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BIBLICAL TERROR

Why Law and Restoration
in the Bible Depend Upon Fear

T&T CLARK BIBLICAL STUDIES

JEREMIAH W. CATALDO

B L O O M S B U R Y

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For Ruth, a woman of grace and poise.

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PREFACE

There are always individuals who whether through direct action or indirect conversation shape the contours of a writing. For that reason, I am thankful to Tamara Eskenazi who found areas to challenge me as I thought through this project. Dwayne Tunstall, a philosopher by trade, happily read through much of my material covering Žižek and provided constructive feedback. The Honors College at Grand Valley State University afforded me the opportunity to teach a course tailored around this project, which provided a unique platform to “experiment” with different ideas. And to that end, I am extremely appreciative of the eager students in my Terror of Monotheism seminar who willingly engaged early forms of arguments I developed for this project. David Clines and David Chalcraft graciously supported this project. David Chalcraft also provided helpful feedback early on. Duncan Burns patiently worked through manuscript and helped me work out troublesome areas. All mistakes, however, are mine. And lest I forget, my family graciously supported me despite the impact that this project had upon their lives. To all, I am eternally grateful.

ABBREVIATIONS

<i>ABD</i>	<i>The Anchor Bible Dictionary</i> . Edited by D. N. Freedman. 6 vols. New York: Doubleday, 1992.
<i>Ant.</i>	Josephus, <i>Antiquities of the Jews</i> (trans. William Whiston)
<i>BCT</i>	<i>Bible and Critical Theory</i>
<i>BI</i>	<i>Biblical Interpretation</i>
<i>BJS</i>	<i>The British Journal of Sociology</i>
<i>BTB</i>	<i>Biblical Theology Bulletin</i>
<i>C. Ap.</i>	Josephus, <i>Contra Apionem</i> (trans. William Whiston)
<i>CBQ</i>	<i>Catholic Biblical Quarterly</i>
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
<i>JAOS</i>	<i>Journal of the American Oriental Society</i>
<i>JBL</i>	<i>Journal of Biblical Literature</i>
<i>JHS</i>	<i>Journal of Hebrew Scriptures</i>
<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>
<i>JSOTSup</i>	Journal for the Study of the Old Testament, Supplemental Series
<i>JTS</i>	<i>Journal of Theological Studies</i>
<i>LBD</i>	<i>Lexham Bible Dictionary</i>
<i>LHBOTS</i>	Library of Hebrew Bible/Old Testament Studies
<i>OA</i>	<i>Oriens Antiquus</i>
<i>SJOT</i>	<i>Scandinavian Journal of the Old Testament</i>
<i>VT</i>	<i>Vetus Testamentum</i>
<i>ZAW</i>	<i>Zeitschrift für die Alttestamentliche Wissenschaft</i>

Chapter 1

INTRODUCTION

[T]he difference between Good and Evil is not that of content, but that of form—but, again, not in the sense that Good is the form of unconditional commitment to a Cause, and Evil the betrayal of this commitment. It is, on the contrary, the very unconditional “fanatical” commitment to a Cause which is the “death drive” at its purest and, as such, the primordial form of Evil: it introduces into the flow of (social) life a violent cut that throws it out of joint. The Good comes afterwards, it is an attempt to “gentrify,” to domesticate, the traumatic impact of the Evil Thing. In short, the Good is the screened/domesticated Evil.¹

In beginning, let us propose this: fear and anxiety are the beating heart of the Bible. Fear of death. Fear of irrelevance. Fear of the loss of difference. These statements are broad, even greedily so, and must for the sake of clarity be narrowed. Therefore, we will restrict our primary discussion then to two fundamental, biblical concepts: law and restoration, the assumed centrality of which are ideological tools of the monotheistic pioneer, the settler, the one who establishes defenses against perceived threats to his desired world. Such threats he views as the dangerous incursion of anomy. *“By all means, keep your vows and make your libations... Lo, I swear by my great name, says the LORD, that my name shall no longer be pronounced on the lips of any of the people of Judah in all the land of Egypt, saying, ‘As the Lord God lives.’ I am going to watch over them for harm and not good...” (Jer 44:26–27).*

Within both popular and academic hermeneutics, the biblical centrality of law and restoration has been largely misunderstood. Many view the Bible as a product written under the presupposition that law and restoration were already reified and central concepts, and that the texts were written on the presumed centrality of those ideas. Consequently, biblical interpretation is often an exercise in determining how a biblical author’s understanding of a dominant religious law shaped the message of his text.

1. Slavoj Žižek, *In Defense of Lost Causes*, Kindle (London: Verso, 2008), 345.

Yet when properly analyzed, neither law nor restoration were immediately central to Israelite or Judean identity. Deuteronomist ideal aside, neither concept was central *before* the biblical text was written or before the period of the exile(s). In fact, as this work will argue, both concepts became central as their authoring biblical communities struggled to hold on to the certainty of their identities.

To get at that fact, a primary question must be: How are the biblical concepts of law and restoration dependent upon anxiety? Our hypothesis is that anxiety over lawlessness and disorder—over “death” in a general sense—created the foundation for the monotheistic concepts law and restoration. The sense of this can be seen in Jeremiah, for example, “The LORD could no longer bear the sight of your evil doings, the abominations you committed; therefore your land became a desolation and a waste and a curse, without inhabitant, as it is to this day” (Jer 44:22). And so we must bear in mind that we moderns are the beneficiaries of a monotheistic, biblical law and concept of restoration *not* because of any positivistic or altruistic desires of the biblical authors. Theirs was a focus more selfish: *I want land. I want authority over it.* Such desires were strategies of self-preservation, as we will argue. Conceptually, the origin of monotheism and its common, fundamental, ideological pillars (revelation, law, and restoration) was not the happy wellbeing of all humankind. It was dirty, prejudiced, frightened, and consumed primarily with self. Even in its later developments, in its “becoming more normative,” in, for Christian example, its growing centralization of “loving one’s neighbor,” it cannot shake the shackles of its heritage. *In Heaven we, the members of the body of Christ, will sing of God’s love while sinners who threatened our way of life burn in the fiery pits of hell!* This work explores that historical heritage. Our focus will be upon why law and restoration are given a central value within the biblical texts—one, subsequently, that is adopted by later Jewish and Christian monotheisms. To understand their “dirty” origins is to better understand the ideological forces and traumas behind the centralization of these concepts for the early community, and to do so in stark contrast to the more theological nuances modern readers tend to attribute with these terms. But it also means that we, as modern readers, may come face to face with how we ourselves tyrannize these concepts within our own individual or collective agendas of happy reunion following apocalyptic eschatology and the absolute “one way” toward that reunion. That absoluteness, for example, is the sense with which Thomas Oden understood Christian restoration as an absolute object of grace:

The One who meets us on the Last Day is quietly present already in the death of cultures as the judge of sin both corporately and individually chosen. Life lived in Jesus Christ does not waste time resenting the inexorable fact that each culture like each person eventually dies. Sanctifying grace offers beleaguered cultural pilgrims the power and means of trusting fundamentally in the One who proffers us this ever-changing, forever-dying historical process.²

A judge that stands at the apex of decaying historical time and in the gateway between restoration and a “repeat loop” of “forever dying”? Is that not the Hail Mary of the monotheistic world? *My anxieties are overwhelming me. Death is upon me. Ave Maria! But wait! There lies the restoration of my world, the climax of my desire!*

What Oden describes is belief that demands response—a type of “all in” strategy without the benefit of prior proof, but which belief as conviction and motivation demands. Such beliefs are not the sole property of monotheism or religions generally. No, they are common human expressions. That such beliefs exist even in religion or its central or dependent symbols, such as the Bible, is fairly mundane. What interests us more, especially in the objectivation³ that has been attributed to such religious symbols, is *why* (1) beliefs in a divine law and in divine restoration came to exist, and (2) how those beliefs shaped social-political action within, for our purpose, the province of Yehud wherein strict monotheism of the Jewish variety emerged. This starting point will perhaps be more difficult for the conservative reader than for the more liberal one; though what the discriminating reader may find is that there is still room for divine influence even in my own more social-scientific argument that rejects out of necessity any presupposition of divine influence.

If the biblical concepts of law and restoration are responses to anxieties, we must take then as a given that no behavior is performed without political, historically contingent, motivation and rationale. *Anxieties stem from the places we live!* In that regard, religious behavior is not wholly distinct from political behavior. *All* social behavior that impacts to varying

2. Thomas C. Oden, “So What Happens After Modernity? A Postmodern Agenda for Evangelical Theology,” in *The Challenge of Postmodernism: An Evangelical Engagement*, ed. David S. Dockery (Grand Rapids: Baker Books, 1995), 397.

3. By “objectivation” we mean the transformation of socially produced ideas, behaviors, and values into objective facts. In that we are following the definition of the term offered by P. Berger (cf. *The Sacred Canopy: Elements of a Sociological Theory of Religion* [New York: Anchor Books, 1990], 4).

degrees the distribution of power is political behavior.⁴ Can we not say then that political behavior is *motivated* behavior, the desired or pursued object of which is the preservation of a normative order, including its hierarchies of power and the general stability of the cultural world? If we can accept that as a starting premise, then we may hypothesize, and let the selfless heavenly choir be silent now, that the biblical texts are not the results of any real divine–human relationship. They are in their collective entirety products of political behavior—human responses to anxieties generated in relationship with the surrounding world.

We will argue in this work that the core motivation behind the biblical use and development of the themes of law and restoration is found in the fear of social-political irrelevance; they were articulated under the duress of the anxieties produced by that fear. Because it is reactionary, the law's call to a moral life in the Persian and later period texts is not a purely altruistic one. It emphasizes instead an ideal normative order under which the (*golah*, remnant, or whatever other similar term or concept) community's anxieties are best alleviated. And moreover, the strict monotheistic ideology, one expressed predominantly in the recorded descriptions of the *golah* community, that developed during this time was a product of the same social-political forces that forced the hand of the evolving concepts of law and restoration.

This work investigates the ideological forces that drove the reification of law and restoration as ideas central to biblical identity. It assumes that neither concept, both of which have also become foundational pillars in monotheism, was central to Judean identity before the exile. It argues that these concepts became central precisely because of the growing emphasis upon strict monotheistic identity that began in the Persian period and continued throughout the Hasmonean one. What this means for the modern reader is that the importance of law and restoration that scholars have attributed to the biblical texts is the product not of any theological concern to be right with God but survival strategies that emerged in response to the exile. Put in balder terms, the biblical centralization of law and restoration, this work argues, was a ritualized response to fear.

At this point, perhaps a clarification of my intent is necessary because it helps explain my methodological approach. A more conservatively oriented reader will interpret my comments as a criticism of the universalism of grace. While on a personal level I am hesitant to adopt such a Christocentric view, especially in studies of Judean texts, my challenge is not directed at the belief itself. Instead, it reflects an attempt to expose

4. For a broad understanding of political behavior, see the work of Claude Ake, "A Definition of Political Stability," *Comparative Politics* 7, no. 2 (1975): 271–83.

underlying ideological assumptions that bolster such beliefs. My critical approach stems out of a desire to understand. Throughout this work it will tend to look at whole systems to study their function. It will study the pieces of the whole and how they function within the whole. And then it will attempt to rebuild the whole with an awareness of how it functions, and with loyalty only to the social-scientific pursuit of understanding ideological systems and their functions. To be effective, such pursuits must tread equally in sacred and profane spaces and expose both to the same level of scrutiny, criticism, and doubt.

