# Jacob: Friend or Foe of the Ezekiel Tradition?

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The following submission, an extract from my thesis, argues that the book of Ezekiel polemicizes against both the Abraham and Jacob tradition in order to argue that the future inhabitants of the land will come from the exiles. I envision the main points of discussion to be the following three points: (1) has the argument that there is a polemic against the Jacob tradition been sustained; (2) is this argument, along with the polemic against Abraham, sufficient evidence those two traditions were combined prior to the composition of Ezekiel; (3) can this evidence be construed as an indication that the book of Ezekiel underwent a redaction to harmonize the patriarchal and exodus traditions.

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This chapter will explore how the book of Ezekiel employs the "as I live" and "lifted hand" formulae in order to shape a message that identifies a purified remnant of the Babylonian exiles as the rightful heirs to the land of Judah while simultaneously challenging the Babylonian imperial ideology that the destruction of Jerusalem and its temple indicated Marduk had defeated and killed YHWH. This discussion will indicate that the "as I live" and "lifted hand" formulae are tightly linked to the exodus tradition and that these connections are employed by the book to advance its theological program. A number of these themes associated with the divine oath have hitherto not been recognized by scholars. When duly noted they help to clarify the book's attitude towards the future of YHWH's land, people and even God's own leadership. Although these are themes commonly discussed in relation to Ezekiel, the additional insights offered by the "as I live" and "lifted hand" formulae contribute new and significant insights on several problematic texts.

## *1. The Divine Oath and the Future of YHWH's Land*

The land remains a central concern of the exilic community despite their distance from it. Indeed, Allen is certainly correct to observe that in the book, "Life is repeatedly defined in terms of

returning to the land."[1] Such a return, however, was not welcomed by all. The question "who shall possess the land of Israel in the future?" is perhaps the most contentious one in Ezekiel, a situation indicated by the argumentative tone exhibited by the passages where the book of Ezekiel expresses its view that the rightful heirs to the land were amongst the exiles. Modern scholars' interest in these passages is both to understand their meaning but also to use them as a means of reconstructing the socio-political dynamics of the sixth-century B.C.E. This scrutiny is also due to the lone mention of Abraham in the book: "The word of the LORD came to me: Mortal, the inhabitants of these waste places in the land of Israel keep saying, 'Abraham was only one man, yet he got possession of the land; but we are many; the land is surely given us to possess'" (Ezek 33:23-24). Or, perhaps better said, much attention has been given to grasping what motivates Ezekiel's vitriolic reaction to this claim. With all of this in mind, this section will demonstrate that the "as I live" and "lifted hand" formulae are key components in a sustained engagement with the patriarchal tradition in Ezekiel. The "as I live" divine oath, in particular, serves as the sharp edge of Ezekiel's verbal sword used to pierce the claims of the non-exiles that YHWH has promised them possession of the land because of their descent from Abraham and Jacob.

This argument is based primarily on exegesis of Ezek 5:5-17, 33:23-29, 20:32-44 and 35:1–36:15. However, it ranges far beyond those texts, engaging others within Ezekiel and more outside the book. The relevance of the current argument in such a wide range of texts reinforces its validity and underscores its importance to Ezekiel's theology.

*(a) Ezek 5:5-17*

Following the call of the prophet Ezekiel and a series of sign actions, Ezek 5:5-17 possesses a key *Sitz in der Literatur*: as the first direct address by the prophet to his audience it introduces the magnitude and extraordinary nature of the judgment that will come upon Jerusalem. This speech sets the stage for all that follows in chapters 6–24, and even for a great deal of what is found in Ezek 33:23–48:35. The address to Jerusalem follows on logically from the sign actions that precede it. It is notable that Jerusalem is described as "in the midst of the nations and surrounded by countries" (Ezek 5:5). The is a description of Mt Zion, although the explicit reference is missing.[2]

1. Leslie C. Allen, *Ezekiel 20–48* (WBC 29; Dallas, Tex.: Word Books, 1990), xxiv.

2. Walther Zimmerli, *A Commentary on the Book of the Prophet Ezekiel, Chapters 1–24* (Hermeneia 1; Translated by Ronald E. Clements. Minneapolis, Minn.: Fortress Press, 1979), 41; Daniel I. Block, *The Book of Ezekiel: Chapters 1–24* (NICOT; Grand Rapids, Mich.: Eerdmans, 1997), 197-99; Thomas Renz, "The Use of the Zion Tradition in the Book of Ezekiel," in *Zion, City of Our God* (eds. Richard S. Hess, and Gordon J. Wenham; Grand Rapids, Mich.: Eerdmans, 1999).

Although it remains debatable whether Ezekiel endorses the election of Jerusalem contained in the Zion tradition, the positive portrayal of the renewed Jerusalem in Ezek 20 as "my holy mountain" (הר־קדשׁי, Ezek 20:40) suggests a positive, even if somewhat distant, relationship to the Zion tradition. This complex use of well-known images and language is indicative of how the book as a whole interacts with other theological traditions.

Crucially, YHWH's judgment is characterized as that which YHWH has refused to do previously. Verse 9 is explicit in this regard: the fate of Jerusalem is is something "YHWH has never done and will never do again."[3] The particulars of this unprecedented judgment are listed in vv. 13-16, showing an unmistakable connection to the exodus tradition. The connection of these verses to Lev 26 is noted regularly,[4] but their links with Num 14 and Deut 32 have received much less attention. Greenberg and Block[5] have both explored the connections to Deut 32, with Greenberg remarking on 5:5-17 that, "the affinities with Lev 26 are most pronounced (with embellishments, toward the end, from Deut 32)."[6] The connection to Num 14 remains largely absent from discussion. Yet, the judgment is described as occurring "in the sight of the nations" (לעיני הגוים, v. 8) and as "in the sight of all who pass by" (לעיני כל־עובר, v. 14). Both descriptions suggest a reversal of Num 14:13-16 where Moses pleads that YHWH not destroy the first exodus generation all at once because of what the Egyptians will conclude about God's power. This idea is also paralleled in Deut 32:26-27, a connection not discussed by Greenberg or Block. Furthermore, YHWH declares that the time for tolerance has ended and that, "my eye will show no pity; nor will I show mercy."[7] This reverses the forebearance promised in Num 14:20, an attitude also found in Deut 32:36. These links establish the importance of Num 14 and Deut 32 as background and adumbrate their importance for what follows.

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3. וְעָשִׂיתִי בָךְ אֵת אֲשֶׁר לֹא־עָשִׂיתִי וְאֵת אֲשֶׁר־לֹא־אֵעֶשֶׂה כָמֹהוּ עוֹד. My translation.

4. Zimmerli, *Ezekiel 1*, 175-76; Moshe Greenberg, *Ezekiel 1–20: A New Translation with Introduction and Commentary* (AB 22; Garden City, N.Y.: Doubleday & Co, 1983), 124-28; Block, *Ezekiel 1–24*, 204; Risa Levitt Kohn, *A New Heart and a New Soul: Ezekiel, the Exile and the Torah* (JSOTSup 358; London: Sheffield Academic Press, 2002), 43-75.

5. Block, *Ezekiel 1–24*, 203-4, 212-6.

6. Greenberg, *Ezekiel 1-20*, 127.

7. וְלֹא־תָחוֹס עֵינִי וְגַם־אֲנִי לֹא אֶחְמוֹל. Following Block's translation (Block, *Ezekiel 1–24*, 205).

*(b) Ezek 33:23-29*

A major shift in the book of Ezekiel comes at 33:21-22 with the report of Jerusalem's destruction.[8] Most interpret this message as the fulfillment of the judgment against Israel discussed in chapters 1–24, from which it is separated by the oracles against the nations in chapters 25–32, and the event that allows for the following oracles of salvation. This three-fold division of the book has its merits, but it can obscure that Ezekiel's message in 33:23 and following remains tinged with judgment.[9]

Ezekiel 33:23-29 is a disputation speech, a form highlighted by the opening statement of the interlocutor's words to preface YHWH's counterargument, that focuses on who has the right to dwell in the land. The *a fortiori* logic of the non-exiles thesis is clear:[10] "Abraham was one man and he possessed the land. And we are many: to us the land is given as a possession."[11] On the surface, the logic of the prophet's response is equally transparent: the non-exiles have defiled themselves by their conduct and, thus, they will die in YHWH's judgment. If they perish they most certainly cannot possess the land.

In 1972 John Van Seters framed the deeper issues raised by Ezekiel's hostility to the non-exiles' Abraham-based land claims:

> ... what is noteworthy is the fact that the theme of the promise to the patriarch and his descendants is not used. Furthermore, Ezekiel repudiates an appeal to Abraham as a claim to the land because for him possession of the land is entirely conditional upon obedience to the law. For him the law and the promise were two aspects of the oath or covenant with the fathers of the exodus-wilderness generation.[12]

Van Seters further argues that Ezekiel's response indicates there did not yet exist a connection between the tradition of YHWH's land promise to the patriarchs as recorded in Gen 12–35 and the exodus tradition in the sixth-century BCE .[13] Moreover, the mention of Abraham without Jacob is

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8. Walther Zimmerli, *A Commentary on the Book of the Prophet of Ezekiel, Chapters 25–48* (Hermeneia 2; Translated by James D. Martin. Philadelphia: Fortress Press, 1983), 193-94; Moshe Greenberg, *Ezekiel 21–37: A New Translation with Introduction and Commentary* (AB 22A; New York: Doubleday & Co, 1997), 681-82; Daniel I. Block, *The Book of Ezekiel: Chapters 25–48* (NICOT; Grand Rapids, Mich.: Eerdmans, 1998), 234-35.

9. Contrary to this traditional three-fold understanding of judgment against Israel, judgment against the nations and salvation for Israel, see Marvin A. Sweeney, "The Assertion of Divine Power in Ezekiel 33:21-39:29," in *Form and Intertextuality in Prophetic and Apocalyptic Literature* (Fat 45; Tübingen: Mohr Siebeck, 2005) and Tyler D. Mayfield, *Literary Structure and Setting in Ezekiel* (FAT II/43; Tüningen: Mohr Siebeck, 2010).

10. Greenberg, *Ezekiel 21-37*, 684.

11. Translation is mine.

12. John Van Seters, "Confessional Reformulation in the Exilic Period," *VT* 22 (1972): 449.

13. For further development of this argument, see Van Seters subsequent work in John Van Seters, *Abraham in History and Tradition* (New Haven, Conn.: Yale University Press, 1975) and John Van Seters, *Prologue to History:*

evidence those two traditions had not yet been integrated.[14] Many interpreters continue to believe that Ezek 33:23-29 is entirely compatible with a pre-exilic combination of the Abraham and Jacob traditions[15] by contending Ezekiel's objection is limited to just the behavior of the non-exiles. But, by applying the insights gained about the "as I live" and "lifted hand" formulae, one can see that Ezekiel's view is predicated on ideas that challenge the very premises of the Abrahamic claims. The response, equally importantly, is saturated with allusions to the exodus tradition, underscoring Ezekiel's belief that Egypt was Israel's place of origin. All of these points are supported by themes connected with the "as I live" divine oath formula. The principal one is the "as I live" formula's allusion to YHWH's power in the exodus from Egypt, to which the experience of the exiles will be directly compared. A key passage for seeing this connection is Deut 32:39-43.

A logical starting point is the connection between the "as I live" formula and the disputation speech. Ezekiel 33:23-29 initially suggested the link between the divine oath and the disputation speech and its particular application of the form underscores the contentious nature of the land. It also introduces a broader overlap between this genre and the land debate: the five passages that address possession of the land (11:14-21; 20:1-31; 20:32-44; 33:23-39; 35:10-15)[16] all incorporate this form in some way. Of these, only Ezek 11:14-21 lacks the "as I live" formula, an exclusion that will be explained in due course.

