the pact’s signatories are considered by many to be completely secondary; see the discussion in *Rebuilding Identity*, pp. 212-20.

⁷⁵ Reviewing *Rebuilding Identity*, E. Ben Zvi points out that “in the discourses of the period, acceptance of the Torah served pragmatically to legitimize temple worship” (regrettably, the copy-editors of his review decided, without consultation, to remove the statement from the published text of the review, for the latter see *CBQ* 69 [2007], 568-70). I agree: Given the prominent Priestly stratum in the Torah, it certainly promotes the Temple cult and could easily be cited in support of Priestly interests, such as Temple-building and – “glorification” (לפאר, Ezra 7:27) projects (see Ezra 3:2-4; 6:18 and chaps. 7-8). However, the growth of Torah study in the late Persian and early Hellenistic period accompanied *in many cases* a critical stance vis-à-vis cosmopolitan Temple-aristocratic circles. Within the composition-history of EN, this critical stance, adopted by Nehemiah, is originally independent of Torah-study. Indeed, it seems to have elicited the composition of the Temple-oriented accounts in Ezra 1-6 and 7-8, until it finally places Torah at the center of Judean society (beginning in Ezra 9-10 and then in Nehemiah 8-10) rather than subsuming it to the Temple (as in Ezra 3:2-4, 6:18 and chaps. 7-8). It is thus probably not a coincidence that the pericopes highlighting the Torah in Nehemiah 8-10 are found in the middle of Nehemiah’s wall-building account, between passages criticizing the aristocracy (6:17-19) and the Jerusalemite priesthood (13:4-31). See below.

1. It presents Jerusalem as a whole in a condition of ruins. It fails to even acknowledge the munificence of the Persian court with regard to Jerusalem's Temple, priesthood and cult.⁷⁶
2. It does not identify the builders of the Wall with the *'ōlīm*. Indeed, the account never even refers to an aliyah, which contrasts with the emphasis upon the aliyot in Ezra 1-8.⁷⁷
3. It presents his Wall-building project as the Restoration of Judah after the Babylonian captivity (see 1:1-3). Before his arrival, the Judeans lived in trouble and disgrace (1:3).⁷⁸ This situation was remedied not only by the rebuilding of the Wall, but also by the various social and religious reforms, which he, as a layperson, had introduced.⁷⁹
4. It portrays the decentralization of the city: the holiness spreads out from the center (the Temple) to the periphery, symbolized by the municipal Wall (see Neh 12:27ff.; 13:15-22).⁸⁰
5. And perhaps most importantly, it both praises the Levites and dares to accuse the Jerusalemite priesthood of radical corruption.⁸¹ Because of these unholy alliances, Nehemiah, as a layperson, must interfere in the internal affairs of the Temple and “purify” the priesthood, as he claims in the final lines of his account.⁸²

⁷⁶ The Temple is mentioned only in passing (see 2:8 and 6:10-11). After Artaxerxes has just sent Ezra to Jerusalem with lavish funds for the Temple, and after Cyrus and Darius had manifested similar generosity for this institution, Nehemiah's comment in 2:3 that the city is in ruins (see also the report in 1:1-3 which also reports that the Judeans were in dire straits) and his failure to acknowledge the court's magnanimity vis-à-vis the Temple is shocking. Although this silence may be ascribed to rhetorical considerations, it would nevertheless have prompted Temple-circles to set the record straight in order to avoid any confusion.

⁷⁷ When Nehemiah inquires about the inhabitants of the province in 1:2-3, he refers to them as “(the Judeans) the escapees/remnant who have been left from the captivity (there in province)” (vv. 2-3). He fails to acknowledge, with the Ezra 1-8, the presence of additional – and sizeable – groups that had returned from Babylon. The only place he does evince knowledge of aliyot is Neh 7:5b-73. But this text, which portrays the discovery of a “book” with a passage equivalent to Ezra 2, represents, as many agree, a late addition to his account depicting a discovery that expands Nehemiah's historical consciousness.

⁷⁸ This contrasts starkly with the upbeat tone concluding Ezra 1-6 and 7-8.

⁷⁹ In his work to remedy this situation, Nehemiah strongly promotes the role of the Levites (7:1; 12:27; 13:5, 10, 22), while at times mentioning the priests with other groups rather than in a position of prominence (e.g. 2:16).

⁸⁰ See Eskenazi, *In An Age of Prose*, 119-122.

⁸¹ When criticizing the aristocracy, Nehemiah does not confine himself to laypeople. In chap. 13 he points his finger at the High Priest's family who had intermarried with Judah's archenemies, Sanballat and Tobiah, and had even provided the latter with a pied-à-terre in the Temple (see vv. 4-9 and 28-29).

⁸² See also his command to purify the Temple chambers, which had been polluted by Eliashib and Tobiah, in 13:4-9.

Among the Jerusalemite priesthood, these disconcerting aspects of Nehemiah's account would have certainly ruffled a few feathers. One had a choice between different responses. For example, one could cut Nehemiah's account completely out of the history of the Restoration and reword the latter to render his Wall-building project superfluous, as the authors of *Esdras α* seem to have done.⁸³ Another strategy would be to reinterpret the work of Nehemiah, either excluding his criticisms of the high-priesthood, as the priest Josephus does,⁸⁴ or making Nehemiah into a champion of the Temple-cult, as in the Nehemiah legend transmitted in 2 Macc 1:18-36. Finally, one could attempt to counterbalance Nehemiah's account by telling about the great things that happened in Judah before the construction of the Wall. This is, I claim, what the authors of Ezra 1-6 and 7-8 do. In briefly looking at how they do this, we will be in a better position to appreciate the role (or roles) assumed by Ezra.

4. NEHEMIAH 8 AND THE COMPETING AGENDAS WITHIN EN

Although Ezra 1-6 and 7-8 include older sources and perhaps even authentic documents, it is important to observe how the authors have shaped this material in keeping with their compositional agenda. In the book's first block, Ezra 1-6, they underscore for their readers, in keeping with their compositional agenda, that the Restoration did not begin with Nehemiah's building project and reforms, but rather with the construction of the Temple. Whereas Artaxerxes only permits Nehemiah to repair the city ramparts, the authors of Ezra 1-6 recount how the first Persian king in the first year of his reign issued an edict that demanded the Judeans to undertake the construction of the Temple. At the end of this section, Darius confirms this edict and issues an additional one that includes generous funding for the Temple service (chap. 6). The center of this section explicitly addresses the Wall-building project: In his correspondence with the local officials, Artaxerxes identifies the Wall with Jerusalem's history of rebellion, and therefore decrees the building to cease (chap. 4). Due to this prohibition, the construction of the Temple is also stopped, and it is not resumed until the reign of Darius (chaps. 5-6). Thus, the Wall-building

⁸³ For example, Artaxerxes' allowance that the city could only be rebuilt if he issues a further decree in Ezra 4:21, which seems to have Nehemiah 2 in view, is not transmitted in *Esdras α* 2:28-29. As already noted above, this version locates the assembly in Nehemiah 8 before the Temple. It also refers to Ezra in this context consistently as "the chief priest and reader" or simply as "the chief priest." It does not transmit the account of the celebration of Sukkoth without sacrifices in Neh 8:13-18. There are countless further examples of the pro-Priestly orientation of this version.

⁸⁴ Although in his *Antiquities* Josephus is careful to report each change in the office of the office of the High Priest, he simply states in 11.5.5. that Eliashib took office. He does refer to Nehemiah's reforms for the Levites (Neh 13:10-14), yet he skips over the setting of these reforms (Eliashib's provision of Tobiah with a Temple chamber in 13:4-9). Although he has no qualms about transmitting stories of intrigues and fratricide later in his history, these stories are well suited to his polemics against the Samaritans. Indeed, he offers a different version of the incident reported in Neh 13:28 that emphasizes the connections with the Samaritan cult.

project, and all that it stands for, is presented here as jeopardizing the good relations between the Judeans and the imperial court.

Although Ezra 1-6 attempts to place Nehemiah's Wall in the shadows of the Temple, its emphasis upon the centrality of the textual tradition and the supremacy of the written word anticipates Ezra's scribal activities, especially as they are portrayed in Nehemiah 8. In Ezra 1:1 the prophetic "Word of Yhwh" (דבר ה') is fulfilled when Cyrus commands the Temple to be rebuilt. Because this command was put into writing (וגם במכתב), it could also be lost in the administrative archives. And precisely this happens, until, at the end of the story, Darius finds the Cyrus edict in the royal geniza of Ecbatana and the work on the Temple is allowed to resume. Previously the work had been interrupted when the local officials, Rehum the Commissioner and Shimshai the Scribe, petitioned the Persian court to consult their records in order to establish that Jerusalem was historically a rebellious city. Before the imperial court directs the construction to cease, and before it later repeals its ban and orders that the project be resumed, it consults the historical record.⁸⁵

The text thus has an authority that supercedes that of the Persian kings. In this way the authors of Ezra 1-6 demonstrate to their Judean readers the point that in a new age in which Judah had lost her monarchy and was now subject to a foreign empire, the community could survive without a king of their own. Not only do the great Persian kings submit themselves to the authority of the written tradition, but the edicts they issue simultaneously fulfill the prophetic "Word of Yhwh" (Ezra 1:1). Similarly, the Judeans have their own written traditions, which not only include these edicts (Ezra 1, 4, 5-6) but also genealogical records which one can consult in questions of ethnic boundaries and priestly purity (see 2:59-63). Above all, however, the Judeans have the written tradition of Torah, to which they adhere "as it written" (ככתוב) when building the Altar and reinitiating sacrifices in the seventh month (3:1-7; see also 6:18).

Whereas in Ezra 3 the Torah serves merely to support the building of the Altar and re-inauguration of the sacrificial calendar, in Nehemiah 8 it appropriates, or claims a share in, the cultic status of the Altar and sacrifices. The transition to the portrayal of Ezra the Scribe treating the Torah as an "iconic book" in Nehemiah 8 is a gradual one and can be traced in Ezra 7-10.

This section begins by introducing the twofold identity of the protagonist: By birth he is a priest from the line of Zadok and by training he is "a scribe skilled in the Torah of Moses" (ספר מהיר בתורת משה, 7:6) who "had prepared his heart to study Torah, and to observe and to teach Israel law and ordinance" (הכין לבבו לדרוש את תורת ה' ולעשת וללמד בישראל חק ומשפט, 7:10). Whereas Ezra 1-6 presents texts as the ultimate authority governing the progress of the Restoration, Ezra 7 presents the figure who is qualified to interpret the most important of these texts.

⁸⁵ For more on this aspect of Ezra 1-6, see my article "Seeking, Finding, and Writing in Ezra-Nehemiah," forthcoming in, Boda and Redditt (ed.) *The (Dis-)Unity of Ezra-Nehemiah*.

As the story progresses, however, Ezra is primarily concerned not with texts or the Torah but rather with the Temple. The Artaxerxes rescript refers only briefly to Ezra's function as a guardian of the Torah and devotes the greatest amount of space to delineating his duties of making aliyah and transporting prodigious donations for the Temple.⁸⁶ In chap. 8 Ezra tells of this successful journey which concluded with the sacrificing of almost two hundred animals on the Altar in Jerusalem. The Torah is never even mentioned in this chapter.⁸⁷

In Ezra 9-10 the story takes a sudden turn, and a grave problem is revealed: the people of Israel, the priests and Levites, instead of separating themselves from the peoples of the land, had intermarried with them. It is this problem which paves the way for Ezra to turn his attention to the Torah and Mitzvot. And it is this problem that also paves the way for him to join Nehemiah and the Wall-building project.

The Wall is not simply about the physical ramparts around Jerusalem; it is also a symbol representing Judah's renewed strength and unity.⁸⁸ The greatest danger to this unity, according to Nehemiah's account, is not the extramural enemies but rather those among the Judeans who had entered into unholy alliances with the enemy, i.e. the aristocracy and priesthood. Because the High Priest Eliashib had disqualified himself through his family's marriage practices, he and Nehemiah, in contrast to the Temple-builders Zerubbabel and Jeshua, could not form a harmonious diarchy.