Premise, Authorial Perspective, and Understood Audience

Sometimes the best way to understand ossified presuppositions upon which academic arguments depend is to tear down the house and reanalyze the base. I'm not the first to say this, nor to attempt to do so. But all too often a handsaw is brought to a job where a wrecking ball is needed. I have a wrecking ball in my combined use of Žižek, Deleuze, and Foucault. Of the three, Žižek is more the bull in the china shop. I chose to use him not because I think he's right or even a perfect lens through which to interpret the Bible. In fact, it is nearly impossible to identify a clearly articulated, uniform theory from Žižek. Any attempt to do so is likely to leave one "bonkers." However, he has done a lot to return scholarly awareness to the role of contradiction in the formation of ideological position. In that, there is overlap between his work and that of Deleuze. Despite scholarly resistance to him, Žižek has been effective in his sometimes belligerent analyses of contradiction, synthesis, and causes behind material forces of production. He has been effective in that his analyses have exposed real issues and concerns that must be accounted for in any study of social-political behavior. But in many ways, where Žižek has exposed such issues, he has not offered a way around the broken shards; it is there that scholarly criticisms of his theories have substantial merit.

My employment of fairly controversial theorists attempts to do what analogies between modern social ills and the biblical text attempt but often fail to do. Such comparisons, such as comparisons of Ezra–Nehemiah to ethnic cleansing, are often shocking but fail in their attempts to decenter conventional scholarly assumptions. They often never get past the awe of the analogy itself. Such analogies should be accompanied by a sympathetic attention to where the comparison breaks down. To avoid the snares of that my intent is to use theorists to serve a decentering and deconstructive purpose. In many ways, that is where the influences of Žižek, of Deleuze, and of Foucault stop. It is also there that this work shifts its methodological focus onto rebuilding the social-political context in order

to understand more intimately the forces that shaped cultural emphases upon law and restoration as central pillars in the developing monotheistic identity in Yehud. In all cases, I use the three theorists as talking points and as points of departure. Their works are ignorant of biblical matters and so can't be applied directly. But scholarship that pushes boundaries within the discipline finds creative use for seemingly disparate ideas and theories. And sometimes the best way to come to a better understanding within the problematically archaizing tendencies of any academic discipline is to do something new, to rattle the bars of its gilded cage.

In addition, scholars of ancient history often demand that if many people say something then we would do well to pay attention. Like him or not, many people are talking about Žižek. He, in fact, is one of the few living scholars to have a journal dedicated to the study of his work.⁵ That scholarly expectation led me to consider Žižek. What do so many people see in him? Certainly not clear accessibility. And if the job of the biblical scholar is to make the Bible more understandable, can someone like Žižek expose new areas of interdisciplinary dialogue with the text in ways that might connect the ancient author to the modern reader? So I have chosen to use Žižek as a bull in the china shop of academic convention on law and restoration. Far too long has scholarship depended on law (*torah*) as a productive and shaping force in Israel, as if one entered into relationship with the law to find identity. Analyses of biblical texts ranging from the Pentateuch to the prophets have largely wrestled with how society was defined in relation to an existing and codified law. But the law as we know its form in the biblical texts was the product of a minority group under the stress of exile—we will argue from that position in this work. The law was not the guiding paradigm of group behavior but a blueprint for a restored Israel, or restoration in a more general term. Additionally, restoration was not any return in the sense that the biblical texts describe. It was more a utopianism that idealized the past, the idea of the kingdom of Judah. To arrive at a better understanding of the forces that drove the production of the biblical texts we must come to view the texts not as producer but as product. In the absent reality of material power, biblical authors turned toward the ideological construction of a desired reality. That not all authors (compare for instance Isaiah, Malachi, and Ezra–Nehemiah) from the relevant periods had the same visions speaks only to the lack of any central, dominant ideology and confirms our position that the authors originally wrote from the margins of social-political power.

5. See the *International Journal of Žižek Studies*, <http://zizekstudies.org/index.php/ijzs/index>.

Given the difficulties in finding any coherence in Žižek, I have chosen not to use his work as a dominant theory, in the same way one might use Marx or Hegel. Yet he is certainly having a very real impact on readers, carnivalesque and otherwise, but still exposing real meanings and understandings. Therefore, I have chosen a strategy more along the lines of what Derrida practiced, namely, to apply one idea against another and see where they overlap and where they differ and allow their differences to open up new lines of dialogue. But where Derrida got caught up in the the broken remains of his deconstructed house, I work within the larger confines of a materialist framework to provide a blueprint for a new, updated house consistent with a materialist viewpoint. If they are veritable, new lines of dialogue must provide a new way of seeing a cohesive whole. This is why I have chosen to pull from three theorists whose works supplement but also correct each other. Neither one alone is sufficient.

Any endeavor such as this will inevitably invoke an impassioned response. Scholarship needs a little rabble-rousing every now and then lest it content itself with restating the same ideas on an endless loop, or become antiquated. But I need to be clear. My intent as an author is to wrestle with new ways of having the conversation. I am not out to debunk. I am not out to refute the importance of the Bible. It was important. It is important. In fact, it is central in many ways and to many cultures. That central importance is precisely the reason I want to better understand the material and ideological forces that shaped it. In that regard, my focus on contradictions is twofold: contradictions provide the best point of contact for understanding central concerns and ideologies, and this focus is motivated by my own relationship with the Bible, which can be summed up in the words of the iconic poster in Fox Mulder's office on the TV show the X-Files: *I want to believe*.

A further word on strategy: the discriminating reader will notice textual insertions in the style of a Greek chorus throughout the text, namely in the form of italicized sentences. These insertions are meant to reinforce important points, to criticize the problematic primacy of others, and to expose new approaches for understanding difficult points or to identify multiple meanings of important ideas, a multiplicity that should not be suppressed beneath the lofty championing by author or reader of a singular understanding.

Caveats: What Must Be Said Before What Can Be Said

La pigrizia degli storici è grande, e quando essi trovano per un determinato periodo una presentazione continua degli avvenimenti già in qualche fonte “antica” (non necessariamente contemporanea agli avvenimenti stessi) sono ben lieti di adottarla limitandosi a parafrasarla o magari a razionalizzarla. È un procedimento che nessuno sosterrebbe sul piano teorico, ma che pure di fatto continua a trovare applicazione, specie in settori in cui la consapevolezza dei metodi a dei fini non sia sufficientemente desta.⁶

With Mario Liverani’s concern in mind, let us take as a given that the Bible is not a book of unbiased historiography. It has an obvious intent: articulating its own myopic understanding of a world it deigns to convince its readers was real.⁷ Neither is it a book of positive theology. And even though it has become a “living document”⁸ within the monotheistic tradition, its initial concern lays not with providing a theological grounding for future monotheistic communities. Its driving concern is more imminent, more desperate even. It is a constructivist, utopian text, in which a minority community detailed its aspirations for a new social-political order. “But as for you, have no fear, my servant Jacob, and do not be dismayed, O Israel; for I am going to save you from far away, and your offspring from the land of their captivity” (Jer 46:27). In other words, there is, to borrow from Žižek’s discussion of revolution, a radical element within the texts. Restoration demands a breaking down of the extant social-political structures and a glorious building of new ones. “Israel” expects that the remnant community would become the social, political, and religious authority within the province, and that any imperial power relinquish any sway it might have; and that it do so in psalmic

6. Mario Liverani, “Storiografia politica hittita II: Telipino, ovvero: della solidarietà,” *OA* 16 (1977): 105.

7. Cf. N. P. Lemche, who argues that it is impossible to consider the Hebrew Bible as a historical source in the classical sense of the word. At the same time, he warns against readings that are far removed from the realities of the ancient world (cf. *The Israelites in History and Tradition* [Louisville, KY: Westminster John Knox, 1998], 1). This means, in short, one must be aware of the limitations of one’s study.

8. Cf. Jonathan Magonet, *A Rabbi’s Bible* (London: SCM, 1991); K. Stone, “Bibles That Matter: Biblical Theology and Queer Performativity,” *Biblical Theology Bulletin: A Journal of Bible and Theology* 38, no. 1 (2008): 14–25. Both scholars tend toward a more postmodern, and so inclusive, reading of the Bible as a living document. Yet even more conservative views of the Bible consider it to be an object with which one must enter into a formative relationship (cf. Alister E. McGrath, *Christian Theology: An Introduction* [Malden, MA: Blackwell, 1997], 193).

celebration of the awesome power and authority of Yahweh. The conflicts described in the texts, we will argue, are still consistent with the utopian view of restoration that drives their focus. There resides in them, to pilfer again from Žižek, a “utopian hope which sustains the specter of ‘infinite justice,’ forever postponed, always to come, but nevertheless here as the ultimate horizon of [their] activity.”⁹

Even if we accept a Hellenistic or Hasmonean-period dating for the final form(s) of texts such as Ezra–Nehemiah traditionally associated with the Persian Period and assumed to be historiographic in focus,¹⁰ the ideological attitudes and motivated behaviors of the remnant community can be traced to the Persian period.¹¹ It was there that internal social-political conflict (*but did not this conflict exist only in the mind of the golah community?!*) in Yehud was at its peak—an environment that gave birth to the early form of the ideological and religious traditions that shaped the final form of the Hebrew Bible.¹² The biblical texts were products of the anxieties and conflicts that occupied the collective mind of the communities to which their authors belonged. While scholarship has addressed conflicts that faced the remnant community in Yehud, it has often failed to address adequately the deep-rooted level at which such conflicts shaped the biblical texts. There is still, after all, a prevailing tendency to rely upon happy positivism when it comes to the Bible. Take as an example the statement from Klaas Smelik: “The historicity of... stories in Genesis, Daniel, and Esther is debated. The books of Ezra and Nehemiah, however, are considered to be based on historically reliable documents. In these books, we encounter two servants of the Persian king: Ezra and Nehemiah, who play a decisive role in reorganizing the

9. Žižek, *In Defense of Lost Causes*, 225.

10. Cf. Mark A. Throntveit, *Ezra–Nehemiah*, Kindle (Louisville, KY: John Knox, 1992), 11; H. G. M. Williamson, “The Composition of Ezra I–VI,” *JTS* 34 (1983): 1–30.

11. J. Blenkinsopp builds his work on a similar proposal (see *Judaism, the First Phase: The Place of Ezra and Nehemiah in the Origins of Judaism* [Grand Rapids, MI: Eerdmans, 2009]).

