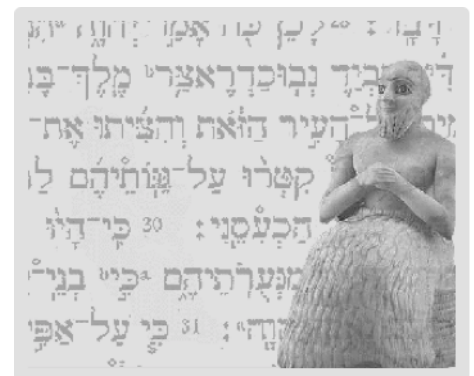


Scripturalization and the Aaronide Dynasties

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Evidence for the history of the Second Temple priesthood is very fragmentary and incomplete. To the best of our knowledge, however, worship at the temple site in Jerusalem was controlled from ca. 535 to 172 B.C.E. by a single family, the descendants of Jeshua ben Jehozadak, the first post-exilic high priest (the family is often called the Oniads). After disruptions caused by civil wars and the Maccabean Revolt, they were replaced by another family, the Hasmoneans, who controlled the high priesthood from at least 152 until 37 B.C.E. Sources from the Second Temple period indicate that both families claimed descent from Israel's first high priest, Aaron.¹

¹ For the Oniads' genealogical claims, see 1 Chr 6:3–15; Ezra 2:36; 3:2. For the Hasmoneans' claims, see 1 Macc 2:1; cf. 1 Chr 24:7. No ancient source challenges these claims, but many modern historians have been skeptical of them (e.g., J. Wellhausen, *Prolegomena to the History of Israel* [trans. J. S. Black and A. Menzies; Edinburgh: Adam & Charles Black, 1895], 141–51; for a more recent summary, see J. Spencer, "Priestly Families (or Factions) in Samuel and Kings," in S. W. Holloway and L. K. Handy (eds.), *The Pitcher is Broken: Memorial Essays for Gösta W. Ahlström* [JSOTSup, 190; Sheffield: Sheffield Academic Press, 1995], 387–400). They have regularly distinguished Zadokite from Aaronide priests, though they have disagreed about where to place the Oniads (cf. E. Otto, *Das Deuteronomium im Pentateuch und Hexateuch* [FAT, 30; Tübingen: Mohr Siebeck, 2000], 248–61, with J. Schaper, *Priester und Leviten im achämenidischen Juda* [FAT, 31; Tübingen: Mohr Siebeck, 2000], 26–42). Historians commonly argue that the Hasmoneans were not Zadokites (e.g., V. Tchirikover, *Hellenistic Civilization and the Jews* [New York: Atheneum, 1970], 492–3; J. A. Goldstein, *I Maccabees* [AB, 41; Garden City, N.Y.: Doubleday, 1976], 71, 75; G. Vermes, *An Introduction to the Complete Dead Sea Scrolls* [Minneapolis: Fortress, 1999], 130–1; D. W. Rooke, *Zadok's Heirs: The Role and Development of the High Priesthood in Ancient Israel* [Oxford: Oxford University Press, 2000], 255–6, 280–2). It has recently been pointed out that no ancient evidence backs up this scholarly consensus; see A. Schofield and J. VanderKam, "Were the Hasmoneans Zadokites?," *JBL* 124/1 [2005], 73–87.

These five centuries were the period during which Judaism first assumed some of its distinguishing characteristics. Though there were precedents for these ideas and practices in the earlier monarchic period, only in the Persian and/or Hellenistic periods did Jews become identified with monotheism and scripture (Torah), both in their own eyes and in the eyes of foreigners.

It is surprising, therefore, that the Aaronide dynasties almost never receive credit for the famous and influential religious innovations that took place on their watch. The tendency to credit others for these developments began very early. The ancient rabbis claimed that the true interpretation of Torah, the Oral Torah, was transmitted in a chain of succession from Moses through Joshua and Ezra to themselves. That succession, however, included only one of the Second Temple high priests, Simon the Just (*m. 'Abot* 1:1–3 and parallels). Early Christians went further. They supplanted Aaronide priests with the priestly office of Christ and his successors (Heb 4:14–10:18). They reproduced and sharpened Jewish criticisms of Second Temple-era high priests and cast them as the chief plotters against Jesus' life (Mark 14:1–2 and parallels). In the historical narratives of traditional Judaism and Christianity, the Aaronide dynasties appear as greedy and traitorous collaborators with foreign empires (e.g., John 11:50). At best, they are depicted as subservient students of rabbinic lore and at worst as tyrannical persecutors of the righteous.

The same interpretive tendencies mark more recent academic accounts of Israel's religion. Modern historians have given priests slight attention (the first history of the Second Temple high priesthood was published only in 2004),² while lavishing far more ink on the religious innovations of the earlier Davidic kings and of Israel's charismatic prophets. Historians have also been fascinated with reconstructing the history of Jewish scribes, who supposedly gained religious authority at the expense of priests in the exile and post-exilic Judea and who may have included or even consisted of the subordinate priestly clans of the Levites. In regard to the Aaronides, it seems that modern historians have yet to free themselves from the presuppositions of the two religious traditions.

