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## Covenant in the Persian Period

**STEVEN SCHWEITZER (ED.)**



# COVENANT IN THE PERSIAN PERIOD

EDITED BY STEVEN SCHWEITZER

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Editors' note: In the following essays, full bibliographical information is provided for the book under review when it is referenced for the first time. Further references to the book, including references to specific chapters, use the abbreviated title: *Covenant in the Persian Period*.

## ESSAYS ON THE HISTORICAL BOOKS (DEUTERONOMISTIC HISTORY) AND CHRONICLES, EZRA, AND NEHEMIAH<sup>1</sup>

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As Cynthia Edenburg puts it in the beginning of her article, “covenant is one of those terms in ‘biblical English’ that evades precise definition” (131), or as I would say a term that can be used and understood in very different ways. And as Louis C. Jonker reminds us, this term has been at the heart of many Protestant “theologies of the Old Testament.” In these theologies, the term became the central concept of the Hebrew Bible, a notion that made the theologians happy, because it offered them a concept of unity and coherence among the diversity of theological or ideological options gathered in the Bible.<sup>2</sup> This is not the place to discuss some still popular ideas that differentiate between the “conditional” concept of covenant and the “unconditional” covenant in the Priestly texts, which many (Christian) commentators still call a “covenant of grace.”<sup>3</sup> I have the

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<sup>1</sup> This article presents a review of the following articles gathered in the volume, R.J. Bault and G.N. Knoppers (eds.), *Covenant in the Persian Period: From Genesis to Chronicles* (Winona Lake, IN: Eisenbrauns, 2015); R. Achenbach, “‘The Unwritten Torah of the Covenant’: Torah in the Mouth of the Prophets,” 93–107; E. Ben Zvi, “A Balancing Act: Settling and Unsettling Issues Concerning Past Divine Promises in Historiographical Texts Shaping Social Memory in the Late Persian Period,” 109–29; C. Edenburg, “From Covenant to Connubium: Persian Period Developments in the Perception of Covenant in the Deuteronomistic History,” 131–49; D.E. Nykolaishen: “Ezra 10:3: Solemn Oath? Renewed Covenant? New Covenant?” 371–89; M.J. Boda, “Reenvisioning the Relationship: Covenant in Chronicles,” 391–407; and L.C. Jonker, “‘The Ark of the Covenant of the Lord’: The Place of Covenant in the Chronicler’s Theology,” 409–29.

<sup>2</sup> For a short overview about the history of “theologies of the Old Testament,” and the importance of covenant in these Christian approaches to the Hebrew Bible see E.-J. Waschke, “Theologie des Alten Testaments,” <http://www.bibelwissenschaft.de/de/stichwort/33374/>.

<sup>3</sup> See for instance, W. Zimmerli, “Sinaibund und Abrahambund: Ein Beitrag zum Verständnis der Priesterschrift,” *TZ* 16 (1960), 268–80; see also idem, *Gottes Offenbarung: Gesammelte Aufsätze* (TB, 9; München: Kaiser, 1963), 205–16 (215).

impression that those distinctions often reflect theological wishful thinking and do not acknowledge the complex usages of the term ברית.

The six articles in the volume that I was asked to review converge by pointing out the equivocality of the concept of covenant. They also underline different usages in various literary corpora that can be dated to the Persian period. Some reflect the heritage of an older discourse; others apparently propose new developments related to the socio-historical context of the Persian period.

First, I will briefly summarize the main themes or conclusions of each article. Then, I will try to bring the articles into conversation, and also ask some questions.