12. Blenkinsopp rightly identifies the Persian period as the “decisive” period in the emergence of Judaism and, we would add correspondingly, biblical monotheistic identity (see *ibid.*, 6). And P. R. Ackroyd writes, “As a general principle of working here, it seems best to make an assumption—and to abandon it only when the evidence is clearly opposed to it. This assumption is that modification and addition made to the work [Ezra–Nehemiah] after its main stage of composition are not to be regarded as totally contrary to its purpose” (*I & II Chronicles, Ezra, Nehemiah* [London: SCM, 1973], 20).

Jerusalem community after the return from the Babylonian Exile.”¹³ But where is the wellspring of aggressive, uncompromising critical analyses of the biblical texts as products of tortured psyches, anxious authors, myopic scribes, or those exposing times in which the biblical texts were written under social and political duress—the same type through which one might approach the works of, say, Franz Kafka? Phyllis Tribble did this, and she did it well in her dismantling of some of the extrinsic motivations supporting authorial emphasis upon “woman” as an object.¹⁴ Thomas Thompson, with a fair amount of rabble-rousing, also wrote poignantly about what modern readers can even hope for in their readings of the texts: “The world-view of the Old Testament belongs to a different age from ours. We are not, cannot be and should hardly look to become—even in indignant imagination—Hellenistic Jews, that the text might speak to us. The text doesn’t speak to us, nor was it addressed to us. To pretend that it does and was, is among theology’s least critical and most self-serving lies.”¹⁵ Our purpose in better understanding the ideological forces behind the production of the Bible is more effective if we set aside consideration of what it has become, a central and absolute symbol within monotheism. The history of the Bible’s reception, which already presumes the “Bible” as a codified thing, is not equal to the processes of its formation or production—its *Ursprung und Prozess*, so to speak. This work contributes to that minority in biblical scholarship by beginning here: the ideological forces that shaped the Bible and its centralization of law and restoration, which are core ideas for the Bible and later monotheism, were given life in the tortured midst of anxiety. *Circle the wagons! Confirm our resolve! We’re under threat!*

With the contours of a rather larger problem before us, this work will argue for a fundamental reevaluation of social-political ideologies behind the centralization of law and restoration within the biblical texts from the sixth–fourth centuries BCE. To arrive at this better understanding means that we must also assess how law and restoration became central to the emerging monotheistic identity in Yehud. Since struggle seems to be a shared characteristic of all Neo-Babylonian and Persian-period biblical

13. Klaas A. D. Smelik, “Nehemiah as a ‘Court Jew,’” in *New Perspectives on Ezra–Nehemiah: History and Historiography, Text, Literature, and Interpretation*, ed. Isaac Kalimi (Winona Lake, IN: Eisenbrauns, 2012), 63.

14. See Phyllis Tribble, *Texts of Terror: Literary-Feminist Readings of Biblical Narratives* (Philadelphia: Fortress, 1984).

15. Thomas L. Thompson, *The Mythic Past: Biblical Archaeology and the Myth of Israel* (New York: Basic, 1999), 387.

literatures we will begin with an assessment of how those concepts were defensive. This work argues that within the framework of the Bible, law and restoration are defensive concepts developed in response to increasing anxieties over the threatened loss of group identity within a seemingly unsupportive political environment. What this looked like in specific, we will discuss throughout this work. We should also point out that such fears may have been less physical than imagined in that individual lives may not have been under physical threat. Rather, what was likely at stake was the loss of any external recognition of the group as socially relevant. (Did, after all, the *am ha'aretz* really view itself as the *am ha'aretz* in relation to the *golah* community?) As driving forces of group behavior—“O LORD, God of Israel...we have escaped as a remnant...we are before you in our guilt...” (Ezra 9:15)—law and restoration were also, we will show, reflective of revolutionary acts and attitudes, critical to the monotheistic identity that emerged during this time. A more well-rounded and sophisticated understanding of the collective identity of the “remnant” than what currently prevails in scholarship¹⁶ demands a rigorous analysis of these “concepts.” They reflect attitudinal positions and related actions developed in response to an already dominant social-political normative in which the marginal position of the *golah* community was anxiety producing. “Here we are, slaves to this day...” (Neh 9:36). They are, in other words, mechanisms through which the community sought to respond to and alleviate the anxieties of its own socially marginal position—the community was, for all intents and purposes, composed of immigrants. That reality *must* be considered! What this means in bald terms is that the concepts of law and restoration were concepts developed out of overwhelming anxieties, or fear.¹⁷ And because law and restoration are two of monotheism’s fundamental pillars, the echoes of the ideological forces that shaped them continue to be heard within monotheism. *But does that mean that fear is a productive force in monotheism?* Maybe.

16. As though a seed from which a complexity in life sprung, the remnant has been credited with the Bible, building the Jerusalem temple, and setting the infrastructure for later Judaism and even Christianity.

17. I am building on the project laid out in *Breaking Monotheism: Yehud and the Material Formation of Monotheistic Identity*, LHBOTS 565 (London: Bloomsbury T&T Clark, 2012). There I identified the three pillars of monotheism as revelation, law, and restoration.

One might describe these concepts—and one could even say “ideological positions”¹⁸ in that they identify a baseline for behavior—as utopian strategies that defensively respond to the present by directing one’s gaze toward a desired future. *While tough now, it’ll be better, as long as you observe the law.* Doing that would be appropriate, but one should not read into these positions and their co-existent ideology conformation that the “returnees” enjoyed dominance over the major social-political institutions in Yehud.¹⁹ As such, these “positions” partly constitute a blueprint for a new social-political order by providing mechanisms through which patterns, ideas, and meanings critical for a collective identity may be legitimated. That is one reason why they are consumed with the boundary between member and nonmember. Perhaps to better identify their function as *mechanisms* one should describe them as actions whose intent is to challenge and interrupt already legitimated agreements on given cultural taxonomic systems and their dependent social-political hierarchy.

For a modern albeit rough parallel, one might understand the September 11, 2001 attacks against symbolic representations of “the American way of life” (economic and military symbols) as attempts, though largely misguided, at undermining the foundation of the social-political world in the United States. To strike at the heart, or core, is an attempt to bring the

18. Note the definition of “ideology” offered by Howell and Prevenir: “ideology is almost unconscious, very difficult—perhaps impossible—to retrieve. It is a system of values which inform action, or which are thought to inform action—ideas about good and bad, about right and wrong, about what is ‘natural’ and what is ‘given’ and what, in contrast, is ‘changeable’ or ‘man-made.’ In this sense, ideology is a product of culture—learned, to be sure, but learned at so deep a level that it is not easily distanced” (*From Reliable Sources: An Introduction to Historical Methods* [Ithaca: Cornell University Press, 2001], 147).

19. As proposed by J. Kessler, for example, in “Persia’s Loyal Yahwists: Power, Identity, and Ethnicity in Achaemenid Yehud,” in *Judah and the Judeans in the Persian Period*, ed. Oded Lipschits and Manfred Oeming (Winona Lake: Eisenbrauns, 2006), 104. In contrast to him, one should also note G. Ahlström, who posited that the class distinction between the *golah* and the *am ha’aretz* was not merely religious. “It was very much a sociological problem and a problem of property rights. The nonexiled people [who] claimed ownership of the land at first considered the returnees as foreigners. They maintained that the returnees had no right to the land” (*The History of Ancient Palestine* [Minneapolis: Fortress, 1993], 846). See also Philip R. Davies, “Urban Religion and Rural Religion,” in *Religious Diversity in Ancient Israel and Judah*, ed. Francesca Stavrakopoulou and John Barton (London: T&T Clark, 2010), 104–17.

entire institution crashing down. For the terrorists, even if through twisted logic, these offensive acts were defensive in that they were preemptive attempts to remove external road blocks from the creation of an Islamic State, or political reality, a utopian world in which peace and stability, though of a particular genre, might reign. In the case of the returnees in Yehud, the intended purpose of their utopian strategies was to take aim at the dominant social-political order, to bring it crumbling down and rebuild it on the strength of divine favor. In that sense, they are revolutionary.²⁰

Most scholarly works dealing with Yehud don't embrace that angle, which makes a better understanding of the central importance of law and restoration, but arrived at through social-scientific methods, all the more valuable. Instead, those scholars proposing the existence of a theocracy in Yehud have depended entirely upon the prescriptive and taxonomic effectiveness of the social-political actions taken by Nehemiah, that the religious implications of his actions (such as the whole-scale reception of the temple as a central symbol and the effectiveness of the cult influencing politics) were supported by the (legitimated) political hierarchy. They often ignore any real discussion of relations of production, material and ideological—a neglect that does nothing more than leave the political hierarchy resting on a fragile edifice of religious (*and utopian!*) ideology.²¹ But even the main face of religious ideology emphasized the distinction between insider and outsider as the foundation for a restored state and the power relations that shaped it.²² And even the idea of covenant—a

20. By “revolutionary” we mean that their successful reception required a radical change in social-political relations and institutions, which must include unavoidably the legitimated and effective relations of force. To clarify such relations of force, note Pierre Bourdieu writes, “[T]he structure of the relations between claimants occupying different positions in the relations of production, reproduction, and distribution of religious goods tends to reproduce the structure of relations of force between groups or classes, but under the transfigured and disguised form of a field of relations of force between claimants struggling for the conservation or subversion of the symbolic order” (“Genesis and Structure of the Religious Field,” ed. Craig Calhoun, *Comparative Social Research* 13 [1991]: 31).

21. Alt's work was among those that led the way in this now egregious scholarly position (cf. “Die Landnahme der Israeliten in Palästina,” in *Kleine Schriften zur Geschichte des Volkes Israel* [Munich: Beck, 1953], 89–125; “Die Rolle Samarias bei der Entstehung des Judentums,” in *Kleine Schriften zur Geschichte des Volkes Israel* [Munich: C. H. Beck, 1953], 316–37).

22. Cf. Daniel L. Smith, “The Politics of Ezra: Sociological Indicators of Postexilic Judaeon Society,” in *Second Temple Studies, 1: Persian Period*, ed. Philip R. Davies (Sheffield: Sheffield Academic, 1991), 72–97; Joel Weinberg and Daniel L.

legal agreement that depends entirely upon collective agreement that the divine (1) exists and (2) requires authorship over cultural taxonomy and social-political hierarchy—emphasizes an idealized pattern of division of labor.²³ What this means is that the Bible, in its, *and* those of scholars who are likewise guilty, tendencies to overlook social, economic, and political realities is more characteristic of a revolutionary text written on the margins of power. It is best read not primarily as an objectively historiographic project, nor a theological one, but as a radical attempt to institutionalize utopian ideals within the collective memory of a minority. Oh, what that would mean for modern monotheistic thought! Theologies based on the biblical texts must then confess to their dependence not on revelation but on revolution.

*I Did It My Way: How Visions of a Restored World
Reflect the Subject's Desire*

Within the biblical texts, law and restoration, as concepts foundational to group identity, represent the attitudinal position of a minority group and its expressed desire for change. *Our restored world, our "heaven," is a world in which our anxieties are alleviated. Our law is the blueprint for that world.*²⁴ They reflect utopian hopes directed at or emphasizing a society

Smith-Christopher, *The Citizen-Temple Community*, JSOTSup 151 (Sheffield: JSOT, 1992); Sigmund Mowinckel, *Studien zu dem Buche Ezra-Nehemiah*, I–III (Oslo: Universitetsforlaget, 1964).

