

Your Daughters Do Not Give to Their Sons and Their Daughters Do Not Take for Your Sons (Ezra 9,12)

|| Intermarriage in Ezra 9-10 and in the Pre-Maccabean
Dead Sea Scrolls □ ; □

Teil 2

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3.3 *The Aramaic Levi Document (ALD)*

The ALD is extant in Aramaic manuscripts from the Qumran library (4QLevi^{a-f} ar [4Q213, 213a, 213b, 214, 214a, 215] + 1QTL^{Levi} ar [1Q21]?), from the Cairo Genizah (CLev^{Bodl.Cam}), and in part from a Greek copy of the Testament of the Twelve Patriarchs from Mount Athos (Koutloumousiou 39). It is a description of the life of Levi which is based on various parts of the Pentateuch and other Jewish texts (see e.g. Gen 34; Exod 32,25-29; Num 25,6-13; Deut 33,8-11; and Mal 2,4-8). A developing common scholarly opinion dates the ALD in the late 4th or 3rd cent. B.C.E.¹ This date is indicated by the ALD's incorporation into the book of Jubilees (cf. *Jub.* 30,1-32,9), by its non-polemical use of a solar calendar, by an ethical dualism which does not reflect the Hellenistic religious reforms, and by an appreciation of the absolute authority of the high priest, which is typical for the end of the 4th cent. B.C.E.

¹ See e.g. Milik, Books 24; Milik, *Écrits* 96; Stone, Figures 585 note 20; Stone, Enoch 159-160 note 2; Stone, Levi 318-319; Kugler, Patriarch 134-135; Drawnel, Wisdom 63-75; Greenfield / Stone / Eshel, Levi 19-22. Kugel, *Levi*, esp. 292-300, has recently proposed a Hasmonean date for the ALD. He doubts any dependence of the *Jubilees* on the ALD and claims that the different forms of the root מלך which are attested in the ALD in connection with Levi and the priesthood point to a Hasmonean date. Kugel reasons that the Hasmoneans were the first kings of priestly background in the history of Israel. But in his argumentation, Kugel ignores the non-polemical use of a 364-day-solar-calendar in the ALD. The Hasmoneans favored a lunar calendar and it would be incomprehensible why a composition commissioned by them would use a solar calendar instead. Furthermore, ALD 4,7 regards the kingdom of the priesthood (מלכות כהונה) as greater than another type of kingdom (מין מלכות); the rest of the line is not preserved), i.e. the ALD juxtaposes priestly rule with non-priestly one. In the ALD, the different derivations of the root מלך should thus be understood as expressing priestly rule but not priestly kingship.

The ALD develops its rejection of intermarriage out of Gen 34 and Lev 21,14. ALD 1² is a re-narration of Gen 34:

1,1 15 ... you / she defiled the so[ns of (?) ac-] | cording to the manner of all people [] | to do according to the law (*or*: to do so) in all [... *took counsel with*] | Jacob my father and Reu[ben my brother ...] | 1,2 and we said to them:[...] | 20 “[I]f <you> desire our daughter so that we all become broth[ers] | and friends, 1,3 circumcise your fleshly foreskin | and look like us, and (then) you will be sealed | like us with the circumcision [of tru]th and we will be br[others] | for y[ou]”³

The text is badly damaged and it is uncertain whether the ALD understood Shechem’s intercourse with Dinah as rape or as consensual. The potential marriage that might have developed out of this (enforced) sexual act was understood by the ALD as a forbidden mixed marriage – this much can be deduced from *Jub.* 30,5-23 which bases its account on the *ALD*.⁴ In what is still preserved, the argument why the Shechemites need to circumcise themselves is different from Gen 34,14. An uncircumcised husband of Dinah would not be a disgrace (חרפה; Gen 34,14) but a defilement (טמאת) “you / she defiled;” cf. Gen 34,5).⁵ Intermarriage is thus a cause of religious uncleanness in the ALD, i.e. it endangers the religious Jewish identity. Hence, in case of a marriage between a Jewish woman and a foreigner, the ALD requires conversion to Judaism.⁶

Levi’s ascent to the priesthood is at least in part motivated by his violent response to Dinah’s possible intercultural union. Levi’s mass murder of the male population of a whole city is the initial cause that motivates god to appoint him as (high) priest.⁷ It comes therefore as no surprise that as part of instructing Levi in his freshly acquired priesthood Isaac admonishes him to marry inside his family.