### COVENANT DISCOURSES IN THE CONTEXT OF THE FORMER PROPHETS AND EZRA–NEHEMIAH AND CHRONICLES

Reinhard Achenbach's contribution ("The Unwritten Text of the Covenant") explores the relation between the deuteronomistic (dtr) covenant in the books of Deuteronomy to Kings and the discourses about covenant in the book of Jeremiah. He argues that the text in Deut 18:16–19, which constructs Moses as a proto-prophet, should be understood as a post-dtr rewriting of the dtr passage about the Horeb covenant in Deut 5, whose aim is to suggest that the ברית between Yhwh and Israel includes the sending of prophets. Deut 18 is related to the idea that Yhwh has constantly sent his servants the prophets in order to exhort the people to return to the divine law and the covenant (this is clearly expressed in the comment of the fall of Samaria in 2 Kgs 17). The concept of Deut 18 is especially applied to the prophet Jeremiah, who, in the so-called dtr texts of the book that use his name (texts considered as post-dtr by Achenbach), is constructed as a "second Moses."<sup>4</sup>

The text of Jer 11 opens with an appeal to listen to the words of the covenant, which, according to Exod 34:1, are the words of the second edition of the Decalogue written by Yhwh himself. In Jer 11, this covenant is used to admonish the generation facing the siege of Jerusalem. If it listens to the covenant, this generation can become

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<sup>4</sup> For the discussion about the "dtr" texts in Jeremiah see T. Römer, "Is There A Deuteronomistic Redaction in the Book of Jeremiah?" in A. de Pury, T. Römer, and J.-D. Macchi (eds.), *Israel Constructs its History: Deuteronomistic Historiography in Recent Research* (JSOTSup, 306; Sheffield: Sheffield Academic, 2000), 399–421; and the recent discussion between C.M. Maier, "The Nature of Deutero-Jeremianic Texts," in H. Najman and K. Schmid (eds.), *Jeremiah's Scriptures: Production, Reception, Interaction and Transformation* (JSJSup, 173; Leiden: Brill, 2016), 103–23; and T. Römer, "The 'Deuteronomistic' Character of the Book of Jeremiah: A Response to Christl M. Maier" in H. Najman and K. Schmid (eds.), *Jeremiah's Scriptures: Production, Reception, Interaction and Transformation* (JSJSup, 173; Leiden: Brill, 2016), 124–31.

the people of Yhwh again. Yet, interestingly, only the prophet answers (“Amen,” v. 5), and not the addressees. Therefore, the second part of this speech, in a manner very similar to 2 Kgs 17, accuses the audience of not listening to the covenant. And v. 8, missing in LXX, along with v.7, even states that the “words of the covenant” have been “brought on the generation of the Exodus,” which however did not listen to them. Therefore, v. 10 asserts that Yhwh’s covenant, concluded at the time of the Exodus, has been broken by the houses of Israel and of Judah. In the light of 2 Kgs 17, this statement probably alludes to the fall of Samaria and the fall of Judah (my explanation, not Achenbach’s) and paves the way toward the promise of a new covenant in Jer 31, one of the latest developments in the book of Jeremiah, according to Achenbach. Still according to Achenbach, this new covenant represents a concept of “Torah obedience rooted in the oral tradition of the prophets.” The formation of the book of Jeremiah thus reflects, if we follow Achenbach, the transformation of the prophetic discourse, presented as an oral development of the Mosaic Torah, into a new “unwritten” Covenant. If I understood Achenbach correctly, we would find here the origins of the concept of an oral Torah, which would have been combined with the idea of an “oral covenant.”