23. J. Assmann was, in that regard, correct about the role of the Mosaic Covenant (cf. *The Price of Monotheism* [Stanford, CA: Stanford University Press, 2010], 37–38). Note also S. Greengus, who argues that priests took on positions of authority because the religious law (of the remnant community) was given central place and legitimated as such by the imperial king (cf. "Biblical and ANE Law," *ABD* 4:242–52). One should also consult the classical work of J. Wellhausen in which he argues that the *golah* community *constructed* a theocracy based on the Mosaic archetype (cf. *Prolegomena to the History of Israel*, Scholars Press Reprints and Translations [Atlanta: Scholars Press, 1994], 425). Both of these scholarly proposals assume as affectively real in a social-political sense the desired object—restoration through obedience to the law—of the returnee community.

24. Of course, later Christian theologies tend to absolutize the relative. For instance, modern, evangelical examples of this tend to emphasize the absolute natures and distinctions of heaven and hell. In his defense of the existence of hell, for example, Albert Mohler writes, "Can a truth clearly revealed in the Bible be anything less than good for us? The Bible presents the knowledge of hell just as it presents the knowledge of sin and judgment: these are things we had better know. God reveals these things to us for our good and for our redemption. In this light, the knowledge

restructured in support of the “righteous” community as the paradigm for social-political membership. Given their focus on unfulfilled desire they are best read as describing relational strategies, those conveying the formation of new social-political, intersubjective realities. In other words, law and restoration as relational strategies—*defining who I am in distinction from you*—reflect an underlying utopian interpretation of the “real” world. These strategies fit very well with Fernando Ainsa and Jeanne Ferguson’s definition of the utopian position:

The territory of the Utopia that “is not here” supposes then the courage to create “another world,” as it should be in the future, as we imagine it in the past or that we presume exists in “another place.” A determined construction of a counter-image of our immediate reality is necessary for this representation in time and space. That “other world,” since it is Utopian, must be “critical” of this world, must correct it and imposes modifications on the injustices of its structure.²⁵

To be clear, this does not mean that they are utopian strategies incapable of influencing social-political behavior, as if they were irrelevant to the real desires of the utopian-minded community. There is a real-world practicality to them that makes even the faintest whisper of hope a deeply motivating ideal in the “real” world. For these strategies in particular it was the religious world being constructed that made them suitable for the everyday life. They became the banners behind which the footsteps of believing monotheists set the dust of history into a suffocating tizzy.

Certainly these terms have been given great theological meaning reflecting a near, or sometimes overt, supernatural presence behind the formation of an “elect” community. Take, for instance, something sometimes heard in conservative, Christian communities: *God blessed me, one of his children, by giving me X dollars*. But such emphases typically overlook reality in favor of the utopian ideal, an ideal that is itself the driving ideological basis behind monotheistic concepts of restoration. Never does one hear the more realistic, non-quasi-solipsistic version: *What really happened was that someone fretfully dropped the only money they had to buy much needed milk for her own hungry children. And I took it for myself*. Rather than some big Other who actively confirms the best perceptions of ourselves,

of these things is grace to us” (“Air Conditioning Hell: How Liberalism Happens” [Albertmohler.com, 2010], n.p. Online: <http://www.albertmohler.com/2010/01/26/air-conditioning-hell-how-liberalism-happens/>). Maybe.

25. Fernando Ainsa and Jeanne Ferguson, “Utopia, Promised Lands, Immigration and Exile,” *Diogenes* 30, no. 119 (1982): 50.

we should instead be referring to attitudes and corresponding actions whose purpose is to interrupt surrounding cultural conventions.²⁶ *What my God wants may be a futile conversation. But what my community wants... now you and I are approaching a more accessible ground for dialogue.* To avoid possibly ensnaring theological interpretations, we should begin by reading references to “God” within the Bible and its interpretation not as biographical statements of an absolute reality but as projections of an idealized sense of collective self.²⁷ Within all monotheistic traditions, the

26. U. Eco’s distinction may be helpful here: “When we say that, in order to decide whether an animal is a MAMMAL or not, we have to fall back on a system of cultural conventions (or...reconstruct one), while, in order to decide if something is an egg, we intuitively put our faith in perception and an elementary knowledge of the language being used, we are saying something that goes beyond intuitive obviousness. Of course if someone has not been trained to apply the word *egg* to a certain CT [= Context Term] (which already considers the form, the presence of yolk and albumen, the presupposition that if this object is sat on for the right amount of time, then a living creature might be hatched from it), there will be no agreement on the recognition of an egg. Therefore perceptual consensus too always springs from a prior cultural agreement, no matter how vague or folk it might be. And this confirms what I was trying to say shortly before, that in the process of understanding, the structural moment and the interpretative moment alternate and complement each other step by step. Nevertheless it cannot be denied that, in defining an egg as such, the testimony of the senses prevails, while in order to define a mammal as such, what prevails is a knowledge of classifications and our agreement on a given taxonomic system” (Umberto Eco and Alastair McEwen, *Kant and the Platypus: Essays on Language and Cognition* [New York: Harcourt, 1999], 253). Each taxonomic category that helps constitute and legitimate social-political order takes for granted presupposed meanings, ideas, or realities that are both critical to its importance and part of the fabric of social-political order. Our intent in this project is to expose some of those presuppositions.

27. Wrestling with the nature of God in relation to group identity can be found to a limited extent even within monotheistic traditions. Is not process theology within the Christian tradition close to this more sociologically aware understanding? “Process theologians make a place for Jesus, but basically he is seen not as the Word made flesh but instead as the universal center of psychic convergence, the model of self-realization. Sharply breaking with Christian tradition, they deny that there was just one incomparable incarnation in history—when God became man in Jesus Christ. In its place they argue for a universal cosmic incarnation of which Jesus is a supreme manifestation. While some hail Jesus as the perfect embodiment of the ideals of goodness, truth and beauty, others see him as only one step, albeit a crucial one, in the upward surge of creative evolution” (Donald Bloesch, “Process Theology and Reformed Theology,” in *Process Theology*, ed. Ronald H. Nash [Grand Rapids: Baker, 1987], 43).

celebrated attributes of God reflect the projected ideals of the community. Our discerning reader will again note that this position is more difficult to maintain for the conservative than for the liberal. Yet it is a social-scientific position whose purpose is to understand how concepts and categories of knowledge and experience develop within the realm of the social world, and to do so without appealing to an unverifiable source outside that world, which then prioritizes theology over the social-sciences.

*Defining Revelation, Law, and Restoration
as Pillars of Monotheism Within the Context of This Study*

Since we will discuss these concepts in more detail below and throughout this project, a brief introductory summary will suffice here. We presuppose in this work the following definitions: in sociological terms, “revelation” refers to an interruption of a dominant normative order that necessitates change in response. “Law” denotes the standard through which intersubjective activities are regulated within the dominant social-political order. And “restoration” denotes a stabilized normative order consistent with the collective identity of the group desiring a restored state. Restoration refers, in other words, to a world that is itself a product of the expressed desire of a distinctly self-aware community. While these terms are often used and understood with deep theological nuances, as sociological terms they are foremost terms that reveal qualities of intra- and inter-group (relational) behaviors.

But let’s draw the distinction out further. As a theological term revelation is God’s exposure of the divine self in such a way that the created world must respond. Rudolph Otto, for example, referred to the consequence of this as the *mysterium tremendum*—that mysterious force that filled the individual with awe and compelled her to act. And Alistair McGrath defines “revelation” in a Christian sense as “the personal self-disclosure of God within history. God has taken the initiative through a process of self-disclosure, which reaches its climax and fulfillment in the history of Jews of Nazareth... In Christ may be seen the personal self-disclosure of God. Believers are ‘God’s dialogue partners in history.’”²⁸

Theological emphases upon law—and this can be said for monotheism generally—refer to a divine law perceived to be an absolute regulation of behavior consistent with the Divine’s intent or plan for the world. Ruhollah Khomeini, from a slightly different angle, supported the view that the

28. McGrath, *Christian Theology*, 183.

government was a necessary tool advocated for in the *shari'a*: “The *shari'a*, for its part, instructs us to be constantly ready to defend ourselves against those who wish to attack us. Government, with its judicial and executive organs, is also necessary to prevent individuals from encroaching on each other’s rights. None of these purposes can be fulfilled by themselves; it is necessary for a government to be established.”²⁹ Similar ethical responsibility, but without emphasis upon physical defense, is true for Judaism, according to Eugene Borowitz, who writes that Jews have a religious basis for civil responsibility: “According to Jewish law, the son of Noah (that is, all men) are commanded by God to be just to one another.” But, he adds, existence under a non-Jewish ruler does not hold the same quality of life as under a Jewish one, a ruler observant of the greater Jewish law, which is beyond political law.³⁰ Law is the blueprint and mechanism through which the believer acts out his belief and membership within the community—a membership critical for participation within the “restored” world.

Restoration refers to the culmination of the Divine’s plan for the world, a heaven (utopia) on earth—a culmination that includes the centrality of the “righteous” or “faithful” community. Given the various possible nuances—theological, sociological, or otherwise—of these terms, one obligation for our project will be to decenter the theological nuance of these terms in favor of the sociological one. The former creates an unavoidable prescriptive reading strategy shaped by perceptions, *often modern*, of divine intent. *The way to Heaven is unequivocally this way...* The latter focuses more on the social and historical circumstances of this production found in the cultural formation of the Persian-period and later biblical literature and the ideas that are central to that literature. This social-scientific focus within biblical studies should demonstrate a clear understanding of social-scientific ideas before applying them haphazardly to an ancient context or text. This is critical now more than ever with the growing interest in the cruciality of social-political events from the Persian and later periods and in the biblical literature deriving from those times. And the more that the social-sciences are invoked for methods of interpretation—and this is desperately true for biblical studies—the more Pierpaolo Donati’s call for proper sociological analysis should be heeded, calls such as,

29. Ruhollah Khomeini and Hamid Algar, *Islam and Revolution: Writings and Declarations of Imam Khomeini* (Berkeley, CA: Mizan, 1981), 61.