The "as I live" formula is preceded in Ezek 33:23-29 by a series of six indictments and is followed by a series of six punishments, placing it at the critical pivot from the motivation for YHWH's judgment to the specification of it.[17] The six indictments show strong connections to Lev 26:[18]

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*The Yahwist as Historian in Genesis* (Zürich: Theologischer Verlag Zürich, 1992). This line of argument is expanded and augmented by Römer (Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition* [OBO 99; Göttingen: Vanderhoeck & Ruprecht, 1990]). See now Matthias Köckert, "Die Geschichte Der Abrahamüberlieferung," in *Congress Volume Leiden 2004* (ed. André Lemaire; VTSup 109; Leiden: Brill, 2006), 106.

14. On the independence of the Jacob narrative from the Abraham narrative, see Blum (Erhard Blum, *Die Komposition der Vätergeschichte* [WMANT 57; Neukirchen-Vluyn: Neukirchener Verlag, 1984]) and Carr (David M. Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches* [Louisville, Ky.: Westminster John Knox, 1996]). Römer also has suggested this possibility (Thomas Römer, "Recherches Actuelles Sur Le Cycle D'abraham," in *Studies in the Book of Genesis: Literature, Redaction and History* [ed. A. Wénin; Bibliotheca Ephemeridiom Theologicarum Lovaniensium 160; Leuven: Peeters, 2001], 192).

15. Greenberg, *Ezekiel 21-37*, 687-90; Block, *Ezekiel 25–48*, 258-61.

16. One might add Ezek 34:1-16 and chapter 37 to this list, although this is debatable.

17. Block mentions that vv. 24-29 are a remarkable hybrid of the prophetic proof oracle and the classic disputation (Ibid., 258). This is achieved, in part, by the way the "as I live" formula functions.

18. Fishbane notes, "In fact, the language of these punishments echoes the punishments for covenantal malfeasance listed in Lev. 26: 19, 25, 30-33, and thus underscores the fact that the delicts noted in Ezek 33:25 refer to

| Action | Ezekiel | Holiness Code |
|---|---|---|
| Eating meat with blood | 33:25 | Lev 17:10-16; 19:26 |
| Worship gillulim | 33:25 | Lev 26:30 |
| Shed blood | 33:25 | Lev 17:4? |
| depend on their sword | 33:26 | Lev 17:4[19] |
| commit abominations | 33:26 | Lev 18:22, 26, 27, 29, 30; 20:13 |
| defile their neighbor's wife | 33:26 | Lev 18:20; 20:10 |

The six punishments have a similar relationship:

| Judgment | Ezekiel | Holiness Code |
|---|---|---|
| Fall by sword | 33:27 | Lev 26:25 |
| Devoured by animals | 33:27 | Lev 26:22 |
| Die by pestilence | 33:27 | Lev 26:25 |
| Desolate and Devestate the land | 33:28 | Lev 26:33 |
| End the land's proud might | 33:28 | Lev 26:19 |
| None will pass through | 33:28 | |

In his recent study on the use of the H by Ezekiel, Lyons notes, "This technique, wherein the author draws on different prohibitions in H, changes them into accusations, and combines them" occurs throughout Ezekiel.[20]

acts of covenantal malfeasance found in Lev. 17–18" (Michael Fishbane, *Biblical Interpretation in Ancient Israel* [Oxford: Clarendon Press, 1985], 294).

19. Based on Greenberg's connection with the previous wrongdoing in "shedding blood" (Greenberg, *Ezekiel 21-37*, 685).

For all that, the depth of congruence between Ezekiel and H's theology regarding the land is rarely perceived. This recognition depends upon the distinction between who suffers the first three and the last three punishments. The sword, wild beast and pestilence (v. 27) will fall upon the people left in the land, i.e. those interlocutors quoted at the outset of this disputation speech. The remaining three judgments, by contrast, are addressed to the land (הארץ), specified as the mountains of Israel (הרי ישׂראל) in v. 28b. This subtle shift indicates that the defiling behavior of the non-exiles caused both them *and the land* to be impure.[21] That idea is otherwise unique to H.[22] Nihan remarks:

> More generally, disobedience to the law is now repeatedly conceived of as leading to the pollution not only of the sanctuary (Lev 20:2, 4), as in P (Lev 4; 16), but of the entire land (Lev 18:24-30; 20:22ff; and 26:34-35!), a notion unparalleled elsewhere in the Torah although here again it is reminiscent in some respects of the theology of the book of Ezekiel where a similar view is found with regard to the city of Jerusalem (see, e.g., Ez 22).[23]

Besides Nihan's connection to Ezek 22, others link the idea with Ezek 36:25.[24] Another occuring in Ezek 33 is, then, unsurprising. This idea is also present in Deut 32:39-43: the final strophe of the poem introduces its assertion that YHWH, "will repay those who hate him, and cleanse the land

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20. Michael A. Lyons, *From Law to Prophecy: Ezekiel's Use of the Holiness Code* (Library of Hebrew Bible/Old Testament Studies 507; New York: T & T Clark, 2009), 95.

21. Jacob Milgrom, *Leviticus 17-22: A New Translation with Introduction and Commentary* (AB 3A; New York: Doubleday, 2000), 1404-05; Jan Joosten, *People and Land in the Holiness Code: An Exegetical Study of the Ideational Framework of the Law in Leviticus 17-26* (VTSup 67; Leiden: Brill, 1996), 169-92, particularly 178-80; Christophe Nihan, *From Priestly Torah to Pentateuch* (FAT II/25; Tübingen: Mohr Siebeck, 2007), 395-575. Kutsko anticipates this point (John F. Kutsko, *Between Heaven and Earth: Divine Presence and Absence in the Book of Ezekiel* [Biblical and Judaic Studies from the University of California, San Diego 7; Winona Lake, Ind.: Eisenbrauns, 2000], 126-27, note 110).

Galambush has argued for a distinction between Ezekiel and Leviticus on this point (Julie Galambush, "God's Land and Mine: Creation as Property in the Book of Ezekiel," in *Ezekiel's Hierarchical World: Wrestling With a Tiered Reality* [eds. Stephen L. Cook, and Corrine L. Patton; Sbl Symposium 31; Atlanta, Ga.: Society of Biblical Literature, 2004], 98-102). However, the distinction she attempts to draw between the land as merely victim in Leviticus (and Jeremiah for that matter) and guilty of its own sins in Ezekiel (highlighting Ezek 6, 7, 14:12-23) is overstated. This is demonstrated by Lev 18:25, wherein the land is punished for its iniquity (וָאֶפְקֹד עֲוֹנָהּ עָלֶיהָ). The relationship between people and land for H and Ezekiel is so close that the land (under its various titles) can be a metonymy for the people when desired.

22. Even if one accepts Milgrom's argument that the concept of land pollution is, "stated (or implied) by every pentateuchal source (e.g., Gen 4:11-12 [JE]; Num 25:33-34 [P]; Deut 21:4 [D])," (Milgrom, *Leviticus 17-22*, 1575) it is important to note that even Milgrom qualifies this by observing that, "H has taken the ubiquitous notion that homicide pollutes the land... and applied it to other violations" (Ibid., 1579). Because Ezekiel's specifies the defiling actions go far beyond homicide, and even beyond the "sexual violations" that Milgrom identifies in D (Ibid., 1404), this passage should be correlated to H and not to a more commonly held concept, even if that general outlook did indeed prevail.

23. Nihan, *From Priestly Torah to Pentateuch*, 559.

24. Milgrom discusses this interpretation at Qumran and amongst the rabbis (Milgrom, *Leviticus 17-22*, 1574).

for his people" (Deut 32:43bβ) with the "as I live" formula too.[25] It does not seem coincidental that these passages share a concern for the defilement of the land and its need for cleansing.

How is Ezekiel's and H's shared conception related to a polemic against the Abraham tradition? The answer lies in the terminology of the non-exiles claim: "Abraham was one man and he possessed (וַיִּירַשׁ) the land. And we are many: to us the land is given as a possession (רֵשָׁה–לָמוֹ)" (Ezek 33:24). The noun מוֹרָשָׁה is rare, and especially so outside of Ezekiel where it only refers to the land once.[26] However, Rendtorff has demonstrated that the related verb is central for Gen 15,[27] the quintessential statement of the land promise to Abraham.[28] Whereas Gen 15 uses יָרַשׁ in an overwhelmingly positive sense, all seven instances of מוֹרָשָׁה in Ezekiel are negative.[29] Five times it refers to one nation being conquered by another (Ezek 25:4, 10; 36:2, 3, 5) and the two other instances (Ezek 11:15; 33:24) appear in the non-exiles' land claims that Ezekiel rejects. When Ezekiel does intend to speak positively the people's control of the land the book selects either אֲחֻזָּה,[30] the term used in Lev 17–26, or נַחֲלָה, a word favored in Deuteronomy and DtrH.[31]

Each of these three terms possesses a particular ideological slant. Habel explains the nuance of מוֹרָשָׁה as used positively in Gen 15: "Here Abraham, progenitor of the people of Israel and the representative of the ancestral households of Israel, is promised the land unconditionally and given control (*yaraš*) over that land for the people."[32] This differs from אֲחֻזָּה, H's preferred term, which Habel explains refers to those, "who possess their land as property (*ʾaḥuzzah*) held in tenure under

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25. S. R. Driver, *A Critical and Exegetical Commentary on Deuteronomy* (ICC; 3 ed. Edinburgh: T & T Clark, 1902), 380-81.

26. Exod 6:8. Deut 33:4 refers to the torah of Deuteronomy.

27. Rolf Rendtorff, "Genesis 15 im Rahmen der theologischen Bearbeitung der Vätergeschichten," in *Werden und Wirken des Alten Testaments: Festschrift für Claus Westermann* (eds. R. Albertz, and et al.; Göttingen: Vandenhoeck & Ruprecht, 1980). See also Daniel I. Block, *Gods of the Nations: Studies in Ancient Near Eastern National Theology* (Evangelical Theological Society Monograph Series 2; Jackson, Miss.: Evangelical Theological Society, 1988), 79-81.

28. One might further note that another four occurrences of verbal forms from יָרַשׁ occur in the the patriarchal narratives and build connections to both Isaac and Jacob. Cf. Gen 21:10; 22:17; 24:60 (where it is applied to Rebekah); 28:4 (where it is referred to as "the blessing of Abraham" [בִּרְכַּת אַבְרָהָם]).

29. Ezek 11:15; 25:4, 10; 33:24; 36:2, 3, 5.

30. Ezek 44:28; 45:5-8; 46:16, 18; 48:20-22.

31. Ezek 35:15; 36:12; 44:28; 45:1; 46:16-18; 47:14, 19, 22-23; 48:28-29. Cf. Deut 4:20-21, 38; 9:26, 29; 10:9; 12:9, 12; 14:27, 29; 15:4; 18:1-2; 19:10, 14; 20:16; 21:23; 24:4; 25:19-26:1; 29:7; 32:9. At the risk of being repetitive, one might again note the combination of Dtr and H terms employed by Ezekiel.

32. Norman C. Habel, *The Land is Mine: Six Biblical Land Ideologies* (OBT; Minneapolis, Minn.: Fortress Press, 1995), 125.

divine ownership."[33] Gerleman's detailed study on אחזה and נחלה brings further clarity: "As אחזה, the land is not described as a belonging, but as arable land of Israel that is granted as an allocation and for usufruct."[34] Thus, אחזה emphasizes that YHWH remains the true owner of the land and offers Israel only conditional residence whereas מורשה signifies a permanent, unconditional right to the land, possibly even implying that true ownership has passed from YHWH to the human residents.[35] The book of Ezekiel selects its words carefully in order to simultaneously indict the behavior of the non-exiles and refute the very premise of their appeal to Abraham. Namely, the descendants of Abraham cannot possess (ירשׁ) the land because YHWH will not allow any group to control the land in this way. The form of this two-pronged rebuttal demonstrates that Ezek 33:23-29 is a polemic against the Abraham tradition. Furthermore, the allusions to Lev 17–26 and Deut 32:39-43 identify this argument with the exodus tradition, reinforcing the position that those two traditions were in conflict when this passage was composed.