Ehud Ben Zvi (“A Balancing Act. Settling and Unsettling Issues Concerning Past Divine Promises in Historiographical Texts Shaping Social Memory in the Late Persian period”) takes quite a different stance. In contrast to Achenbach, who tries to retrace a diachronic and ideological evolution inside the books of Deuteronomy, Kings and Jeremiah, Ben Zvi states from the very beginning that the books of Deuteronomy and of the Former Prophets, books that he labels “Deuteronomistic Historical Collection,” are products from the Late Persian period. Their aim, much like the book of Chronicles, would be to negotiate “core promises” from “pre-exilic” times in the context of the Persian period. For Ben Zvi, there is not really a difference between covenant and divine promises, because “many of these divine promises,” he states, “were remembered in terms of **ברית**, even in cases in which central texts encoding these memories do not explicitly contain the term **ברית**” (109). According to Ben Zvi, these “core promises” concern the land, in the book of Joshua, the king or the divine promises to David, especially in 2 Sam 7, and, in the books of Chronicles, divine promises to Levi, ancestor of the Levites. According to Ben Zvi, remembering these divine promises can give hope for restoration, yet it is also possible, as in the case of David for example, to interpret the divine promises to him as being cancelled. This may be the case in the books of Kings. Nevertheless, in prophetic texts from the Persian period, oracles of restoration often contain the idea of an ideal Davidic king. The “negotiations” of divine promises are made on the basis of two ideological constructions shared by all members of what Ben Zvi calls “the community” (125). These two constructions are (a) the **ברית** between Yhwh and Israel and (b) the metaphor of the marriage

between Yhwh and his wife Israel (125). These foundations of Yhwh's choice of Israel were accepted by all addressees of the scribes' (or "literati") discourses, from the late Persian period, contrary to the promise of an everlasting Davidic line made to David.

In contrast to Ben Zvi, Edenburg ("From Covenant to Connubium: Persian Period Developments in the Perception of Covenant in the Deuteronomistic History") takes a diachronic approach of the Dtr literature. For her, it starts in the Neo-Assyrian period as a reaction to Assyrian discourses about power and treaties. The Assyrian Deuteronomy takes over the idea of an Assyrian "covenant" or treaty. In the Babylonian period, the Dtr ideology of ברית was used however in order to explain the destruction of Judah and Jerusalem (the curse of Deut 28:62–68 is indeed fulfilled in 2 Kgs 25).

The Persian period introduces a new political system: there are no more loyalty oaths; instead, one finds the idea that all nations are part of one empire ruled by the Persian king. The situation of an ongoing Diaspora also contributes to ideas of maintaining self-identity, and sharpens conflicting interests between repatriated Judeans and the remaining Judeans, as well as Samaritans. These changes lead to applying the concept of covenant to connubium and marital relations (137). This is especially clear in Exod 23:20–33; 34:1–10; and Deut 7:1–6\*.

These texts redefine or, to use Edenburg's terminology, "overwrite" the *herem* ideology of the covenant rhetoric found in neo-Assyrian and Neo-Babylonian periods. There is no longer an exhortation to annihilate the "enemies" or the "people of the land," rather the addressees are asked not to conclude a ברית with them. In the above quoted texts, and especially in Deut 7:1–6, which certainly was composed in the Persian period,<sup>5</sup> the ברית is reinterpreted as an alliance by connubium. This exclusionist discourse may reflect a conflict between the repatriated and those who remained in the land. Dtr ideology of ברית in Persian period texts therefore serves to foster separatism and bolster an elitist identity (144).

Douglas E. Nykolaishen's contribution ("Ezra 10:3: Solemn Oath? Renewed Covenant? New Covenant?") offers interesting parallels to Edenburg's topic. He starts with a rather precise question: how to understand the expression נכרת ברית used in Ezra 10:3 in a context where an otherwise unknown Shecaniah suggests that Ezra should "conclude a covenant" "before God" (with the preposition "le-", meaning probably a commitment before Yhwh) and send away, and separate from, the "foreign" women and their children. As in Deut 7 (discussed by Edenburg), the content of this covenant is the

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<sup>5</sup> F. Bianchi, "La semence sacrée: la polémique sur les mariages mixtes dans les textes bibliques d'époque achéménide et hellénistique," *Transeo* 29 (2005), 83–102. R. Ebach, *Das Fremde und das Eigene: die Fremddarstellungen des Deuteronomiums im Kontext israelitischer Identitätskonstruktionen* (BZAW, 471; Berlin: de Gruyter, 2014), 201–47, distinguishes 3 layers: 7:1–2, 6; v. 3; vv. 4–5. All these layers reflect the situation of the Persian period.