30. Eugene B. Borowitz, “Judaism and the Secular State,” *Journal of Religion* 48, no. 1 (1968): 28–29.

If the social sciences genuinely wish to understand the human within the social, they must give rise to new *relational models* of social reality, in which the social is not something deterministic, mechanical or auto-poetic that is “animated” from outside (by psychological or symbolic elements), but is seen as *the place of emergence of the referential and connective elements proper to the human being*.³¹

The Ascendency of Law and Restoration Within the Biblical Texts Was Encouraged by Conflict

In both positive and negative aspects of distinction, these pillars (revelation, law, and restoration, but we’ll focus in this work on the latter two) operate at an intersection of “referential and connective” relations between the immigrating community (returnee, *golah*, other) and the people already in the land. This means that law and restoration as biblical concepts are both consequences of *and* shape the nature of the intergroup conflict between the immigrating community and the people already in the land. This does not mean that the general terms law and restoration were created out of this conflict but that the unique meaning and value attributed to them was a product of that conflict, whether real or perceived as real by the immigrating community. From a social-scientific position, we are not looking at these “pillars” as absolutes, which modern forms of monotheistic thinking tend to do in the form of: God revealed God’s self; there exists a universal, absolute law; and the created world will one day be in sync with the desire of its creator. They have structural qualities and as such they can be observed in terms of their genus in any monotheistic culture or religious community, but they are not absolute. They are more imminent than absolute. They are products of a particular, historical set of social relations. They are, and this is a primary argument in this work, the ideational products of a community on the margins of power, which because of its position was consumed with the nature of its own relevance. Moreover, they are—and this is why these concepts function so well in modern forms of monotheistic thinking—aspects of a constructivism in which the prevailing social-political order is interrupted, changed, and regulated according to a different set of legal guidelines. And in this

31. Pierpaolo Donati, *Relational Sociology: A New Paradigm for the Social Sciences* (London: Routledge, 2011), 35, italics in original. Note that he is also criticizing still current tendencies within sociological theory to “endorse the idea that the *purely social is mechanical in nature* and that, as such, it acquires a human sense only when it is animated by motivational features of people (generally, psychological factors of personality) and symbolic aspects (generally, the factors of the cultural system)” (ibid., italics in original).

sense they are also political concepts: *the driving motivation behind these pillars was the desire for authority over the social-political order.*

Our concern over maintaining a distinction between theological and historical sociological interpretation is not without merit. Manfred Oeming's interpretation of the theological importance of the walls of Jerusalem in Nehemiah, for near paradigmatic example, emphasizes an idealistic and theological vision of the *golah* community rather than a sociological one. Let's leave his statement in his own words:

If we want to understand fully the historical reality behind the rebuilding of the wall, then we cannot claim the absolute importance of the political, national, economic, and military aspects. In the heads and hearts of those who built the wall, there existed a multifaceted complex of theological ideas: for them, the wall was a highly symbolic sign of the activity and the presence of God in history, for the end of God's judgment, for the return of God's name to his chosen dwelling place, for the beginning of the return of the Diaspora, for the holy space where the Torah was reigning. Israel regained its identity only within this wall.³²

Oeming's comments reflect precisely what biblical scholars should labor to avoid. Prioritizing a unifying theological belief or agenda as the motivation behind the actions of the *golah* community, as though theology had an overpowering influence over the quiddities of intergroup sociology, is highly problematic. It rejects out of hand adequately expressed sociological awareness of what it meant in this case for the *golah* community to be an *active* social-political group, all while presupposing a complete separation of the community from the people of the land.³³ Scholarly positions such as the one expressed ignore the strategic, and sometimes selfish, use of theological ideologies and traditions by the biblical authors pursuing a more practical social-political reality.

32. Manfred Oeming, "The Real History: The Theological Ideas Behind Nehemiah's Wall," in Kalimi, ed., *New Perspectives on Ezra–Nehemiah*, 149.

33. While he is still ultimately caught in this quagmire, J. Blenkinsopp (*Judaism: The First Phase*, cf. 1–10) rightly attempts to address this neglectful tendency in scholarship while maintaining the centrality of religion in the identity formation of the *golah* community, which he argues sets the stage for a type for religious colonization. Since we will discuss Blenkinsopp's argument in greater detail in the final chapter suffice it to say here that one should find many points of agreement with his sociological argument but disagree with the functional centrality of religion as the primary productive force of identity formation.

In addition, scholarly emphasis upon the central, productive importance of theology overlooks the likelihood that authors of the Persian period biblical literature were not uniquely driven to create religion.³⁴ Instead, such ideas have a “dirtier” origin in the social-political struggles of the Persian period. They are responses to the anxieties brought on by an environment that did not support the “right to rule” by members of the *golah* community. In inviting debate in this area, we are also disagreeing slightly with, for example, Joseph Blenkinsopp’s position (but agreeing on some points!) on Ezra–Nehemiah, which argues that the text reflects “a religious colonization with a strongly sectarian character, a distant analogy to the Pilgrim Fathers.”³⁵ The text *is* a product of social conflict, but where Blenkinsopp seems to accept religious organization as an end goal, a view that reflects a sociology of religion centralized around the “church”—in the sense of a religiously oriented collective—as a “historically relative institution of religion,”³⁶ we propose instead that it was a means to a more passionate end: the projection, including through the attainment social-political authority, of order upon the social world to conceive of it as historically significant for the remnant community.

Identifying the Parameters of That Ascendancy With Social-Scientific Theory

This work will show how anxiety over a perceived social-political irrelevance, or “death” in the sense of the dissolution of the social group, shaped the biblical concepts of law and restoration.³⁷ For reasons that will be made clear, we are resisting the tendency to assume any univocity of meaning for the term restoration. Historical contingencies that do not jump with ease from one social-political context to another nor from a social form to a theological one drive the biblical understanding of restoration. The community’s anxiety over irrelevance, we will argue,

34. The same could also be said for the founders Islam and Christianity. Both Muhammad’s and Jesus’ primary motivations were to bring transformation or reformation to prevailing social, economic, and political contexts. Islam and Christianity as religious systems were more secondary, and more “after the fact,” to the more pressing concerns of their days.

35. *Ibid.*, 9.

36. This discussion of the “church” is taken in part from Berger, *Sacred Canopy*, 177. See also Émile Durkheim and Karen E. Fields, *The Elementary Forms of the Religious Life* (New York: Free Press, 1995), 44.

37. For an important argument on the powerful motivation that anxiety plays in identity formation, see Melanie Klein, *Envy and Gratitude and Other Works 1946–1963*, ed. M. Masud and R. Khan (New York: Free Press, Vintage Digital, 1975).

was a direct consequence of the *golah* community's marginal position in the social-political hierarchy within Yehud. From the margins of that hierarchical authority, the biblical texts expressed hope in preserving the returnee community's collective identity. It was this biblical emphasis that led Finkelstein and Silberman to write:

[T]he priesthood, which rose to a position of leadership in exile, and which also played an important role among those who remained in Yehud, maintained its prominence because of its ability to preserve group identity. So in the following decades the people of Yehud were led by a dual system: politically, by governors who were appointed by the Persian authority and who had no connection to the Davidic royal family; religiously, by priests. Lacking the institution of kingship, the Temple now became the center of identify [*sic*] of the people of Yehud. This was one of the most crucial turning points in Jewish history.³⁸

The importance of the priesthood in the daily social-political routine and hierarchy is often overstated due to an uncritical reliance upon the biblical use of utopian ideal in lieu of social reality.³⁹ What the biblical texts tend to denote as the “remnant community,” and what scholarship has often taken for *the* community, was an *immigrating* community. That the community was not welcomed with open arms as the new aristocracy seems clear in the antagonistic or despairing tone that the biblical texts take when they describe the community's unique, imminent circumstances. Note, for example, Nehemiah: “Here we are, slaves to this day—slaves in the land that you gave to our ancestors to eat [‘enjoy,’ NRSV] its fruit and its good things [‘gifts,’ NRSV]” (9:36, translation mine). This passage emphasizes a driving concern over a lack of economic stability and power, and it is precisely a lack in those areas that threatens the perceived stability of the *golah* collective identity. *If we're the remnant, how can restoration happen if we don't have authority over the land and economic product?* This fear of social irrelevance so well portrayed in the marginal social-political position, the correction of which seems to necessitate divine intervention, is also expressed in Ezra's denunciation of mixed marriages:

38. Israel Finkelstein and Neil Asher Silberman, *The Bible Unearthed: Archaeology's New Vision of Ancient Israel and the Origin of Its Sacred Texts* (New York: Free Press, 2001), 310.

39. Cf. the larger work of Jeremiah W. Cataldo, *A Theocratic Yehud? Issues of Government in Yehud*, LHBOTS 498 (London: T&T Clark, 2009).

[S]hall we break your commandments again and intermarry [יִתְּחַן, which often denotes to become a son-in-law through a marriage alliance] with the peoples who practice these abominations? Would you not be angry with us until you destroy us without remnant or survivor? O Lord, God of Israel, you are just, but we have escaped as a remnant, as is now the case. Here we are before you in our guilt, though no one can face you because of this. (9:14–15)

Both passages express concerns over the loss of the productive forces that identify the *golah* community as something necessarily unique within the social-context of Yehud. Where the passage from Ezra emphasized law as the regulating principle, Nehemiah's concern in the previous passage was economic and over the distributed hierarchy of power; the author idealized the collective identity of the *golah* community as the remnant through which a nation would be restored (and so therefore *required* a materially and politically dominant position for the community). Along these lines, perhaps, Erhard Gerstenberger correctly classifies Neh 9:5–15 as part of an ancient Near Eastern corporate confession genre.⁴⁰ When national, confessions of this genre are rarely, if ever, selfless; they tend to reflect a desire for some material or political benefit for the nation; in this case, the remnant viewed itself as the seed of a new (restored) nation. Can we not assume that confessions are typically brought on by a feared loss of something important to the individual or community?

Ezra–Nehemiah emphasizes the benefit of physical separation between the *golah* community and the *am ha'aretz*. As such, Ezra's concern, which one should consider to be ideologically consistent with the passage from Nehemiah, emphasized a rigid isolation of the community, rejecting the possibilities of any intergroup alliance or exchange. In that, Ezra emphasizes the creation and preservation of a unique collective identity through acts of segregation, where segregation can be considered a constructive act. And so that we are clear about what we mean here, Gordon Allport, whose definition has become one *de facto* in prejudice studies, defined "segregation" as "a form of discrimination that sets up spatial boundaries of some sort to accentuate the disadvantage of members of an out-group."⁴¹ One can see this poignantly in Ezra's call that foreign women be divorced (Ezra 10:10–15), or even in Nehemiah's rejection of the aid offered by

40. Erhard Gerstenberger, *Israel in the Persian Period: The Fifth and Fourth Centuries B.C.E.*, trans. Siegfried S. Schatzmann, *Biblical Encyclopedia* 8 (Atlanta, GA: Society of Biblical Literature, 2011), 16.

41. Gordon W. Allport, *The Nature of Prejudice* (Garden City, NY: Doubleday, 1958), 52.

Sanballat and others (Neh 2:19–20) to rebuild the walls of Jerusalem, which for the author symbolized a restored social-political identity (and related nation). But let's save that issue for the following discussion.