Further evidence for this line of argument comes from Ezek 11:14-21. This passages includes a claim strikingly similar to the inhabitants of Jerusalem in Ezek 33:23-29: "They have gone far from the LORD; to us this land is given for a possession (לנו היא נתנה הארץ למורשה)."[36] Despite lacking an explicit reference to the Abraham tradition, the recurrence of enmity between the non-exiles and the exiles and the claim that the land has become a מורשה present an undeniable connection between the two. Ezekiel 33:23-29 and 11:14-21 also employ the same polemical logic. The important concept that the land has become defiled can also be inferred from Ezek 11:18: "when they return to it they will remove all its detestable things and all its abominations

33. Ibid., 110; Block, *Gods of the Nations*, 81-84.

34. "Als אחזה wird das Land nicht als Eigentum, sondern als Anbaugebiet Israels bezeichnet, das zur Verfügung und Nutzung eingeräumt wird" (Von Gillis Gerleman, "Nutzrecht und Wohnrecht: zur Bedeutung von אחזה und נחלה," *ZAW* 89 (1977): 318). Although Habel stresses the differences between אחזה and נחלה (Habel, *The Land is Mine*, 99), Gerleman correctly draws them closer together. He argues, "Die Erklärung dieser vieldiskutierten Erscheinung ist einfach und ergibt sich von selbst, wenn man sieht, daß נחלה nicht »Eigentum«, sondern »Wohnsitz« meint" (Gerleman, "Nutzrecht und Wohnrecht," 320). Cf. Block, *Gods of the Nations*, 76-79.

35. One might further support this distinction by looking at the different terms used in Gen 15 and 17 for the land promise. In Gen 15, the tradition closest to the non-exiles claim, the verb ירשׁ is used five times. Genesis 17 instead chooses to specify the land as לַאֲחֻזַּת עוֹלָם (Gen 17:8). One might read in this the security of YHWH's promise, e.g. the promise continues indefinitely. However, one might just as readily stress that עוֹלָם modifies, and thus qualifies, אחזה and indicates that the land will always be held in tenure and remain owned by YHWH, presumably to utilize differently if so preferred.

36. Zimmerli, *Ezekiel 2,* 198; Greenberg, *Ezekiel 21-37*, 688;Block, *Ezekiel 25–48*, 258; Paul M. Joyce, *Ezekiel: A Commentary* (Library of Hebrew Bible/Old Testament Studies 482; London: T & T Clark International, 2007), 193.

from it." That is, they will cleanse the now defiled land. This concept also underlies the notoriously difficult phrase in v. 16: "Therefore say: Thus says the Lord GOD: Though I removed them far away among the nations, and though I scattered them among the countries, yet I have been a sanctuary to them for a little while (מקדשׁ מעט) in the countries where they have gone." The difficulties in translating the phrase מקדשׁ מעט are well known, and even though its interpretation remains debatable, there is sufficient evidence for the temporal understanding used here.[37] This is based partially on Joosten's description of the nexus between land and people in H:

> One of the theological axioms of H—in fact, the most fundamental of its theological axioms—is that YHWH is present in the midst of his people, in the camp and, later, in the land. YHWH's holy presence radiates outward from the sanctuary throughout the entire land and imposes its demands on all the inhabitants. This fundamental axiom explains the notions of YHWH's ownership and lordship over the land. The land occupied by the Israelites is his because he dwells there in his sanctuary.[38]

Ezekiel 33:23-29 indicated that this view is shared by Ezekiel. Its two-fold dynamic – the land belongs to Israel because YHWH dwells there and YHWH's demands are relevant because of his presence – underlies all of Ezek 11:16-21. The first half, YHWH's presence, or in Ezek 11 YHWH's absence, shows the invalidity of the Jerusalemites claim. YHWH had to leave Jerusalem because its pollution made it impossible to dwell there any longer (cf. Ezek 8–9). But, the second half, explaining YHWH's revolutionary choice to be present with the exiles,[39] albeit "neither to the same degree nor on as permanent a basis as it had been heretofore,"[40] was not necessary. In taking this step, YHWH emulates his presence in the exodus. Taken together, these themes declare unmistakably that it is from the exiles that the future inhabitants of the land will emerge.

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37. Good overviews are provided in Block (Block, *Ezekiel 1–24*, 349-50) and Joyce (Joyce, *Ezekiel*, 112-14. Joyce indicates there are two reasons to prefer the degree interpretation: (1) vv. 16 and 17 should be read separately, not linked, and (2) usage elsewhere permits this translation. The second is indisputable; the degree interpretation is possible based on other occurrences. However, the first places a harder break between the two verses than necessary. They are separate, but are both responses to the non-exiles contention and can be read in parallel. Verse 16 addresses the present tense response of YHWH, that is what God is doing. Verse 17 addresses the future response of YHWH, that is what God will do. This evidence for the temporal interpretation is further supported by the sign act in Ezek 4:4-9 (cf. Greenberg, *Ezekiel 1-20*, 104-05) and, in due course, by the way Ezekiel manipulates the themes of the Babylonian *akītu* festival.

38. Joosten, *People and Land*, 176-77.

39. Cf. Ezek 5:9.

40. Block, *Ezekiel 25–48*, 350.

*(c) Ezek 20*

Perhaps the best known discussion of the land in Ezekiel is ch. 20, which, despite its prominence, continues to produce problems for interpreters. Chapters 3 and 4 brought clarity to how vv. 1-31 employ the "lifted hand" land transfer formula: portraying YHWH as the royal figure who authorizes the transfer of all land, it explains that the numerous changes in Israel's relationship to the land have all been under YHWH's control. The argument continues in vv. 32-40, which turns its attention to the future in order to describe the exiles' return as a second exodus through which YHWH will once again transfer control of the land to them.

The common interpretation of the "lifted hand" formula as part of the divine oath obscures the real importance of it in Ezek 20. As a result of the consensus view, many scholars suggest that נשׂא יד functions as a synonym for YHWH's oath with the verbal root שׁבע that is so common in Deuteronomy. For instance, Römer, in his extremely thorough analysis of the oath of the land, writes:

> This phrase [נשׂא יד] ... speaks, in my opinion, of the clear parallelism to the Dtr נשׁבע texts for the retention of the usual translation "he raised the hand (to swear)" (cf. the parallel of חי אנ(כ)י and נשׂא יד in Ezek 20 and Deut 32:40).[41]

Pons had previously proposed the same dynamic: "Initially, Ezekiel moves intentionally away from Deuteronomy: it uses נשׂא יד for 'to render an oath,' instead of שׁבע as is habitual in Deuteronomy."[42] For Pons, this was one of many indications that Ezek 20 is actually a polemic against Dtr. Seely, as another example, remarks: "Ezekiel prefers *nśʾ yd* while the Deuteronomic material is full of *nšbʿ*. This may show an archaizing tendency in Ezekiel, or simply that he prefers other traditions to Deuteronomy."[43] These examples could be multiplied, but the point is clear. Albeit correct to note the subtle yet important avoidance of the characteristically Dtr שׁבע, these scholars are wrong about the rationale. Ezekiel is not opposed to Dtr, which is demonstrated by

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41. Ibid., 492-93. "diesem Ausdruck ... spricht m. E. der eindeutige Parallelismus zu den dtr נשׁבע-Texten für die Beibehaltung der üblichen Übersetzung "die Hande (zum Schwur) erheben" (vgl. auch das Nebeneinander von חי אנ(כ) und נשׂא יד in Ez 20 und Dtn 32,40)."

42. Pons, "Le vocabulaire d'Ez 20," 218-19. "Éz s'éloigne d'abord délibérément de Dt il utilise נשׂא יד pour «prêter serment», au lieu de שׁבע si habituel au Dt."

43. David Rolph Seely, "The Raised Hand of God as an Oath Gesture." in *Fortunate the Eyes that See: Essays in Honor of David Noel Freedman in Celebration of His Seventieth Birthday (*Ed. Astrid B. Beck. Grand Rapids, Mich.: Eerdmans, 1995), 420.

Ezek 20's use of the Dtr "as I live" authenticating element. Rather, Ezekiel does not use שׁבע because that expresses a singular, permanent promise of blessing that was sworn to the ancestors in Egypt. To express the numerous changes in status YHWH decrees for Israel *vis-à-vis* the land, Ezekiel must choose the "lifted hand" land transfer formula. In so doing, the book also draws on its broader connotation in the ancient Near East: recall that Labuschagne's study of the land transfer formula indicated that, "The documents... picture him [the king] as administrator and controller of the land and estates, in fact *as the real owner of land*... He takes property away from the one and gives it to the other... that is, he 'transfers' property from one to the other."[44] This is precisely the viewpoint used in Ezek 33:23-29 and 11:14-21 in order to refute the non-exiles' claims. Its fourfold appearance in Ezek 20:1-31 indicates how deeply this view is imbedded in the book of Ezekiel's theology.

Greater attention to Ezek 20:32-44 is now necessary. This disputation focuses on YHWH's intention to gather the people out of exile, to purify them in the desert by judging those continuing in rebellion and, finally, to restore them to the land of Israel with worship in Jerusalem. These steps can be summarized as a second exodus, a motif previously associated with Ezek 20:32-44.[45] Recent studies have shown this theme is constructed with a mix of terms from Dtr, P and H.[46] The most detailed of these studies is the 2002 monograph *A New Heart and a New Soul* by Risa Levitt Kohn.[47] Notwithstanding the thorough nature of her study, Levitt Kohn fails to recognize the connections between the "as I live" formula, divine judgment in the Dtr tradition, and the exodus motif. Observing the interplay of these features only magnifies the exodus theme. Tellingly, the very first words in YHWH's speech are חי אני, recalling immediately the divine judgment announced in Dtr exodus tradition (Num 14:21; cf. Num 14:28). Further, v. 33 pairs the "as I live" formula with the Dtr phrases "a mighty hand and an outstretched arm" and "with wrath poured out" creating an unmistakable surge of Dtr themes and language. Later in YHWH's speech (v. 42) the

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44. C. J. Labuschagne, "The *Našû-Nadānu* Formula and Its Biblical Equivalent," in *Travels in the World of the Old Testament: Studies Presented to Professor M. A. Beek on the Occasion of His 65th Birthday* (eds. G. Heerma van Voss et al.; 1974), 177. Emphasis added.

45. Levitt Kohn, *A New Heart and a New Soul*, 107-10; Corrine Patton, ""I Myself Gave Them Laws That Were Not Good": Ezekiel 20 and the Exodus Traditions," *JSOT* 69 (1996):; Block, *Ezekiel 1–24*, 651; Joyce, *Ezekiel*, 153.

46. This recognition is coming even from outside of studies focused directly on Ezekiel as evidenced by Römer's work (Römer, *Israels Väter*, 504).

47. Levitt Kohn does not distinguish between D and Dtr nor between P and H in this chapter or in her conclusions. The latter is unfortunate given the work by Milgrom (Milgrom, *Leviticus 17-22.*) and Knohl (Israel Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* [Minneapolis, Minn.: Fortress Press, 1995]), now joined by Nihan (Nihan, *From Priestly Torah to Pentateuch*), that demonstrates the important and substantial differences between P and H.

"lifted hand" land transfer formula appears again, in this case drawing in the priestly tradition of the same exodus events (cf. Num 14:26-38). This confirms the earlier observation that Ezek 20 positively adopts Dtr and H language in order to express its theology. Moreover, by presenting the return from exiles as yet another change in the people's status in relationship to the land effected by YHWH, Ezek 20:32-44 implicitly denies the non-exiles's claims based upon the Abrhamic tradition.

In view of these emphases, the rather innocuous comment that YHWH will lead the exiles out "from the land of their sojourn" (מארץ מגוריהם) gains new significance. Whereas the patriarchal tradition describes Canaan as the land of sojourn in a positive sense (cf. Gen 17:8; 21:22-34; 26:1-5; 28:4; 35:27), here the author shifts that location to Babylon and gives it a negative undertone. The exchange of Canaan for Babylon is more than coincidental, but evidence from other passages is necessary to demonstrate it.