refusal of “mixed marriages.” Whereas Deut 7 prohibits connubium in the future, Ezra 10 exhorts those who are living in a “mixed marriage” to divorce. Nykolaishen shows that, if Ezra 10 does not reflect a covenant renewal, it can neither be understood as the fulfillment of Jer 31, according to which everybody will know Yhwh’s Torah by heart, without needing teaching. Furthermore, the author of Ezra 10 is borrowing notions from texts of covenant renewal, as well as expressing the idea that Shecaniah’s proposal could be confirming the realization of the new covenant, at least partially. But above all, the “covenant” in Ezra 10 is an agreement concerning the returned exiles, which, similarly to Deut 7, narrows the content of ברית to an exclusionist position.

Mark J. Boda (“Reenvisioning the Relationship: Covenant in Chronicles”) insists on the relative paucity of references to the covenant in Chronicles (403). In his article, he studies the uses of ברית in the post-Solomonic period of the Chronicler’s history. It occurs in relationship to four kings: Asa, Jehoash, Hezekiah, and Josiah. In these texts, covenant is not the most important idea. Asa’s covenant is described in liturgical fashion, and more important than covenant rhetoric, are expressions like “to seek Yhwh” (דרש), who allows to be “found” (מצא). In the story of Athalia and Jehoash, the priest Jehoiada is the initiator of the covenant, and Yhwh is not explicitly designated as being a party in it (399). Again, the covenant is closely related to cultic renewal. The same holds true for Hezekiah and Josiah. In the Chronicler’s version of Josiah’s reform, abundant material pertaining to the destruction of illegitimate cult symbols is left out. The emphasis is on the restoration of the “orthodox” cult of Yhwh. “Renewal of worship is the key result of covenant agreement” (402). According to Boda, this removal of covenant terminology in the book of Chronicles must be seen in the context of a shift away from a focus on the Sinai covenant towards a kinship and genealogical structure symbolized by the Patriarchal traditions. This shift to a “clan structure” may also reflect the sociological reality of the Persian period and an emphasis on genealogical identity.

Jonker (“The Ark of the Covenant of the Lord? The place of the Covenant in the Chronicler’s Theology”) comes to somewhat different conclusions than Boda. He analyzes the expression “ark of the covenant of Yhwh,” frequently used in Chronicles. The Chronicler often seems to add ברית when his sources only speak of the “ark of Yhwh” or the “ark of the god of Israel.” This cannot be mere coincidence, but should be understood as the Chronicler’s deliberate attempt to foster the idea of a “covenant.” For example, one can take a closer look at 1 Chr 15, that depends on the ark account found in 2 Sam 6, but inserts into this account *Sondergut* mainly dedicated to the Levites and their cultic responsibilities. Interestingly, the Chronicler adds a hymn sung by the Levites. This piece is a combination of three Psalms (105, 91, 106), in which the Patriarchs are presented as the covenant’s initial receivers. We may have here an

attempt to link the Ark of the Covenant with the Patriarchal covenant. At the same time, the Ark of the Covenant is a confirmation of Yhwh's election of David and Jerusalem. In addition, Solomon clearly appears in a positive light, in contrast to a more ambiguous portrait in the book of Kings. Finally, the Levites play an essential role as custodians of Yhwh's covenant, since they carry the ark and bring it to Jerusalem. Like Ben Zvi, Jonker speaks about "identity negotiation" on two levels: the legitimization of the Second Temple's cult, and an appeal to "seek" Yhwh, to remain loyal in the context of the Persian empire where this concept is no longer something given (427).