For the authors of EN, the role of Nehemiah's sidekick was open for someone who was worthy of it. Martha Himmelfarb writes: "The worthiness of priests is the subject of great anxiety in a wide range of literature in the Second Temple period. [...] The conflation of the scribe with the priest...brings to the entirely hereditary, and thus unmeritocratic, role of the priest, a dimension in which individual virtue and skill are determinative. [...] To look at the problem from a different angle, it may be that by the period of the Second Temple the ideal of the priest required a transfusion of merit."⁸⁹ Against the backdrop of Himmelfarb's remarks, we can better appreciate the portrayal of our subject: In Ezra 7 he is depicted not only as a priest with a prestigious pedigree but also as a scribe with extraordinary talents. And when the authors of Nehemiah 8 present him joining the builder of the Wall to

⁸⁶ See 7:14, (21), 25-26. Ezra's blessing, which concludes chap. 7, refers solely to the king's decision to glorify the Temple and the Ezra's favor with the court.

⁸⁷ Many scholars claim that the account of Ezra reading the Torah in Nehemiah 8 originally served as a continuation of the journey report in Ezra 7-8. But this thesis is unconvincing. The Ezra of Nehemiah 8 fully neglects the Altar and the Temple. The Ezra of Ezra 7-8, in contrast, is completely focused on the Altar and Temple. These chapters continue the priestly responses to Nehemiah's account begun in the Temple-building account in Ezra 1-6. For an evaluation of the transposition arguments, see my *Rebuilding Identity*, pp. 321-30.

⁸⁸ The list of the builders in chap. 3 gives expression to this communal solidarity insofar as it maps the circumference of the wall by naming the donors who supported the construction project

⁸⁹ "'A Kingdom of Priests': The Democratization of the Priesthood in the Literature of Second Temple Judaism," *Journal of Jewish Thought and Philosophy* 6 (1997): 89-104, here pp. 102-3.

organize a celebration of the seventh month without the presence of the High Priest, they place great emphasis on his profession, citing one of his titles, “the scribe,” no less than five times.⁹⁰

5. CONCLUSION

The presentation of Ezra the Scribe in Nehemiah 8 deserves more attention than I can afford to devote to it here. My aim in this paper has been to align several features of the chapter with other themes in EN in order to appreciate the place of the chapter in the larger agenda of the book. Moreover, I hope to have shown that the account, which has figured so largely in discussions of scribes in the Second Temple period, was composed, or at least heavily edited, for its present context. The portrayal of Ezra’s activities in Nehemiah 8 did not develop in a vacuum, but rather as a response to a conversation provoked by the polemical nature of the Nehemiah Memoir. And this conversation in EN is to a great extent nothing less than a discourse on the nature, and institutions, of authority in Judean society: imperial, monarchic, gubernatorial, priestly, Levitical, scribal, prophetic, aristocratic, communal, etc.⁹¹

Finally, in order to avoid any misunderstandings, I should emphasize that neither the Nehemiah Memoir nor Nehemiah 8 presents a supersession of the Altar, sacrifices and priests.⁹² To the contrary, Nehemiah is firmly committed to the sanctity of the Temple and priests, and he seeks to safeguard these institutions by criticizing *specific* priests for negligence and corruption. Although he attacks incumbents of the priestly office, he never questions the legitimacy of the office itself. The literary complex in Nehemiah 7-10, situated between the censure of the aristocracy and priesthood in 6:17-19 and 13:4-31,⁹³ builds upon this censure and sets forth the institutions of Torah, scribes and prayer as the means for the community as a whole to participate in the sanctity of the Altar, priests and sacrifices.⁹⁴ Although these texts

⁹⁰ His other titles הכהן הספר and הכהן appear only once each: vv. 2 and 9.

⁹¹ The attention this paper pays to EN’s portrayal of authority in Judean society has been inspired by my recent reading of Michael S. Berger’s exemplary study of *Rabbinic Authority* (New York: Oxford Univ. Press, 1998).

⁹² Such an approach could be compared to the prophet-priest dichotomy that has characterized much protestant Hebrew Bible scholarship (yet see also Elias Bickerman, *From Ezra to the Last of the Maccabees: Foundations of Post-Biblical Judaism*, New York: Schocken, 1962, pp. 67-71). As a corrective to this trend, see Ehud Ben Zvi, “Observations on Prophetic Characters, Prophetic Texts, Priests of Old, Persian Period Priests and Literati,” in *The Priests in the Prophets. The Portrayal of Priests, Prophets and Other Religious Specialists in the Latter Prophets* (Lester Grabbe and Allis Ogden Bellis (ed.), JSOTSS 408; London/New York: T&T Clark, 2004), 19-30; Ziony Zevit, “The Prophet versus Priest Antagonism Hypothesis: Its History and Origin,” in *ibid*, 189-217; and Jonathan Klawans, *Purity, Sacrifice, and the Temple: Symbolism and Supersessionism in the Study of Ancient Judaism* (New York: Oxford University Press, 2005).

⁹³ In *Rebuilding Identity* 153-60 and 197-202, I attempt to show that these passages were originally connected before the insertion of the material in Neh 7:1-13:3 severed them.

⁹⁴ Whether the tension between Temple and Torah is part of later

deny the basis for any claim of priestly hegemony, the Temple and its personnel still constitute essential features of this narrative world, as the stipulations to the communal pact in Nehemiah 10 demonstrate. EN may thus be compared to other biblical and post-biblical literature which assigns royal, priestly, prophetic and military prerogatives to the people of Israel as a whole.⁹⁵

Hellenistic social developments, or whether it merely anticipates them, is a question that remains to be clarified but cannot be addressed here.

⁹⁵ For Deuteronomy, see most recently Joshua Berman's study "Constitution, Class and the Book of Deuteronomy," *Hebraic Political Studies* 1 (2006): 523-548. For biblical priestly literature, see the Israel Knohl's suggestions on the Holiness Code in *The Sanctuary of Silence; The Priestly Torah and the Holiness School* (Minneapolis: Fortress, 1995), 175-86 and 204-16. Prophetic activities gradually expand to include the study of the sacred tradition, as witnessed by the shift of the term **שִׁדְר** from oracular consultation to textual study. This shift begins already in EN (see e.g. Ezra 7:10) but is especially pronounced in later literature; see Michael Fishbane's article "Torah" in vol. 8 of *Encyclopedia Miqra'it*, Jerusalem: Bialik, 1982, cols. 469-83 (Hebrew), and Annette Steudel, "Bereitet den Weg des Herrn. Religiöses Lernen in Qumran," in *Religiöses Lernen in der biblischen, frühjüdischen und frühchristlichen Überlieferung* (Beate Ego and Helmut Merkel (eds.), WUNT 1.180; Tübingen: Mohr Siebeck, 2005), 99-116. With respect to the military, the war traditions in Exodus-Samuel include many polemics against chariots (one of the most important catalysts for social stratification) and emphasize the non-professional nature of Israel's armies. In comparison to king, priest and prophet, the transformation of traditional military roles has received much less attention. See, however, my forthcoming book *War and the Formation of Society in Ancient Israel* (Oxford Univ. Press). It should be emphasized that the reassignment of the traditional royal, priestly, prophetic and military prerogatives to all Israel has a complex history. It was propelled by the major crises of 587/6 BCE and 70 CE, but even here one witnesses sophisticated attempts to maintain the privileges and responsibilities of these offices under new sociopolitical conditions.

THE LEVITES AND THE LITERATURE OF THE LATE-SEVENTH CENTURY

JEFFREY C. GEOGHEGAN

BOSTON COLLEGE

Herodotean and Thucydidean scholars have, as their names imply, a distinct advantage over their biblical counterparts: they know the authors of the histories they study. Certainly there remain significant questions to be answered when interpreting these histories, such as what intellectual, cultural, and political forces influenced their writings, what underlying beliefs or theories of causation shaped their retelling of the past, and how reliable, really, are they or their sources for a particular event. Still, knowing who wrote Greece's earliest histories, when, and, ostensibly, why,⁹⁶ provides a tremendous interpretive advantage over biblical scholars who, if the present state of the field is any indication, know precious little about such matters.

There was a day when we knew more. Nearly two thousand years of tradition told us who wrote Israel's earliest histories: Moses wrote the Torah, Joshua the book of Joshua, Samuel the book of Judges and the first part of Samuel, etc.⁹⁷ With the Enlightenment, however, came a period of darkness. Don Isaac Abravanel, Thomas Hobbes, Baruch Spinoza, and others pointed out the inadequacies of the traditional authorial ascriptions.⁹⁸ Abravanel, for example, noted that the author of the book of Joshua consistently makes reference to objects and institutions established by Joshua that still existed in his own day. Following the miraculous crossing of the Jordan River, for instance, the author of Joshua reports that the Israelites erected a memorial of twelve stones, after which he interjects, "And they (i.e., the stones) are still there until this day" (Josh 4:9). Abravanel asks, "If Joshua wrote all of

⁹⁶ Both Herodotus (*Histories* 1.1.0) and Thucydides (*Peloponnesian War* 1.1.1-3; 1.22.1-4) state their reasons for writing, though subsequent scholarship has identified additional purposes.

⁹⁷ For early Jewish tradition on the authorship of the Bible, which was adopted by Christianity, see B. Bat. 14b-15a.

⁹⁸ The relevant sections of Abravanel are in his introduction to the Former Prophets. For the comments of Hobbes, see *Leviathan*, III:33.4, 6, 9. For the contributions of Hobbes to the emerging field of critical scholarship, see H.-J. Kraus, *Geschichte der historisch-kritischen Erforschung des Alten Testaments* (3rd ed.; Neukirchen-Vluyn: Neukirchener Verlag, 1982) 57-58. For Spinoza's criticisms of the traditional authorial ascriptions, see his *Tractatus Theologico-Politicus*, VIII:2, 4.

this, how can it say ‘until this day’?...The phrase ‘until this day’ demonstrates by necessity that the book was written long after the affairs it reports.” Abravanel comes to similar conclusions for the other historical books, saying of the book of Samuel, for example:

...in the same way, that which is written demonstrates that Samuel did not write his book, for regarding the matter of the Ark in the land of the Philistines which occurred in his day, it says “therefore the priests of Dagon and all those entering the temple of Dagon do not tread upon the threshold of Dagon in Ashdod until this day” (1 Sam 5:5), and it says when the Philistines returned the Ark “and as far as the great field they made the Ark of Hashem to rest upon it until this day in the field of Joshua of Beth-Shemesh” (1 Sam 6:18), and if these matters were in the days of Samuel, how can it say “until this day” which indicates a long time after the events?

Abravanel’s insights, made at the beginning of the sixteenth century, were instrumental in initiating the modern-critical study of the Bible. Yet, he and his successors left many questions unanswered, such as who *did* write these books and who compiled them to form a relatively unified account of Israel’s past.⁹⁹ It was not until the mid-twentieth century, with the publication of Martin Noth’s *Überlieferungsgeschichtliche Studien*, that significant new light was shed on these questions.¹⁰⁰ For Noth, Israel’s earliest history, which spanned from Deuteronomy through 2 Kings, was compiled shortly after the fall of Jerusalem in 586 BCE by an individual wishing to make clear to those in exile the reason for the nation’s demise. The nation, according to this historian, had continually violated its covenant with God as established by Moses in the book of Deuteronomy and, as a consequence, God brought upon the nation the judgment promised for such disobedience (see, for instance, Deut 28:58-68). As Noth observed,

Dtr did not write his history to provide entertainment in hours of leisure or to satisfy a curiosity about national history, but intended to teach the true meaning of the history of Israel from the occupation to the destruction of the old order. The meaning which he discovered was that God was recognizably at work in this history, continuously meeting the accelerating moral decline with warnings and punishments and, finally, when these proved fruitless, with total annihilation.¹⁰¹

Over the past sixty years Noth’s theory has undergone significant reassessment and revision, with some scholars even calling for its

⁹⁹ These early investigators did have their theories about who brought these works together, though these seemed based more on tradition than on textual evidence. For Abravanel, for example, Moses still wrote the Torah, but Samuel wrote Joshua and Judges, and Jeremiah compiled the traditions making up Samuel and Kings. Hobbes and Spinoza remained uncertain as to the authorship of the Torah and Former Prophets, though they attributed the final compilation of Israel’s history to Ezra.