*(d) Ezek 35:1 - 36:15*

The third passage in Ezekiel that addresses the land and its future inhabitants is Ezek 35:1–36:15. Although the ancient versions generally understood this as two separate oracles, modern scholars have recognized their connection, a feature reinforced by the divine word formula in 35:1 that opens the section and the same formula in 36:16, indicating the opening of a new section. In between, the oracles to Mt Seir and the mountains of Israel detail the future prospects for the land. Although those basic details are not in dispute, there remains much debate about why this foreign nation oracle is the lone one to appear outside the otherwise unified collection in Ezek 25–32. What was so special about Edom that might have prompted this arrangement? A common answer identifies the content of the oracle against Edom in ch. 35 as a particularly good thematic pair for the restoration oracle to Israel in Ezek 36:1-15. The compiler, an astute reader, placed the two oracles together in order to underscore the coming restoration of the land and resettlement of YHWH's people there. Some propose a slightly more sophisticated, but largely comparable, scenario that emphasizes the downfall of Edom as the basis for the blessing of Israel. Joyce summarizes this as "the 'seesaw'/'teeter-totter' phenomenon with Israel's fortunes rising as those of the

nations decline."[48] Recently, Assis has offered a new variation on this idea by noting the particularly hostile attitude towards Edom in no less than ten separate passages.[49] Assis argues that the:

> widespread historical reasons given to this phenomenon—Edom's participation in the downfall of Judah and the Edomite infiltration into Judah—are not satisfactory... Since Edom was seen as an alternative to Israel, being identified with Esau, Jacob's brother, it was thought possible that God had now chosen Edom as his people in place of Israel. The Edomite participation in Judah's destruction and especially their settlement in the promised land in their place supported their impression that Edom has replaced Israel. The anti-Edomite oracles were meant to instil into the hearts of the people that, despite the destruction, Israel is still the chosen people and the sins of Edom against Judah will not remain unpunished.[50]

Assis should be applauded for this creative suggestion.[51] However, he asserts a plausible reconstruction with only one text to support it: Mal 1:1-5.[52] Even though that text certainly addresses the election of Jacob over Esau, the eponymous ancestor of Edom, Mal 1:3-4 concerns the land of Edom, not that of Israel. Verse 5 drives home this difference by specifying its interest is YHWH's power to control events outside of Israel.

There is, however, a preferable explanation for the placement of this oracle and the identity of Edom. Johan Lust has demonstrated that, "the editors of Ezekiel sarcastically identified the inhabitants of Jerusalem with the Edomites"[53] and in Ezek 35–36 "the term [Edom] refers, not to historical-geographical Edom, but rather to Edom-Esau, the brother-enemy of Israel, and was used as a nickname for the inhabitants of Jerusalem, as opposed to 'real Israel' in exile or in the diaspora."[54] In support of this identification, Lust offers, "the quotations of Edom in Ezekiel 35–36 are

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48. Joyce, *Ezekiel*, 200. Joyce offers this summary in commenting on Mathews study of Isaiah 34 -35 (Claire R. Mathews, *Defending Zion: Edom's Desolation and Jacob's Restoration (Isaiah 34-35) in Context* [BZAW 236; Berlin: Walter de Gruyter, 1995]).

49. Assis lists the following: Isa 21:11-12; 63:1-6; Jer 49:7-22; Ezek 25:12-14; 35; Joel 4:19-21; Amos 1:11-12; 9:13-15; Obad; Mal 1:1-5.

50. Elie Assis, "Why Edom? On the Hostility Towards Jacob's Brother in Prophetic Sources," *VT* 56 (2006): 19; Cf. Sweeney, 170.

51. For instance, he is certainly correct in the approach he takes to the historicity of the Jacob and Esau tradition, building from its well known status by the 6th century and not debating the details of how that situation came to pass (Assis, "Why Edom?", 9).

52. Assis cites as evidence texts indicating Israel's despair about its situation after 587 BCE; this despair is undoubted, but that despair is always related to Israel's rejection without any text specifying YHWH has replaced Israel. He offers two further "facts" for her position: there was Edomite participation in the destruction of Jerusalem and the Edomite colonized some land in Judah. In sum, one finds all this evidence to be less an argument for the position than circumstantial evidence that could, but certainly must not, relate to the assertion.

With regards to Ezekiel, even if Mal 1:1-5 could sustain the argument, the relevance of this passage would remains questionable because it post-dates Ezekiel.

53. J. Lust, "Edom - Adam in Ezekiel, in the MT and LXX," in *Studies in the Hebrew Bible, Qumran, and the Septuagint Presented to Eugene Ulrich* (eds. Peter W. Flint et al.; VTSup 101; Leiden: Brill, 2006b). Because this article was published the same year as Assis', it does not deal with his proposal.

almost identical with those of the inhabitants of Jerusalem in 11:15 and 33:23."[55] Lust's argument contains the best parts of Assis' position and combines it with a stronger textual basis for identifying Edom. Insofar as the book of Ezekiel is concerned, the exiles did not fear that YHWH had rejected them in favor of Edom, but rather the book expresses its disdain for the non-exiles making claim to their recently lost estates by use of this couched slur.[56] Thus, there is a simple explanation for the location of this passage outside chapters 25–32: Ezek 35–36 is not a foreign nation oracle!

Lust fails to carry his argument on to consider an even more significant part of the rationale for using the designations Mt Seir and Edom for the non-exiles: an attempt to subvert the Jacob tradition and its role in underpinning their claim to the land. How is this possible when Jacob is mentioned positively elsewhere in Ezekiel? How can the same figure appear here in such an antagonistic fashion all the while remaining totally unnamed? Chapter 4 demonstrated that the first mention of Jacob in the book (Ezek 20:5a) is a late insertion on two points: first, the otherwise unattested usage of the "lifted hand" formula in that half verse and, second, the contradictory nature of a positive mention of the patriarch in the midst of an extended oracle placing Israel's origin in Egypt. There remain three other mentions of Jacob in the book: 28:25, 37:25 and 39:25. The phrase "my servant Jacob" appears in 28:25 and 37:35:[57]

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|---|---|
| וְיָשְׁבוּ עַל־אַדְמָתָם אֲשֶׁר נָתַתִּי לְעַבְדִּי לְיַעֲקֹב | 28:25 |
| וְיָשְׁבוּ עַל־הָאָרֶץ אֲשֶׁר נָתַתִּי לְעַבְדִּי לְיַעֲקֹב | 37:25 |

Commentators have noted that Ezek 28:25-26 sits uneasily in its place, interrupts the flow of the foreign nation oracles, and is likely, "a systematizing summary of Ezekiel's theology (cf. 39:21-29), possibly secondary."[58] Concerning Ezek 37:25, in vv. 24-28 Jacob is not the only person identified as the servant: there are two instances of "my servant David" (vv. 24, 25) that frame the mention of "my servant Jacob." What is more, in the same portion of v. 25 there is a reference to Israel's ancestors (אבותיהם),[59] a far more common term in Ezekiel and one that woud remain

54. Ibid., 400; Renz is less direct, but recognizes that the non-exiles are to be included in this form of address (Thomas Renz, *The Rhetorical Function of the Book of Ezekiel* (Leiden: Brill, 2002), 109).

55. Lust, 389.

56. One may also read in this way Amos 9:12, one of the passages Assis cites in support of her argument.

57. Cf. Isa 44:1-2, 21; 45:4; 48:20; Jer 30:10; 46:27-28.

58. Joyce, *Ezekiel*, 180; Zimmerli, *Ezechiel 2*, 100-01; However, compare with Greenberg's excursus here on the criteria for determining authentic material in Ezekiel (Greenberg, *Ezekiel 21-37*, 597-99).

sensible if the reference to Jacob were omitted.[60] There is also a syntactical oddity about the phrase לעבדי ליעקב, an appositional construction with the preposition repeated.[61] Even though this is possible, and one must allow for the flexibility of a language, it is awkward. Especially so when it is compared to the two instances of "my servant David" that lack the repeated preposition.[62] Finally, the Old Greek translates with ἄρχων, suggesting an original נשׂיא and not the מלך that now appears in v. 25. The Old Greek also lacks the phrase, "they and their children and their children's children shall live there forever." It is certain, then, that v. 25 has been reworked over time. On this basis, it is tempting to conclude that the phrase "to Jacob" is an addition or gloss; the greater likelihood is that the verse has experienced several stages of growth,[63] making it nearly impossible to reconstruct the process by which it arrived in the final form. Yet, it is plausible the mention of Jacob is a late redaction, the logic for which will be detailed shortly.

The final occurrence of Jacob is at Ezek 39:25, part of the section from vv. 21-29 that brings to an end the famous Gog passage. This unit is also regarded as late and it too contains significant evidence of one or more stages of redaction.[64] Verse 25 contains no significant issues, but v. 26 has the challenging phrase ונשׂו את־כלמתם. MT and LXX understand the verb as a defective spelling of the verbal root *nś'*, reading it as an instance of the phrase *nś' klmh* used elsewhere in Ezekiel.[65] However, Lust observes, "Many modern translators and commentaries do not

59. See the BHS apparatus; reading, as is the consensus, with the LXX and S.

60. Ezek 2:3; 5:10; 18:2; 20:4, 18, 24, 27, 30, 36, 42; 36:28; 37:25; 47:14. Note, in particular, the importance of this term in Ezek 20.

61. Cf. Ezek 34:2; Ibid., 695.

62. Note that precisely the same construction occurs in Ezek 28:25. Although it cannot be a direct comparison, it is interesting to add that this appositional structure with the repeated preposition does not appear in Deutero-Isaiah either (Isa 41:8; 44:2; 45:4; 48:20; Cf. 44:1)

63. For instance, Tov has argued that the MT of Ezekiel should be considered a redactional stage of Ezekiel rather than a copy of the text (Emanuel Tov, "Recensional Differences Between the Mt and Lxx of Ezekiel," *ETL* 62 (1986):). Lust has argued, especially with reference to Ezek 34-39, that P967 testifies to an earlier version of the text (J. Lust, "The Use of Textual Witnesses for the Establishment of the Text. the Shorter and Longer Texts of Ezekiel," in *Ezekiel and His Book: Textual and Literary Criticism and Their Interrelation* [ed. J. Lust; BETL 74; Leuven: Peeters, 1986]). Because P967 does include the reference to Jacob, the addition of this phrase must have occurred rather early. However, as will be argued later in this section, it is likely that the addition was made in the late 6th or early 5th century BCE.

64. Lust proposes three stages, but notes the tentative nature of that reconstruction (J. Lust, "The Final Text and Textual Criticism: Ez 39,28," in *Ezekiel and His Book: Textual and Literary Criticism and Their Interrelation* [ed. J. Lust; BETL 74; Leuven: Peeters, 1986a], 53). Klein also assigns Ezek 39:25-29 to a redactional layer later associated with the Gog pericope (Anja Klein, *Schriftauslegung im Ezechielbuch: Redaktionsgeschichtliche Untersuchungen zu Ez 34–39* [BZAW 391; Berlin: Walter de Gruyter, 2008], 113).

65. Ezek 16:52, 54; 32:24-25, 30; 34:29; 36:6-7; 39:26; 44:13. See Ashley S. Crane, *Israel's Restoration: A Textual-Comparative Exploration of Ezekiel 36–39* (VTSup 122; Leiden: Brill, 2008), 192-93 for arguments supporting this interpretation.

accept the Masoretic reading, preferring instead to read the unpunctuated text as: *wnšw klmh*: «They shall forget their shame.»"[66] This reading fits better with the overwhelmingly positive context of the passage, matches Ezekiel's usage of other rare words[67] and, as Joyce remarks, "provides yet another argument for the secondary nature of vv. 21-29."[68] Taking stock of the four mentions of Jacob in Ezekiel, there is substantial evidence each one of these positive mentions of the patriarch is a late addition to the book.[69]

The strong thematic similarities between the four occurrences is further evidence that the passages are connected in some way. In each case where Jacob appears there is also a statement about the security of Israel's dwelling in the land throughout the future. In Ezek 20:5a the intent is certainly to link Jacob with the original promise of the land to Israel. Ezekiel 28:26 and 39:26 both address the future and indicate that when Israel returns it will dwell on the land with security (בטח). Ezekiel 37:25 is even more expansive, suggesting Israel will live dwell in the land forever (עד־עולם). Although caution is necessary when arguing from reconstructions of diachronic growth, combining the evidence for their late dating and thematic coherence suggests these four passages may be part of a coordinated redaction in the book of Ezekiel. This possibility will be considered further in due course, but at this juncture it is only possible to note the precedent for such an effort has been established by Römer's detailed study of the patriarchs in Deuteronomy.[70] Given the relationship between Ezekiel and Dtr in other matters, the prospect they were redacted in a similar process cannot be entirely surprising.