There is good reason to think, however, that the Aaronides had more than a casual influence on religious developments in the Second Temple period, and especially on the scripturalization of Torah and Tanak. In fact, my thesis is that the priests' dynastic claims to govern the temple were among the most important factors in the elevation of Torah to scriptural status and in shaping its contents. The history of scripturalization in the Second Temple period seems, in fact, to be congruent with the history of the shifting fortunes of priestly dynasties.

² J. VanderKam, *From Joshua to Caiaphas: High Priests After the Exile*, Minneapolis: Augsburg Fortress, 2004.

That argument would require engaging the full range of evidence supplied by the Hebrew Bible and other Second Temple literature, a larger discussion than the scope of this journal article allows. Here I will simply illustrate this claim by correlating what little we know about these Aaronide dynasties with what little we know about the scripturalization of two different portions of the Hebrew Bible: the Pentateuch and Ezra-Nehemiah. I choose these two collections because they are closely linked—Ezra-Nehemiah provides our best evidence for the scripturalization of Torah in the Persian period, but also because they take contrasting rhetorical positions on priesthood—for the most part, Ezra-Nehemiah criticizes priests while the Pentateuch, for the most part, celebrates them. These two collections have therefore been central to scholarship on the development and canonization of the Pentateuch and on early Second Temple religious history.

1. TORAH AS THE DYNASTIC CHARTER OF THE AARONIDE PRIESTS

The Priestly traditions of the Pentateuch show God giving the priesthood to Aaron and his sons as a permanent grant (Exod 28). This grant explicitly includes a monopoly over incomes from most of Israel's offerings (Lev 6–7) and the subordinate service of the rest of their tribe, the Levites (Num 16–18). Leviticus quotes an oracle from God to Aaron granting his family authority over the interpretation of correct ritual practice and the responsibility for teaching Torah to Israel (Lev 10:10–11).

What heightens the significance of these divine grants is the fact that priests receive the only grants of centralized leadership authority in the Pentateuch. Exodus and Deuteronomy expect elders to play local judicial roles (Exod 18:13–26; Deut 16:18) while priests staff the central court (Deut 17:8–13). Deuteronomy's rule of kings does not define kings' institutional authority or how they should be appointed, only that they must study Torah under the supervision of priests (Deut 17:14–20). Legislation about prophets does not define their institutional positions either (Deut 13:1–5; 18:9–22). The Pentateuch, through P, gives only priests leadership over a centralized hierarchy in Israel and a hereditary right to wield that authority.

To be sure, other Pentateuchal materials do not grant Aaron's descendants the same prominence as P. Nevertheless, rather than a king or prophets, "levitical priests" play the role of authoritative interpreters of Torah in Deuteronomy (17:8–13, 18; 18:1–8; 31:9–13, 24–26).³ In the extant Torah and TaNaK, the phrase "levitical priests" includes Aaron and his descendants, since Aaron descends from Levi according to the priestly genealogies (see 1 Chr 5:27–

³ On the priestly character of both Deuteronomy and the editing of the Pentateuch, see Otto, *Deuteronomium im Pentateuch*, 243–63.

6:38 [Eng. 6:1–53]; 24:3; Ezra 2:36), even if historians have frequently suspected otherwise. It is also the case that the non-priestly story of the golden calf incident and its aftermath (Exod 32–34) shows Aaron in a poor light. Nevertheless, the story does not discredit the Aaronide dynasty (unlike the fate of Eli’s dynasty in 1 Sam 2:12–36). The description in Exodus 32 of Aaron’s and the Levites’ actions conforms to their cultic and non-cultic roles respectively in the two-tier hierarchy espoused by P and Chronicles.⁴ Of course, the Pentateuch depicts Moses as supreme, but Moses represents no later Israelite institution. His role in transmitting Torah remains unique, so almost all of Israel’s laws get credited to Moses regardless of when they originated. The Pentateuch does not institutionalize his role as prophet except in exhorting obedience to Torah (Deut 13:1–5), but rather harnesses Moses’ prophetic authority to legitimize Aaron’s priesthood (Exod 29; Lev 8; 16; Num 16–17). Thus the Pentateuch singles out priests as institutional authorities and puts the high priest at the top of Israel’s only hierarchy.

That is not the case in the Deuteronomistic History (Joshua through 2 Kings) where war-lords and kings lead Israel’s armies, occasionally challenged by prophets. In this account of Israel during its tribal and monarchic periods, priests hold their positions in temples because of their loyalty to certain kings (1 Sam 22:9–22; 23:6; 2 Sam 8:16; 15:24–37; 1 Kgs 1:32–40; 2:26–27). Priestly genealogy seems to be a secondary concern, deployed only to add criticism to kings condemned on other grounds (1 Kgs 12:31). Chronicles mentions priests and Levites more often and is especially interested in genealogy, but its focus remains on kings. Only rarely do biblical narratives focus on priestly behavior (exception: 1 Sam 2–4).