6,1 And he said to me, Levi my son, beware of all uncleanness and | 10 of all sin, your judgment is greater than that of all flesh. 6,2 And now, my son, I will show | you the true law and I will not hide | anything from you, to teach

² The ALD is quoted according to the counts developed by Greenfield / Stone / Eshel, Levi.

³ Translation according to Greenfield / Stone / Eshel, Levi 57.

⁴ Himmelfarb, Levi 3.

⁵ Cf. Drawnel, Wisdom 229; Loader, Enoch 90-94.

⁶ Hayes claims that in the ALD endogamy is only concerned with the prohibition of priestly intermarriage (Intermarriage 14; cf. Hayes, Impurities 72). But in doing so she ignores its re-narration of Gen 34. Furthermore her interpretation of the ALD seems to be based only on the fragmentary Cairo Genizah manuscript without recognition of the ALD’s other textual witnesses.

⁷ For Levi as a high priest, see Kugler, Strategies 135.

you the law | of the priesthood. 6,3 First of all, be<wa>re | 15 my son of all fornication and impurity and of all | harlotry. 6,4 And marry a woman | from my family and do not defile your seed with harlots, | since you are holy seed, and sanctify | your seed like the holy place since you are called | 20 a holy priest for all the seed of | Abraham. 6,5 You are near to God and near | to all his holy ones. Now, be pure | in your flesh from every impurity of man. (ALD 6,1-5)⁸

Isaac's instruction is influenced by Lev 21,14: "but a virgin of his people he (*scil.* the high priest) shall take as wife." That in ALD 6,4 Isaac speaks of מן משפחתו ("from my family") as opposed to the גזעיו ("his peoples") of its base text in Lev 21,14 does not suggest a more restricted application of the prohibition of intermarriage in the sense of marrying inside one's (priestly) family.⁹ For the time of the patriarchs, ancient Judaism perceived the family of Levi (משפחה) and the peoples of Israel (עם) as identical.¹⁰

Levi and his descendants are described as a holy seed (ALD 6,4) and ALD 6,3-4 emphasizes that intermarriage would defile this holiness as much as would a marriage with a harlot.¹¹ Hence, ALD 6,3, commands Levi and his descendants to avoid defilement of the special sanctity and purity of the priesthood by avoiding intermarriage. Not only the religious integrity of Judaism as a whole, but the institution of the (high) priest in particular is endangered by wives of non-Jewish backgrounds. Later in the narrative ALD 11-12 reports how Levi adhered to Isaac's advice by the endogamous marriages of himself and his descendants.¹² In summarizing how Levi arranged these endogamous marriages, ALD 12,1 depends on the BWN.¹³ Here Levi is patterned according to Noah's role model.

⁸ Translation according to Greenfield / Stone / Eshel, Levi 75.

⁹ Contra Kugler, Strategies 134-135; Himmelfarb, Levi 5-6; Hayes, Impurities 72; Drawnel, Wisdom 267.

¹⁰ Thus J.M. Baumgarten in a conversation with R.A. Kugler (see Kugler, Strategies 134 note 15). Cf. Kugler, Patriarch 103 ("The admonition, that Levi marry [sic] within the community, seems to imply that a woman's non-Israelite parentage would qualify her for the label זונה, 'harlot'"); Loader, Enoch 101-102.

¹¹ Cf. Drawnel, Wisdom 63.267-268.

¹² Cf. Drawnel, Wisdom 267.

¹³ See Drawnel, Wisdom 304.311. ALD 12,1 לבני נשין מן בנות אחי ("and for my sons [I took wives fro]m the daughters of my brothers") depends on 1QapGen VI:8 לבני נשין מן בנות אחי ("for my sons I took wives from the daughters of my brother").

For the ALD, intermarriage defiles both Israel and the high priest. They endanger the religious integrity of Judaism and are a threat to the Jewish religious identity.

3.4 The Temple Scroll (T)

The Temple Scroll (4QT^b [4Q524]; 11QT^{a-c} [11Q19-21]) creates a new Torah out of parts of the Pentateuch and formerly unknown passages. Its *terminus ad quem* is set by the oldest preserved manuscript, 4QT^b (4Q524), which is dated paleographically around 150 B.C.E.¹⁴ Its *terminus post quem* in the 3rd cent. B.C.E. can be derived from relative chronology and the history of architecture. D.D. Swanson argues that T depends on 1-2 Chronicles which were written in late Persian or early Hellenistic times.¹⁵ M. Broshi shows that the spiral staircase and the peristyles mentioned in T are attested only from Hellenistic times onwards.¹⁶ In my opinion, the extremely free approach to T's Pentateuchal *Vorlage* and its own claim to be an authoritative legal text recommend a date in the 3rd cent. B.C.E.