Returning to the issue of the book of Ezekiel's polemic against the non-exiles' use of the Jacob tradition, the evidence from Ezek 28, 37 and 39 reinforces Lust's observation that, "the quotations of Edom in Ezekiel 35–36 are almost identical with those of the inhabitants of Jerusalem in 11:15 and 33:23."[71] To illustrate that there are additional points made against the Jacob tradition a systematic exegesis of 35:1–36:15 is necessary.

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66. Lust, "The Final Text," 51

67. For instance, Lust notes the peculiar use of כנס, a contrast to, "*qibbeṣ*, used elsewhere in Ezekiel in similar contexts" (Ibid., 49).

68. Joyce, *Ezekiel*, 218-19; Baruch J. Schwartz, "Ezekiel's Dim View of Israel's Restoration," in *The Book of Ezekiel: Theological and Anthropological Perspectives* (eds. Margaret S. Odell, and John T. Strong; Symposium 9; Altanta, Ga.: Society of Biblical Literature, 2000), 53.

69. Cf. David M. Carr, *Genesis in Relation to the Moses Story: Diachronic and Synchronic Perspectives* (BETL 155; Leuven: Peeters, 2001), 289, note 50.

70. Römer, *Israels Väter.*; Römer,

71. Lust, 389.

*(i) 35:5-9*

Chapter 35 contains three sections: vv. 1-4, 5-9, and 10-15.[72] Verses 1-4, a preamble to the rest of the chapter, contain two exodus images. First, the familiar phrase, "I stretch out my hand against you," found 13 times in the plague narratives of Exodus, recalls YHWH's power used so that, "The Egyptians shall know that I am YHWH" (Exod 7:5).[73] Second, YHWH's declaration that Edom will be made a desolation (שִׁמָּמָה) and its cities a waste (חָרְבָה) recalls the curses of Lev 26:33.[74] These two phrases also recall the oracle against Edom in Ezek 25:12-14, a similarity that suggests that 35:1-4 may have originated as an oracle against Edom that was later repositioned here. The contrast between vv. 1-4 and vv. 5-15, which introduce additional reasons for judgment and new punishments not found in 25:12-14, also supports this view.

Verses 5-9 begin with a new charge against "Edom": it has cherished an ancient enmity[75] and delivered Israel to the sword. The charge is immediately followed by the "as I live" oath formula, used to introduce YHWH's declaration of judgment. What is unusual in this case, if one takes "Edom" at face value, is that the "as I live" formula precedes judgment against a group of non-Israelites.[76] Indeed, of its 16 instances in Ezekiel, it would be only here and later in the same passage (v. 11) that the formula does not address Israel.[77] An argument for this shift might be the move from pre-fall to post-fall material in chs 33–38, but then one would have to explain why Ezek 34:8 uses the "as I live" formula to announce judgment upon the shepherds of Israel. It is preferable, therefore, to accept "Edom" as an alias for the non-exiles and to draw this example into line with every other occurrence in Ezekiel. This is substantiated by two further indications the non-exiles are in view. First, the guilt of the addressees is described as permitting bloodshed (v. 6b).[78]

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72. Cf. Block, *Ezekiel 25–48*, 311-22.

73. Exod 7:5, 19; 8:1-2, 13; 9:22; 10:12, 21-22; 14:16, 21, 26-27; Ezek 6:14; 14:9, 13; 16:27; 25:7, 13, 16; 35:3. Of the 13 instances in Exodus only 7:5 refers to YHWH's action; in the others, either Moses or Aaron is the subject of this action. Ezekiel, on the contrary, ascribes this action to YHWH in every instance. Whereas Exodus is works to make Moses and Aaron the means of YHWH's actions, Ezekiel's radically theocentric view sees YHWH as the only active agent. Cf. Levitt Kohn, *A New Heart and a New Soul*, 33.

74. Lyons, *From Law to Prophecy*, 183-84; Levitt Kohn, *A New Heart and a New Soul*, 38.

75. This charge appears in the oracles against the nations, directed against the Philistines and not the Edomites.

76. It does not appear that any of the major studies or commentaries note this issue as they are rather uninterested in the meaning of the "as I live" formula as anything more than a tool for emphasizing the other content of the passages in which it appears.

77. There is evidence outside Ezekiel for this usage: Jer 46:18; Zeph 2:9.

78. The text of this verse is problematic. There is clearly a plus in the MT that interrupts the flow from the "as I live" formula to the oath particle אִם־לֹא. Furthermore, there are issues in understanding the phrase דָּם שָׂנֵאתָ. Although none of the proposals is a definitive answer to the problem, Block's proposal to emend the verb to the

Elsewhere in Ezekiel sinful bloodshed is an indictment of Israel's behavior.[79] The instances in chs. 9, 16, 22 (which describe this as one of Jerusalem's sins) are noteworthy, but of utmost relevance is 33:25, where bloodshed typifies the sins of the non-exiles. Second, the outcome of YHWH's judgment – filling "Edom's" hills, valleys and rivers with its slain – is reminiscent of YHWH's punishment of Jerusalem in 11:6. This suggests that another function of the "as I live" formula in this passage is to allude to Deut 32:39-43: the authenticating element, the slain (חלל) and the sword (חרב) each appear in Deut 32:39-43. By invoking these images of YHWH's consuming action in the Song of Moses (Deut 32:42-43), the author evoked its aggressive and enhanced the passion of YHWH' declaration in Ezek 35:5-9.

*(ii) 35:10-15*

The strongest evidence yet for connecting "Edom" with the non-exiled Judeans comes from the disputation speech in vv. 10-15. This dispute opens with a quote that immediately evokes Ezek 11:14-21 and 33:23-29:[80] "These two nations and these two countries shall be mine, and we will take possession (ירשׁ) of them" (Ezek 35:10a; cf. 36:12). It is generally assumed that this represents a gluttonous desire by Edom to possess the land previously controlled by the now defunct northern and southern kingdoms,[81] although some take it as a reference to Edom and Judah.[82] Because of this view, interpreters read v. 10b (ויהוה שׁם היה) as "but YHWH was there." The first difficulty with this reading is justifying the harsh transition from the interlocutors to a different third person subject prior to the logical transition (לכן) at the beginning of v. 11. Olley observes the exceptional nature of such a statement, saying it comes "unexpectedly" and that "elsewhere Lord is speaking in the 1st person."[83] Lust also detects the problem and comments, "It is more likely that the explicit use of the past tense of the verb היה emphasizes the fact that the Lord had left Jerusalem... It may also include an allusion to the quotation in 11:15 in which the inhabitants of

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nominal form and read attributively is the best proposal to date.

79. Ezek 9:9; 16:38; 18:10; 22; 23:37, 45; 24:6; 33:25.

80. As noted earlier, Lust draws on this similarity in his argument for Edom as the non-exiles (Lust,"Edom - Adam," 389-90).

81. Zimmerli, *Ezechiel 2*, 235; Greenberg, *Ezekiel 21-37*, 715; Block, *Ezekiel 25–48*, 318-19; Joyce, *Ezekiel*, 200.

82. John W. Olley, *Ezekiel: A Commentary based on Iezekieœl in Codex Vaticanus* (Septuagint Commentary Series; Leiden: Brill, 2009), 477.

83. Ibid., 477.

Jerusalem (called Edomites in chaps. 35–36) said of the Israelites, 'they have gone far from the Lord.'"[84] Lust is certainly right to draw the connection with 11:15, but once more he fails to carry this insight on to a more significant conclusion. He later notes that, "The Greek translation of 35:10, 'the Lord *is* there,' incongruously anticipates the final sentence of the book."[85] Is it not easier to read v. 10b as a continuation of the interlocutors speech and, having already identified that voice as the non-exiles, to follow the OG translation by understanding this claim as an emphatic restatement of precisely the position the non-exiles' took in 11:14-21 that YHWH was with them and not the exiles? Indeed, this eliminates the peculiarity of 3rd person divine speech identified by Olley and strengthens Lust's position.

"Edom's" stated desire to take possession (ירשׁ) of the land indicates a measure of underlying agreement between the Jacob and Abraham traditions. Recall that ירשׁ was the key term in the non-exiles claims quoted at 11:15 and, specifically in connection with the Abraham tradition, at 33:24. Regarding the latter, the importance of the term ירשׁ for Gen 15, as demonstrated by Rendtorff, was already highlighted.[86] This important term occurs in the Jacob tradition only at Gen 28:4:

> Then Isaac called Jacob and blessed him, and charged him, "You shall not marry one of the Canaanite women. Go at once to Paddan-aram to the house of Bethuel, your mother's father; and take as wife from there one of the daughters of Laban, your mother's brother. May God Almighty bless you and make you fruitful and numerous, that you may become a company of peoples. May he give to you the blessing of Abraham, to you and to your offspring with you, so that you may take possession (לרשׁתך) of the land where you now live as an alien—land that God gave to Abraham."
>
> (Gen 28:1-4)

Although Gen 28:1-4 is typically linked with P's account of the Abrahamic covenant in Gen 17,[87] there is an obvious connection with Gen 15's promise that Abraham will possess the land.[88] Ezekiel's attribution of this important term to parties claiming descent from Jacob (Ezek 35:10-15), not only Abraham (Ezek 11:14-21, 33:23-29), is otherwise unprecedented. This shared premise indicates that the Abraham and Jacob traditions were viewed as compatible, if not already integrated together, in first few decades after the fall of Jerusalem.[89] Though there are many who accept a

84. Lust, 392-93.

85. Ibid., 393, note 17. Emphasis is original.

86. Rendtorff, "Genesis 15".

87. Rolf Rendtorff, *The Problem of the Process of Transmission in the Pentateuch* (JSOTSup 89; Translated by Scullion, John J. Sheffield: Sheffield Academic Press, 1990), 163-64; Carr, *Reading the Fractures*, 87.

88. Römer, "Recherches actuelle," 210.

written form of the Jacob tradition existed prior to the exile, the combination of that material with the Abraham tradition is strongly debated. The evidence from Ezek 35 presents a challenge to those scholars.[90]

Finally, Ezek 35 brings this judgment speech to a close by specifying its addressees as "Mt Seir and all Edom, all of it." Lust remarks that this phrase "is to be contrasted with 'all Israel, all of it' in 36:10. The same phrase... also occurs in 11:15, where it clearly identifies 'real Israel' with the Jews living in exile or in the diaspora, excluding the real inhabitants of Jerusalem."[91] Indeed, it is yet another connection that substantiates interpreting "Edom" as an alias for the non-exiles, a sort of parting shot in this chapter to make certain the message does not go unnoticed. In sum, the various pieces of evidence presented here, when considered together, provide a robust basis on which to read "Mt Seir" and "Edom" in Ezek 35–36 as aliases for the non-exiles in Judah. In light of that identification, and the conspicuous parallels to the claims made via the Abrahamic tradition, it seems that Ezek 35 testifies to an appeal to the land promise to Jacob.

Turning the focus to the theology that underlies Ezekiel's response, one finds that it shares concepts with H and uses language from Dtr in the same way as Ezek 11:14-21, 20:32-44 and 33:23-29. All of chapter 35 has echoes of Lev 26, but this relationship is particularly strong in vv.