¹⁰⁰ M. Noth, *Überlieferungsgeschichtliche Studien* (Halle: Niemeyer, 1943); English translation: *The Deuteronomistic History* (JSOTSup 15. Sheffield: JSOT, 1981).

¹⁰¹ Noth, *The Deuteronomistic History*, 89.

abandonment altogether.¹⁰² Even for the majority of scholars who still find Noth's overall theory compelling, there remain significant questions over its particulars: Is this history really the work of a single exilic redactor, as Noth argued, or is it the product of several redactors working at different times and representing different segments of Israelite society? Related to these questions is how to account for the diversity of perspectives preserved within this history (e.g., royal, prophetic, priestly). Are these the result of an individual who was willing to countenance differences of opinion in his history, as Noth argued, or are these the result of successive redactional levels, each with its own interpretation of Israel's past? Finally, what is the purpose of this history? Is it an extended diatribe against a nation in exile, as Noth contended? Is it royal propaganda for the reform efforts of Josiah or another Judean monarch in the preexilic period, as the so-called "Cross school" has argued?¹⁰³ Does its purpose change with each new

¹⁰² See, for example, C. Westermann, *Die Geschichtsbücher des Alten Testaments. Gab es ein deuteronomistisches Geschichtswerk?* (TB AT 87; Gütersloh, Germany: Kaiser, 1994); R. G. Kratz, *The Composition of the Narrative Books of the Old Testament* (London and New York, NY: T & T Clark, 2005. German original; Göttingen: Vandenhoeck & Ruprecht, 2000). For others arguing against or raising serious doubts about the viability of Noth's theory of a unified DH, see E. Würthwein, *Studien zum deuteronomistischen Geschichtswerk* (BZAW 227; Berlin: W. de Gruyter, 1994) esp. 1-11; A. G. Auld, *Joshua Retold: Synoptic Perspectives* (Edinburgh: T & T Clark, 1998) 120-26; E. A. Knauf, "Does 'Deuteronomistic Historiography' (DtrH) Exist?" in *Israel Constructs Its History*, 388-98; and H. Rösel, "Does A Comprehensive 'Leitmotiv' Exist in the Deuteronomistic History?" in *The Future of the Deuteronomistic History*, 195-211; idem, *Von Josua bis Jojachin: Untersuchungen zu den deuteronomistischen Geschichtsbüchern des Alten Testaments* (VTSup 75; Leiden: E. J. Brill, 1999); K. Schmid, *Erzähler und Exodus. Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments* (WMANT 81; Neukirchen-Vluyn: Neukirchener, 1999), esp. 162-65; idem, "Das Deuteronomium innerhalb der 'deuteronomistischen Geschichtswerke' in Gen-2 Kön" in *Das Deuteronomium zwischen Pentateuch und deuteronomistischem Geschichtswerk* (eds. R. Achenbach and E. Otto; FRLANT; Göttingen: Vandenhoeck & Ruprecht, 2004) 193-211.

¹⁰³ Cross's theory of a dual redaction of the DH – one preexilic, the other exilic – originally appeared in "The Structure of the Deuteronomic History," in *Perspectives in Jewish Learning* (ACJS 3; Chicago: College of Jewish Studies, 1968) 9-24. It was subsequently reprinted in his *Canaanite Myth and Hebrew Epic* (Cambridge: Harvard University Press, 1973) 274-89. For others following Cross's general model, see R. G. Boling, *Judges* (AB 6a; 1975); M. Cogan, "Israel in Exile – The View of a Josianic Historian," *JBL* 97 (1978) 40-44; J. Rosenbaum, "Hezekiah's Reform and the Deuteronomistic Tradition," *HTR* 72 (1979) 23-44; Boling and G. E. Wright, *Joshua* (AB 6; 1982); P. K. McCarter, *1 Samuel* (AB 8; 1980); idem, *2 Samuel* (AB 9; 1984); G. Vanoni, "Beobachtungen zur deuteronomistischen Terminologie in 2 Kön 23,25-25,30," in *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (ed. N. Lohfink; BETL 68; Leuven: Leuven University Press, 1985) 357-62; Cogan and Tadmor, *2 Kings* (AB 11; 1988); A. Moenikes, "Zur Redaktionsgeschichte des sogenannten deuteronomistischen Geschichtswerks," *ZAW* 104 (1992) 333-48; H.-J. Stipp, *Jeremia im Parteienstreit: Studien zur Textentwicklung von Jer 26, 36-43 und 45 als Beitrag zur Geschichte Jeremias, seines Buches und jüdischer Parteien im 6. Jahrhundert* (BBB 82; Frankfurt: Hain, 1992); G. N. Knoppers, *Two Nations Under God. The Deuteronomistic History of Solomon and the Dual Monarchies* (HSM

redactional level, from royal to prophetic to priestly, as the so-called “Göttingen school” has proposed?¹⁰⁴ Or is it a fabrication intended to justify territorial seizures and political structures in Persian-period Yehud or even Hellenistic-period Palestine, as the so-called “Scandinavian school” has argued?¹⁰⁵ In view of the diversity of scholarly opinion about when this history was written, by whom, and for what purpose, it would seem as though we have once again entered a period of darkness.

I would argue, however, that such is not the case. The answers to the questions of who wrote Israel’s earliest history, when and why can be found in the very evidence that led Abravanel and others to dismiss the traditional authorial ascriptions: namely, the phrase “until this day.” This formula, like similar formulae employed by Herodotus, Thucydides, and other classical historians, was the biblical historian’s way of highlighting artifacts and institutions mentioned by his sources that still existed at the time of his writing.¹⁰⁶ Based on what the historian says exists during his day, we are able to identify when he lived, where he lived, and even why he wrote.¹⁰⁷ As I have presented a

52-53; Atlanta: Scholars Press, 1994); M. Cogan, *1 Kings* (AB 11; 2000); S. McKenzie, *The Chronicler’s Use of the Deuteronomistic History* (HSM 33; Atlanta: Scholars, 1984); idem, *The Trouble with Kings. The Composition of the Books of Kings in the Deuteronomistic History* (VTSup 42; Leiden: E. J. Brill, 1991).

¹⁰⁴ The main works of the Göttingen school include: R. Smend, “Das Gesetz und die Völker: Ein Beitrag zur deuteronomistischen Redaktionsgeschichte,” in *Probleme biblischer Theologie* (ed. H. W. Wolff; Munich: Kaiser, 1971) 494-509; idem, *Die Entstehung des Alten Testaments* (Stuttgart: W. Kohlhammer, 1978); W. Dietrich, *Prophezie und Geschichte* (FRLANT 108; Göttingen: Vandenhoeck & Ruprecht, 1972); idem, “David in Überlieferung und Geschichte,” *VT* 22 (1977) 44-64; idem, “Josia und das Gesetzbuch (2 Reg. XXII),” *VT* 27 (1977) 13-35; T. Veijola, *Die ewige Dynastie. David und die Entstehung seiner Dynastie nach der deuteronomistischen Darstellung* (AASF, B 193; Helsinki: Suomalainen Tiedeakatemia, 1975); idem, *Das Königtum in der Beurteilung der deuteronomistischen Historiographie. Eine redaktionsgeschichtliche Untersuchung* (AASF, B 198; Helsinki: Suomalainen Tiedeakatemia, 1977).

¹⁰⁵ Some of the works representative of the so-called Scandinavian school include: T. L. Thompson’s *The Early History of the Israelite People: From the Written and Archaeological Sources* (Leiden: E. J. Brill, 1992); idem, *The Mythic Past: Biblical Archaeology and the Myth of Israel* (New York: Basic Books, 1999); N. P. Lemche, “The Old Testament – A Hellenistic Book?” *SJOT* 7 (1993) 163-93; idem, *The Israelites in History and Tradition* (Louisville, KY: Westminster John Knox, 1998). See also P. R. Davies, *In Search of ‘Ancient Israel,’* (JSOTSup 148; Sheffield: Sheffield Academic Press, 1992); K. W. Whitelam, *The Invention of Ancient Israel: The Silencing of Palestinian History* (London: Routledge, 1996).

¹⁰⁶ See, e.g., Herodotus, *Histories* 2.135.4; 2.141.6; 4.10.3; 7.178.2, etc.; Thucydides, *Peloponnesian War* 1.93.2, 5; 2.15.2, 5; 6.54.7, etc.; Pausanias, *Description of Greece* 3.22.12; 8.15.4; 8.44.1, etc. For a comparison of the biblical historian’s use of “until this day” (עַד הַיּוֹם הַזֶּה) with the classical use of similar formulae, see B. S. Childs, “A Study of the Formula ‘Until This Day,’” *JBL* 82 (1963) 279-92.

¹⁰⁷ I speak of the historian in the singular for convenience sake, realizing that more than one person was likely involved in compiling so vast a work. However, the overall unity of this history, both in redactional procedure and Deuteronomistic perspective, suggests a singularity of mind, even if involving more than one person.

detailed analysis of this evidence elsewhere,¹⁰⁸ I will only highlight a few representative samples here, after which I want to discuss what all this has to do with “The Levites and the Literature of the Late-Seventh Century.”

One thing that becomes apparent from an analysis of “until this day” is that the historian (Dtr) consistently follows this personal witness formula with material reflecting his own interests and concerns. For example, in Josh 9:27, Dtr follows “until this day” with his characteristic phrase “at the place he will choose,” which highlights Dtr’s concern for centralized worship, a concern that shows up elsewhere in this history in connection with “until this day” (see, e.g., Judg 6:24; 2 Kgs 10:27). In Josh 14:14, Dtr again follows “until this day” with another of his characteristic phrases, “because he followed fully after YHWH,” which reflects his concern for singular devotion to Israel’s deity, a concern that similarly shows up elsewhere in his history (see, e.g., Deut 1:36; Josh 14:8, 9; 1 Kgs 11:6). In fact, it is noteworthy that these two phrases – “at the place he will choose” and “because he followed fully after YHWH” – both of which appear in connection with Dtr’s use of “until this day,” embody Dtr’s criteria for judging the kings of Israel and Judah, respectively. Northern kings, as is well documented, are judged based on their response to the alternate sites of worship established by Jeroboam, reflecting Dtr’s concern for centralized worship (i.e., “at the place he will choose”), while southern kings are judged based on whether or not they share David’s heart-felt devotion to YHWH, reflecting Dtr’s concern for complete fidelity to Israel’s deity (i.e., “to follow fully after YHWH”). As Cross has pointed out, these themes find their denouement in the reign of Josiah, who destroys Jeroboam’s golden calf at Bethel (2 Kgs 23:15-18; cf. 1 Kgs 13:2) and who “walked in the way of his father David” (2 Kgs 22:2), turning to YHWH “with all his heart, all his soul, and all his might” (2 Kgs 23:25) – the only king to receive so glowing an evaluation from Dtr.¹⁰⁹

In view of Dtr’s positive assessment of Josiah, as well as his practice of incorporating redactional material after “until this day” that reflects his own interests and concerns, it should not surprise us to find allusions to this reformer king in connection with his use of this phrase.¹¹⁰ In Josh 5:9-12, for example, Dtr follows “until this day” with

¹⁰⁸ J. C. Geoghegan, *The Time, Place, and Purpose of the Deuteronomistic History: The Evidence of “Until This Day”* (BJS 347; Brown University, 2006). The arguments presented here are re-workings and expansions of material presented in this book. I want to thank Brown Judaic Studies for permission to reprint these ideas here.