A different situation appears in texts portraying Judea after the Babylonian Exile. According to Ezra 3:2, the exiles returned to Judea in 535 B.C.E. led by a high priest, Jeshua son of Jozadak, grandson of Seriah who served as priest before the temple’s destruction (2 Kgs 25:18), and the prince Zerubbabel, the grandson of the exiled king of Judah (1 Chr 3:16–19). After Zerubbabel, descendants of the royal line did not wield political authority again in Judea. The descendants of Jeshua, however, seem to have controlled the high priesthood for three hundred and fifty years. Throughout the Persian period, they shared leadership in Judea with an imperial governor.⁵ Josephus does not mention governors in the Hellenistic period, but rather portrays Alexander and his

⁴ J. W. Watts, “Aaron and the Golden Calf in the Rhetoric of the Pentateuch,” *JBL* 130 (2011), 417–30.

⁵ Historians debate whether governors continued in Judea to the end of the Persian period or not: compare Vanderkam, *From Joshua to Caiaphas*, 107–11 with L. L. Grabbe, *Judaism from Cyrus to Hadrian. Vol. 1: The Persian and Greek Periods* (Minneapolis: Fortress, 1992), 192.

successors dealing with the high priests as representatives of the Jewish people. Jeshua's descendants lost control of the high priesthood only in 170 B.C.E. when battles for the high priesthood contributed to the turmoil preceding the Maccabean Revolt (167–164 B.C.E.).

Several high priests named Onias in the third and second centuries led historians to name Jeshua's dynasty "the Oniads." Aaronide priests related by marriage to the Oniads also controlled the priesthood of the Samaritan temple on Mt. Gerizim in the Hellenistic period (*Ant.* 11. 302–3, 321–4). After Onias III lost the Jerusalem high priesthood, his son Onias IV founded a Jewish Temple at Leontopolis in Egypt (*Ant.* 12. 397, 13. 62–73; *Jewish Wars* 7. 426–32). It remained in operation until 73 C.E. Another priestly family claiming Aaronide descent (1 Macc 2:1) led the Maccabean revolt. This Hasmonaean dynasty seized the high priesthood in Jerusalem for themselves. They ruled as high priests from 152 until 37 B.C.E., and in later years also took the title, "king."

Thus according to the ancient sources, a priest of Aaronide descent was one of two leaders who led exiles to return to Judea and rebuild Jerusalem and its temple. His descendants built and governed temples in at least three places during the Second Temple period, several of them simultaneously. Some Persian-period texts recognize Jerusalem high priests alongside imperial governors as holding similar status (Hag 1:1, 12; 2:2, 4; Zech 3:4–9, 6:9–14; Ezra 3:2; 5:2; cf. a letter from Elephantine, AP 4.7:18). Hellenistic kingdoms recognized the high priests as pre-eminent among Jews.

The political situation of the early Persian period matches well the hierarchical rhetoric of P in Exodus, Leviticus and Numbers, and thereby of the Pentateuch as a whole. Torah and Aaronide priests rose to prominence together in this period. Perhaps P was written prior to the Jerusalem Temple's restoration to lay the basis for this constellation of influence, or perhaps it appeared during the early years of the Second Temple's existence.⁶ Either way, it is not hard to see how the influence of Aaronide priests established the Torah's authority, and how the Torah validated the legitimacy of the Aaronide dynasties.⁷

The destruction of the Jerusalem temple by Babylonian armies would have undermined claims for ritual continuity and legitimacy

⁶ D. M. Carr (*The Formation of the Hebrew Bible: A New Reconstruction* [New York: Oxford University Press, 2011], 212–4) observed that concern for priestly issues, such as temple building, the Sabbath, fasting and the importance of the priests themselves, emerges earlier in Persian-period Judean texts than does a focus on Torah per se.

⁷ This review of priesthood in biblical books differs from Wellhausen's famous description (*Prolegomena*, 141–51) mainly in tone. One hundred and fifty years later, it is time to reevaluate the achievements of the Second Temple priests (see further in J. W. Watts, *Ritual and Rhetoric in Leviticus: From Sacrifice to Scripture* [Cambridge: Cambridge University Press, 2007], 142–72).

based on priestly oral traditions. After the passage of two generations, how could Judeans be confident that their priests remembered how to conduct the cult properly? Throughout ancient Near Eastern and Mediterranean cultures, priests and kings used old ritual texts to validate their renewal or reform of ritual practices.⁸ In post-exilic Judea, a Pentateuch containing supposedly thousand-year-old divine revelations to Moses about how to build and service God's sanctuary fulfilled the same purpose. The priests would have used the Pentateuch to guarantee the accuracy of their ritual practices and buttress their authority to adjudicate ambiguous cases.⁹ Displaying and reciting the Torah scrolls conversely gave the books status and prestige as official temple law. So the Pentateuch legitimized Aaronide priests who in turn elevated the scrolls' authority. As time went on, this mutual reinforcement raised Torah's status to unprecedented heights as the first scripture of Western religious history, while it strengthened the Aaronide high priests' religious influence to the point of gaining pre-eminent political power as well.¹⁰

There is a variety of evidence for the scripturalization of the Pentateuch in the Persian or early Hellenistic period.¹¹ It includes the Pentateuch's translation into Greek in the third century B.C.E. That process involved, according to the second-century Letter of Aristeas, the Hebrew text's ritualization as an iconic text and the Greek text's oral performance after its scholarly translation. Ritualizing texts in the iconic and performative dimensions, as well as the dimension of semantic interpretation, is a hallmark of scriptures in later religious communities.¹² Accounts of the second-century Mac-

⁸ J. W. Watts, "Ritual Legitimacy and Scriptural Authority," *JBL* 124 (2005), 401–17; reproduced in Watts, *Ritual and Rhetoric*, 193–217.