T addresses the question of intermarriages in 11QT^a II:11-15; LVII:15-17; LXIII:10-15. 11QT^a II is a conflation of Exod 34,11-16 with Deut 7,25-26. By repeating the ordinances for the separation from the people living in the promised land from Exod 34,11-16, T clarifies in its introduction who belongs to its temple community. In this way, T ascertains that Hellenizing Jews like the author of Ecclesiastes are excluded from its ideal Temple community.¹⁷ For T, Hellenistic acculturation corresponds to practicing the indigenous religions of the promised land.¹⁸

11 ... And you shall worship no [other] go[d, for the Lord, whose name is] 12 [Jealous], is a jealous God. Take heed, lest you make [a covenant with the inhabitants of the land,] 13 [and when they play the harlot] after [their go]ds [and] sacrifice to [their gods and invite you,] 14 [you eat their sacrifices, and] you t[ake of their daughters for your sons, and their] 19 daughters play the] 15

¹⁴ See E. Puech, Qumrân 87-88.

¹⁵ Swanson, Temple Scroll 237-239.

¹⁶ Broshi, Architecture 19.

¹⁷ Contra Maier, Tempelrolle 54-55, who regards idolatry for T as a matter of the past and thinks thus that T inserted an already existing text into 11QT^a II. For Jews practicing non-Jewish religion in the 3rd cent. B.C.E., see e.g. Tcherikover, *Corpus* no. 4 (of the Zenon archive).

¹⁸ If not noted otherwise, the below translation is according to Yadin, Temple Scroll II 305.

¹⁹ Translation and reconstruction contra Yadin (Temple Scroll II 3.305) with Maier, Tempelrolle 57.

[harlot after] their [gods] and ma[ke your sons play the harlot after] (11QT^a II:11-15)

Except for small changes, 11QT^a II:11-15 is an almost exact copy of Exod 34,14-16. In both texts, intermarriage leads to the veneration of foreign gods. Hence, T considers intermarriage between Jewish men and foreign women as a serious threat to the ideal temple community and forbids it strictly. As with the BW, the BWN, and the ALD, intermarriage poses a threat to the religious-cultural identity of Judaism for T.

An application of T's intermarriage prohibition can be found in the ordinances for the king. 11QT^a LVII:15-17 forbids the king to marry a non-Jewish woman.

And he shall not take a wife from all 16 the daughters of the nations, but from his father's house he shall take unto himself a wife, 17 from the family of his father. (11QT^a LVII:15-17)²⁰

This prohibition combines references to marry inside one's family from Gen 24,37-38 and Num 36,6-8 with the prescription of Lev 21,13-14 that the high priest shall marry a virgin.²¹ Different from the MT version of Lev 21,13 and similar to the LXX which adds ἐκ τοῦ γένους ("out of your people") to the אשה בבחוליה ("a woman which is in the standing of a virgin") of MT, T specifies that the virgin bride of the king needs to be out of "his father's house."²² In this way, T applies priestly halakhah to the king. The king is commanded to marry only inside "his father's house." But T does not recommend incest. The phrase "his father's house" has a broader meaning and argues against the king marrying anyone of non-Jewish descent, be it a proselyte or a non-Jew.²³ If Maier is right that T's intermarriage prohibition for the king is influenced by the deuteronomic rejection of Solomon's intermarriages (1Kgs 11,1-8),²⁴ it documents again an effort to minimize foreign cultural influence and to preserve Jewish religious-cultural identity.

The law about the beautiful captive woman seems to contradict T's negative attitude towards intermarriage. In 11QT^a LXIII:10-15, T adapts Deut 21,10-14 and allows a warrior to marry a beautiful woman taken captive during a war, i.e. an enemy and thus a non-Israelite. But T applies extraordinary restrictions to the religious and cultic dimensions of this exceptional case of permitted inter-

²⁰ Translation according to Yadin, Temple Scroll II 407.

²¹ Cf. Yadin, Temple Scroll I 354-355; Swanson, Temple Scroll 137.

²² Yadin, Temple Scroll I 355.

²³ Contra Yadin, Temple Scroll I 355. For this use of the phrase מביית אביהו, see Schiffman, Laws 215-216.