These six contributions provide interesting insight concerning the use of the concept of covenant in the Persian period. Let us now try to evaluate these insights and indicate elements that could require further discussion. I will deal with four points: 1) the question of the function and the evolution of "covenant" in the dtr milieu; 2) different covenants and identity negotiations in the Persian period; 3) Patriarchal and "Exodus" covenants in Ezra–Nehemiah and Chronicles; and 4) Covenant discourse in Jerusalem and Samaria.

**(1) THE QUESTION OF THE FUNCTION AND THE EVOLUTION OF "COVENANT" IN THE DTR MILIEU**

I do not have the time nor the energy for reopening the discussion about what "deuteronomistic" or "Dtr History" means or should mean.<sup>6</sup> My assumption is that Deuteronomy, the Former Prophets, and partially also the book of Jeremiah are related to each other by a common vocabulary and a common ideology.<sup>7</sup> Thus we can, if we want to be cautious, adopt Ben Zvi's expression of a "dtr historical collection," or just speak of a "dtr library."<sup>8</sup> Edenburg's and Achenbach's essays show that it is possible, and in my view necessary, to undertake a diachronic analysis of the dtr concept of covenant. In the 7th and 6th centuries BCE, ברית was probably understood as an equivalent of the Assyrian oaths that the vassals had to swear. At this time, the dtr ברית should not be described as a "promise," as Ben Zvi does for the Persian period. In texts from the 7th and 6th centuries BCE, as Edenburg has shown, covenant, in the dtr context, means a vassal treaty to which Israel has to submit. The fall of Israel and Judah can, in this context, be easily explained with the

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<sup>6</sup> See the useful summary and discussion in C. Nihan, "Deutéronomiste' et 'deutéronomisme': Quelques remarques de méthode en lien avec le débat actuel," in M. Nissinen (ed.), *Congress Volume: Helsinki 2010* (VTSup, 148; Leiden: Brill, 2012), 409–41.

<sup>7</sup> T. Römer, "The Current Discussion on the so-called Deuteronomistic History: Literary Criticism and Theological Consequences," *Humanities* 46 (2015), 43–66.

<sup>8</sup> See for details T. Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London: T&T Clark, 2005), 45–9.

idea that Israel and Judah, and especially most of their kings, did not respect the clauses of Yhwh's treaty consigned in Deuteronomy.

2 Kgs 17, a text frequently quoted by Achenbach, states in verse 15: "They despised his statutes, and his covenant that he had made with their fathers, and the testimonies that he had given them." This covenant refers back to the book of Deuteronomy, which anchors its prescriptions in the "Horeb covenant." In the same context of 2 Kgs 17, the prophets, who are now preachers of the covenant appear: "Yet Yhwh warned Israel and Judah by every prophet and every seer, saying, 'Turn from your evil ways and keep my commandments and my statutes, in accordance with all the law that I commanded your fathers and that I sent to you by my servants the prophets'."

Is this law, which Yhwh sends to Israel, an "oral prophetic Torah," as Achenbach argues? I am not sure about this assumption. It seems more likely to me that we have here, as in other places, a *dtr* attempt to transform the Prophets into the guardians of the Torah. This happens especially in the last chapters of 2 Kings, where, starting with 2 Kgs 17, an anonymous group of prophets appears, characterized as Yhwh's servants. They announce the imminent fall of Israel and Judah due to the failure of the people and the kings to respect *torah* (2 Kgs 17:23; 21:10–12; 24:2). These passages prepare for the idea of Yhwh's continuous sending of prophets, who are rejected by his people, an idea that is prominent in the book of Jeremiah (Jer 7:25–26; 25:4; 26:5; 29:19; 35:15; 44:4). In the context of the Persian period, this new function given to the prophets can be understood as an attempt to redefine prophetic activity after the events of 587 BCE. The fall of Jerusalem and the destruction of the Temple were understood as the fulfillment of prophecies of doom and raised the question of the function of the prophets after the judgment had happened. Therefore, I wonder whether the passages in Jer 11 and Jer 34:13, which speak of Israel's failure to keep the covenant, should not be understood as referring to the *dtr* "Horeb covenant": "They have returned back to the sin of their 'first' fathers, who refused to listen to my words; they have gone after other gods to serve them; the house of Israel and the house of Judah have broken the covenant that I made with their fathers" (Jer 11:10). This statement reflects the *dtr* idea that the destruction of Jerusalem is the consequence of Judah's refusal to respect the clauses of Yhwh's covenant (see also Jer 22:9).