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89. Though most accept a written form of the Jacob tradition existed prior to the exile, the combination of that material with the Abraham tradition is strongly debated. Those favoring a pre-exilic combination of the material includes two groups. First, scholars working with a classic formulation of the documentary hypothesis that places JE prior to a typically 7th century D (see, for instance, Ernest W. Nicholson, *The Pentateuch in the Twentieth Century: The Legacy of Julius Wellhausen* (Oxford: Oxford University Press, 1998); J. A. Emerton, "The Origin of the Promises to the Patriarchs in the Older Sources of the Book of Genesis," *VT* XXXII [1982]). Second, among scholars supporting other theories of the Pentateuch's formation, the most notable is Blum (Blum, *Die Komposition.*). Those disputing a connection of the two traditions prior to Ezekiel include many who postulate a late date for J (for instance, Van Seters, *Abraham in History and Tradition*). Römer (Römer, 189-93, especially p. 192) supports the post-Ezekiel combination as does his teacher de Pury, who argued that the combination can be dated confidently to the short period between 535 and 530 B.C.E. (Albert de Pury, "The Jacob Story and the Beginning of the Formation of the Pentateuch," in *A Farewell to the Yahwist: The Composition of the Pentateuch in Recent European Interpretation* (eds. Thomas B. Dozeman, and Konrad Schmid; Symposium 34; Atlanta, Ga.: Society of Bilbical Literature, 2006c); cf. Albert de Pury, "Abraham: The Priestly Writer's 'Ecumenical' Ancestor," in *Rethinking Foundations: Historiography in the Ancient World and in the Bible: Essays in Honour of John Van Seters* (eds. S. L. McKenzie, and Thomas Römer; BZAW 294; Berlin: de Gruyter, 2000a), 180, Albert de Pury, "Situer le cycle de Jacob quelques réflexions, vingt-cinq ans plus tard," in *Studies in the Book of Genesis: Literature, Redaction and History* (ed. A. Wénin; Betl 155; Leuven: Leuven University Press, 2001b) and Albert de Pury, "La tradition patriarcale en Gènese 12-35," in *Le Pentateuque en question: Les origines et la composition des cinq premiers livres de la bible à la lumière des recherches récentes* [eds. Albert de Pury, and Thomas Römer; Le Monde De La Bible 19; Genève: Labor et Fides, 2002]). For a general overview of work on the Abraham tradition see Römer, "Recherches actuelle".

90. Van Seters, *Prologue to History: The Yahwist as Historian in Genesis.* de Pury, "The Jacob Story" places this combination between 539 and 520 BCE; cf. de Pury, "Situer le cycle".

Those supporting a pre-exilic combination of the Abraham and Jacob tradition fall into two groups. )

Those Römer, Israels Väters

91. Lust, 393; Cf. Ezek 20:40.

10-15 where Lyons has identified that the outcome of YHWH's actions, described in vv. 12, 14 and 15, is based on the program of Lev 26.[92] This passage, similar to 33:23-29, personifies the land, a feature otherwise found only in H. In Ezek 33:28 YHWH's judgment is directed against the land; the same thought appears in Ezek 35:15 where Mt Seir receives punishment. Another indicator is the positive description of the land as "the inheritance (נחלה) of the house of Israel" in v. 15, as noted above a term associated with Dtr. For Ezekiel it serves as a positive term for the entire land that will be possessed in the future by YHWH's people[93] and distinguishes the book's perspective from the non-exiles'claims. Chapter 35, it is clear, crafts its judgment speech using the Dtr divine oath of judgment "as I live" and various allusions to its ideological associate H. In sum, one could outline Ezek 35 thus:

| | |
|---|---|
| vv. 1-4 | Original oracle against Edom |
| vv. 5-9 | Judgment introduced with "as I live" divine oath |
| vv. 10-15 | Dispute introduced with "as I live" divine oath |

This illustrates Ezekiel's rhetoric succinctly: the "as I live" divine oath, the leading statement in both judgment speeches, is the sharp point of the sword used to attack the non-exiles' land claims that invoke the patriarchal tradition. The "as I live" formula plays this leading role both because it unmistakably marks the speech as an announcement of judgment while simultaneously evoking YHWH's power as exhibited in the exodus.

*(iii) 36:1-15*

In the second panel of the larger oracle, Ezek 36:1-15, the immediate issue is the undeniable problem in establishing the text, which is in such a confused state that Block opined it, "looks like a patchwork quilt, except that quilts usually reflect more deliberate design."[94] The chapter opens with promising clarity, no scholar doubting that vv. 1-2 can be retained. However, things change abruptly with v. 3 and continue on in a disheveled state until the end of v. 7: each of these five verses opens with the logical continuation particle לכן, contains other prophetic formulae and

92. Lyons, *From Law to Prophecy*, 183-84; Cf. Levitt Kohn, *A New Heart and a New Soul*, 38 and Greenberg, *Ezekiel 21-37*, 724-25.

93. Ezek 35:15; 36:12; 44:28; 45:1; 46:16-18; 47:14, 22-23; 48:29. This can be compared to the other positive term in Ezekiel אחזה (Ezek 44:28; 45:5-8; 46:16, 18; 48:20-22), which is used to refer to the holy district, that is the section of land set apart to contain the city, temple, dwelling of the prince and the Levites.

94. Block, *Ezekiel 25–48*, 322. By contrast to the H term אחזה is used in Ezekiel to refer to the section of land devoted to YHWH.

offers either the opening of an assurance to Israel (v. 3, 4, 6) or of a judgment against Edom (v. 5, 7). Various reconstructions have been offered with the most widely accepted recognizing vv. 3-5 as a series excerpts from other oracles and the proper continuation of vv. 1-2 coming in vv. 6-7. The road is somewhat easier to navigate from there with only v. 10 remaining questionable and v. 12 appearing as a later transition between vv. 8-11* and vv. 13-15.[95] In view of the present argument, it is necessary to reevaluate this judgment and the place of v. 5 in particular. By its inclusion of "the rest of the nations" (שׁארית הגוים) alongside "Edom, all of it," v. 5 recognizes what must have been the historical reality: even though the non-exiles were making confident claims to the land, the actual extent of their control must have been rather small and there is no doubt that foreigners, including the actual Edomites, encroached on Judah's former territory. Moreover, the reappearance of the term מורשׁה connects v. 5 to both v. 2, which is certainly part of the original oracle, and to the theme of ch. 35. To exclude it in spite of these features seems unwise. The end of verse 5 does appear to contain later material,[96] but there is good reason for retaining the majority of it. The proposed reconstruction of 36:1-7* is thus:

(1) וְאַתָּה בֶן־אָדָם הִנָּבֵא אֶל־הָרֵי יִשְׂרָאֵל וְאָמַרְתָּ הָרֵי יִשְׂרָאֵל
שִׁמְעוּ דְּבַר־יְהוָה (2) כֹּה אָמַר אֲדֹנָי יְהוִה
יַעַן אָמַר הָאוֹיֵב עֲלֵיכֶם הֶאָח וּבָמוֹת עוֹלָם לְמוֹרָשָׁה הָיְתָה לָנוּ
(5) לָכֵן כֹּה־אָמַר אֲדֹנָי יְהוִה
אִם־לֹא בְּאֵשׁ קִנְאָתִי דִּבַּרְתִּי עַל־שְׁאֵרִית הַגּוֹיִם וְעַל־אֱדוֹם כֻּלָּה[97]
אֲשֶׁר נָתְנוּ־אֶת־אַרְצִי לָהֶם לְמוֹרָשָׁה בְּשִׂמְחַת[98]
(6) יַעַן כְּלִמַּת גּוֹיִם נְשָׂאתֶם[99]

95. Zimmerli, *Ezekiel 2*, 232-33; Cf. Block, *Ezekiel 25–48*, 322-23, who argues for retaining more of the pericope as original.

96. כָּל־לֵבָב בְּשִׂאָט נֶפֶשׁ לְמַעַן מִגְרָשָׁהּ לָבַז is likely redactional.

97. Reading with BHS, including evidence from Qumran.

98. Discontinue the text of v. 5 here for three reasons: (1) the phrase כל־לבב is not included in LXX and is likely to be a late MT plus (Crane, *Israel's Restoration*, 44); (2) בשאט נפשׁ, not only a very difficult phrase, seems in context to be an explanation for 'with wholehearted delight,' the last portion of which was just excluded on textual evidence; (3) the phrase למען מגרשׁה לבז has no antecedent for the suffix on מגרשׁה and it appears to either be dittography (Elliger's suggestion in BHS) or to be a later gloss (Allen, *Ezekiel 20–48*, 168). Critically, this retains אם־לא in 5a which can then serve to explain, via dittography, for the difference between MT and LXX in v. 7.

99. These majority of v. 6 is excluded because its addressee is the land (אדמה) of Israel and not the mountains, demonstrating its discontinuity. However, the final four words are included for several reasons: (1) the concluding phrase כה־אמר אדני יהוה indicates the end of the phrase; (2) the concluding formula is followed by an obvious editorial Wiederaufnahme, recalling YHWH's jealousy mentioned in v. 5; (3) the final phrase is necessary for v. 7 to

(7) לָכֵן אֲנִי נָשָׂאתִי אֶת־יָדִי אל[100] הַגּוֹיִם אֲשֶׁר לָכֶם מִסָּבִיב הֵמָּה כְּלִמָּתָם יִשָּׂאוּ

> But, you, son of man, prophesy to the mountains of Israel and you will say to the mountains of Israel: "Hear the word of YHWH: 'Thus says Lord YHWH: because the enemy said to you 'Ah' and 'the ancient heights are a possession for us.' Therefore, thus says Lord YHWH, surely with burning jealousy I have spoken against the remnant of the nations and against Edom, all of it, which took my land for themselves as a possession with joy. Because you bore the insults of the nations, therefore I myself will lift my hand against the nations that are round about you and they themselves will bear their insults.'"

This proposed text corresponds well with ch. 35, and thus it is unsurprising that it contains no new indicators of the Jacob tradition, albeit repeating the key term מורשׁה.

The new contribution of this section is using the "lifted hand" formulae to specify that it is YHWH who will judge the presumptuous inhabitants of Judah. Verse 6 indicates that because the land of Israel has borne the insults (כלמה) of the nations YHWH will force those nations to endure the same fate. If any doubt remains that נשׂא יד is not an oath formula, LXX's translation indicates that the oath particle אם־לא in MT is a scribal error for the preposition אל, which is reflected in the above translation.[101] The phrase is actually the formula in its second convention – unique to Ezekiel – that specifies who will inflict the punishment implied in the phrase נשׂא כלמה. Consequently, it recalls YHWH's statement in 11:21 that "I will bring their deeds upon their own heads, says the Lord YHWH," further emphasizing that this speech presents YHWH taking the side of the exiles against the non-exiles.

Ezekiel 36:8-15 also shares the theological viewpoint of Lev 26. In the first place, Lyons details the connections with Lev 26:9: "I will look with favor upon you and make you fruitful and multiply you; and I will maintain my covenant with you." The emphasis on fructification and multiplication appears in vv. 9, 10 and 11 and describes an increase in both population and agricultural production. This theme is enhanced by the rare phrase הנני אליכם, also shared by Ezek 36:9 and Lev 26:9.[102] It was noted earlier that Lev 26:33 serves as background to Ezek 35; the

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make sense.

100. Reading with the LXX ἐπὶ and regarding the MT as an error from dittogrpahy with v. 5.

101. Crane remarks: "LXX does not reflect MT's oath formula of אִם־לֹא ('surely')... Zimmerli (1983, p. 230) suggests that LXX's use of ἐπὶ ('against') for MT's אִם־לֹא presupposes אל... LXX may not have understood the declarative and oath formulae used together here in MT. However, if LXX misunderstood the oath here, then why was it understood elsewhere?" (Crane, *Israel's Restoration*, 45-46).