²⁴ Maier, Tempelrolle 248; cf. Swanson, Temple Scroll 136-137.

marriage. The non-Jewish wife is not allowed to touch pure items or to eat of a sacrifice for seven years. Afterwards she seems to be regarded as Jewish²⁵ and the prohibitions are removed. It is the purity of Israel and thus its religious identity about which the author of T is worried when it comes to the beautiful captive woman. Therefore he puts maximum constraints²⁶ in place to avoid what he regards as religious pollution.

3.5 *The Book of Tobit*

To date the book of Tobit is difficult as almost no indications for its historical context are given. Tob 2,12 dates an event into the Macedonian month of *Dystros*. This is only possible after Alexander the Great conquered Coele-Syria. As the new Macedonian calendar might not have been accepted immediately, the mention of the month *Dystros* recommends a date no earlier than the 3rd cent. B.C.E. Such a date is confirmed by the allusion to Ps 119,138 in Tob 3,2.²⁷ The lack of any allusion to the Hellenistic religious reforms recommends a date no later than 175 B.C.E.²⁸

Endogamy is a recurring theme in the book of Tobit (see Tob 1,9; 3,15; 4,12-13; 6,12-13.16; 7,10-11) both in its earlier and later versions (GI and GII).²⁹ In its idea of endogamy the book of Tobit is guided by the role model of the endogamous marriages of the patriarchs (Tob 4,12; see below p. 85). Recently, Thomas Hieke published an extensive study on endogamy in the book of Tobit.³⁰ Hieke shows that the principle of endogamy functions on various levels in the book of Tobit. It requests not only a marriage inside ones ethnicity but inside ones family (see Tob 1,9; 3,15; 6,16; 7,10-11). Such a marriage inside ones own tribe, clan, or family assures that property and financial resources remain in the family (see Tob 6,12-13). Beyond material concerns, endogamy helps to preserve Jewish identity in a diaspora situation.³¹ This is especially evident in Tobit's instruction of Tobias.

²⁵ Cf. Schiffman, *Laws* 219.

²⁶ Cf. Yadin, *Temple Scroll I* 365-366; Schiffman, *Dead* 138; Schiffman, *Laws* 219-220.

²⁷ For the date of Psalm 119 in the 4th or early 3rd century B.C.E., see Lange, *Significance* (forthcoming).

²⁸ For a *terminus ante quem* in the year 175 B.C.E., cf. e.g. B. Ego, *Buch* 899; Fitzmyer, *Tobit* 51.

²⁹ For the textual history of Tobit, see Ego, *Buch* 874-884; Fitzmyer, *Tobit* 3-17.

³⁰ Hieke, *Endogamy* 103-129. For a comparison of the different endogamy references in the GI and GII versions of the Book of Tobit and their minor differences, see Nicklas, *Marriage* 139-154.

³¹ See Hieke, *Endogamy* 112.

12 Beware, my son, of all immorality. First of all take a wife from among the descendants of your fathers and do not marry a foreign woman, who is not of your father's tribe; for we are the sons of the prophets. Remember, my son, that Noah, Abraham, Isaac, and Jacob, our fathers of old, all took wives from among their brethren. They were blessed in their children, and their posterity will inherit the land. 13 So now, my son, love your brethren, and in your heart do not disdain your brethren and the sons and daughters of your people by refusing to take a wife for yourself from among them. For in pride there is ruin and great confusion; and in shiftlessness there is loss and great want, because shiftlessness is the mother of famine. (Tob 4,12-13 RSV)

It was and is the endogamy of Noah,³² Abraham, Isaac, and Jacob³³ which resulted in numerous offspring and the inheritance of the promised land. Hence, endogamy guarantees Jewish existence. "In order to distinguish the Israelite from the Gentile, the book of Tobit advances a program centered on endogamy. Women properly domiciled in an endogamous relationship become the means by which the threat of diaspora is eliminated."³⁴

3.6 First Conclusions

Pre-Maccabean texts from the Qumran library and other biblical and ancient Jewish sources show that in Persian and early Hellenistic times the Jewish rejection of intermarriage was widespread. As shown above, in Persian times, the general rejection of intermarriage in Mal 2,11-12 and Neh 13,23-29 evolved out of priestly intermarriage prohibitions (Lev 21,13-15; Ezek 44,22; *1En.* *6-11). This dependency on priestly law and thought shows that priestly and non-priestly exogamy was considered a threat to the cultic identity of Persian time Judaism. This is especially evident in the rhetoric of purity and defilement employed in the various texts. Although Neh 13,23-29 and *1En.* *6-11 do refer to earlier authoritative tradition (1Kgs 11,1-13 and Gen 6,1-4 respectively), the Persian time texts which reject intermarriage are less dependent on earlier tradition than the ones from the Babylonian exile.