⁹ For priestly interests in first-millennium textual conservation and production throughout the ancient Near East, see especially D. M. Carr, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (Oxford: Oxford University Press, 2005), 201–72; also E. Bickerman, *Jews in a Greek Age* (Cambridge: Harvard University Press, 1987), 162–3; for a summary of the debate over the identity of Second Temple era Jewish scribes, see C. Schams, *Jewish Scribes in the Second-Temple Period* (JSOTSup, 291; London: Continuum, 1998), 15–35.

¹⁰ This conclusion has been challenged by Rooke, *Zadok's Heirs*, 243–65. Her argument, however, rests on a distinction between religious and political authority that does not account for contradictory and competing forms of authority, especially in a context of imperial domination; cf. Vanderkam, *From Joshua to Caiaphas*, 179–81.

¹¹ For a more detailed survey, see J. W. Watts, "Using Ezra's Time as a Methodological Pivot for Understanding the Rhetoric and Functions of the Pentateuch," in T. B. Dozeman, K. Schmid and B. J. Schwartz (eds.), *The Pentateuch: International Perspectives on Current Research* (FAT, 78; Tübingen: Mohr Siebeck, 2011), 498–506.

¹² J. W. Watts, "The Three Dimensions of Scriptures," *Postscripts* 2/2–3 (2006), 135–59; reproduced in J. W. Watts (ed.), *Iconic Books and Texts* (London: Equinox, 2013), 8–30.

cabean Revolt also reflect this three-dimensional ritualization of Torah: the Maccabean heroes consulted Torah in explicit analogy to the way “the Gentiles consult images of their gods” (1 Macc 3:48), they consulted Torah or read it aloud when marching into battle (2 Macc 8:23), and their enemies targeted Torah scrolls for destruction because of their iconic value to traditionalists (1 Macc 1:56–57). Aristeas and the books of Maccabees emphasize the leadership of priests. Records of the last two centuries of the Second Temple period abound in further examples.¹³

The Pentateuch commands its own ritualization in all three dimensions: iconic deposit of the tablets of the Decalogue and the Torah scroll in and beside the ark of the covenant (Exod 25:16; 40:20; Deut 31:26), performative reading of the Torah to an assembly of all Israel every seven years (Deut 31:9–13), and the semantic study of Torah in private homes and in the royal court (Deut 6:7–9; 17:18–19). The fact that these verses originally referred to smaller texts than the extant Pentateuch has not undermined their application to the whole corpus in later ritual practice. 2 Kings 22–23 suggests that Josiah, one of the last Judean monarchs, tried to ritualize at least the iconic and performative dimensions of Torah, whatever its contents in his day. But Josiah’s death and the reversal of his reforms give no reason to believe that these practices continued. The earliest and best evidence that Torah functioned as scripture comes from the books of Ezra and Nehemiah. The priest and scribe Ezra stages a ritualized reading of “the book of the law of Moses that YHWH commanded Israel” (Neh 8:1). He stood on a platform where everyone could see him open the scroll, to which they responded by standing for the reading (v. 5). The reading was preceded by blessings and prostrations (v. 6). Religious and secular leaders lent their authority by flanking Ezra on either side. Levites translated or interpreted the meaning of the law to the people. The day of the reading was declared a holy festival (vv. 9–11). Though the contours of the Pentateuch’s contents may still not have been finalized when this account was written, it nevertheless indicates that the three-dimensional ritualization of Torah was well underway.

¹³ I speak here of “scripturalization” rather than “canonization” because the concerns invoked by the latter term—the list of books considered scripture and the standardization of their form and contents—tend to result from ritualizing all three dimensions of a text that give it scriptural status, rather than being preconditions for it. Scripturalization therefore tends to precede and create the need for standardizing and canonizing a body of literature, rather than follow from such processes. For a study of scripturalization in a twentieth-century tradition where the developments are well documented, see S. Loner, “Be-Witching Scripture: The Book of Shadows as Scripture within Wicca/Neopagan Witchcraft,” *Postscripts* 2/2–3 (2006), 273–92; reproduced in Watts (ed.), *Iconic Books and Texts*, 239–58.

In contrast to the Pentateuch and much other Second Temple literature, however, the books of Ezra and Nehemiah do not celebrate the high priest and his family. They instead criticize the priests for marrying outside the community and for allowing foreigners to defile the temple. They, for the most part, ignore ritual practices within the temple. Ezra-Nehemiah therefore provide an early example of the dichotomy of revered scripture versus suspect priesthood that has typified later Jewish and Christian traditions, as well as much modern historical scholarship.

2. EZRA-NEHEMIAH'S ANTI-PRIESTLY RHETORIC

Calling the books of Ezra and Nehemiah “anti-priestly” may sound strange, since they celebrate the priest, Ezra. The books introduce him with his Aaronide lineage (7:1–5) before noting his scholarly skills as a *ספר מהיר בתורת משה*, a “scribe skilled in the law of Moses” (7:6). They then regularly describe Ezra by both titles, *הכהן הספר* “the priest and the scribe” (7:11, 12, 21; Neh 8:9; 12:26) or either title alone (“priest” in Ezra 10:10, 16 and Neh 8:2; “scribe” in Neh 8:1, 4, 13 and 12:36). The theme of rebuilding the temple occupies the largest part of these books (Ezra 2 to Nehemiah 7). They portray the governor, Nehemiah, ensuring the provisioning of the temple (Neh 12:44, 47) and report that, as a result, “Judah rejoiced over the priests and the Levites who served” (v. 44).