The promise of a new covenant in Jer 31:31–34 builds on Jer 11,<sup>9</sup> but Jer 31:31–34 may indeed, as Achenbach argues, be a late development in the book of Jeremiah.<sup>10</sup> The author of this passage,

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<sup>9</sup> T. Römer, "Les 'anciens' pères (Jér 11,10) et la 'nouvelle' alliance (Jér 31,31)," *BN* 59 (1991), 23–7.

<sup>10</sup> See already C. Levin, *Die Verbeissung des neuen Bundes in ihrem theologiegeschichtlichen Zusammenhang ausgelegt* (FRLANT, 137; Göttingen: Vandenhoeck & Ruprecht, 1985).

like the author of Ezek 16:60–62, 34:25, 37:26, probably tries to overcome the dtr idea of Israel's failure to live accordingly to Yhwh's covenant.

Deut 7:1–6, which has parallels in Deut 12:2–7, belongs to the latest layers of Deuteronomy, as Edenburgh and others have pointed out.<sup>11</sup> The reduction of the concept of covenant to a warning against connubium prepares Ezra 10, or belongs perhaps even to the same chronological context. Read in the light of Edenburgh's investigation, one may ask whether Ezra 10:3, analyzed by Nykolaishen, is taking up Deut 7. In Deut 7:2 "covenant" applies to the relation with the "other nations," whereas Ezra 10:3 speaks of a covenant that grounds the rejection of "mixed marriages." However, the ideology of both passages is the same, so that the books of Ezra and Nehemiah can be understood as pursuing the ideology of the latest layers of the book of Deuteronomy in the second half of the Persian period.

## **(2) COVENANT AND IDENTITY NEGOTIATION**

As especially Ben Zvi and Jonker have underlined, the revision of older texts or the writing of new ones during the Persian era, like for instance Chronicles, also reflect a process of "identity negotiation." Whereas the books of Kings end enigmatically with the release of king Jehoiachin out of his prison, 2 Chronicles provides another ending. The speech of the Persian king, inviting the exiles to return to Jerusalem and to rebuild the temple (2 Chr 36), materialize the steadiness of Yhwh's covenant, understood in Chronicles differently than in the dtr texts. Further discussion is needed in order to clarify the contradictory statements of Boda and Jonker. Boda observes in Chronicles a "general shift away from covenant as the operative system for articulating the relationship between Yahweh and his people" (403). Jonker, however, underlines the importance of the use of *ברית* in Chronicles in order to demonstrate Yhwh's election of the Davidic line, the legitimacy of Second Temple cult as well as the importance of the Levites. Apparently, sometimes, our appraisal of the importance of covenant terminology in Persian period texts is also a matter of a more general understanding of a book, like Chronicles, or even of a broader literary unit, such as the Former Prophets.

This brings me back to Ben Zvi's article about the different perspectives on divine promises in the Persian period. I am a bit unhappy with his equation of covenant with promises. In the dtr context at least, I think that "covenant" is something else than a "promise." It is a divine obligation. In regard to David, Ben Zvi asserts: "the promise of David was much negotiated." Interestingly, the text that creates the concept of an everlasting Davidic dynasty in 2 Sam 7 avoids the term of "covenant,"<sup>12</sup> which however appears in

<sup>11</sup> See footnote 5 above.