This confirms that in Persian time, intermarriage was considered more as a threat to the cultic identity of Judaism than to its cultural one.

³² Noah's endogamy is not mentioned in Gen 6-9 but plays a prominent role in the BWN as preserved in 1QapGen ar (see *part 1*, 34-36). It seems likely that the book of Tobit knew about Noah's endogamy from the Book of the Words of Noah. Cf. Fitzmyer, Tobit 173. Even before 1QapGen VI was published, VanderKam, Righteousness 16-17, speculated that both *Jub.* 4,33 and Tob 4,12 might draw on earlier tradition about Noah's endogamy.

³³ For the endogamy of the patriarchs, see Gen 11,29; 20,12 (Abraham), Gen 24 (Isaac), and Gen 28,1-29,30 (Jacob).

³⁴ Levine, Diaspora 105.

Compared to Persian times, Jewish polemics against intermarriages in early Hellenistic times feature significantly more references to authoritative tradition. The below table shows that as in the period of the Babylonian exile the turn towards authoritative literature is a guiding theme in the respective argumentations for endogamy and against exogamy.

BWN: Gen 6,1-4,6-10

BW: Gen 6,1-4; 6,5-10,32

ALD: Gen 34; Lev 21,14; 1QapGen VI:8 (?; BWN)

T: Gen 24,37-38; Exod 34,11-16; Lev 21,13-14; Num 36,6-8; Deut 7,25-26; 21,10-14; 1Kgs 3,1; 11,1-8; 14,21

Tob: Gen 11,29; 20,12; 24; 28,1-29,30; 1QapGen VI:6-9(?; BWN)

Exogamy was rejected and endogamy encouraged by way of reading earlier authoritative literature. The authoritative traditions alluded or referred to in the various early Hellenistic sources are part of the literary embodiment of the cultural memory of Judaism. The turn towards authoritative tradition shows that the early Hellenistic intermarriage polemics of ancient Judaism regard exogamy more as a threat to the Jewish cultural identity than to its cultic one. The orientation towards authoritative tradition affirms that the enforcement of endogamy served purposes of religious-cultural self-preservation. While Persian rule did not strive to change the cultural make up of its conquered societies, the various Hellenistic kingdoms exerted both social and political pressure to Hellenize their subjects. This led to a cultural threat to the Jewish identity which is comparable to the Mesopotamian diaspora situation. Under the rule of Ptolemaic Egypt, exogamy was regarded as one channel through which Hellenistic culture took its hold of Judaism. Intermarriage polemics had an anti-Hellenistic aim and effected the preservation of the Jewish religious-cultural identity. Not the growing influence of Hellenistic culture but Jewish tradition is what matters.

The Jewish intermarriage polemics of early Hellenistic times are not disconnected from their Persian time predecessors. They exhibit the same rhetoric of purity and defilement as Persian time Jewish rejections of intermarriage do. What was regarded as a threat to Israel's cultural identity was also understood as a threat to its cultic identity.

How does all of this relate to the rejection of intermarriage by Ezra and by the book of Ezra / Nehemiah?

4. Intermarriages in the Book of Ezra / Nehemiah in Light of Ancient Jewish Literature

In this paper, I cannot provide a detailed redaction history of the book of Ezra / Nehemiah. It might suffice to remark that for a long time, 1-2 Chronicles and Ezra-Nehemiah have been regarded as one literary work, which underwent

(several) redactions, and was called the Chronistic history.³⁵ More recently, attempts have been made to understand 1-2 Chronicles and Ezra-Nehemiah as two separate literary works.³⁶ In the following, I understand Ezra-Nehemiah and 1-2 Chronicles as two separate books which were written subsequently in the same priestly scribal milieu. The name of the last high priest mentioned in the lists of Neh 12,11.22, Jaddua,³⁷ recommends a setting of the final stage of the book of Ezra / Nehemiah in early Hellenistic times.³⁸ The evidence of Josephus shows that this Jaddua was still in office during the reign of Alexander the Great (*Antiquitates Judaicae* 11,302).³⁹

In this paper, I will neither attempt to reconstruct the redaction history of the book of Ezra / Nehemiah in general nor of Ezra 9-10 in particular. I will first compare the final stage of the intermarriage polemics in Ezra / Nehemiah with other early Hellenistic intermarriage polemics. Afterwards, I will ask in how far Ezra 9-10 relates to the rejection of intermarriage in Persian times. Based on the matrix of both comparisons I will ask if the historical Ezra performed marriage reforms.