Ezra, however, criticizes the priests along with other families for marrying foreign women (Ezra 9–10). They include a daughter of Nehemiah’s rival governor in Samaria, Sanballat (Neh 13:28). Nehemiah condemns priests for allowing the temple to be polluted by foreigners (Neh 13:4–9). Among the loyal supporters of Ezra’s reforms, Levites appear more prominently than priests (Ezra 8:15–20; Neh 8:7–9).

The books of Ezra and Nehemiah not only depict priests in an unfavorable light, but they also under-emphasize the temple’s rituals in comparison with other Second Temple literature, such as Chronicles, Ben Sira, the Letter of Aristeas and the Qumran scrolls, not to mention the Pentateuch. Though Ezra is called “priest,” the books never depict Ezra performing temple rituals. He instead works as a senior scribe and Persian bureaucrat. While their account of the initial restoration of Judea focuses on offerings and temple reconstruction (Ezra 3–6), the stories about reading the Torah publicly (Neh 8) and recommitting the community to Torah obedience (Neh 9–10) take place away from the temple and without ritual offerings. The ritual response to the Torah reading consists instead of making booths for Sukkot at home and in the town gates, and only secondarily in the temple (Neh 8:16). The books transition smoothly from the task of rebuilding the temple to that of rebuilding Jerusalem’s walls, so that temple and city merge in the people’s efforts to re-establish their community. Priests appear

simply as one element within that community.¹⁴ By contrast, the Greek book of 1 Esdras ignores Nehemiah while calling Ezra “the chief priest” (9:39) and stages its plot between two temple festivals, King Josiah’s Passover (1:1–22) and Ezra’s reading of the Torah, which here takes place “in the open square before the gate of the temple” (9:41).

Within the books of Ezra and Nehemiah, the attitude towards priests is not consistent. Nehemiah 8 even highlights cultic personnel: a priest reads the Torah, which is then interpreted by Levites. The uneven contents of Ezra and Nehemiah and the variant account in 1 Esdras indicate that the books were produced through a complicated process of composition and redaction. Historians frequently maintain that 1 Esdras reflects a Hebrew text older than Ezra and Nehemiah. In that case, the development of Ezra and Nehemiah represented a sharpening of the attack on the priests.¹⁵ Others argue that 1 Esdras abbreviated and adapted Ezra and Nehemiah to dilute its anti-priestly bias. In either case, the critique of priests developed through the compositional stages of the books themselves, which can be distinguished by, among other things, their pro- or anti-priestly tendencies.¹⁶

As a result, interpreters have long used the books of Ezra and, especially, Nehemiah to reconstruct the history of antagonism between temple priests and Torah scribes. For example, Lee Levine identified the city gate area in which Ezra’s Torah reading took place (Neh 8:1) as the functional forerunner of the synagogue.¹⁷ It served as a community center for a variety of activities, including an alternative ritual site to the temple. Shaye Cohen described the development of Torah study and synagogues as a “democratization of religion” away from its Temple and priest-centered rituals.¹⁸ Jacob Wright observed that Ezra’s reading had both “cognitive” and “cultic” consequences as the Torah began to be treated “as an iconic book.” He found here the beginning of a tension between Torah and temple when some groups advocated “the study of the Torah and the confession of ‘the sins of the fathers’ within the newly built walls of Jerusalem as an alternative to the temple and sacrifices performed by a high priest that was in league with the

¹⁴ T. C. Eskenazi, *In an Age of Prose: A Literary Approach to Ezra-Nehemiah* (SBLMS, 36; Atlanta: Scholars Press, 1988), 188–9.

¹⁵ So D. Böhrer, *Die heilige Stadt in Esdras α und Esra-Nehemia* (Göttingen: Vandenhoeck & Ruprecht, 1997); and Carr, *Formation*, 78–82.

¹⁶ So J. L. Wright, *Rebuilding Identity: The Nehemiah Memoir and its Earliest Readers* (BZAW, 348; Berlin: De Gruyter, 2004); T. Reinmuth, “Nehemiah 8 and the Authority of Torah in Ezra-Nehemiah,” in M. J. Boda and P. L. Redditt (eds.), *Unity and Disunity in Ezra-Nehemiah: Redaction, Rhetoric, Reader* (Sheffield: Sheffield Phoenix Press, 2008), 256.

¹⁷ L. I. Levine, *The Ancient Synagogue: The First Thousand Years* (2nd ed.; New Haven: Yale University Press, 2005), 28–34.