<sup>12</sup> For this text see J. Rückl, *A Sure House: Studies on the Dynastic Promise to David in the Books of Samuel and Kings* (OBO, 281; Göttingen: Vandenhoeck

Ps 89:4 (3 in ET), where God says: “I have made a covenant [כרת ברית] with my chosen one, I have sworn to my servant David: I will establish your descendants forever, and build your throne for all generations.” Does this mean that Ps 89 is a later interpretation of 2 Sam 7 in terms of covenant? Or does the author of 2 Sam 7 not want to apply the term ברית to Yhwh’s promise to David? Ben Zvi reminds us of the very interesting text of Isa 55:3 which transfers the Davidic covenant to the people: “I will make with you an everlasting covenant, my steadfast, sure love for David.” The strategy of this verse can only work if there was a strong tradition of a covenant with David, even if the term cannot be found in 2 Sam 7. Isa 55 contributes to the discussion of a restoration of the Davidic kingship, a major concern in texts from the Persian period.<sup>13</sup>

### (3) PATRIARCHAL AND “EXODUS” COVENANTS IN THE BOOKS OF CHRONICLES AND EZRA–NEHEMIAH

Jonker states that the “main impetus” for the Chronicler’s theology and covenant terminology “came from the deuteronomic-Deuteronomistic tradition” (425). This is true of course for the narrative material that the Chronicler shares with the books of Samuel and Kings (interestingly none of the authors engage with Graeme Auld’s idea that Samuel–Kings and Chronicles may have been written all at the same time on the basis of a shorter *Vorlage*<sup>14</sup>), but the Chronicler’s ideology does not sound “dtr” to me, in contrast to the books of Ezra–Nehemiah, as we have already seen when it comes to the exclusionist attitude towards “mixed marriages.” As Philippe Abadie and others have noticed, the book of Ezra–Nehemiah takes over the dtr Exodus theology and constructs Ezra as a new Moses who brings the people (back) in his land and is confronted to a hostile autochthonous population that must be fought.<sup>15</sup> Consequently, the covenant in Neh 1:5 alludes to the dtr Sinai covenant: “O Yhwh God of heaven, the great and awesome God who keeps covenant and steadfast love with those who love him and keep his commandments.”

The Patriarchal traditions do not play a role in Ezra–Nehemiah (except in the very late prayer of Neh 9<sup>16</sup>). In contrast to this ideology, the book of Chronicles is centered much more on genealogical

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& Ruprecht, 2016), who points out that this text dissociates the promise of an “eternal dynasty” and the existence of the temple.

<sup>13</sup> R. Albertz, “Loskauf umsonst? Die Befreiungsvorstellung bei Deuterijosaja,” in C. Hardmeier, R. Kessler, and A. Ruwe (eds.), *Freiheit und Recht: Festschrift für Frank Crüsemann zum 65. Geburtstag* (Gütersloh: Gütersloher Verlagshaus, 2003), 360–79.

<sup>14</sup> A.G. Auld, *Kings Without Privilege: David and Moses in the Story of the Bible’s Kings* (Edinburgh: T&T Clark, 1994); and also idem, *Life in Kings: Reshaping the Royal Story in the Hebrew Bible* (AIL, 30; Atlanta, GA: SBL Press, 2017).

<sup>15</sup> P. Abadie, “Le livre d’Esdras: un midrash de l’Exode?,” *Transex* 14 (1998), 19–31.

<sup>16</sup> M. Oeming, “‘See, we are serving today’ (Nehemiah 9:36): Nehemiah

identity, as Boda has reminded us. In the genealogical summary that runs from Adam to David, the Chronicler skips the Exodus so that one gets the impression of an autochthonous Israel.<sup>17</sup> And these observations fit with Boda's statement about the Chronicler shifting away from the Sinai covenant to covenants associated with the Patriarchs or the post-Sinaitic Davidic monarchy (403); this statement can be related to Jonker's observation about the Patriarchs as "initial receivers of the covenant which should be remembered forever" (423). Chronicles and Ezra–Nehemiah should then be understood, following Sara Japhet<sup>18</sup> and many others<sup>19</sup>, as quite different contributions in the construction of the identity of the Persian era addressees.