The final stage of the book of Ezra / Nehemiah addresses the issue of intermarriage three times, in Ezra 9-10, Neh 10,31 and 13,23-29. After Neh 8-9 gave a report how Ezra reads the Torah publicly and how his audience responded with a confession of its guilt, Neh 10 describes the commitment of Jews to the law of Ezra. As part of this commitment Neh 10,31 states

“We will not give our daughters to the peoples of the land or take their daughters for our sons.” (NRSV)

³⁵ See e.g. Zunz, *Vorträge*, esp. 22; Movers, *Untersuchungen*; Noth, *Studien* 110-180, esp. 110.

³⁶ See e.g. Japhet, *Authorship*; Japhet, *Chronicles*, esp. 3-7; Williamson, *Israel* 5-82, esp. 70; Williamson, *Chronicles* 5-11; Knoppers, *Chronicles* 96-100; cf. Steins, *Chronik* 49-82.

³⁷ For the high priest Jaddua, see VanderKam, *Joshua* 63-85.

³⁸ For a good summary of the arguments for this date of both Ezra-Nehemiah and 1-2 Chronicles, see Kaiser, *Grundriß* 147-148; cf. also Williamson, *Israel* 83-86; Williamson, *Chronicles* 15-17; Williamson, *Ezra XXXV-XXXVI*; Japhet, *Chronicles* 23-28; Knoppers, *Chronicles* 101-117.

³⁹ F.M. Cross doubted the historicity of the lists in Neh 12,11.22 and wanted to add at least two more names which in his opinion would have been lost due to haplography (see e.g. Cross, *Reconstruction*). But based on a reevaluation of the evidence from the Wadi ed-Daliyeh papyri and Samarian coins, J. Dušek was able to prove the historicity of the lists in Neh 12,11.22 (see Dušek, *manuscripts* 549-598, who also provides a survey of the history of research). I am obliged to Dr. Dušek for making a preprint copy of his important and brilliant study available to me. For criticism of Cross' theory, see also VanderKam, *High Priests*; VanderKam, *Joshua* 85-99.

In its phrasing, Neh 10,31 is almost identical with Ezra 9,12. This intertextual link between Ezra 9-10 and Neh 8-10 shows that for the book of Ezra / Nehemiah Ezra's marriage reforms prepared the community for the public reading of Ezra's law and its later commitment to it.

When comparing Ezra 9-10 and Neh 13,23-29 with the Book of the Words of Noah, the Book of Watchers, the Aramaic Levi Document, the Temple Scroll, and the book of Tobit, parallels both in the argumentative strategies and in the arguments themselves become apparent. The polemics of exogamy and the advocacy of endogamy in the BW, BWN, ALD, T, and Tob show that the critical attitude of the book of Ezra / Nehemiah towards intermarriage is not exceptional but widespread in its time. Although the individual texts give different reasons for their support of endogamy, a common theme is the preservation of cultural and cultic identity which was threatened by the increasing influence of Greek culture in early Hellenistic times (see above, p.85-86). This reliance on earlier authoritative texts can also be observed in Neh 13,23-29 and Ezra 9-10. Neh 13,26 refers to king Solomon as a negative role model in terms of intermarriage (1Kgs 3,1; 11,1-8; 14,21; see *part I*, p. 20-21.26).

According to Ezra 9,1-4, Ezra is approached by officials who report in an "exegetical blend" of Deut 7,1-5; 23,4-8, and Lev 18,⁴⁰ how a large group of Jews practice intermarriage. In Ezra 9,1-4, "laws dealing with the indigenous population of Canaan ... are now interpreted by reference to the contemporary 'peoples of the lands'."⁴¹ Ezra responds with despair and a confession of sin (Ezra 9,5-15) to the intermarriages of his fellow Jews with non-Jewish wives. This confession draws on deuteronomic ideas in describing the religious history of Judaism as a "history of infidelity."⁴² The intermarriages are a continuation of Israel's earlier history of infidelity which caused the Babylonian exile. That Judaism was not destroyed totally but that a remnant was spared is due to god's unmerited grace. The occurrence of intermarriages demonstrates that god's commandments have been broken anew.

Ezra 9,10-12 states that intermarriage was explicitly forbidden by the prophets.