¹⁰⁹ Cross, *CMHE*, 284.

¹¹⁰ Scholars have long noted that Deuteronomistic additions to the book of Joshua prefigure events from the reign of Josiah. For a discussion of the literature, see R. D. Nelson, “Josiah in the Book of Joshua,” *JBL* 100 (1981) 531-40. For Joshua as royal figure in general, see J. R. Porter, “The Succession of Joshua,” in *Proclamation and Presence: Old Testament Essays in Honour of Gwynne Henton Davies* (eds. J. I. Durham and J. R. Porter; London: SCM/Richmond: John Knox, 1970) 102-32; Weinfeld, *Deuteronomistic School*, 170-71; G. E. Gerbrandt, *Kingship according to the Deuteronomistic History* (SBLDS 87; Atlanta: Scholars Press, 1986) 116-23. What has not been observed in previous studies is that two of the more important allusions to Josiah’s reign (Josh 5:10-12;

the account of Joshua's Passover observance (Josh 5:10-12), an observance that is not mentioned again until Josiah, who institutes the Passover as part of his reforms. Indeed, the account of Josiah's Passover seems to allude to this earlier observance: "No such Passover had been observed from the days of the judges who judged Israel, or during all the days of the kings of Israel or the kings of Judah. But in the eighteenth year of King Josiah this Passover was observed to YHWH in Jerusalem" (2 Kgs 23:22-23). We encounter another allusion to Josiah's reforms in Josh 8:29-35, where Dtr follows "until this day" with his account of Joshua's covenant renewal ceremony, which not only fulfills Moses' command to carry out such a ceremony (Deut 27:2-8), but also mirrors Josiah's covenant renewal, where he similarly summons all the people and reads the entire law to those gathered (2 Kgs 23:1-3).¹¹¹ R. D. Nelson says of Joshua's covenant renewal:

Scholars have generally been puzzled by the inclusion of these verses in such an awkward place in the sequence of events, but Dtr clearly went to some effort to break into the sequence of his source (cf. the reference of 9:1 to 8:29) to include them... The emphasis on Joshua as covenant maker and the additional details concerning Joshua's personal copy of the law (Josh 8:32), the reading from a law book (v 34), and the attendance of absolutely everyone (v 35)...point forward in time directly to the royal covenant mediator Josiah.¹¹²

Similarly, in connection with Joshua's Passover observance, Nelson writes:

Dtr's editorial activity is more subtle in the case of Josh 5:10-12 than with Josh 1:7, 23:6 or Josh 8:30-35, but once again Joshua serves him as a forerunner of Josiah, providing an explicit historical precedent for Josiah's revolutionary reforming passover.¹¹³

One other example where Dtr uses "until this day" to highlight his own interests is in connection with the "Ark of the Covenant of YHWH," Dtr's characteristic phrase for this sacred object.¹¹⁴ In Deut 10:8, Dtr reports that the Levites are appointed by Moses to bear the "Ark of the Covenant of YHWH," a duty they fulfill "until this day." In Joshua 3-4, the "Levitical priests" (Josh 3:3), another of Dtr's characteristic phrases, carry the "Ark of the Covenant of YHWH" into the Jordan River to provide dry passage for the Israelites (Josh 3:3; 4:7), after which they build a memorial that stands "until this day" (Josh 4:9). In Josh 8:30-35, which, as observed above, is Dtr's own redactional insertion immediately following "until this day" (Josh 8:29), the

8:30-35) appear in connection with "until this day."

¹¹¹ For the parallels between Josiah's covenant ceremony and Deuteronomy more generally, see N. Lohfink, "2 Kön 23,3 und Dtn 6,17," *Biblica* 71 (1990) 34-42; *Ibid.*, "Die Ältesten Israels und der Bund: Zum Zusammenhang von Dtn 5,23; 26,17-19; 27,1.9f und 31,9," *BN* 67 (1993) 26-42.

¹¹² Nelson, "Josiah in the Book of Joshua," 535.

¹¹³ Nelson, "Josiah in the Book of Joshua," 537.

¹¹⁴ See, e.g., C. L. Seow, "Ark of the Covenant," *ABD* 1:387.

“Levitical priests” (Josh 8:33) are once again bearing the “Ark of the Covenant of YHWH” (Josh 8:33) as Joshua conducts his covenant renewal ceremony.

Following these positive encounters with the Ark, Dtr highlights several places where the Ark is mishandled with disastrous results for those involved. In 1 Samuel 5, the Philistines bring the captured Ark into Dagon’s temple, resulting in the destruction of Dagon’s image and a cultic practice (skipping over the threshold of Dagon’s temple) that can still be observed “until this day” (1 Sam 5:5). In 1 Samuel 6, the Ark returns from Philistia and is set upon a large rock that remains “until this day” (1 Sam 6:18), the same rock where Israelites peer into the Ark and are struck dead by YHWH (1 Sam 6:19). In 2 Samuel 6, during the Ark’s transport to Jerusalem, a man named Uzzah touches the Ark with his bare hand and is similarly struck dead, giving rise to the place-name Perez-Uzzah, which is still its name “until this day” (2 Sam 6:8). Fortunately, the adventures of the Ark end well when, in 1 Kings 8, the “Ark of the Covenant of YHWH” (1 Kgs 8:1, 6) is brought safely into the temple, where its poles protrude from the Holy of Holies “until this day” (1 Kgs 8:8).

Dtr’s concern for the proper handling of the Ark, as well as his comment that it resides in the temple “until this day,” points to another important finding from an analysis of this phrase: Dtr is writing in the preexilic period. This conclusion has been already hinted at by Dtr’s allusions to the reforms of Josiah, though these could be reflections upon these events from the exilic or even postexilic periods. Yet, it is the consistent use of “until this day” to refer to preexilic realities that indicates Dtr is active prior to the fall of Jerusalem. Thus, not only do the Levitical priests still have responsibility for carrying the Ark of the Covenant (Deut 10:8; cf. Josh 4:7-9; 8:29-35) and not only do its carrying poles still protrude from the Holy of Holies “until this day” (1 Kgs 8:8), but non-Israelite forced laborers still work at the Solomonic temple (Josh 9:27; 1 Kgs 9:21), the “kings of Judah” still possess Ziklag (1 Sam 27:6), and both Israel (1 Kgs 12:19) and Edom (2 Kgs 8:22) remain in rebellion against the house of David “until this day.”

The evidence of “until this day” also allows us to identify where the historian is active: the southern kingdom. We have already noted Dtr’s use of the phrase in connection with centralized worship in Jerusalem and, as a corollary, the reign and reforms of Josiah. We have also observed that Dtr has a significant interest in the proper handling of Ark, as well as other matters related to Jerusalem’s cult (e.g., Levitical rights to “the offerings of YHWH” [Deut 10:9]; non-Israelite forced labor at the “altar of YHWH” [Josh 9:27]; etc.). In addition, those items just mentioned as pointing to Dtr’s preexilic provenance also point toward his southern orientation, as they refer to either the Davidic throne (1 Sam 26:6; 1 Kgs 12:19; 2 Kgs 8:22) or the Jerusalem temple (Josh 9:27; 1 Kgs 8:8; 9:21). Finally, Dtr’s southern provenance is discernible in his use of “until this day” to highlight specific geographical and topographical details in the south, such as springs of water (Judg 15:19), threshing floors (2 Sam 6:8), monuments (Josh 4:9; 2 Sam 18:18), city ruins (Josh 8:28), caves (Josh 10:27), piles of rock (Josh 7:26; 8:29), and even a single rock (1 Sam 6:18). In contrast, Dtr makes reference to only two individual objects in the north (Judg 6:24;

2 Kgs 10:27), both of which represent destroyed sites of Baal worship. Yet, even here we see Dtr's agenda at work, as both sites are destroyed according to Deuteronomic protocol (see Deut 7:5) by individuals (Gideon, Jehu) demonstrating their wholehearted devotion to the God of Israel. Dtr's only other references to northern entities by means of "until this day" involve large geographical areas in the far north: the Cabul (1 Kgs 9:13) and Havvoth Jair (Deut 3:14; Judg 10:4). Yet, here again Dtr appeals to these regions for his own purposes: in this case, to highlight the inheritance rights of the Levites. This interest is most obvious in Josh 13:14, where Dtr interrupts his source (the inheritance lists of Joshua) with the redactional comment: "Only to the tribe of Levi he did not give an inheritance. The offerings of YHWH the God of Israel are his inheritance, as he said to him." This notice parallels Dtr's earlier comment in Deuteronomy, which also immediately follows "until this day": "Therefore, Levi does not have a portion and an inheritance with his brothers. YHWH is his inheritance, as YHWH your God said to him" (Deut 10:9).

Thus, Dtr is active in the southern part of the country, most likely Jerusalem, and is writing in the late-preexilic period, most likely during or shortly after the reforms of Josiah. This brings us to the question raised at the beginning of our study: Who is this historian? The answer, I would suggest, lies within the Ark of the Covenant (though, in light of the biblical evidence, I would not recommend looking into the Ark to find the answer). Dtr's repeated use of "until this day" in connection with the Levitical priests' right to bear the "Ark of the Covenant of YHWH," along with his other uses of this phrase to highlight the rights and responsibilities of this group, demonstrates that the Levites were much more than a passing interest for Dtr, or a group he had to appease when writing his history. Rather, the Levitical priests, as Dtr consistently points out in redactional material following his use of "until this day," played a central role in Israel's past and held the key – quite literally in the "Ark of the Covenant" and the "torah of Moses" – to Israel's future. It was the Levites, after all, who were commissioned by Moses "to carry the Ark of the Covenant of YHWH," a task which they fulfill "until this day" (Deut 10:8). It was the "Levitical priests" (Josh 3:3) who, in obedience to the Mosaic command, carried "the Ark of the Covenant of YHWH" in front of the Israelites to make possible their entrance into the promised land (Josh 4:9). It was the "Levitical priests" who, in lieu of distinct tribal landholdings, were given "YHWH as their inheritance," including the "fire offerings of YHWH" (Deut 10:9; Josh 13:14). And it was the "Levitical priests" who bore "the Ark of the Covenant of YHWH" while Joshua read the "torah of Moses" to all the people (Josh 8:30-35). In fact, it is only when a ruler heeds the "torah of Moses," "meditating on it day and night" and "turning neither to the right nor to the left" in his obedience to the law that the nation is promised blessing and longevity in the land.