#### (4) COVENANT RHETORIC IN JERUSALEM AND SAMARIA?

Let me conclude with a general observation about one missing text in the volume about "Covenant in the Persian period." In my view, the covenant that Joshua concludes with Israel at Shechem in Josh 24:25 needs to be included into the discussion. As has often been observed, Joshua is depicted in this chapter as a "second Moses," who enacts the law, concludes a ברית, and writes a "book of the Torah of God." Josh 24 should be part of the discussion for two reasons. First, there is growing tendency, and in European scholarship almost a consensus, to admit that Josh 24 was written or at least revised in its final form during the Persian period.<sup>20</sup> Second, there is a new interest in the question about a Samaritan implication in the compilation of the Hexateuch or Pentateuch. The Northern, "Samaritan," location of Josh 24 can hardly be a Judean "invention."<sup>21</sup> This is also shown by the LXX, which reads Shiloh instead

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9 as a theological interpretation of the Persian period," in O. Lipschits and M. Oeming (eds.), *Judah and the Judeans in the Persian Period* (Winona Lake, IN: Eisenbrauns, 2006), 571–88.

<sup>17</sup> P. Abadie, "Israël, entre frontière réelle et frontière symbolique," *Transeu* 36 (2008), 11–23.

<sup>18</sup> S. Japhet, "Postexilic Historiography: How and Why?," in A. de Pury, T. Römer, and J.-D. Macchi (eds.), *Israel Constructs its History: Deuteronomistic Historiography in Recent Research* (JSOTSup, 306; Sheffield: Sheffield Academic, 2000), 144–73.

<sup>19</sup> H.G.M. Williamson, *Israel in the Books of Chronicles* (Cambridge: Cambridge University Press, 1977); C. Karrer, *Ringgen um die Verfassung Judas: eine Studie zu den theologisch-politischen Vorstellungen im Esra-Nehemia-Buch* (BZAW, 308; Berlin: de Gruyter, 2001), 49–57.

<sup>20</sup> M. Anbar, *Josué et l'alliance de Sichem : Josué 24:1–28* (BBET, 25; Berlin: Lang, 1992); T. Römer and M.Z. Brettler, "Deuteronomy 34 and the Case for a Persian Hexateuch," *JBL* 119 (2000), 401–19; K. Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible* (Siphrut: Literature and Theology of the Hebrew Scriptures, 3; Winona Lake, IN: Eisenbrauns, 2010), 224–36. On Joshua 24, see also the thematic volume edited by T.B. Dozeman, *HBAI* 6 (2017), 145–258.

<sup>21</sup> C. Nihan, "The Torah between Samaria and Judah: Shechem and

of Shechem and reflects a Hebrew text from the 2nd or 1st century presupposing the so-called “schism” between Judeans and Samaritans after the destruction of the sanctuary of Gerizim.<sup>22</sup> Therefore, we should probably see Josh 24 as a co-production of Samaritans and Judeans, if not a pure Samaritan version. In this context it would be interesting to investigate the meaning of the covenant that Joshua concludes with or for the people (כרת ל-) in Josh 24:25. Is this a covenant different than Moses’s covenant? Or is this an attempt to affirm the validity of Moses’s covenant in Samaria? This example shows that although the book under review allows us to better understand the concept of covenant in the Persian period, further work remains to be done.

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Gerizim in Deuteronomy and Joshua,” in G.N. Knoppers and B.M. Levinson (eds.), *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance* (Winona Lake, IN: Eisenbrauns, 2007), 187–223.

<sup>22</sup> Pace E.A. Knauf, *Josua* (ZBK, 6; Zürich: Theologischer Verlag, 2008), 22, who considers that “Shiloh” is the original reading.