¹⁸ S. J. D. Cohen, *From the Maccabees to the Mishnah* (Philadelphia: Westminster, 1987), 75, 101–2, 160–2; similarly Eskenazi, *Age of Prose*, 189–92.

enemies of the Restoration.”¹⁹ A generation earlier, Martin Hengel, followed by many others, thought the Levites were empowered by their new role as scribes and teachers of Torah.²⁰

There is, however, very little evidence for the influence in the Second Temple period of Ezra and Nehemiah or the influence of the books that bear their names outside of these books themselves. This is most obvious with regard to their position on marriage to foreigners. The Pentateuch prohibits marriage with particular ethnic groups (Deut 7:1–4) but does not mandate endogamous marriage generally, despite the claims of the books of Ezra and Nehemiah that it does (Ezra 9:12; Neh 9:2–3; 10:29–30; 13:1–3). In fact, Numbers 12 criticizes Aaron and Miriam for complaining about Moses’ Cushite wife. Other Second Temple-era literature also disputes or ignores endogamy by placing a Moabite woman in David’s ancestry (Ruth 4:18–21), by reporting six other exogamous marriages in the clan of Judah (1 Chr 2:3, 17, 34–35; 3:1–2; 4:17, 22),²¹ and by showing exilic Judeans being rescued by a Jewish woman’s marriage to a Persian king (Esther). And while Malachi criticizes marriages to foreign women (2:11), it also denounces divorce (2:15–16). Gary Knoppers has warned, “The perspective of the editors of Ezra-Nehemiah should not be taken, therefore, as the representative viewpoint of *the* late Persian or early Hellenistic age.”²² Ralf Rothenbusch suggested that Ezra and Nehemiah reflect the characteristic concerns of diaspora communities for group boundaries, while these other texts show little sympathy for those concerns in the Persian-period Judean homeland.²³

Texts dating from the Hellenistic period do show a hardening of attitudes against exogamy (e.g., Tob 4:12; *T. Levi* 9:9–10; *Jub.* 30:10). This trend can be traced among Egyptian Jewish communities where the fifth-century Elephantine Jewish papyri show no objections to the practice, but second-century Jewish enclaves seem

¹⁹ J. L. Wright, “Writing the Restoration: Compositional Agenda and the Role of Ezra in Nehemiah 8,” in M. Leuchter (ed.), *Scribes Before and After 587 B.C.E.: A Conversation*, *JHS* 7/10 (2007), http://www.jhsonline.org/Articles/article_71.pdf (accessed 6/25/2013); also, in more detail, idem, “Seeking, Finding and Writing in Ezra-Nehemiah,” in Boda and Redditt (eds.), *Unity and Disunity*, 294–304, 335.

²⁰ M. Hengel, *Judaism and Hellenism* (2 vols.; Philadelphia: Fortress, 1974), 1:78–83; idem, “‘Schriftauslegung’ und ‘Schriftwerdung’ in der Zeit des Zweiten Tempels,” in M. Hengel and H. Löhr (eds.), *Schriftauslegung im antiken Judentum und im Urchristentum* (WUNT, 74; Tübingen: Mohr Siebeck, 1994), 1–71 (31); so also, e.g., J. Schaper, *Priester und Leviten*, 305–6.

²¹ G. N. Knoppers, “‘Married Into Moab’: The Exogamy Practiced by Judah and his Descendants in the Judahite Lineages,” in C. Frevel (ed.), *Mixed Marriages: Intermarriage and Group Identity in the Second Temple Period* (LHB/OTS, 547; London: T & T Clark, 2011), 170–91.

²² Knoppers, “Married Into Moab,” 191.

²³ R. Rothenbusch, “The Question of Mixed Marriages between the Poles of Diaspora and Homeland,” in Frevel (ed.), *Mixed Marriages*, 73–77.

to have avoided it.²⁴ Those Dead Sea Scrolls that mention the subject oppose intermarriage (e.g., *4QMMT* B39–41, B81–82; 11QT ii 12–15). Hannah Harrington surveyed all the scrolls and concluded that the strict marriage policies of the Qumran community reflected the ideas and terminology of the books of Ezra and Nehemiah.²⁵ Those ideas and terms, however, appear also in Tobit and Jubilees and it is notable that the Qumran scrolls never cite or quote the books of Ezra and Nehemiah on this subject, or any other. The scrolls instead extend Lev. 21:7, 13–15’s restrictions on priestly marriages to the community as a whole, as Harrington observed, just as they extend other aspects of temple law to the broader community.²⁶ The argument that these ideas originated with the books of Ezra and Nehemiah rests only on the fact that these are the earliest books *we have* that voice these ideas. That observation demonstrates neither direct nor indirect influence.

Nor do the books of Ezra and Nehemiah seem to have influenced the thought of the period in other ways. Nehemiah (person and book) does not appear in 1 Esdras or among the Dead Sea Scrolls; the latter include one fragmentary manuscript of Ezra. Ezra the scribe, however, does not appear in Ben Sira’s review of “famous men,” while Nehemiah does (Sir 49:13). By contrast, the Qumran library contained at least fifteen manuscripts of Leviticus in three different languages (Hebrew, Greek, Aramaic)²⁷ and countless references and allusions to its contents in other works. More broadly, many Second Temple-period books include the celebration of the priesthood as a major theme (e.g., Ben Sira, Jubilees, Testament of Levi, Aramaic Levi, etc.).²⁸ When Ezra and Nehemiah do get cited, they serve other purposes than the themes emphasized by their own books. 1 Esdras returns attention to priests and priesthood, calling Ezra “the high priest.” 4 Esdras

²⁴ S. Grätz, “The Question of ‘Mixed Marriages’ (Intermarriage): the Extra-Biblical Evidence,” in Frevel (ed.), *Mixed Marriages*, 192–204.