102. Zimmerli, *Ezekiel 2*, 238; Lyons, *From Law to Prophecy*, 180.

same is true of 36:10, although here the image of wasted cities is used to describe the depths of destruction from which Israel will rise. Finally, though they lack a direct linguistic parallel, vv. 13-15 recall the description of the land in H. In both Lev 18:24-30 and 20:22-26[103] the Israelites are warned not to defile themselves as the previous inhabitants so that the land does not vomit them out (קיא). The description of the land's action in Ezekiel as devouring (אכל) and bereaving (שׁכל)[104] people is somewhat different than H's, albeit not so far from it to obscure the similar conception of what the land is capable of.[105] Of the utmost importance, the ideological basis in both passages is that the land can serve as an active agent, leading both passages to personify the land. Nihan, recognizing this as part of H's distinct theological profile, concludes:

> In Lev 17–26 the general concern for the land's purity is further highlighted by the *personification* of the land, especially in the parenetic framework of Lev 18–20. Whereas the HB knows of a tradition of the land "devouring" its inhabitants (Num 13:32 and Ez 36:13-14), which is also taken up in Lev 17–26 (see 26:38), H goes further and introduces the conception of a land reacting to pollution caused by its inhabitants by "vomiting" them outside its boundaries (Lev 18:24-30; 20:22). The effect of such a conception is to suggest an almost *organic* relationship between the land and its inhabitants... The same conception is expressed in the final exhortation of ch. 26. The land's inability to enjoy its Sabbatical rest (26:34-35) because of the people's crimes will eventually lead to their expulsion and their dispersion among the nations."[106]

Thus, the fundamental theological agreement between Ezekiel and H comes to the fore in this final section. This rounds off the larger oracle that sustains its argument against the non-exiles by selecting language with connections to Dtr and H in order to emphasize YHWH's relationship to his people is rooted in the exodus, and not the patriarchal, tradition.

This section ends with a reference back to the context of the "as I live" divine oath, albeit lacking the actual formula. Greenberg has suggested a connection between 36:1-15 and Num 13–14 based on two linguistic connections in vv. 3-4. Even though those verses are likely redactional,[107] his insight is not entirely nullified as he also notices the ties between the accusation leveled against the land in v. 13 and Num 13:32.[108] In light of the current argument, it is hardly surprising

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103. Lev 20:24a twice includes the verbal root ירשׁ, which is extraordinary in H. It is likely, however, that v. 24a is a later Dtr interpolation; see the discussion in Milgrom, *Leviticus 17-22*, 1759-64, especially p. 1760.

104. See Crane for a discussion on the textual issues and possible wordplay employed here (Crane, *Israel's Restoration*, 56-62).

105. Block, *Ezekiel 25–48*, 335, note 59; contra Nihan who sees the two ideas as distinctly different (Nihan, *From Priestly Torah to Pentateuch*, 559-60).

106. Ibid., 559-60.

107. Greenberg, *Ezekiel 21-37*, 717-8, 725. It might be suggested that vv. 3-4 were added to 36:1-15 because of the connection between v. 15 and Num 13:32.

108. Ibid., 721-22; Cf. Zimmerli, *Ezekiel 2*, 238-39; Block, *Ezekiel 25–48*, 335; Klein, *Schriftauslegung im*

to find such an allusion between Ezek 35:1–36:15 and Num 13–14. But there is a finer point to be put on this too: as his final foray, the author specifically relates the assertions made by the non-exiles' to those of the unbelieving first exodus generation. Is this merely coincidence? In view of the present argument it seems far more sensible to conclude it serves as a final hammer blow in the passage. The importance of comparisons with the first exodus generation will be explored further in section 2 of this chapter.

*(e) Ezek 16:43-58*

The case of hidden identity in Ezek 35:1–36:15 begs the question, does the book of Ezekiel deal with Jacob in a similar way elsewhere? In order to answer this question, it is necessary to look more closely at what Ezekiel knows of the Jacob tradition. Gen 28:4 stood out as the text attesting to the Jacob tradition that the non-exiles' invoked with their claims to possess (*yaraš*) the land. This verse is part of a larger section, 27:46–28:9, typically assigned to P about which David Carr writes:

> Gen 26:34-35; 27:46–28:9 presents Esau as cheating himself out of the blessing by marrying foreign women who upset his parents (26:34-35), and Isaac freely turning to Jacob to give him the blessing and send him forth to find a better wife (28:1-5). In the P narrative, Jacob immediately obeys (Gen 28:7), while Esau in resentment goes to Ishmael and marries Ishmael's daughter, another foreign woman (Gen 28:6, 8-9).[109]

The assignment of this passage to P increases the likelihood that Ezekiel knew this text or the tradition that inspired it. Regardless of such redactional questions, this primary importance of these texts is to highlight the concern given to the descent of Esau's foreign wives.

Commentators have long struggled to understand why Ezek 16:3 traces Jerusalem's origins to the wrong place and wrong parents.[110] The classification of the city as Canaanite, with an Amorite father and Hittite mother, is in tension with other biblical statements.[111] Joyce is certainly right when he observes "the intent here is to insult. Moreover, in so far as the city represents the nation, this ignores the Patriarchal tradition of origins, though this is clearly known (cf. 33:24)."[112] The

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*Ezechielbuch*, 336-37.

109. Carr, *Reading the Fractures*, 87; cf. Gerhard von Rad, *Genesis: A Commentary* (OTL; Translated by Marks, John H. London: SCM Press Ltd, 1961), 281-82; de Pury, "Abraham," 173-74

110. Block, *Ezekiel 1–24*, 474-75.

111. Elsewhere it is identified as a Jebustite city: Josh 18:28; Judg 19:10-11; 2 Sam 24:18-25; 1 Chr 11:4-5.

112. Joyce, *Ezekiel*, 130; cf. Block, *Ezekiel 1–24*, 474-75.

text actually does more than ignore the patriarch tradition, it seeks to subvert it. It is intriguing to note Esau's lineage: even though he is an Israelite through his father Isaac, his matrilineal descent links him to Bethuel the Aramean of Paddan-aram (Gen 25:19-26). Equally, in the P account Esau is ostracized by his parents because "When Esau was forty years old, he married Judith daughter of Beeri the Hittite, and Basemath daughter of Elon the Hittite; and they made life bitter for Isaac and Rebekah" (Gen 26:34-35). Therefore, the descendants of Esau are, in one manner of speaking, Arameans and Hittites. Is this lineage relevant for Ezekiel? Allowing for a minor scribal error, abominable Jerusalem in Ezek 16 has precisely the same lineage as Esau. The necessary scribal error is only the metathesis of א and מ, i.e. supposing the consonants הארמי (Gen 25:20; cf. Ezek 16:57[113]) were accidentally transposed into האמרי (Ezek 16:3) by an early scribe.[114] This argument is conjectural and, it must be admitted, there is no ancient textual evidence for it. However, it is certainly worth noting that the so-called credo of Deut 26:5-11 opens, "A wandering Aramean (ארמי) was my ancestor" (Deut 26:5), an unambiguous reference to Jacob.[115] If that is possible, then a similar designation for Esau cannot be precluded. On the whole, this suggestion adopts the strength of the prevailing insight – that this identification is "sharply polemical"[116] – without having to apologize for the authors intention with a statement like, "Ezekiel is not giving a lecture in ethnography."[117] No, Ezekiel is not an ethnographic textbook. What it is is an exceptionally sophisticated text that uses precise and often cleverly indirect language to make resounding arguments against dissenting views.[118] Is it so far fetched that those subtleties were lost on an early scribe?

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113. There is some question whether the proper reading here is Aram (בנות־ארם) or, following the Syriac tradition, Edom (בנות־אדם). See Greenberg, *Ezekiel 1-20*, 290. The difference could be either scribal error or a simple misreading by the translators. If the present argument is correct, one wonders if Edom is used to draw out the polemic more clearly for the hearer or reader.

114. This must have happened before the Old Greek translation of Ezekiel since no manuscript reflects such a textual variant. One must, in addition, presume that this influenced the similar identification in 16:45. This could have occurred in one of two ways: either the scribe made the same error here, a case of extended dittography, or Ezek 16:43-58 was composed after the scribal error. The first is to be preferred.

115. de Pury argues that Deut 26:5-9 is a Dtr polemic against the nascent Jacob tradition necessitated by its focus on Moses (de Pury,).

116. Block, *Ezekiel 1–24*, 475.

117. Ibid., 475.

118. That such a polemic is possible gains further support from the similarities between Deut 32:1-43 and Ezek 16. First, the two passages have very similar structure (Jason Gile, "Ezekiel 16 and the Song of Moses: A Prophetic Transformation?" JBL forthcoming). Second, both Deut 32 and Ezek 16 contain an indication that YHWH will punish his rebellious people. Indeed, the polemic against Sodom and Gomorrah (Deut 32:28-33) might be the source for the introduction of Sodom as the wicked, smaller sister in Ezek 16:46.

If this is not sufficient evidence for the explanatory power of a polemic against Jacob in Ezekiel, there is a further indication in the way the "as I live" formula is utilized by Isa 49:14-26, a passage which shares with Ezek 16 the metaphor of Jerusalem as YHWH's wife.[119] This passage, in which Zion opines that YHWH has forsaken her, is categorized by Graffy as a disputation speech. Nonetheless, as noted in chapter 3, it is an extraordinary example of that genre. Graffy summarizes:

> The disputation speech in Isa 49.14-25 shows Deutero-Isaiah's skill in adapting the genre to his own purposes. Nevertheless, he maintains the structure intact: the double refutation found in Ezekiel reappears here, and the formulae common in Ezekiel, absent in Isa 40,27-31, return in v.18 (oath formula), vv.22-25 (messenger formula) and v.23 (formula of recognition of Yahweh).

Graffy helpfully notes the similarities between Ezekiel and Isa 49, but there are still more to observe. Goldingay points out further connections between the two texts when commenting on v. 18: "The image of the city's finery has been a negative one, directly or indirectly... Here it becomes a positive one."[120] His comparison passages for the negative image of Jerusalem's jewelry include Ezek 16. As the sole link this would weak, but the added presence of the "as I live" oath formula in v. 18 solidifies the overlap with Ezekiel. What is more, 49:19 carries on YHWH's assurance by promising the restoration of Zion's waste places (חרבתיך) and desolate places (שׁממתיך), precisely the terms used to describe the land in Ezek 33:24-29, 35:1-15 and 36:1-15.[121] With these indicators that the two passages are in dialogue with one another, it is only a small step to contend that Isa 49:14-26 is responding to the harsh polemic against the non-exiled Judeans and the Jacob tradition in Ezekiel by reversing its images. The strongest evidence for that reversal is Deutero-Isaiah's exceptional use of the "as I live" oath formula: Isa 49:14-21 is the *only* passage in the Hebrew Bible where this form of the divine oath introduces salvation for Israel. Despite that inversion, it retains the usual connection with the land, using it to resolutely assure Zion of its future prosperity. The exceptional use of the "as I live" authenticating element in an oracle of salvation can be explained by a perceived need to counter the sharp rhetoric of Ezekiel. This suggestion is

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119. Kathryn Pfisterer Darr, "Ezekiel's Justifications of God: Teaching Troubling Texts," *JSOT* 55 (1992): 105. Ezek 16:53-63 is likely a *Fortschreibung* to Ezek 16, possibly in two stages: vv. 53-58, 59-63. The first stage (vv. 53-58) may address the reality that the exiles were likely to return to a land still inhabited by descendants of the non-exiles who had not yet experienced the full measure of their punishment. If the present argument is correct, then the second (vv. 59-63) could be a reflex of Isa 49.

120. John Goldingay, *The Message of Isaiah 40-55: A Literary-Theological Commentary* (London: T & T Clark, 2005), 388.

121. In Ezek 33:23-29 it describes the places where those claiming Abrahamic descent live; in Ezek 35 they explain the state the land will be left in after YHWH's judgment; in Ezek 36:1-15 they denote the state of the land prior to YHWH's acts to restore and resettle it.

further supported by Isa 51:2, which points positively to Abraham and Sarah as progenitors of Israel and is undeniable evidence of Deutero-Isaiah's positive disposition towards the patriarchs.[122] That temperament is generally evident in the prominent role Jacob plays in Isa 40–48, but it is notably present in Isa 49 through the author's designation of YHWH as "the Mighty One of Jacob" (Isa 49:26).