10 And now, our God, what shall we say after this? For we have forsaken your commandments, 11 which you commanded by your servants the prophets, saying, "The land that you are entering to possess is a land unclean with the pollutions of the peoples of the lands, with their abominations. They have filled it from end to end with their uncleanness. 12 Therefore do not give your daughters to their sons, neither take their daughters for your sons,

⁴⁰ Blenkinsopp, Ezra-Nehemiah 175. Cf. Williamson, Ezra 131

⁴¹ Cf. e.g. Williamson, Ezra 130; Hayes, Intermarriage 6.

⁴² Blenkinsopp, Ezra-Nehemiah 183.

and never seek their peace or prosperity, so that you may be strong and eat the good of the land and leave it for an inheritance to your children for ever.” (NRSV)

In this text, Ezra / Nehemiah does not refer to one referent text but employs a rhetoric that can be found in various parts of Deuteronomy (1,38-39; 6,11; 7,1,3; 18,9; 23,7) and other authoritative texts (Lev 18,24-30; 20,21; 2Kgs 10,21; 16,3; 21,2.10.16; Ezek 7,19-20).⁴³ This blend is put under the collective authority of the prophets. Inter-marriage with the peoples of the lands and other non-Jews bears the danger of contaminating their uncleanness. Such defilement would in turn lead to a loss of religious integrity. Inter-marriage means to be lured into the veneration of foreign deities which is indicated by the use of the word תעבבה (“abomination”) in Ezra 9,11.⁴⁴ Inter-marriage is not a racial but a religious problem.⁴⁵ After the Babylonian exile, Israel lives on “borrowed time.” It cannot afford to either violate god’s commands or to abandon him in favor of other gods. Otherwise the destruction of even the remaining remnant of Israel becomes a distinct possibility. Hence, Ezra 10 reports how the community decides to end all mixed marriage, to divorce the foreign spouses and send them and their children away.

The special significance of the inter-marriage topic is emphasized by way of describing Nehemiah’s activities against mixed marriages at the end of the book of Ezra / Nehemiah (Neh 13,23-29; see *part 1*, p. 26-27). In the final stage of the book of Ezra / Nehemiah, the Nehemiah memoir’s report of Nehemiah’s rejection of mixed marriages stands in the light of Ezra’s initial reform. He continues with individual cases what Ezra did on a grand scale.

In the final stage of the book of Ezra / Nehemiah, mixed marriages are viewed as a threat to the religious integrity and cultural identity of Judaism. The problem which this marriage program was designed to confront was, “how to maintain the characteristic way of life, the religious traditions, even the language (cf. Neh. 13:23) of a community, against the threat of assimilation.”⁴⁶ The only solution to the problem is enforced mass divorce of mixed marriages and expatriation of the divorced spouses and their children. The story of Ezra’s and Nehemiah’s marriage reforms is told in a time of increased Hellenization of Judaism. That other early Hellenistic texts respond with their polemics against inter-marriages to this increased Hellenization, puts the re-narration of Ezra’s and Nehemiah’s marriage reforms into the same context of the preservation of religious-cultural Jewish identity against Hellenization.

⁴³ Cf. Blenkinsopp, *Ezra-Nehemiah* 185; Williamson, *Ezra* 137.

⁴⁴ Cf. e.g. Brown, *Problem*, esp. 453.

⁴⁵ Williamson, *Ezra* 131.

⁴⁶ Blenkinsopp, *Ezra-Nehemiah* 201.

In another respect, Ezra 9-10 and Neh 13,23-29 are also comparable with the rejection of intermarriage in early Hellenistic Jewish literature, i.e. with the BW, the ALD, and the T. Ezra 9-10 develops its general rejection of intermarriage out of priestly law. As the priests (Ezek 44,22) or the high priest (Lev 21,14) are forbidden to intermarry, so are all of Israel. All of Israel and not just the priests are understood as holy seed⁴⁷ and could thus be defiled by intermarrying with non-Jews. Similarly Neh 13,29 speaks of a defilement of the priesthood and the covenant of the priests and the Levites. The use of the term תעבבה (“abomination”) in Ezra 9,11 shows that this defilement is not limited to the physical contact of sexual intercourse⁴⁸ or the mingling of seeds in the line of the *kil'ayim* laws.⁴⁹ While such ideas are involved, Ezra 9-10 clearly sees the danger of cultural estrangement, i.e. conversion to the veneration of other gods, too.

5. Did Ezra Reject Intermarriage?

Although even the historicity of Ezra and his mission have sometimes been doubted,⁵⁰ it is unlikely that Ezra was a complete invention of the author of the book of Ezra / Nehemiah. Such an invented figure would have been unnecessary as he could have attributed all of Ezra's reforms to Nehemiah as well. But access to the historical Ezra is blocked by the extensive redaction of the so-called Ezra memoir (see *part I*, p. 18-19). As redaction criticism reaches its limits in the analysis of Ezra 9-10, a comparison of the passage with other rejections of intermarriages from Persian and early Hellenistic times might help to better answer the question what Ezra himself did.