*Understanding the Role of Conflict and Anxiety
in the Centralizing of Law and Restoration in the Bible*

In support of its own larger argument exposing the formation of law and restoration as an anxiety-ridden project, this work assumes—and we will clarify the reason for this assumption in the following chapters—the premise offered by Deleuze: “In its essence, difference is the object of affirmation or affirmation itself. In its essence, affirmation is itself difference.”⁴² Difference is both an act and a product of affirmation, which entails a recognition of someone *not me* and a subsequent acceptance of this “other” as someone capable of interpersonal relations. I see you as something embodying the essence of “not me.” I engage you interpersonally, and thereby affirm your position vis-à-vis myself, when I acknowledge you by shaking your hand (a polite act, an act of alliance) or punching you in the face (not a polite act, an act of conflict). Within that sense, difference and its affirmation are political behaviors.⁴³ The codification within the biblical texts of that behaviour and the perpetual legitimation of intergroup boundaries as an effect of a divinely *expected* difference is the purpose, for but one example, of the importance of the so-called Mosaic law. This expectation lays behind the narrative importance with which Ezra is attributed: “All the people gathered together into the square before the Water Gate. They told the scribe Ezra to bring the book of the law of Moses, which the Lord had given to Israel. Accordingly, the priest [note the switch from scribe to priest!⁴⁴] Ezra brought the law before the assembly, both men and women and *all who could hear with understanding...*” (Neh 8:1–2, emphasis mine). As to who in the author's opinion constituted this assembly, one need only consult the list of “returned exiles” that immediately precedes the reading of the law (Neh 7:5–73; see also Ezra 2:1–70).

42. Gilles Deleuze, *Difference and Repetition* (New York: Columbia University Press, 1994), 52.

43. As C. Ake defines “political behavior” (“A Definition of Political Stability,” 272).

44. Presumably, this switch follows what was expected of Ezra's actions. Ezra brings the law, he must write it down. He must educate the people in matters pertaining to the law, he must be a priest.

With their emphases upon distinction, it is not hard to see that biblical law and restoration are reactions to the threat of an alternative social-political order, one that competes for the focus of the community. “Look, I am offering you today a blessing and a curse. Regarding the blessing, it’s yours if you follow the commands that the LORD your God has commanded you. And regarding the curse, this is yours if you don’t obey the commandments that the LORD your God has commanded you, and you turn away from the directed path and follow after other gods [who represent alternative cultural and political ideals], ones in fact that you do not know” (Deut 11:26–28, translation mine). Reaction to difference, in fact, seems to be a dominant theme at large within the biblical texts. Anxiety over the loss of distinction, so that the “righteous community” is subsumed by the larger polytheistic community, may be at its highest in Deuteronomy: “You shall exterminate them—the Hittites and the Ammonites, the Canaanites and the Perizzites, the Hivites and the Jebusites—according to what the Lord your God commanded you to do. This do so that they will not teach you to do all the abhorrent things that they do for their gods and that you do not sin against the Lord your God” (Deut 20:18, translation mine).

The Deuteronomic sentiment may tell us something about the struggle of Ezra–Nehemiah’s *golah* community within Yehud. Upon its return, the community came face to face with a “foreign” social-political world. One cannot avoid that fact. The land was not empty, and we must assume that social and political forces and institutions were at work, and continued to be so over a period of at least seventy years. “Society” did not stop with the departure of the (previous) aristocracy! By introducing religious law and their hopes in the restoration of Israel, the biblical authors sought to rewrite the ideological criteria whose acceptance were a prerequisite for acceptance within that society (largely, it seems, through exclusion). Perhaps then we are not far here from what Daniel Smith correctly advocated: “If, as we have suggested, ‘ethnic identity’ is preserved by conscious choice in circumstances of intercultural contact...then an analysis of the social mechanisms of the Judean exiles in Babylon ought to reveal creatively structured identities in order to be ‘the people of God’ in a foreign land.”⁴⁵ The “people of God,” let the weight of this fall upon us, was a *creatively structured* identity—an act of creation that perpetuated difference! An act of segregation!

45. Daniel L. Smith, *The Religion of the Landless: A Sociology of the Babylonian Exile* (Bloomington: Meyer-Stone, 1989), 63.

With the clarifying echo of Smith in our ears, what Deuteronomy describes as a strategy for identity preservation was employed by the “returnee” community in Yehud: after a period of about seventy years the Judeans who lived in Babylon and surrounding cities (e.g., al-Yehuda⁴⁶) developed unique cultural identities. They continued to be Judeans, so much as one can talk about a nationality without a nation, but they were Judeans with different sets of shared experiences—experiences that were not linked to the social-political context in Yehud. And in the contest for authority, the lack of any material roots, despite Jeremiah’s overly eager proposition for perpetual land deeds (Jer 32:14), necessitated a more ideological justification of new hierarchical systems of economic and political power. Immigrants—and that is what the so-called “returnees” would have looked like to the land’s inhabitants—do not typically integrate into a new society without a few scrapes and bruises. We might note the example of the exiled Lithuanian refugees who fled to the United States to avoid Soviet rule. When they returned to visit or make contact with friends and family they were shocked to find out that they were not recognized by those who remained as culturally Lithuanian.⁴⁷ Similarly, the *golah* community could not fully integrate the provincial systems of identity into itself while maintaining its own distinctiveness, which scholars sometimes seem wont to believe. And one cannot lazily default to a position that the community was a pioneering group of settlers in an uninhabited area. Even Ezra–Nehemiah, which would have had a good reason for an empty land, admits to the presence of people already in the land.⁴⁸ And we should avoid assuming that the people left behind were incapable of society and governance simply because the Bible describes

46. Cf. F. Joannès and André Lemaire, “Trois tablettes cunéiformes à l’onomastique ouest-sémitique,” *Transeuphratene* 17 (1999): 17–33; Laurie Pearce, “New Evidence for Jews in Babylonia,” in *Judah and the Judeans in the Neo-Babylonian Period* (ed. Oded Lipschits and Manfred Oeming; Winona Lake, IN: Eisenbrauns, 2003), 399–411.

47. Liucija Baskauskas, “The Lithuanian Refugee Experience and Grief,” *International Migration Review* 15 (1981): 276–91.

48. See also the larger discussion regarding the “empty land” hypothesis in Hans M. Barstad, “After the ‘Myth of the Empty Land’: Major Challenges in the Study of Neo-Babylonian Judah,” in Lipschits and Blenkinsopp, eds., *Judah and the Judeans in the Neo-Babylonian Period*, 3–20; Robert P. Carroll, “Exile! What Exile? Deportation and the Discourse of Diaspora,” in *Leading Captivity Captive: The “Exile” as History and Ideology*, ed. Lester L. Grabbe (Sheffield: Sheffield Academic, 1998), 62–79; Philip R. Davies, “Exile! What Exile? Whose Exile?” in Grabbe, ed., *Leading Captivity Captive*, 128–38; Lisbeth S. Fried, “The Land Lay Desolate: Conquest and Restoration in the Ancient Near East,” in Lipschits and Blenkinsopp, eds., *Judah and*

them as the “poor of the land” (cf. 2 Kgs 25:12; Jer 39:10; 52:16). In short, unless we approve of an imperialist position before the “other”—*the poor are philistines and incapable of self-governance or civilized life*—we must begin with the supposition that life in Judah did not stop with the exile⁴⁹ and that the vacancies left by an absent aristocracy were indeed quite fillable.

*Understanding the Importance of Revelation
for Law and Restoration Within the Biblical Texts*

Within the biblical texts divine law and restoration depend upon the radical event of revelation. This last, which is much more than an act of association, interrupts the dominant normative order and introduces a new framework (law) for a new, usually utopian, order (restoration). This emphasis is there in Deuteronomy, for example:

See, I am teaching you the statutes and ordinances as the Lord my God commanded me. Do these things when you draw near the land [meant for you] and enter it to take possession of it. Do these things; doing so will show your wisdom and understanding to the people so that they hear all these statutes and say, “Only a wise and understanding people is this great nation”... For what great nation is characterized by [literally, “has to it”] statutes and righteous ordinances as these that comprise the whole of this law I have given to you today? (Deut 4:5–6, 8, translation mine)

The sense of this is that revelation, which imparted the divine law, expects that things will be done differently than from before. External observers will see a difference between their own social and political behaviors (recall that religious behavior was not distinguishable from these) and those of the “righteous community” and will legitimate the distinction between themselves and it by confirming themselves as different and so inferior. This same expectation can be found throughout texts, to name but a few, such as Ezra–Nehemiah (passim; identified in the two groups as the *golah* community and the *am ha'aretz*), Jeremiah (good figs versus bad figs [24:1–8], the poor of the land in contrast to the “citizen” [cf. 52:15; the prejudice is also implied in 5:4]), and Haggai (expressed in the glory of the temple [cf. the implications of 2:1–9]).

the Judeans in the Neo-Babylonian Period, 21–54; B. Oded, “Where Is the ‘Myth of the Empty Land’ to Be Found? History Versus Myth,” in Lipschits and Blenkinsopp, eds., *Judah and the Judeans in the Neo-Babylonian Period*, 55–74.

49. Contra Oded, “Where Is the ‘Myth’,” 67–68.

From a more modern vantage point, Paul Tillich, to give a theological example that still supports a sociological understanding, echoes this biblical concept of revelation:

Revelation is first of all the experience in which an ultimate concern grasps the human mind and creates a community in which this concern expresses itself in symbols of action, imagination and thought. Wherever such a revelatory experience occurs, both faith and reason are renewed. Their internal and mutual conflicts are conquered, and estrangement is replaced by reconciliation.⁵⁰

To grasp fully Tillich's point we should recognize that for him religion, within which revelation is defined, is an aspect of "the human spirit."⁵¹ Thus, it is originally a product of a *yearning* for what Tillich identifies as "reconciliation" but which really points to the ultimate goal of restoration: the complete restructuring of social-political order into a state consistent with the divine intent first portrayed in the Garden of Eden. Revelation is knowable by what it does: it creates a community that is uniquely identifiable through its productive actions directed toward the realization of a restored world. As in the words of Zechariah, "In the eighth month, in the second year of Darius, the word of the Lord came to the prophet Zechariah son of Berechiah son of Iddo, saying... Return to me, says the Lord of hosts, and I will return to you [2mp]..." (1:1–3): productive action (*return to me*) that results in structural change and a restored world (*and I will return to you*).

In other words, revelation's purpose—and we will argue that this is a response to anxiety—is to inaugurate the process toward restoration. In this process external (divine) authority is established over any prevailing social-political ones so to overturn the dominant productive order of the world and insert a radical dependence upon what Žižek, following Lacan, refers to as "the big Other."⁵² Its power derives from its ability or effectiveness at cutting off or redirecting the more "natural" processes that define the dominant normative order and its corresponding power hierarchy. Or in more theologically sensitive terms, "The created order is a 'theater' or a 'mirror' for the displaying of the divine presence, nature, and

50. Paul Tillich, *Dynamics of Faith* (New York: HarperOne, 2009), 90.

51. Paul Tillich and Robert C. Kimball, *Theology of Culture* (New York: Oxford University Press, 1959), 5.

52. Cf. Žižek's description of Lacanian theory in *In Defense of Lost Causes*, 113, 152.

attributes.”⁵³ The expectation of this is that in reflecting the divine aspects, the prevailing social-political order itself is changed. Does this (including Tillich’s understanding) reflect strictly a more modern understanding? No, the fundamental attributes of revelation as a pillar of monotheism find a strong degree of correlation between ancient and modern contexts. Nehemiah’s emphasis upon the rejection of intermarriage or of other member–nonmember social engagements (cf. Neh 13:1–3, 23–31) fulfills the same purpose of reflecting the Divine through physical acts (*consistent with the divine law!*) of categorization and exclusion. Where one might consider the natures of power and authority as dependent strictly upon social bodies in relation,⁵⁴ the biblical text emphasizes the centrality of exclusion in its utopian restoration: “our God will grant us success, but you have no share or right” (Neh 2:28). This point clarifies the expectation in passages such as Neh 1:9: “[B]ut if you return to me and keep my commandments and do them, though your outcasts are under the farthest skies, I will gather them from there and bring them to the place at which I have chosen to establish my name.”