²⁵ H. K. Harrington, “Intermarriage in Qumran Texts: The Legacy of Ezra-Nehemiah,” in Frevel (ed.), *Mixed Marriages*, 251–79. See also C. Hayes, *Gentile Impurities and Jewish Identities* (Oxford: Oxford University Press, 2002), 82–89, and A. Lange, “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,” *BN* 139 (2008), 79–98.

²⁶ Harrington, “Intermarriage,” 259.

²⁷ P. W. Flint, “The Book of Leviticus in the Dead Sea Scrolls,” in R. Rendtorff and R. Kugler (eds.), *The Book of Leviticus: Composition and Reception* (VTSup, 93; Leiden: Brill, 2003), 323–41 (323–4, 337–41); S. Metso, “Evidence from the Qumran Scrolls for the Scribal Transmission of Leviticus,” in J. Pakkala and M. Nissinen (eds.), *Houses Full of All Good Things: Essays in Memory of Professor Timo Veijola* (Helsinki and Göttingen: Finnish Exegetical Society and Vandenhoeck & Ruprecht, 2008), 507–19.

²⁸ See J. Kugel, “Levi’s Elevation to the Priesthood in Second Temple Writings,” *HTR* 86 (1993), 1–63.

recasts Ezra as an apocalyptic seer. 2 Maccabees 2:13 recalls Nehemiah for founding a library and re-founding the cult. Only Ben Sira remembers him for rebuilding Jerusalem and its walls. The tendency of later literature to mention either Ezra or Nehemiah but not both even led Joseph Blenkinsopp to surmise that they had become “emblematic of contrasting ideologies” advanced by rival sects.²⁹

Also, despite the prevalence of the idea that the synagogue and scribal interpretation challenged the priestly cult in the Second Temple period, there is scant evidence that serious attacks on the priests’ cultic monopoly emerged until the first century C.E., though the priests were frequently criticized for corruption as in Nehemiah 13. Instead, priests and priesthood were valued by all Jewish groups in the period whose extant texts mention them, as Risa Levitt Kohn and Rebecca Moore have observed:

Many scholars posit a shift at this point in time (between Ezra in the mid-5th century B.C.E. to the Maccabean Revolt of 167 B.C.E.) from priestly to lay authority. . . . Extant Second Temple sources, however, provide little evidence to substantiate this vision. There is no textual support from this period to document a major shift of power and authority from priestly to lay hands. Rather, to the extent that any shifts take place, they occur between competing priestly groups or between increasingly specialized subgroups. Instead, what appears to have existed in the period of so-called Second Temple “Judaisms” is a central priesthood, located in the temple that interacts and responds to the various explanations of Torah that these different interpretive communities present.³⁰

That political situation expresses rather well the vision of P as expressed in Exodus, Leviticus and Numbers. It testifies to the Torah’s dominance as the most important text in Jewish and Samaritan society at the time. There is no evidence that the books of Ezra and Nehemiah, however they were used, dented the priests’ prestige.

Given the dominance of Aaronide priests in this period and the lack of influence exerted by Ezra and Nehemiah’s policies or books, the pressing historical question is rather why these books

²⁹ J. Blenkinsopp, “The Development of Jewish Sectarianism from Nehemiah to the Hasidim,” in O. Lipschits, G. N. Knoppers and R. Albertz (eds.), *Judah and the Judeans in the Fourth Century B.C.E.* (Winona Lake: Eisenbrauns, 2007), 396–7; idem, *Judaism, the First Phase: The Place of Ezra and Nehemiah in the Origins of Judaism* (Grand Rapids: Eerdmans, 2009), 189–227.

³⁰ R. Levitt Kohn and R. Moore, “Rethinking Sectarian Judaism: The Centrality of the Priesthood in the Second Temple Period,” in S. Dolansky (ed.), *Sacred History, Sacred Literature: Essays on Ancient Israel, the Bible, and Religion in honor of R. E. Friedman on His Sixtieth Birthday* (Winona Lake: Eisenbrauns, 2008), 195–213 (202–3).

were ever included in the scriptural canon at all. What could have motivated Aaronide priests to validate books that criticize them and down-play their institutions? One plausible answer is that they never did. The third section of Hebrew scripture, the *Ketuvim*, remained fluid and open well into the rabbinic period. Perhaps Ezra and Nehemiah were included by the rabbis after 70 C.E. as another element in their campaign to discredit the Second Temple-era priests.

Ezra-Nehemiah may also, however, have served the earlier interests of the Hasmonean dynasty of priest-kings. Commentators have frequently seen their interests motivating the depiction of Nehemiah's militaristic defense of Jerusalem and the inclusion of the Hasmoneans' ancestor, Joiarib, in the genealogies of the priests.³¹ The Hasmoneans may also have regarded themselves, a different branch of the Aaronide family, as exempt from Ezra's and Nehemiah's criticisms of the Oniad's Persian-period marriages. They could have used the books to discredit the rival dynasty that they displaced from the priesthood in Jerusalem but which still held office in the Jewish Temple in Leontopolis, Egypt, and perhaps in Samaria as well. The books could certainly help stoke anti-Samaritan feelings before and after the demolition of their temple by John Hyrcanus.