These sentiments, which are only realized in Joshua and Josiah, are expressed in the law of the king (Deut 17:14-20), which prepares the reader for the emphasis observed in connection with "until this day" throughout the DH – namely, the role of the "Levitical priests" in mediating between YHWH, the king, and the people. Thus, immediately prior to the explication of the law of the king, the people

are commanded to go “to the place YHWH will choose” and present their difficult cases before the “Levitical priests” and the judge at that time (vv. 8-9). Following these directives, the king is commanded “to have a copy of this torah written for him on a scroll by the Levitical priests” (v. 18). The law then turns to the rights of the “Levitical priests,” who, though having “no inheritance among their brothers” are guaranteed “the offerings of YHWH as their inheritance” since “YHWH is their inheritance, as he said to them” (Deut 18:1-2). That these concerns, even these exact phrases, show up in editorial material following Dtr’s use of “until this day” elsewhere in the DH is significant. It is also significant that Deuteronomy moves from describing the central role of the “Levitical priests” in Israel’s royal and cultic administration to the criteria for determining a true prophet (vv. 15-22), since the confirmation of the prophetic word is another central interest of Dtr, manifest not only in his use of the prophecy-fulfillment pattern throughout his history,¹¹⁵ but also in his use of “until this day” to attest to the power of the prophetic word (Josh 6:25-26; 1 Kgs 16:34; 2 Kgs 2:22).¹¹⁶

In view of Dtr’s interest in the rights and responsibilities of the Levites, as well as his emphasis on the efficacy of the prophetic word, I would agree with those scholars who trace Dtr’s heritage to northern priestly-prophetic circles who had migrated south following the fall of the northern kingdom.¹¹⁷ Deuteronomy prepared us for this eventuality.¹¹⁸ In the section of law relating to the rights of the Levites

¹¹⁵ For the theme of prophecy-fulfillment in the DH, see esp. G. von Rad, “Die deuteronomistische Geschichtstheologie in den Königsbüchern” in *Gesammelte Studien zum Alten Testament* (TB AT 8; Munich: Kaiser, 1958) 189-204; I. L. Seeligmann, “Die Auffassung der Prophetie in der deuteronomistischen und chronistischen Geschichtsschreibung,” *Congress Volume: Göttingen, 1977* (VTSup 29; Leiden: Brill, 1978) 254-84; E. Würthwein, “Prophetisches Wort und Geschichte in den Königsbüchern: Zu einer These Gerhard von Rads,” in *Altes Testament und christliche Verkündigung: Festschrift für A. H. J. Gunneweg zum 65. Geburtstag* (eds. M. Oeming and A. Graupner; Stuttgart: W. Kohlhammer, 1987) 399-411; H. Weippert, “Geschichten und Geschichte: Verheissung und Erfüllung im deuteronomistischen Geschichtswerk,” in *Congress Volume: Leuven, 1989* (ed. J. A. Emerton; VTSup 43; Leiden: Brill, 1991) 116-31.

¹¹⁶ Also noteworthy, though I have yet to understand its full significance, is that both of these prophetic uses of “until this day” relate to Jericho. For possible explanations, see Geoghegan, *Time, Place and Purpose*, 72-74.

¹¹⁷ See, e.g., E. W. Nicholson, *Deuteronomy and Tradition* (Philadelphia: Fortress, 1967).

¹¹⁸ The book of Joshua seems to have prepared us for this eventuality as well. During the standoff over the altar built by the Transjordanian tribes, they explain: “We did it out of fear that in time to come your descendants might say to our descendants, ‘What have you to do with YHWH, the God of Israel? For YHWH has made the Jordan a boundary between us and you, you Reubenites and Gadites! You have no portion in YHWH.’ ...Therefore we said, ‘Let us build an altar, not for burnt offering, nor for sacrifice, but to be a witness between us and you, and between the generations coming after us, that we do perform the service of YHWH in his presence with our burnt offerings and sacrifices and peace offering, so that your descendants may never say to our descendants in time to come, ‘You have no portion in YHWH.’” (Josh 22:24-

mentioned above, which, importantly, serves as the bridge between the law of the king and the criteria for determining a true prophet, we read:

If a Levite leaves any of your towns from wherever he has been residing in Israel and comes to the place YHWH will choose (and he may come whenever he wishes), then he may minister in the name of YHWH his God, like all his fellow Levites who stand to minister there before YHWH. They shall have equal portions to eat, even though they have income from the sale of family possessions. (Deut 18:6-8).

These refugees would have likely brought with them various traditions from Israel's past, including northern priestly-prophetic tales (e.g., the Elijah and Elisha cycles, etc.), as well as cultic and legal traditions similar to those making up the Deuteronomic law code discovered during Josiah's reign.¹¹⁹ Deuteronomy had prepared us for this eventuality as well. In Deut 31:25-26, Moses entrusts the law to the "Levitical priests" just before his death, commanding them to place it next to "the Ark of the Covenant of YHWH," the other sacred trust of these priests. Then, in Josiah's eighteenth year of reign, the high priest Hilkiah discovers the law while cleaning out the temple, setting in motion Josiah's reforms, which we also were prepared for, both by allusion following Dtr's use of "until this day" in Joshua (Josh 5:9-10; 8:29-35) and by explicit prediction in Dtr's account of Jeroboam's dedication of the golden calf at Bethel (1 Kgs 13:2).

Thus, as a supporter of the Josianic reforms, Dtr was willing to acknowledge the benefits of kingship, particularly when a righteous ruler exercised his authority to lead the nation into covenantal renewal and obedience (Deut 18:18-20; 1 Sam 12:14-15). Joshua, the prototype of the ideal king, exercised his authority for just this purpose (Josh 5:10; 8:30-35), as did Josiah in the more recent past (2 Kings 22-23). As a consequence, Dtr was willing to incorporate Judean royal ideology concerning the inviolability of the Davidic dynasty (2 Sam 7:4-16), especially since recent events seemed to prove its veracity (e.g., Jerusalem's survival in the face of Assyrian aggression). However, Dtr's priestly-prophetic heritage meant he would accept this ideology only on his own terms. Therefore, Dtr includes the many confrontations between prophets and kings in his history, lest the nation, and particularly its royal elite, forget the numerous abuses of Israel's past

27). That Dtr would twice use "until this day" to refer to former Levitical landholdings in this same region (i.e., the Bashan/Gilead/Havvoth Jair; see Deut 3:14 and Judg 10:4) suggests that this standoff, like the Josianic allusions in Joshua, prefigures the migration of these northern Levites to the Jerusalem cult. As Phinehas, the high priest during the time of Joshua, declares: "If your land is unclean, cross over into YHWH's land where YHWH's tabernacle now stands, and possess for yourselves an inheritance among us. Only do not rebel against YHWH, nor do not rebel against us by building an altar for yourselves other than the altar of YHWH our God" (Josh 22:19).

¹¹⁹ What precisely was found (e.g., the Song of Moses, a version of Deuteronomy 12-28, etc.) and whether this served as the basis or justification for Josiah's reforms are matters of ongoing debate. See J. Lundbom, *Jeremiah 1-20. A New Translation with Introduction and Commentary* (AB 21A; New York, NY: Doubleday, 1999) 105-6.

monarchs. Dtr is also careful to point out that the inauguration of monarchy itself, which was overseen by Samuel, one of Dtr's northern priestly-prophetic heroes, came with great hesitation and with its own list of Deuteronomic concerns (1 Sam 8:5-22) and conditions (1 Sam 12:12-15). Even the Davidic covenant, which in its earliest formulation in the DH lacks any specific conditions (2 Sam 7:11-16), takes on Deuteronomic obligations upon its retelling. As David says in his Deuteronomic commission to Solomon – a commission, it should be noted, that echoes the commission given to Joshua prior to his leading the nation (Josh 1:6-9):

Be strong and show yourself the man. Keep the charge of YHWH your God, walking in his ways and keeping his laws, his commandments, his judgments, and his testimonies, as is written in the law of Moses, in order that you may prosper in everything you do and everywhere you turn. Then YHWH will establish his word that he spoke concerning me: “If your descendants guard their way, to walk before me in faithfulness, with all their heart and with all their soul, there shall not be cut from you a successor on the throne of Israel” (1 Kgs 2:2-4).

Although we may never know the actual name of the one compiling Israel's earliest national history,¹²⁰ we can be relatively sure about matters of equal, if not greater, importance: where he lived, when he lived, and, most importantly, why he wrote. Dtr was a “Levitical priest” or, at minimum, someone with close ties to this group. Moreover, he lived in the south prior to the Babylonian conquest of Jerusalem, where he had access to royal records from both north (e.g., “the Chronicles of the Kings of Israel”) and south (“the Acts of Solomon,” “the Chronicles of the Kings of Judah,” etc.), as well as priestly traditions, both from his own northern Levitical heritage and from Jerusalem's temple archives.¹²¹ As part of his Levitical heritage, and in the pattern of the great priestly-prophets of Israel's past (Samuel,

¹²⁰ However, we probably need look no further than the priests and scribes associated with the discovery of the law during Josiah's reign who are later associated with the northern priestly-prophet Jeremiah, whose own book shares so much in common, both in language and perspective, with the DH. For the similarities between the redactions of the DH and the book of Jeremiah, see, e.g., R. E. Friedman, “From Egypt to Egypt: Dtr¹ to Dtr²”; idem, “The Deuteronomistic School” in *Fortunate the Eyes That See. David Noel Freedman Festschrift* (A. Beck, A. Bartlet, P. Raabe and C. Franke, eds.; Grand Rapids, MI: Eerdmans, 1995) 70-80. T. Römer, “Is There a Deuteronomistic Redaction in the Book of Jeremiah?” in *Israel Constructs its History*, 399-421; B. Gosse, “Trois étapes de la redaction du livre de Jeremie: La venue du Malheur contre ce lieu (Jerusalem) puis contre tout chair (Judah et les nations) et enfin de nouveau contre ce lieu, mais identifie cette fois en Babylon”, *ZAW* 111 (1999) 508-29; W. L. Holladay, “Elusive Deuteronomists, Jeremiah, and Proto-Deuteronomy.” *CBQ* 66.1 (2004) 55-77.

¹²¹ For the circumstances allowing for the production of a history in the late-seventh, early sixth century BCE, see esp. W. M. Schniedewind, “Jerusalem, the Late Judahite Monarchy, and the Composition of Biblical Texts,” *Jerusalem in Bible and Archaeology: The First Temple Period* (A. G. Vaughn and A. E. Killebrew, eds.; SBLSS 18; Atlanta, GA: Society of Biblical Literature, 2003) 375-93.

Ahijah, Elijah, etc.), Dtr was not reluctant to confront the abuses of Israel's kings. In fact, few kings escape his prophetic rebuke. Yet, it was precisely because Dtr was willing to provide the nation and its royal elite with a critical assessment of its past, even while incorporating traditions from various and, in some cases, conflicting perspectives, that he produced the world's first history – a history that predates those of Herodotus and Thucydides by nearly two centuries.¹²²

¹²² J. Van Seters's comments regarding the conditions necessary for history writing seem apropos to the present study: "It may even be argued that history writing arises at the point when the actions of kings are viewed in the larger context of the people as a whole, so that it is the national history that judges the king and not the king who makes his own account of history" (*In Search of History: Historiography in the Ancient World and the Origins of Biblical History* [New Haven: Yale University, 1983] 2). Van Seters, therefore, rightly concludes that Dtr "is the first known historian in Western civilization truly to deserve this designation" (*In Search of History*, 362).

A “HOLINESS” SUBSTRATUM IN THE DEUTERONOMISTIC ACCOUNT OF JOSIAH’S REFORM

LAUREN A.S. MONROE
CORNELL UNIVERSITY

1. INTRODUCTION

The account of Josiah’s reform in 2 Kings 23 has long been understood to be a cornerstone of the Deuteronomistic History. It is widely accepted that through his eradication of local Israelite cult places, installations and personnel in and around Jerusalem, the biblical authors present Josiah as putting into effect the laws of centralization and purification of Israelite worship set forth in the legal code of Deuteronomy. Similarities between the language and themes of 2 Kings 23 and the laws of centralization in Deuteronomy have led many scholars to assume a direct connection between Josiah’s reform measures and an early version of the book of Deuteronomy, and thus to date the appearance of Deuteronomy in the southern kingdom of Judah to the period of Josiah’s reign in the late 7th century BCE.¹²³ For many, the connection between the account of the reform and the laws of Deuteronomy, and the relatively lengthy account of Josiah’s reign are lynchpins in the attribution of a Josianic date for a first edition of the Deuteronomistic History.¹²⁴

¹²³ See for example, B. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997) 9-10; N. Lohfink “Kultzentralisation und Deuteronomium: Zu einem Buch von Eleonore Reuter,” *Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 1 (1995): 115–48; I. Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (Minneapolis: Fortress, 1995) 207. Also, implicitly, Milgrom, *Leviticus 17-26* (New York: Doubleday, 2000) 1510.