Again, a similar same emphasis upon the critical role of revelation can be found in more recent theological works. For example, Avery Dulles wrote,

In setting forth the generic features of revelation, Latourelle rightly makes much of salvation history. The great acts of God are, so to speak, the material component of the revealed object. But it would be of interest to inquire just what is needed to make an event pertain to *Heilsgeschichte*. Latourelle holds that the history of revelation is not simply coincident with universal history; it depends upon God’s free interventions. Yet these interventions, he remarks, need not be strictly miraculous; they would include God’s special providence over the formation and fortunes of Israel, as attested by biblical history.⁵⁵

Our point, which we’ve verified by approaching it through historical and modern vantage points, is this: even within the careful language of theology revelation is fundamentally a phallic interruption. It forcibly

53. A. McGrath summarizes Calvin’s position, summarized in the quotation, in *Christian Theology*, 190.

54. Foucault argues this point at length in *The History of Sexuality, Volume 1*, Kindle (New York: Pantheon, 1978). But see, for example, locations 651–663, 1063–1118.

55. Avery Dulles, “The Theology of Revelation,” *Theological Studies* 25, no. 1 (1964): 53.

injects an external desire—the desire for a restored state that is itself an ideological (utopian) idea, which is typically the projected wish fulfillment of a community—into the productive flows that define both the social world and history.⁵⁶ It interrupts and its corresponding law legitimates within the social-political world the altered reality that is revelation's *intended* consequence, restoration. Revelation is always a transitive act; it presupposes a desired object in the form of a restored state. Divine law marks the path from revelation to restoration.

Law legitimates through regulated behavior by symbolizing, as Mendenhall describes, “the coercive power of the community.”⁵⁷ He was certainly correct. Political scientist Claude Ake, for example, put it this way:

The main reason for using law and custom as the arbiters of role expectations is that the two constitute the system of sanctions that gives political structure its political character. Once the group evolves a customary or legitimate way of doing things, this way tends to persist because of the inconvenience or the cost to the individual of going against it. To say that custom exists is to say that behavior is “structured,” that there are sanctions against some patterns of behavior. In other words, they are role expectations. The legal system or the institution for binding arbitration of the group or society has the same effect as custom. It limits the variability of behavior in given situations by authoritatively defining what we ought to do (obligations), what we may do (rights), and what we can do (powers).⁵⁸

Law imposes—and this is especially true for constructivist laws such as biblical law—expectations of behavior that must be incorporated into the normative culture of the group. “*Hear, O Israel, the statutes and the ordinances that I have spoken in your hearing today. Learn them. Keep them. Do them*” (*Deut 5:1, translation mine*).⁵⁹ Law serves, for the

56. I am following Deleuze's model for analyzing the productive nature of cruelty (cf. Gilles Deleuze and Félix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia* [Minneapolis: University of Minnesota Press, 2005], 145). The comparison being made here is that both cruelty and revelation impose themselves upon social bodies already in relation and subsequently alter their systems of engagement.

57. George Mendenhall, “Ancient Oriental and Biblical Law,” in *The Biblical Archaeologist Reader*, Vol. 3, ed. Edward F. Campbell and David N. Freedman (Garden City, NY: Anchor Books, 1970), 3.

58. Ake, “A Definition of Political Stability,” 274.

59. The Hebrew text uses the grammatical pattern of Qal perfect (*wlmdtm*), Qal perfect (*wshmrtn*) + infinitive construct (*l'stm*). I have used the imperative sense of the verbs based on the possible use of the Qal as an imperative, the grammatical pattern, and the overall context of the passage.

monotheistic community, the connection between revelation, as an introduction of divine power, and restoration, as the radical restructuring of the social world in the pursuit of social-political stability through divine action.⁶⁰

Within the context of the biblical texts, articulating a concept of restoration is the ideological response of a community in a socially disadvantaged position.⁶¹ It is the righting of an “inverted” relationship, the qualities of which provide an inspiration for the law, through the process of *perceived* structural change. But this change can only come about through a radical revision of the social-political world—the divine defeat of imperial power, or in the case of Christ, the destruction of the created order to create space for a new one—the *very goal of the eschaton!* What it proposes, in short, is an external imposition of a new, otherworldly order. “The most helpful way of considering it,” writes theologian Alister McGrath, “is to regard it as a consummation of the Christian doctrine of salvation, in which the presence, penalty, and power of sin have finally been eliminated, and the total presence of God in individuals and the community of faith has been achieved.”⁶² While restoration narratives typically describe a reality in which external oppression of the community has been defeated, so as to never arise again and shackle the righteous community on the margins of society (and its distributed relations of power), their central foci tend to remain upon articulating a social-political stability supportive of the ascendancy of the restored community. Restoration is the culmination of world-building activities that reflects, in terms more familiar to Deleuze, the “primary desire,” a return to the first repetition of the primordial difference: the original divine–human dichotomy, the Garden of Eden in which God walked and humanity listened.⁶³ It is the Davidic monarchy

60. P. E. Dion, for example, describes this purpose for law in his analysis of the Elephantine community (cf. “La religion des papyrus d’Éléphantine: un reflet du Juda d’avant l’exil,” in *Kein Land für Sich Allein: Studien zum Kulturkontakt in Kanaan, Israel/Palästina und Ebirñari für Manfred Weippert zum 65. Geburtstag*, ed. Ulrich Hübner and Ernst Axel Knauf, OBO 186 [Göttingen: Vandenhoeck & Ruprecht, 2002], 243–54).

61. Galambush writes of Ezekiel, for example, “The restoration of the community in Ezekiel entails the elimination of ‘wild animals’ from within and round the community/land” (*This Land Is My Land: On Nature as Property in the Book of Ezekiel*, ed. Lester L. Grabbe and Robert D. Haak [Sheffield: Sheffield Academic, 2001], 75).

62. McGrath, *Christian Theology*, 556–57.

63. Deleuze argues that all reality is based on production and its interruption within the framework of repetition and difference (cf. *Difference and Repetition*, 1–27).

for Jews and the New Jerusalem for Christians. This historical Utopia, for example, is the basic sense that drives Haggai: “Who is left among you that saw this house in its former glory? How does it look to you now?... Once again, in a little while, I will shake the heavens and the earth and the sea and the dry land; and I will shake all the nations, so that the treasure of all nations shall come, and I will fill this house with splendor, says the Lord of hosts” (Hag 2:3–7).

How the Theories of Foucault, Deleuze, and Žižek Are Helpful

Theories from Slavoj Žižek, Michel Foucault, and Gilles Deleuze will be helpful in identifying the characteristics of the (structural) relationships and discourses characteristic to the Bible itself and to interpretation of it that are (1) necessary for uncovering the social forces related to power that shape the plausibility structure upon which revelation, law, and revelation as sociological concepts are legitimated within the biblical texts, and that reveal (2) the inherent anxiety over irrelevance—the quality of being in a socially disadvantaged position—that affects the processes of cohesion within social groups, with a particular focus on that between the “returnee” community and the people already in the land. The discussion of the theorists here is intended only as an introduction since their theories will be developed throughout this work in relation to its primary argument. It also should be noted that this work will not treat these theorists in isolation; there is a great deal of overlap or even synthesis shared in their theories. Each of these theorists addresses, we will show, from complementary (but also sometimes resistant!) angles, the fundamental pursuit of human collectives for stability in social order and so also, inversely, the productive role that anxiety plays in identity. Employment of the works of these theorists will reveal, in short, the persecutory anxiety over irrelevance that frames biblical interpretation as well as the authorial and editorial production of the biblical texts. The ways in which these theorists similarly identify the processes of meaning between a subject and the greater symbolic whole of which the subject is a part are useful for uncovering the anxieties that reside at the heart of the biblical text and its interpretation. Understanding this is critical to a better understanding of the early monotheistic community of which it is largely a product. The following sections will introduce points of conversation between the theorists and the biblical texts that will occupy the remainder of this work.

Žižek and Universality, and Revelation

Slavoj Žižek believes that all humanity is alike at a deep-structural level of the unconscious, “the level of the universal.”⁶⁴ Problems—social, political, and other—therefore, are addressable or solvable only when human beings recognize within themselves this fundamental commonness. This commonness isn’t necessarily love or good will but can be hatred (usually directed at an other); it is the primary recognition and attraction that is inherent within group cohesion. Failure to recognize this commonness among all groups, to recognize that you and I both define ourselves in relation to difference—*this collection of individuals that includes us constitutes a group because we are not those other people*—destroys any way around the snare of prejudices that shapes the contours of collective and individual identities. There is much similarity between Gordon Allport’s assessment of prejudice with the emphasis in Žižek’s warning. “To surrender universality out of an empiricist embarrassment at invoking the nonverifiable or a multiculturalist suspicion of overarching principles of commonality is to neutralize oneself and empower evil.”⁶⁵ Tolerance does not alleviate problems but obscures them below the surface where they fester and grow. *I’ll tolerate your presence in my city but only as long as you keep to the ghetto.* But as Žižek put it, with the example of multiculturalism, “If all sides do not share or respect the same civility, then multiculturalism turns into legally regulated mutual ignorance or hatred.”⁶⁶ Political problems—and let us assume that behavior that affects the distribution of power is political behavior⁶⁷—are not solved by direct tolerance and respect directed toward hatred. Hatred, Žižek maintains, is alleviated by applying “even more hatred, but proper political hatred: hatred directed at the common political enemy.”⁶⁸ It is hatred redirected in order to reinforce or redefine the proper boundary between insider and outsider. That is it takes the form of action given to collective prejudices for the purpose of establishing and maintaining stability.⁶⁹ It is, for popular example, the

64. Cf. Slavoj Žižek, “A Plea for a Return to Différance (with a Minor Pro Domo Sua),” *Critical Inquiry* 32, no. 2 (2006): 243–44. See also the point as summarized in Geophrey Galt Harpham, “Doing the Impossible: Slavoj Žižek and the End of Knowledge,” *Critical Inquiry* 29, no. 3 (2003): 474.

65. As summarized in *ibid.*, 474–75.

66. Žižek, *In Defense of Lost Causes*, 22.