The Hasmoneans or the rabbis may have found yet another reason for valuing the books of Ezra and Nehemiah. They provide a missing link in the Torah's origin story. Of course, the Pentateuch narrates its own origin in the account of Moses receiving and writing God's laws at Sinai (Exod 24:3–4). It also mandates the Torah's preservation beside the ark and regular publication in Israel through public readings and individual study (Deut 31:9–13; 6:7–9). The written Torah's subsequent history is not so evident from biblical literature. The story of Josiah's reform explains the book's absence from much of monarchic history by describing its rediscovery in the Jerusalem temple (2 Kgs 22–23). Nevertheless, no literary record accounts for its preservation through the Babylonian destruction and exile. Only the books of Ezra and Nehemiah provide some indications of how to fill out that story by implying that Ezra brought the Torah from Babylon to Jerusalem (Ezra 7:14) and then showing him reading it aloud to the people (Neh 8) in accord with Deuteronomy's mandate and Josiah's precedent.³² Along with picking up the story where Chronicles leaves off and narrating the rebuilding of Jerusalem and its temple, Ezra and Nehemiah narrate

³¹ E.g., Böhler, *Die heilige Stadt*, 394–7; Blenkinsopp, *Judaism*, 174–6; Carr, *Formation*, 168–9.

³² It is unlikely that the Jerusalem community did not already use and venerate Pentateuchal traditions in some form. Nevertheless, only the stories about Ezra refer explicitly to Torah scrolls.

the return of Torah to legitimize the community's religious and legal status.³³

Origin stories play a key role in mythologizing iconic books, just as they do cult statues and relics, as Dorina Miller Parmenter has shown.³⁴ Such origin stories often emphasize not just the origin of the relic, statue or book, but also the means by which it reached its present location.³⁵ Ezra-Nehemiah's implication that the Torah survived among the exiles in Babylon provides a crucial piece in the argument for the authority of the Torah and therefore of the Temple and its priesthood that depended on Torah for their legitimation. Several ancient texts indicate that some people felt the need for such an origin and preservation story by the end of the Second Temple period: 2 Maccabees 2:13–14 claims that both Nehemiah and Judah Maccabee founded libraries in Jerusalem and 4 Esdras 14:23–48 relates a more miraculous account of a divinely inspired Ezra rewriting of all of the *Tanakh* plus seventy esoteric books besides.

Nevertheless, neither its validation of the Torah's survival nor its criticism of the Oniad priests nor its repudiation of the Samaritans provided sufficient motivation for the *halakah* of Ezra and Nehemiah to become authoritative in the Second Temple or rabbinic periods. The books remained rarely cited sources for an obscure historical period in the canonical back-water of the *Ketuvim*.³⁶ By contrast, all the evidence points to the Pentateuch, with Aaronide dynastic claims at its center, as the dominant Jewish text of the Second Temple period.³⁷ Its influence only grew as the

³³ My thanks to Christophe Nihan for pointing out the link to the end of Chronicles.

³⁴ D. Miller Parmenter, "The Bible as Icon: Myths of the Divine Origins of Scripture," in C. A. Evans and H. D. Zacharias (eds.), *Jewish and Christian Scripture as Artifact and Canon* (London: T & T Clark, 2009), 298–310.

³⁵ See P. Geary, "Sacred Commodities: The Circulation of Medieval Relics," in A. Appadurai (ed.), *The Social Life of Things: Commodities in Cultural Perspective* (Cambridge: Cambridge University Press, 1986), 169–91 (186).

³⁶ Leviticus, for example, is the most over-represented scripture relative to its size among the Babylonian Talmud's citations of biblical books, followed by Deuteronomy, Exodus and Numbers. Ezra and Nehemiah are among the most under-represented relative to their size, ranking ninth and fourth from last among all biblical books (M. L. Satlow, "Bible in the Bavli: The Bavli's Citation of Biblical Books," *Then and Now* [cited 10/18/2012]. Online: <http://74.220.215.212/~mlsatlow/?p=491>).

³⁷ The large number of manuscripts of Leviticus found at Qumran indicate the book's importance to the sectarians. So does the fact that four were copied in paleo-Hebrew script which seems to have been reserved for the most important books that were attributed to Moses (Flint, "Book of Leviticus," 328–30). The frequent citations of Leviticus in non-biblical texts from the Second Temple period show its influence. The Qumran Temple Scroll (11QT) "quotes or paraphrases portions of twenty-three

period wore on. The reason for the Torah's status is clear: it supported the religious claims explicitly and the political claims implicitly of the dominant groups in Jewish and Samaritan society, namely, high priestly dynasties that claimed descent from Aaron.

chapters, and more than half of the two dozen rulings" in 1QMMT are based on Leviticus's ritual instructions (Flint, "Book of Leviticus," 329). At least twenty sectarian works from Qumran quote Leviticus, while "Philo's writings contain parallels from every chapter of Leviticus [and] Josephus in his *Antiquities* uses parallels from 20 out of the 27 chapters of Leviticus" (Metso, "Evidence," 516–7).