¹²⁴ F.M. Cross, *Canaanite Myth and Hebrew Epic: Essays in the History of the Religion of Israel* (Cambridge: Harvard University Press, 1973) 274-287. Cross does not provide sufficient text critical analysis to support either the distinction between Dtr¹ and Dtr² or the Josianic attribution of Dtr¹. On this see the discussion in E. Eynikel, *The Reform of King Josiah and the Composition of the Deuteronomistic History* (Leiden: E.J. Brill, 1996) 16; I. Provan *Hezekiah and the Book of Kings: A Contribution to the Debate about the Deuteronomistic History* (BZAW 172; Berlin and New York: DeGruyter, 1988) 48. Others after Cross have gone farther in providing a textual foundation for his, and their own conclusions, with specific attention devoted to stylistic variations in the judgment formulae that introduce each king’s reign in the book of Kings, as well as variations in

A sea of scholarship has been generated on the compositional history of the books of 1 and 2 Kings. The role of one or multiple Deuteronomistic historians in the writing, editing and redacting of this biblical corpus is a source of considerable debate. 2 Kings 23 is an essential text in this discussion. In the present work I will draw attention to certain principal interests and key terms concentrated in 2 Kings 23:4-20 that find their closest parallels not in Deuteronomy, but rather in Leviticus 17-26, known as the Holiness Code. I will focus on three cruxes in 2 Kings 23 the interpretations of which have been hampered by an approach to the text that privileges a Deuteronomistic orientation. These are: the reading **במות השערים** or “high places of the gates” in 23:8, reference to *mlk* offerings in 23:10 and the recurrent theme of eradication of **במות** or “high places,” especially as punishment for transgression. When these references are disentangled from scholars’ assumptions about the Deuteronomistic nature of the text and considered instead in light of unique parallels in the Holiness Code, their significance within the account of the reform becomes clearer. Indeed, 2 Kings 23 shares its worldview as much with the circles that produced the Holiness Code as it does with those that produced and promoted Deuteronomy. Therefore, it is necessary to re-evaluate the historical relationship between 2 Kings 23 and the book of Deuteronomy, and to reconsider both the compositional history of the account of reform and its literary relationship to the larger Deuteronomistic History.

2 Kings 23 is often understood to be comprised of at least two sources, a *Reformbericht* (corresponding roughly to 2 Kings 23:4-20) and an *Auffindungsbericht* (2 Kgs 22:3-23:3), which differed from one another with regard to narrative style.¹²⁵ As Eynikel has noted, these designations have had considerable influence on subsequent exegesis, with varying degrees of modification.¹²⁶ In support of this division one may point to the following discordances between 2 Kings 23:4-20 and the surrounding narrative: 1) the phrase **ויצו המלך** “the king commanded” which opens verses 4 and 21, creating brackets around the intervening material; 2) the ten references to **במות** in verses 4-20 and their conspicuous absence elsewhere in chapters 22-23;¹²⁷ 3) the *wiederaufnahme*, or “repetitive resumption” formed by the words **להקים** **את-דברי הברית הזאת הכתבים על-הספר הזה ככתוב על ספר הברית הזה** “to uphold the words of the this covenant written on this scroll,” in 2 Kings 23:3, and **ככתוב על ספר הברית הזה** “as is written on this scroll of the covenant,” in 2 Kings 23:21. I shall propose here that shared elements between 2 Kings 23:4-20 and the Holiness Code may be understood to belong to a pre-Deuteronomistic “reform report” that was generated within the late

the attitudes towards **במות**. For a detailed discussion of this scholarship see Provan, *Hezekiah*, 33-55.

¹²⁵ This idea was first proposed by T. Oestreicher, *Das deuteronomische Grundgesetz* (BFCT 27/4; Gutersloh, 1923) 12-57. For a discussion of Oestreicher’s work as well as a comprehensive overview of the history of exegesis of 2 Kings 22-23 see Eynikel, *The Reform*, 7-31.

¹²⁶ Eynikel, *The Reform*, 8.

¹²⁷ More shall be said on this below.

pre-exilic “holiness” circles of the Jerusalem temple priesthood prior to the codification of the Holiness Code as a fixed, quotable text.¹²⁸ This source material was revised and reworked by a Deuteronomistic author/editor who brought it into conformity with his own interests.¹²⁹

Before proceeding, it is necessary to comment briefly on the state of research on the Holiness Code (H). Leviticus 17-26 reflects a particular interest in the Holiness of God and Israel expressed with distinctive diction and terminology that has led to its identification by many as a separate corpus within priestly literature.¹³⁰ Among those who accept the separate existence of H, there is debate about whether it should be understood as an isolated source, as Milgrom contends, or as the work of a separate priestly school, identified by Knohl as HS.¹³¹ In addition, while there is some consensus among scholars regarding a late pre-exilic date for at least some portions of the Holiness Code there is disagreement over the details. The possibility that an early account of Josiah’s reform shared certain fundamental interests with the circle that produced the Holiness Code lends support to the view that a Holiness School was in operation during the late pre-exilic period, and points to the likelihood that its early activity overlapped with the period of Josiah’s reign.

A connection between Josiah’s reform and the Holiness Code was proposed once before, by G. R. Berry, in two articles published in *JBL*, in 1920 and 1940 respectively.¹³² In the first of these articles Berry questioned the “practically unanimous opinion of adherents to the documentary theory of the Hexateuch” that the book of the law discovered by Josiah was the book of Deuteronomy. Drawing attention to certain key similarities between D and H, Berry argued that there are insufficient grounds to assume that Josiah’s book of the law was D and not H. For example, he comments that the consternation of Josiah and the reference to the words of the book as forebodings of disaster show

¹²⁸ Throughout this article, the term “holiness” with a lower-case “h” will be used to designate material that shares its outlook with the Holiness Code, but does not exhibit an identifiable literary connection to that Priestly corpus.

¹²⁹ A comment is required here regarding a recent article by B. Levinson, “The Manumission of Hermeneutics: The Slave Laws of the Pentateuch as a Challenge to Contemporary Pentateuchal Theory,” (*VTSup* 109; Congress Volume Leiden 2004; Leiden: E.J. Brill, 2006) 281-324 in which the author convincingly argues that H rewrites and transforms the manumission laws of Deuteronomy 15:12-18. The working hypothesis of the present work, that the earliest activity of the Holiness School informs an early version of the account of Josiah’s reform and predates the Deuteronomistic redaction of 2 Kings 23 need not contradict Levinson’s conclusions. Rather, when taken together, his work and my own contribute to a more nuanced picture of the relationships between the Deuteronom(ist)ic and Holiness schools that are responsible for shaping much of the corpus of biblical literature.

¹³⁰ For a list of scholars who object to the identification of H as a separate unit within the priestly source see I. Knohl, *Sanctuary*, 3 n.9.

¹³¹ Milgrom, *Leviticus 17-22*, 1345; Knohl, *Sanctuary*, 204-224

¹³² G.R. Berry “The Code Found in the Temple,” *JBL* 59 (1920): 44-50; Berry, “The Date of Deuteronomy,” *JBL* 59 (1940): 133-139. This second article focuses primarily on establishing additional grounds for a post-exilic date for Deuteronomy, but in this context Berry reaffirms his original contention that the code found by Josiah was H.

that the book contained threats that are found in both Pentateuchal codes, in Deuteronomy 28 and Leviticus 26.¹³³ In addition, abolition of all worship of other gods, a central theme in 2 Kings 23, appears in both D and H.¹³⁴ An interest in centralization, a guiding principle behind the reform, is also found in both D and H.¹³⁵ Both codes oppose Molek worship, and both contain regulations concerning the Passover.¹³⁶

Berry's identification of the Holiness Code as Josiah's book of the law was uniformly rejected by his contemporaries as it failed to account for language that the text clearly shares with Deuteronomy. The work of Berry and others of that generation lacks the nuance that has come with our deepened understanding of the Bible's compositional history. The identification of the Deuteronomists in shaping biblical literature has re-focused and reoriented scholarly discourse in the post-Noth era, and the preoccupation with identifying the book of the law is now understood to assume a greater degree of historicity than the biblical text can sustain. However, in challenging the status quo by suggesting that H not D was the code found in the temple, Berry touched on an important set of evidence for establishing the *Sitz im Leben* of 2 Kings 23. With the developments in biblical scholarship that have taken place in recent decades, the question deserves to be revisited.

2. GATES OR GOATS IN 2 KINGS 23:8?

The phrase **במות השערים**, “high places of the gates,” which appears in verse 8 of the Masoretic text of 2 Kings 23, has been a thorn in the side of interpreters for millennia. There are two interconnected issues at stake in the translation of this verse. The first is the plural form **במות** (high places), which if read together with **שערים** suggests the presence of multiple high places in multiple gates located at the entrance of Joshua's gate. From an architectural standpoint this is difficult to envision, although Barrick has noted that the plural is not impossible if one supposes that **במות** were small installations that could be clustered.¹³⁷ Some scholars have suggested emending the verse to the singular **במת**, instead of **במות**, a reading that is provisionally supported by the Targum and Peshitta,¹³⁸ but again as Barrick rightly

¹³³ Berry, “The Code,” 49.

¹³⁴ Deut 17:3; 12:2-3, etc.; Lev 17:7; 19:4; 26:1, 30

¹³⁵ Deut 12:5-14, etc.; Lev 17:3-9

¹³⁶ Berry, “The Code,” 49. As Berry acknowledges, Deuteronomy does not mention Molek by name. This is significant and shall be discussed at greater length below.

¹³⁷ Barrick, *The King and the Cemeteries*, 78. On some of the difficulties associated with the reading **שערים** see, e.g. J.A. Emerton, “‘The High Places of the Gates’ in 2 Kings XXIII 8,” *VT* XLIV, 4 (1994) 545-456.

¹³⁸ For example, N. Snaith, “The Meaning of **שערים**,” *VT* 25 (1975) 116; B. Stade and F. Schwally, *The Books of Kings* (trans. by R.E. Brünnow and P. Haupt; SBOT 9; Baltimore/Leipzig: Johns Hopkins University, 1904) 294; J. Gray, *II Kings: A Commentary* (2nd ed., OTL; Philadelphia: Westminster, 1970) 664 reads **בית** for **במות** based on the Septuagint's *τὸν οἶκον*. Barrick, *op. cit.*, draws attention to the fact that only the Peshita is unambiguous in its use of the singular.

comments, the reliability of the versions is compromised by the fact that they seem to have had as much difficulty making sense of the verse as modern commentators have had.¹³⁹

In 1882 H. Hoffmann proposed to resolve this difficulty by repointing the second term to שְׁעָרִים yielding the translation “high places of the satyrs.”¹⁴⁰ Hoffmann’s reading was widely accepted by his contemporaries as well as by subsequent scholars, and is suggested as an alternative reading in the apparatus to BHS.¹⁴¹ Nonetheless, many scholars and most English Bible translations persist in reading “high places of the gates.”¹⁴² Many of those who have rejected Hoffmann’s proposal have done so on the basis that satyrs are not a concern of the Deuteronomists.¹⁴³ This rationale does not apply however, if one suspends the assumption that 2 Kings 23 is a purely Deuteronomistic composition. In light of its grammatical, text-critical and practical simplicity, the reading בְּמֹת הַשְּׁעָרִים, literally “high places of the goats” requires further consideration.¹⁴⁴

The term שְׁעָרִים is used frequently in the Hebrew Bible in reference to a type of goat that was offered as a regular part of the Israelite sacrificial cult.¹⁴⁵ In addition to the possible reference to שְׁעָרִים, in 2 Kings 23:8, the term appears four times in the Bible in reference to animals not intended for sacrifice. These are: Leviticus 17:7;

¹³⁹ Barrick, *The King and the Cemeteries*, op. cit.

¹⁴⁰ H. Hoffmann, “Kleinigkeiten”, *ZAW* 2 (1882): 175. For a detailed discussion of the term “satyr” see B. Jankowski in van der Toorn, Becking and van der Horst, eds. *DDD* (2nd ed.; Grand Rapids: Eerdmans 1999) 1381-84.