As has been shown above (see above, p. 86), reference to authoritative literature is a characteristic rhetoric Jewish intermarriage polemics in early Hellenistic times. The extent to which Ezra 9-10 employs earlier authoritative texts to make its argument fits best with Jewish texts from the 3rd cent. B.C.E. as does the application of deuteronomistic ideas to the issue of intermarriage. But that both Nehemiah (Neh 13,23-29) and *1En.* *6-11 do employ authoritative tradition in their arguments against exogamy, too, allows for speculation if Ezra could have made some recourse to it as well.

The rhetoric of purity and defilement is found in both Persian time and early Hellenistic Jewish polemics against intermarriages. The purity and defilement rhetoric of Ezra 9-10 also points to a democratization of priestly intermarriage

⁴⁷ Williamson, Ezra 132; Hayes, Intermarriage 14.

⁴⁸ Thus Hayes, Intermarriage 6.14; Satlow, Marriage 136-139.

⁴⁹ Thus Kugel, Holiness 24.

⁵⁰ Thus first Renan, *Geschichte* 90-99 (the French original appeared 1893 but was not available to me).

prohibitions. This is especially characteristic for Persian time texts. Hence, Ezra could have used a similar rhetoric of defilement and could have sponsored the democratization of priestly intermarriage prohibitions. But both might as well have been introduced by a redactor into the text of Ezra 9-10.

As compared with all other Jewish rejections of exogamy, Ezra 9-10 is exceptional in its report about forced divorces of mixed marriages. No other text in Jewish literature up to the 3rd cent. B.C.E. ever reports about such a measure. Some texts prohibit or attack exogamy but do not address the issue of existing intermarriages (e.g. Lev 21,13-15; Ezek 44,22; Mal 2,11-12; 11QT^a II:11-15; LVII:15-17; LXIII:10-15; Tobit 1,9; 3,15; 4,12-13; 6,12-13.16; 7,10-11) while others advocate banishment (Neh 13,28; cf. *1En* 18,11-19,2; 21) or death (Num 25,6-15; ALD 1) or refer to the deluge as the most catastrophic consequence of an intermarriage (BWN and BW). The idea of enforced (mass) divorce is a singular measure. It is therefore highly probable that Ezra did reject intermarriages and fought for the annulment of exogamous marriages and the banishment of the non-Israelite spouses and their children. In turn, it seems also likely that Ezra was motivated by a democratization of priestly intermarriage prohibitions and enacted his reforms to preserve the cultic identity of Persian time Judaism.

Summary

Ancient Jewish literature in general and the pre-Maccabean literature from the Qumran library in particular allow for a better understanding of Ezra's marriage reforms and their interpretation by the final stage of the book of Ezra / Nehemiah. Ezra's measure of enforced mass divorce is unique in Second Temple Judaism which argues for its historicity. Ezra's marriage reforms were probably motivated by a democratization of priestly intermarriage prohibitions. In light of the (enforced) Hellenistic acculturation of Ptolemaic Yehud, the final redaction of the book of Ezra Nehemiah reads Ezra's marriage reform as a fight for the preservation of the religious and cultural identity of Judaism.

Zusammenfassung

Die antik-jüdische Literatur und besonders die vormakkabäischen Texte aus der Bibliothek von Qumran werfen neues Licht auf die Frage nach Esras Umgang mit Mischehen einerseits und auf die Interpretation von Esras Maßnahmen in der Schlussredaktion des Esra-Nehemia-Buches andererseits. Die erzwungene Massenscheidung von Mischehen unter Esra ist singular in der Geschichte des Judentums aus der Zeit des Zweiten Tempels. Diese Einmaligkeit spricht für die Historizität der Maßnahme. Im Kontext anderer perserzeitlicher jüdischer Literatur scheint es wahrscheinlich, dass Esras Einstellung zur Mischehenfrage von einer Demokratisierung priesterlicher Vorschriften und Ideen geprägt ist. Die Schlussredaktion des Esra-Nehemia-Buches interpretiert Esras Umgang mit Mischehen im Licht der zunehmenden Hellenisierung der ptolemäischen

Provinz Jehud und versteht Esras Maßnahmen als einen Kampf um die Bewahrung der kulturellen und religiösen Identität des Judentums.

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