*(f) Ezek 47:13 – 48:35*

Finally, a few words on the last passage concerning the land that employs the "lifted hand" land transfer formula. The "lifted hand" formula contributes two things to the passage: first, it brings the audience back to the double dispute of Ezek 20:1-44 by portraying the apportioning of the land as the fulfillment of the second exodus and, second, it describes the new land in the same fashion as Dtr. The reference back to Ezek 20 is facilitated by a direct connection to vv. 42: "You will know that I am YHWH when I bring you to the ground of Israel, to the land that I raised my hand to give it to your ancestors."[123] In parallel, Ezek 47:14 declares, "you shall receive it as a special grant,[124] equally apportioned,[125] which I raised my hand to give it to your ancestors. This land will fall to you as a special grant." Thus, Ezek 47:13–48:35 serves as the completion of the second exodus described in Ezek 20:40-44 and as the indication that the audience should now recognize the identity of YHWH without reservation. Further, by using variations of the verbal root נחל three times in vv. 13-14, the author evokes the Dtr attitude towards the land as a special grant that remains YHWH's property although the tenant may reap from its produce. The same term is used in 48:29, creating an inclusio around the material concerning the division of the land. This stresses agreement between Ezekiel and Dtr on the role of the land, an emphasis balanced by the endorsement of H's views indicated by the use of the "lifted hand" formula. Even at its very end, then, there is a clear effort in the book of Ezekiel to advance a theological program that is shared by H by using terms common to H and Dtr.

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122. Bernard Gosse, "Les Traditions Sur Abraham Et Sur Le Jardin D'éden En Rapport Avec is 51,2-3 Et Avec Le Livre D'ézéchiel," in *Studies in the Book of Genesis: Literature, Redaction and History* (ed. A. Wénin; Betl 155; Leuven: Peeters, 2001). suggests that Isa 51:1-3 is not concerned with the possession of the land, as is Ezekiel, but with portraying the destruction and reconstruction of Jerusalem as the expulsion and re-entry into the garden of Eden. Despite the difference perspectives, Gosse's connection only serves to strengthen the relationship posited here.

123. Block, *Ezekiel 25–48*, 709-10.

124. Translating the idea contained in the verb נחל. See the discussion above on the related noun form נחלה.

125. Following Block's translation of the phrase אִישׁ כְּאָחִיו (Ibid., 706, note 9).

*(g) Implications*

This chapter explored the book of Ezekiel's perspective about who will inhabit YHWH's land in the future. In doing so, it dealt extensively with the role of Abraham and Jacob in the book, particularly how those figures are positively employed by the non-exiles and negatively viewed by the exiles. Abraham's place in this debate has been widely noted, but the present study has shown for the first time that Jacob receives a correspondingly negative treatment in the book of Ezekiel. This evidence has various implications for the formation of the Patriarchal History (Gen 12–50)[126] and the Pentateuch as a whole.

First, the use of both Abraham and Jacob in the non-exiles' claims points towards the combination of the traditions surrounding those two figures by no later than the early 6th century B.C.E. Ezekiel's polemic against Abraham (Ezek 33:23-29) appears immediately after the report of Jerusalem's fall, which is dated to 585 B.C.E. by the book.[127] The clearest challenge to the Jacob tradition appears in Ezek 35:1–36:15, more specifically in 35:5-9 and 10-13. This section of oracles also comes under the 585 B.C.E. date heading, and in spite of the difficulties in identifying the precise date for this material, the structure of the book indicates that the editors intend to make this material roughly contemporaneous with 33:23-29. The accusation in 35:5, that Israel was betrayed at the time of its calamity (אידם, no doubt a word play on Edom, אדום), is obviously post-587 B.C.E. But it should not be pushed too far from that date for at least three reasons. First, the dual claim that YHWH is present with the non-exiles and that they will possess (ירשׁ) the land is nearly identical to the pre-fall claim made in Ezek 11:15.[128] This suggests they are not separated be a large span of time. Second, the ambitions of the non-exiles to capture the "two nations" and "two lands" (Ezek 35:10) implies a period when the nations surrounding Judah had yet to encroach on its territory, a process that could not have taken too long to begin.[129] Third, the deep animosity shown for the non-exiles reflects just how fresh the perceived injustice was for the exiles. Pohlmann uses this attitude as part of the criteria for dating texts to the so-called oldest layer of the book, the layer to which he allocates both 35:10-12.[130] Given his propensity to find a much later context for much of the book, this is significant. There remains the possibility that the Jacob-based

126. Hereafter PH.

127. Greenberg, *Ezekiel 1-20*, 8; Block, *Ezekiel 1–24*, 28-29; See Zimmerli's argument for the "general confidence" that can be placed in these dates (Zimmerli, *Ezekiel 1*, 10).

128. On this dating, see Joyce, *Ezekiel*, 110.

129. Albertz, *A History of Israelite Religion*, 371-3.

130. Pohlmann, *Ezechiel*, II.471-7; cf. Pohlmann, *Studien*, 217-8.

claim could even antedate the fall of Jerusalem, but this prospect is predicated on the somewhat more speculative argument that Jacob is polemicized in Ezek 16.[131] It seems prudent, in view of this evidence, to conclude that a form of the Jacob tradition complimentary to the Abraham tradition was employed by the non-exiles sometime in the 580's B.C.E.

This study also has important implications for determining what form this combined patriarchal tradition comprised? The non-exiles' employed both the Abraham and Jacob traditions to support their possession of (ירשׁ) the land points, which points towards two key texts: Gen 15 (especially vv. 7-21) and Gen 28 (especially vv. 1-4). It is, of course, possible that the tradition was combined and experienced wide currency prior to the composition of these texts,[132] so the possibility that a PH containing these texts circulated in Jerusalem prior to Ezekiel's deportation must remain open. That prospect would account for the sophisticated way the book of Ezekiel uses the verbal and nominal form of the term in its polemics. Even if these texts were composed in the immediate aftermath of Jerusalem's destruction, perhaps between 585 and 580 B.C.E., then this reconstruction can help adjudicate between the various proposals for how the PH formed. For instance, it supports various proposals for an early dating of the Patriarchal History. This includes the still widely held concept of a pre-exilic JE source,[133] but is more commensurate with various proposals for dating the initial PH to the exilic period. Among the notable reconstructions in this group are Van Seters,[134] Blum,[135] Carr[136] and Kratz.[137] By contrast, this evidence presents a challenge to scholars who have moved the date for the first combined Abraham-Jacob narrative to the end of the exile or afterwards. Perhaps the most ardent proponent of this view is de Pury, who dates this combination between 535 and 530 B.C.E. on the basis of Abraham's "ecumenical" role.[138] Römer has followed de Pury on many points, but suggests an even later Persian period

131. This oracle comes under a date header placing it at 592 B.C.E. (Greenberg, *Ezekiel 1-20*, 8; Block, *Ezekiel 1–24*, 28-29).

132. For instance, Carr remarks, "To be sure, we can not presuppose a text is only to be dated to th time when its major themes appear in other datable texts" (Carr, *Fractures*, 228; cf. Blum, *Studien*, 218, note 44).

133. As examples, Nicholson, *The Pentateuch.* and Emerton, "The Origin of the Promises to the Patriarchs in the Older Sources of the Book of Genesis." (for whom see also J. A. Emerton, "The Priestly Writer in Genesis," *JSOT* 39 (1988):).

134. Van Seters, "Confessional Reformulation," 448-59 ; Van Seters, *Abraham in History and Tradition*; Van Seters, *Prologue to History*, especially pp. 331-2. Van Seters does not appear to place any further precision on the date for a combined Abraham-Jacob composition than the "exile."

135. Blum originally placed this composition in the pre-exilic period (Blum, *Komposition*, 271-361), but has later revised his position to the exilic period (Blum, *Studien*, 214, note 35).

136. Carr, *Fractures*. See a brief summary of his position at pp. 305-11.

137. Kratz, *The Composition of the Narrative Books of the Old Testament*, 272-3.

138. Albert de Pury, "Abraham: The Priestly Writer's 'Ecumenical' Ancestor," in *Rethinking Foundations:*

date.[139] The same conclusion has been reached on different grounds by Schmid in his extended study of the question.[140] There remain strengths in each one of these scholars' arguments, but they are now faced with explaining why such a large time lapse occurred between the initial uniting of these two figures and the production of an integrated form of the narrative about them.

Finally, to come full circle, this evidence can offer a insight on the relationship between the positive and negative Jacob material in the book of Ezekiel. In establishing the presence of the anti-Jacob texts in Ezekiel, the four explicit mentions of this patriarch (Ezek 20:5a; 28:25; 37:25; 39:25) were assigned to a later stage of the book's development. Indeed, given the interest of those four passages (Ezek 20:1-31; 28:25-26; 37:15-28; 39:21-29) in the return of the people to the land, it is very plausible they comprise a coordinated redaction within the book. Their interest in the land is, in fact, a key in explaining their relationship to the polemic against Jacob in the book of Ezekiel. Recall that all of the passages in which the non-exiles' claims are tied to the patriarchs deal with the future inhabitants of the land (Ezek 11:14-21; 16:43-58; 20; 33:23-29; 35:1–36:15). One logical explanation for the insertion of the positive, explicit mentions of Jacob is to harmonize the book of Ezekiel's endorsement of the exodus tradition with the patriarchal tradition. That is the same goal that Römer ascribes to the redactor who undertakes the coordinated, sevenfold insertion of the patriarchal triad alongside the divine oath promising the land to the ancestors in Deuteronomy.[141] Thus, it is possible that the process of redaction that Römer proposes to have integrated Deuteronomy into the Pentateuch, creating the "final form" of the first five biblical books, is mirrored by a similar process in the book of Ezekiel. As for a possible setting, this is likely to have occurred after Deutero-Isaiah had gained prominence, a situation that would explain why Jacob is referred to as "my servant Jacob" (Ezek 28:25; 37:25; cf. Isa 41:8; 44:1-2; 44:21; 45:4; 48:20; Jer 30:10; 46:27). This suggests a *temrinus ante quem* of approximately 550 B.C.E. A *terminus ad quem* is hard to establish, but the use of the "lifted hand" land transfer formula with the patriarchal

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*Historiography in the Ancient World and in the Bible: Essays in Honour of John Van Seters* (eds. S. L. McKenzie, and Thomas Römer; Bzaw 294; Berlin: de Gruyter, 2000a), 180. See also Albert de Pury, "The Jacob Story and the Beginning of the Formation of the Pentateuch," in *A Farewell to the Yahwist: The Composition of the Pentateuch in Recent European Interpretation* (eds. Thomas B. Dozeman, and Konrad Schmid; Symposium 34; Atlanta, Ga.: Society of Bilbical Literature, 2006c)., Albert de Pury, "Situer Le Cycle De Jacob Quelques Réflexions, Vingt-Cinq Ans Plus Tard," in *Studies in the Book of Genesis: Literature, Redaction and History* (ed. A. Wénin; Betl 155; Leuven: Leuven University Press, 2001b). and Albert de Pury, "La Tradition Patriarcale En Gènese 12-35," in *Le Pentateuque En Question: Les Origines Et La Composition Des Cinq Premiers Livres De La Bible À La Lumière Des Recherches Récentes* (eds. Albert de Pury, and Thomas Römer; Le Monde De La Bible 19; Genève: Labor et Fides, 2002).

139. Römer, 189-93.

140. Schmid, *Erzväter und Exodus*, 273.

141. Römer, "Deuteronomy in Search of Origins," 136-8.

triad in Neh 9 suggests this harmonizing effort was not isolated. If Williamson is correct to identify the composer of Neh 9:5b-37 as a member of the non-exiles,[142] that would add evidence for a wider attempt to integrate the non-exiled and exiled communities and provide a timeframe for the corresponding work in Ezekiel. Regardless, the basic insight that the book of Ezekiel underwent a shaping process remarkably similar to the Pentateuch is noteworthy and merits consideration in future studies of the book.

142. Williamson, "Structure and Historiography in Nehemiah 9," 292-3; cf. Williamson, *Ezra, Nehemiah*, 300-19 and Williamson, "The Belief System of the Book of Nehemiah," 280-1.

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