¹⁴¹ For example, Eynikel, *The Reform of King Josiah*, 137-138; 236-238. Also, A. Spieckermann, *Juda unter Assur in den Sargonidenzeit* (FRLANT 129; Göttingen: Vandenhoeck & Ruprecht, 1982) 99-100, 426 who likens the term to the Akkadian *šedu* a type of demonic spirit similar to the *lamassu*. In early scholarship for example, Berry, “The Code,” 49. For additional bibliography on this reading see Brown, Driver and Briggs, *Hebrew English Lexicon of the Old Testament* (Oxford: Clarendon Press, 1951) 972.

¹⁴² For example *JPS*, *NASB*, *NIV*, *NJB*, *KJV*, *NKJ*, *RSV*, *NRSV* and *ESV*. Of the many translations consulted, only the *NAB* translates “high places of the satyrs.”

¹⁴³ For example, H.-D. Hoffman, *Reform und Reformen. Untersuchungen zu einem Grundthema der deuteronomistischen Geschichtsschreibung* (Zurich: Theologischer Verlag, 1980) 235.

¹⁴⁴ For a recent survey of scholarship on this issue, and an assessment of proposed readings, T. H. Blomquist, *Gates and Gods: Cults in the City Gates of Iron Age Palestine. An Investigation of the Archaeological and Biblical Sources* (Coniectanea Biblica; Old Testament Series 46; Stockholm: Almqvist and Wiskell International, 1999) 151-163. Blomquist comes down in favor of preserving the MT and taking the construction as a noun followed by a genitive in which the plural is used on both nouns to communicate a compound idea. She cites 1 Chr 7:5, Ezra 9:11 and Neh 9:30 as supporting examples.

¹⁴⁵ For example, Lev 4:24; Nu 7:16; Gen 37:31; Ez 43:22, etc. The designation שְׁעָרִים may be compared with other terms for goats including עֲזָוִת, עֲזָוִים, and גְּדִי. On animal taxonomy in the Hebrew Bible see, R. Whitekettle, “Where the Wild Things Are: Primary Level Taxa in Israelite Zoological Thought,” *JSOT* 93 (2001): 17-37; *Idem.*, “Rats are Like Snakes, and Hares are Like Goats: A Study in Israelite Land Animal Taxonomy,” *Biblica* 82/3 (2001): 345-362.

Isaiah 13:21, 34:14; and 2 Chronicles 11:15. Finally, there is an entirely unique reference to **שערים** in Deuteronomy 32:2 where it describes a downpour of rain. Leviticus and Chronicles use the term similarly; the former prohibits sacrifices to **שערים** and the latter uses the term in parallel with **אגלים**, “calves,” to describe the cult objects installed by Jeroboam I in the sanctuary at Bethel. In Isaiah the term is used in conjunction with jackals (**אחום**) and ostriches (**בנות יענה**) in 13:21 and with hyenas (**איים**) and the creature designated as Lillith in 34:14. Reference to Lillith, a mythological figure well attested in Mesopotamia and in later Jewish texts but a hapax in the Hebrew Bible, has led some scholars to suppose that **שערים** were legendary animals that populated the desert regions.¹⁴⁶ Whether or not the Israelites believed in such creatures is the subject of debate.

Snaith, for example, argues against a belief in the existence of so-called satyrs in ancient Israel, and suggests (correctly in my view) that this translation reflects the importation of Greek and Roman images into the ancient Israelite world by biblical scholars.¹⁴⁷ Based largely on the unusual use of the term in Deuteronomy 32:2 in reference to a downpour of rain, and the reference to Lillith in Isaiah 34, he concludes that the **שערים** were “the rain gods, the fertility deities, the baals of the rain-storms.” Snaith’s model seems overly reductive, and leaves open the semantic relationship between these “fertility deities” and the goats designated by the term **שערים** that were a regular part of the sacrificial cult. Nonetheless, his line of thought may be worth pursuing with some refinement.

The term **שערים** in Deuteronomy 32, appears in parallelism with **מתר** (rain) **טל** (dew) and **רביבים** (showers) and clearly refers to the water itself that falls upon the grass. It is quite possible that by metonymy the word comes to refer to both the water and the divine being that produces it, just as the name Mot connotes both the name of a deity and the phenomenon with which he was associated. If this were the case, we might speculate that the **שערים** referred to in Leviticus and Chronicles were divine images associated with fertility that were rendered in caprid form.

This reconstruction finds support in glyptic evidence from Iron II Israel. Keel and Uehlinger’s analysis of Iron Age seal impressions depicting caprids is instructive.¹⁴⁸ A calcite conoid from Dor shows two suckling horned caprids facing each other, with the rudimentary form of a goddess between them.¹⁴⁹ The authors comment that these and other

¹⁴⁶ For example, H. Duhm, *Die bösen Geister im Alten Testament* (Tübingen; Leipzig: Mohr, 1904) 47.

¹⁴⁷ N. Snaith, “The meaning of **שערים**,” *VT* XXV/1 (1975): 118.

¹⁴⁸ Keel and Uehlinger, *Gods, Goddesses and Images of God in Ancient Israel* (trans. T. Trapp; Minneapolis: Fortress, 1998) 142-144; 147-151.

¹⁴⁹ Keel and Uehlinger, *Gods, Goddesses and Images of God*, 142. Fig. 166b. This image calls to mind a plaque from Ugarit featuring a female figure holding bundles of grain in each hand, with goats feeding on either side. For bibliography on the publication of this object see Smith, *The Early History of God: Yahweh and the Other Deities in Ancient Israel* (2nd ed.; Grand Rapids: Eerdmans, 2002) 113, n.20. Smith comments that “if this plaque were a depiction of the goddess Asherah, it would indicate that the tree found in

images featuring cows arranged similarly, “is clear evidence for the relatively fragile status of the anthropomorphic ‘Mistress of the Mother Animals’ in Iron Age IIA Syro-Palestinian glyptic art.”¹⁵⁰ On a conoid from Tell en Nasbeh a worshipper with upraised arms is shown in a horizontal position beneath two suckling caprids that face each other.¹⁵¹ Regarding this image Keel and Uehlinger assert “The goddess is missing, which means this collection of figures depicts an impersonal, numinous power that brings blessing and has, as such, itself become the object of worship.”¹⁵² In addition to these images of the suckling mother animals, in which female gender is implicit and the image is clearly associated with fertility, single caprids are also featured on locally produced limestone conoids. Keel and Uehlinger draw attention to a whole group of locally produced limestone seal amulets that show a human figure standing in front of a single caprid with arms raised in worship.¹⁵³ Five pieces of this type were found at Beth-Shemesh, at least four in a tomb that contained material from the end of the Iron Age I through the beginning of the Iron Age IIB.¹⁵⁴ When all of these images are considered in light of references such as those in Leviticus and Chronicles, it appears likely that שְׁעָרִים were either objects of worship, or at the very least symbols of divine presence in some ancient Israelite circles during the monarchic period.¹⁵⁵

comparable later iconography was a symbol of the goddess giving nourishment to the animals flanking her.” The two wild goats flanking a stylized tree are attested on pithos A from the 8th century site of Kuntillet ‘Ajrud, on the second register of the Ta’anach cult stand and on the Lachish ewer inscription. For drawings and recent discussion of the Kuntillet ‘Ajrud pithoi and the Ta’anach cult stand, Z. Zevit, *The Religions of Ancient Israel: A Synthesis of Parallactic Approaches* (London and New York: Continuum, 2001) 370-405; 318-328. On the Lachish ewer inscription, R. Hestrin, “The Lachish Ewer Inscription and the Asherah,” *IEJ* 37 (1987): 212-223. The drawings in “Understanding Asherah: Exploring Semitic Iconography,” *BAR* 17 S-O (1991): 51 are clearer than those in *IEJ* and are accompanied by an exceptional photograph. Against the dendrical associations of the goddess Asherah, see S. Wiggins, “Of Asherah’s and Trees: Some Methodological Questions,” *JANER* 1/1 (2002): 158-187.

¹⁵⁰ Keel and Uehlinger, *Gods, Goddesses and Images of God*, 143.

¹⁵¹ Keel and Uehlinger, *Gods, Goddesses and Images of God*, 148. Fig. 176b.

¹⁵² Keel and Uehlinger, *Gods, Goddesses and Images of God*, 147.

¹⁵³ Keel and Uehlinger, *Gods, Goddesses and Images of God*, 150. Figs. 178a, 178b.

¹⁵⁴ Keel and Uehlinger, *Gods, Goddesses and Images of God*, 150.

¹⁵⁵ While far removed from Iron Age Israel both temporally and geographically the ornate “rearing goat with flowering plant,” sculpture discovered in the Royal Cemetery at Ur may suggest that the association of the goat with fertility was quite ancient and indigenous in a Near Eastern context. J. Reade, “The Royal Tombs of Ur,” in *Art of the First Cities: Third Millennium BC from the Mediterranean to the Indus* (ed. J. Aruz and R. Wallenfels; The Metropolitan Museum of Art, New York; New Haven: Yale University Press, 2003) 122, comments, “[The statue] encapsulates in a highly symbolic manner the basic Sumerian concerns with plant fecundity and animal fertility. Further, the plant combines the rosette, often seen as a symbol of the goddess Inanna with a shape that on this plant does not function as a leaf.”

Eynikel asserts that all of the occurrences of **שערים** in the Old Testament are found in exilic or post-exilic texts. While the reference in Chronicles is surely late, and as Barrick has noted, anachronistically associates the practice with the northern cult,¹⁵⁶ the lateness of the references to **שערים** in Isaiah 13:21 and 34:14 is hardly a foregone conclusion, nor is there consensus regarding a date for Leviticus 17. In light of the evidence discussed here which suggests that the goat had divine associations in Iron II Israel, it is feasible that cult installations associated with the image of the goat existed in Josiah's Jerusalem. Textual, grammatical and material considerations thus suggest that **במות השערים** "high place(s) of the goats" may be the most plausible rendering of 2 Kings 23:8. If this reading were correct, Josiah's eradication of these installations would constitute an important point of connection between Josiah's reform and the Holiness Code, as Leviticus 17:7 provides the only specific prohibition against offerings to **שערים** in the Hebrew Bible.

3. THE *MLK* SACRIFICE IN 2 KINGS 23:10

2 Kgs 23:10 describes Josiah's defilement of the Tophet in the ben Hinnom valley, "so as to prevent a man from making his son or daughter pass through fire 'to' or 'as a' *mlk*. The *mlk* sacrifice is widely attested in the ancient Mediterranean world, but the significance of this term within an ancient Israelite context is hotly disputed.¹⁵⁷ There is little debate, however, that the *mlk* offering was a known practice in the late pre-exilic period, and that it involved the presentation of children, either to Yahweh¹⁵⁸ or to another deity within the Israelite pantheon.¹⁵⁹

The prohibition of child sacrifice is a theme that appears in both Deuteronomy and Leviticus, but the term *mlk* itself does not appear in association with prohibitions against child sacrifice anywhere in Deuteronomy,¹⁶⁰ nor is it used anywhere in the Deuteronomistic History except 2 Kings 23:10.¹⁶¹ It appears five times in the Holiness Code (Leviticus 18:21; 20:2, 3, 4, 5) and nowhere else in Leviticus.¹⁶² Despite the fact that the term does not appear in Deuteronomy, scholars often presume that Deuteronomy and Leviticus share this common concern. However, the absence of the term in Deuteronomy and its presence in Leviticus may suggest a different set of intentions and concerns underlying the prohibitions in each text. The absence of

¹⁵⁶ Barrick, *The King and the Cemeteries*, 76.

¹⁵⁷ Extensive bibliography is provided by Smith, *Early History of God*, 171-181.

¹⁵⁸ Eg. Jer 7:31; Ezek 20:25-26

¹⁵⁹ Eg. Jer 19:5; 32:35; Ps 106:34-38. On the idea that this was a legitimate, Yahwistic practice, see for example, M. Smith, *Early History of God*, 172; Z. Zevit, *The Religions of Ancient Israel*, 469-470.

¹⁶⁰ Deuteronomy 12:31 contains a prohibition against child sacrifice, and 18:10, a prohibition against passing one's son or daughter through fire, but neither uses the term *mlk*.

¹⁶¹ The name **מולך** appears as a designation for the god of the Ammonites in the MT of 1Kings 11:7, but this reading is not secure.

¹⁶² Leviticus 18:21; 20:2, 3, 4, 5. This difference between H and D is acknowledged by Berry, "The Code," 50.

the term *mlk* in Deuteronomy is peculiar if the intention of the authors was to prohibit offerings to a particular deity by this name. In general the Deuteronomists are hardly reticent to point out Israel's acts of faithlessness to Yahweh. The fact that the term *mlk* appears only in Leviticus, where an interest in cultic regulations is most pronounced, may support the theory that *mlk* was a technical term signifying a specific type of sacrifice. However the term is to be understood it seems likely that the aspect of the sacrifice that is signified by the term *mlk*, was not a concern for the Deuteronomic authors. The fact that the term occurs only in 2 Kings 23:10 and the Holiness Code and nowhere else in the Pentateuch or historical books, once again connects 2 Kings 23 more strongly to the Holiness Code than to Deuteronomy.¹⁶³

4. DEFILEMENT OF בְּמוֹת IN 2 KINGS 23:4-20 AND LEVITICUS

26:30

The emphasis on בְּמוֹת in 2 Kings 23 and in the Kings history more generally has presented something of a conundrum to biblical scholars. In 2 Kings 23 the term בְּמוֹת/בְּמֹה appears a total of ten times in verses 4-20, far exceeding references to these installations in any other single biblical text. All of the positive evaluations of Judah's kings include the qualification "nevertheless the בְּמוֹת were not removed,"¹⁶⁴ with the exception of Hezekiah whose removal of בְּמוֹת is referred to in the opening lines of the account of his reign. Paradoxically, Josiah is the only positively evaluated Judean king for whom eradication of בְּמוֹת is not mentioned at all is his regnal formula.¹⁶⁵ The use of בְּמוֹת is cited as an essential reason for the destruction of the Northern Kingdom (1 Kings 17), and the perpetuation and proliferation of בְּמוֹת constitute a primary basis for the negative evaluations of the reigns of the Judean kings Ahaz and Menasseh.

In contrast to the emphasis on בְּמוֹת in the Kings history, there are no references to these cult installations anywhere in the book of Deuteronomy itself.¹⁶⁶ This tension has not escaped the attention of biblical scholars. For example, Barrick has commented that a connection between the reform and Deuteronomy would imply that Josiah's actions were related in some fashion to the proscriptions in Deuteronomy 12, but those proscriptions do not mention bāmôt.¹⁶⁷

¹⁶³ Barrick, *The King and the Cemeteries*, 102 notes that reference to מוֹלֵךְ in 2 Kings 23 links this passage more closely to Leviticus 18:21 and 20:2-5 than to Deuteronomy 18:10.

¹⁶⁴ 1 Kings 15:14; 22:44; 2 Kings 12:3, 14:4, 15:3, 15:35. The Hebrew in these verses varies slightly with regard to the disjunctive marker. Variations include use of the particles אֶחָד, וְאֶחָד, and וְ.

¹⁶⁵ This is surely significant for understanding the relationship between the historian(s) who revised and transformed the account of Josiah's reform in 2 Kings 23, and those responsible for the regnal formulae of the other kings of Judah. The precise implications of this require additional consideration.

¹⁶⁶ Deuteronomy 32:13 features an unusual use of the term בְּמוֹת in a non-cultic context, where it simply signifies a topographic feature in the landscape.

¹⁶⁷ Barrick, *The King and the Cemeteries*, 9.

Knoppers suggests that “even though the Deuteronomist applied the law of centralization to cover *bmwt*, the very fact that Deuteronomy does not mention them suggests some distance between this work and the Deuteronomistic History.”¹⁶⁸ Indeed, in as much as the term “Deuteronomistic” designates material that derives from and relies upon language and ideology set forth in the book of Deuteronomy, a concern for *במות* can not be identified as a “Deuteronomistic” theme. It is possible that a preoccupation with *במות* constitutes a particular interest unique to the Deuteronomistic historians, and was independent of their reliance on Deuteronomic law and ideology, but to leave it at that begs the question of the socio-religious context in which this idea emerged and why it came to be a defining feature in the historiography of Israel’s kings. We may once again shed a dim light on the problem by considering the unusual concentration and particular orientation of references to *במות* in 2 Kings 23:4-20, in light of the Holiness Code.

In 2 Kings 23:4-20, Josiah’s destruction the *במות* in Judah and Samaria is presented as a direct response to a sudden awareness of a history of Israelite transgression.¹⁶⁹ This is made evident when, upon hearing the words of the book of the law Josiah rends his garments and exclaims, “Great is the wrath of the lord that is kindled against us because our fathers have not obeyed the words of this book...” Josiah’s acts of defilement are connected to his fear of divine retribution. His reform measures are undertaken with the idea in mind that it is better for him to take matters into his own hands than to wait for God to act. In light of this we might expect Josiah’s actions to find parallel in God’s own promises of destruction; and indeed though do, in Leviticus 26:30. Nowhere else in the Pentateuch or historical books, do we find the idea of destruction of *במות* as a response to breach of covenant. Here amidst a long list of curses against the Israelites should they fail to uphold God’s commandments, God promises:

והשמדתי את-במתים והכרתי את-חמניכם ונתתי

את-פגריכם על-פגרי גלולים וגעלה נפשי אתכם

I shall destroy your high places and cut down your incense altars and cast your corpses on the corpses of your idols. My very being shall abhor you.

This verse provides an exceptional point of contact with the underlying ethos of Josiah’s reform. While the curse sections of

¹⁶⁸ G. Knoppers, "Solomon's Fall and Deuteronomy" in *The Age of Solomon: Scholarship at the Turn of the Millennium* (ed. L.K. Handy; Leiden: E.J. Brill, 1997) 402-403.

¹⁶⁹ The description of Josiah’s destruction of the cult places of Samaria, with the exception of Bethel, are likely to belong to the secondary, Deuteronomistic revision of 2 Kings 23, and not to the earliest version of the account of the reform. I have discussed some of the literary historical issues at stake in my dissertation, *Josiah's Reform and the Dynamics of Defilement*, 190-200. For a discussion of archaeological evidence from Judah and Bethel that may be relevant to the question, see Barrick, *The King and the Cemeteries*, 27-60; and my critique, L. Monroe, review of B. Barrick, *The King and the Cemeteries: Towards a New Understanding of Josiah's Reform*, RB (2005): 420-421.

Leviticus and Deuteronomy share many common features, both linguistic and syntactic, only Leviticus makes reference to eradication of **במות** as punishment for transgression. In fact, there are no references anywhere in Deuteronomy to the destruction of Israelite cult places of any sort as a response to breach of covenant. The fact that Leviticus 26 refers not only to **במות** but also to their defilement as recompense for Israelite disobedience suggests that on this point as well, 2 Kings 23 has more in common with the concerns of the Holiness Code than it does with Deuteronomy.

While 2 Kings 23:4-20 and Leviticus 26 share an interest in eradication of **במות**, the two texts do not express this idea using common linguistic conventions. Rather the description of Josiah's defilement of **במות** and the curse section of the Holiness Code reflect a similar set of concerns that suggests that they may have originated in a similar time and place when these ideas were current. It does not seem likely that they are the work of a common author nor is it probable that 2 Kings 23:4-20 was generated with a fixed text of Leviticus 26 in mind. The same may be said of the references to *mlk* offerings and the destruction of **במות השערים**. In neither case is the formulation in 2 Kings 23 identical to that found in the Holiness Code. This situation may be contrasted with the parallels between 2 Kings 23 and Deuteronomy, where the use of explicitly Deuteronomistic conventions in the received version of the reform indicates that the author "either retouched his source to conform to Deuteronomy or that he composed the reforms himself, imitating the style of his source."¹⁷⁰ It would seem that while the Deuteronomist wrote his account of Josiah's reform subsequent to, or at the same time as the codification of Deuteronomistic Law, the holiness material in 2 Kings 23:4-20 belongs to a period before the establishment of the Holiness Code as a fixed composition.

On the basis of evidence presented here, we may postulate an original account of Josiah's reform that shared some of its fundamental interests with the Jerusalem centered holiness school, including its outlook on the eradication of **במות**. In this early source a connection was wrought between Josiah and the destruction of **במות**, that either reflected real events that took place during Josiah's reign, or served the religio-political interests of the text's authors who, themselves, were writing to promote the agenda of the central institutions of temple and palace in late pre-exilic Jerusalem. Either way, this pre-exilic, **במות** - centered account of the reform became the source material for a Deuteronomistic historian, who identified the reforming king Josiah as the ideal agent of Deuteronomy's centralization movement. This historian revised his source material to bring it into more explicit

¹⁷⁰ G. Knoppers, *Two Nations Under God: The Deuteronomistic History of Solomon and the Dual Monarchies* (vol. 2, *The Reign of Jeroboam, the Fall of Israel, and the Reign of Josiah*; HSM Monographs 53; Atlanta: Scholars Press, 1994) 179. The most notable points of contact between the two texts are the repeated references in both, to the destruction of **מצבות, אשרים, מזבחות** (eg. 2 Kings 23:4,6,7, 14 and 15; Deut 7:5; 12:3) as well as prohibitions against the worship of **בעל אשרה וכל צבי השמים** "Baal, Asherah and the whole host of heaven" (2 Kings 4,5 and Deut 17:3).

alignment with Deuteronomistic interests, casting Josiah as his hero and introducing the idea of eradication of **בְּמִוֶּת** as the gold standard by which all of Israel's kings were judged. The pre-occupation with **בְּמִוֶּת** on the part of the Deuteronomistic Historians would thus originate with Josiah and the earliest account of the events of his reign, generated from within the "holiness" circles of late pre-exilic Jerusalem.

5. CONCLUSION

In the above discussion I have demonstrated that in certain fundamental respects 2 Kings 23 is shaped by concerns that are given their clearest expression in the Holiness Code. In general, correlations between these two texts have not been recognized by scholars, largely due to circular reasoning that posits, implicitly, that because 2 Kings 23 is part of the so-called "Deuteronomistic History," it must adhere to our expectations of a Deuteronomistic text; that is, it must be shaped by concerns that find their clearest expression in Deuteronomy. While this is often the case, for 2 Kings 23 this approach consistently has proven inadequate.

Shared elements between 2 Kings 23:4-20 and the Holiness Code suggest that embedded in the Deuteronomistic account of Josiah's reform is a source that held some of the same interests as the Jerusalem centered Holiness School. This early account, with its particular priestly orientation, became the source material for a Deuteronomistic historian who transformed and appropriated it to suit his particular historiographic interests. By relying upon and reworking priestly material in his formulation of Josiah's reform, the Deuteronomist established his reformed version of Israelite religion on the foundation of traditions already in place. He thus lent legitimacy not only to his own innovation, but also to the traditions of the Jerusalem temple, which he sought to assert as the primary axis of Israelite religious life.

The existence of a pre-Deuteronomistic holiness substratum in 2 Kings 23:4-20 severs any primary connection between the account of Josiah's reform and the book of Deuteronomy, and precludes the use of 2 Kings 23 as a basis for arguing a late 7th century date for the both appearance of Deuteronomy in Judah, and for the activity of a Deuteronomistic School responsible for writing and compiling the history of which 2 Kings 23 is a part. However, the text may help to situate the early activity of the so-called "Holiness School" more precisely within its socio-political and temporal milieu, as well as to illuminate aspects of the relationship between the late 7th century Jerusalem temple priesthood and the proponents of Deuteronomistic ideology, both before and after the exile.