67. Cf. Ake, “A Definition of Political Stability,” 271.

68. Slavoj Žižek, *The Fragile Absolute, or, Why Is the Christian Legacy Worth Fighting for* (London: Verso, 2000), 11.

69. Crandall and Eshleman make a similar point but with less aggression (cf. “A Justification-Suppression Model of the Expression and Experience of Prejudice,” *Psychological Bulletin* 129, no. 3 [2003]: 414–15).

turbaned Arab holding a machine gun displayed across U.S. media outlets as a way of rousing collective, popular support among blacks, whites, liberals, and conservatives for further military action in the Middle East. *We're all members of the same community when we mark that one as an outsider.*

This, of course, begs the question of ethical behavior, since such principles govern, together with law, group behavior. The solving of political problems coincides with the production of ethical norms. "In order for an act to be truly ethical, [Žižek] says, it *must* transgress the norm, for only such a transgression can reveal the compensatory nature of norms themselves and bring into the open the incomplete, yet-to-be-fashioned character of reality."⁷⁰ Harpham summarizes further, "Žižek has arrived at the conclusion that no ethical act can be strictly warranted by existing fact and indeed that an ethical act must involve a shattering of existing fact."⁷¹ The solution to a problem must, in other words, reveal the deficiencies and weaknesses that empowered the problem in the first place. But this revelation must involve a self-destructive act that breaks down previously accepted conventional norms, values, ethics, morals, and attitudes. It involves a subject's destroying the very thing undergirding her own identity. But it is in that moment of seeming chaos or nothingness that absolute universality, the commonness of all humanity, is revealed. It is, for Žižek, in the moment of "death," which is itself a category that is a product of binarily opposed categories within social and political knowledge, that true being, universality, as existence without categories is revealed. Death is the final threshold between being with categories and Being without universality. Problems are a consequence of being unable to see beyond the oppressive restrictions of categories. *There* is the point where biblical revelation obscures its own uncertainty, which is itself a product of its anxiety. Because it too cannot see the very things that restrict it, and because it fears internal collapse due to its own limitations, it presents itself as an overcoming of the normative order by interrupting its social and political processes and imposing a new, absolute, universal authority. To note, "[S]o the anger of the LORD was kindled against that land, bringing on it every curse written in this book. The LORD uprooted them from their land in anger, fury, and great wrath, and cast them into another land, as is now the case. The secret things belong to the LORD our God, but the revealed things belong to us and to our children forever, to observe all the words of this law" (Deut 29:27–29). Yet it also betrays a conservatism by

70. Harpham, "Doing the Impossible," 477.

71. *Ibid.*, 482.

manifesting itself within conventional bodies and categories of knowledge. Biblical revelation, in this sense, is a retreat from truly ethical values, as Žižek identifies them, in favor of conservative, traditional values. To put this in the context of our discussion of Žižek, revelation does not create a new conversation, it does not “shatter” existing social and political facts, it appropriates the already dominant discourses and meanings. That is, the impact, force, and meaning of revelation depends upon the culturally normative values and norms it pretends to explosively undermine. And it does so fearing its own incapability of success.

That is why Žižek points out that the empiricizing of a position of universality—the very premise of the monotheistic concept of revelation—must always occur from a “partial, engaged, subjective position.”⁷² Revelation can never be a true universal absolute. The proposed totality of law, of revelation, and even of restoration, is accessible, articulate-able, only from the subjective experience of anxiety, which generates an emphasis upon difference. The irresolvability of difference makes necessary the monotheistic emphasis upon universality as the ideal form of a stabilized order. But claims of universality—the very thing that revelation claims for itself—necessarily resist the conditions and limits that restrict a given subject. It is impossible, according to Žižek, to claim some totality or universality without identifying “the point of exception functioning as its internal negation.”⁷³ For Deleuze, discussed below, this constitutes the original difference. The critical basis of biblical, monotheistic revelation necessitates the gaping negative of its reception, this last which is presupposed in any act of revelation. Revealed law must always be viewed as an attempt to articulate the subjective experience and perspective as more broadly binding—so that experience of the group becomes the binding regulation for the social-political whole. It would be as though the experiences and ideologies of the late Jerry Falwell’s Moral Majority became the binding legal and moral framework for the whole of the United States. Within the context of monotheism, moral principles are transplanted from the religious group and imposed upon the more diverse whole. It is this that explains, for additional modern example, the bitter outcry of the Christian Right in the United States against same-sex marriages. But a strangely similar motivation, as we will show, lurks behind Ezra–Nehemiah’s rejection of the Ammonites and the Moabites (cf. Neh 13:1).

72. Žižek, “A Plea for a Return to Différance (with a Minor Pro Domo Sua),” 242.

73. As cited in Erik Vogt, “Exception in Žižek’s Thought,” *Diacritics* 37, no. 2–3 (2007): 61.

An additional area we will investigate is that revelation corresponds with Žižek's understanding of fantasy in that it "conceals irreducible antagonism and inconsistency" by appealing to the meaning or value of a transcendent reality, or "Other."⁷⁴ In that sense, revelation is an attempt to interrupt, or even break through, the dominant symbolic order at its perceived point of fundamental weakness: its problematic dependence upon internal coherence to effectively mediate and categorize the indeterminate causalities of difference. Revelation intends to shatter this weakness by imposing a universal, absolute order that restricts difference and its corresponding antagonism, best symbolized in a collective's death instinct. This restriction subordinates all existence as something created, and therefore subject to a Creator, or absolute order. Yet revelation, we will argue, is also concealing in that it is internally naïve: the order it proposes as absolute is nevertheless something symbolized within its own assumed epistemological system. Thus, it obscures its own inconsistencies within the ideology—the "sublime object of ideology"⁷⁵—of a "divine" law, which it assumes to be near synonymous with harmony, or absolute stability. Moreover, the potency of revelation is preserved through repetition, through *ritualization*. For Žižek, repetition involves not simply repeating or restating any positive content, but repeating, re-actualizing a subject's struggle within the dominant symbolic order.⁷⁶ The internal, fundamental struggle that frames the essential nature of revelation is its intended dominance over the symbolic order it interrupts—the very one of which it is a product. That is why divine revelation, which promises a successful struggle against worldly powers, always makes sense according to the epistemological and cultural heritage of an interpreting community. But because it is categorized as "absolute," the faithful community internalizes it as the *original* struggle, as an extension of creation, that preserves the distinction or difference between member and nonmember. Thus, for example, the so-called Mosaic Law is preserved without alteration (post canonization) and the crucifixion of Christ symbolically reenacted through dramatization or ritual. Both are the legitimated symbols of the gap between the member and the "other."

Žižek will help us expose revelation as the ultimate form of an act of self-preservation. While religious communities typically express revelation as an unadulterated expression of the divine, it is, in fact, its opposite, a

74. As Wood summarizes in *Žižek: A Reader's Guide* (Chichester, West Sussex: Wiley-Blackwell, 2012), 46. But see Žižek, *In Defense of Lost Causes*, 126–27; idem, *The Sublime Object of Ideology*, 2nd ed. (London: Verso, 2008), 23–30.

75. Žižek, *The Sublime Object of Ideology*, 24–30. See also Wood, *Žižek*, 48.

76. As described in *ibid.*, 50.

closing of the canon on social-political identity formation. And it does so from the ideological position of a single community substituting itself as a suitable representation for the universal whole. It is as though the lyrics of Frank Sinatra exposed the dirty underside of revelation, “[Y]ou, my son, you are what God really looks like to me.”⁷⁷

Foucault, Power, and Law

Michel Foucault investigates various structural forms and expressions of power within collective structures, institutions, and other collective and individual systems of relation. In particular, we will focus on his proposal that at the heart of the intersection between law and power there exists two fundamental things: (1) a dominant set of strategies of knowledge; and (2) a social, intersubjective engagement set up as a defensive mechanism alleviating intense anxieties over the possible social-political irrelevance of the group—a type of ideological death in which the group ceases to be recognized internally and externally as a group (or its expressed identity).⁷⁸

But we must be clear: we are employing Foucault’s theory on law as a tool to investigate the function of law in the Persian period and later biblical texts, in which the attitude toward law was as a fixed institution of regulation and control. Law, for Foucault, was neither a condition for liberation of the individual nor solely the result of class domination.⁷⁹ As an element in the expansion of power, which was itself decentralized and multiple, law, and the sense of legality it imposed, was part of other “discourses” that formed overarching networks of control.⁸⁰ Law is an instrument whose eventual demise would be realized when all forms of discourse have been brought into balance.⁸¹ Discourses, according to Foucault, refer to the sum total of forces and structures of production,

77. Frank Sinatra, Billy May, Don Costa, Gordon Jenkins, and Eileen Farrell. “That’s What God Looks Like to Me,” in *Trilogy Past, Present, Future*. Reprise Records, 1980.

78. These two “fundamental ideas” represent a summary of Foucault’s argument throughout *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage, 1995).

79. Cf. Foucault, *History of Sexuality*, locations 1078–1156. See also Gerald Turkel’s description in “Michel Foucault: Law, Power, and Knowledge,” *Journal of Law and Society* 17, no. 2 (1990): 170.

80. See, for instance, Foucault’s discussion of sexuality and law in *History of Sexuality*, location 671. For further discussion, see Turkel, “Michel Foucault,” 170.

81. Foucault tends to imply this theme throughout his works, namely *Discipline and Punish* and *History of Sexuality*. See also Golder’s summary in Ben Golder and Peter Fitzpatrick, *Foucault’s Law* (Milton Park, TN: Routledge, 2009), 2.

including legitimated knowledges and social relations, that constitute the nature of the body and its regulation.⁸² They are constructive systems of representation and practice.⁸³ Monotheistic, biblical law imposes itself as central and absolute, in direct contrast with other discourses, with their inherent multiplicity of power and power relations and decentralized natures of social-political power. Our intent, then, is to use Foucault's theory as a contrasting heuristic for exposing utopian, or ideological, dependencies within biblical law. Foucault's flexibility will be directed against biblical rigidity to expose underlying paranoid and agendas, especially those that also shape the attitudes toward and attributes of restoration.

One should also note that Foucault's theory, as generally interpreted, expels law,⁸⁴ which he defines as a "law of limited possibility" between contingency and liability.⁸⁵ It falls victim to more emergent forms of power. Or, as Ben Golder and Peter Fitzpatrick summarize a generally held interpretation, "Foucault identifies law and sovereignty with a pre-modern form of negative, repressive power which is progressively overtaken by a new mode of operation, or technology, of power, namely disciplinary power."⁸⁶ There is, for Foucault, an inherent instability within law. It is a result of power as a relational project and of a functional system of ethics

82. As summarized by Chris Weedon, *Feminist Practice and Poststructuralist Theory* (New York: Blackwell, 1987), 108. Foucault never states this directly but his arguments are in fact based on this fundamental premise.

83. As summarized by Stuart Hall, *Representation: Cultural Representations and Signifying Practices* (London: Sage in association with the Open University, 1997), 44.

84. But note, this is especially true of his earlier work, see Golder and Fitzpatrick, *Foucault's Law*, 29. But compare *ibid.*, 34–35, in which Golder and Fitzpatrick state that Foucault's later work only seems to make law a pliant instrument of disciplinary power (see also p. 39). Yet, does Foucault ever fully get back to permitting the continued existence of law (cf. the larger work of Alan Hunt and Gary Wickham, *Foucault and Law: Towards a Sociology of Law as Governance* [London: Pluto, 1994])?

85. As described in Golder and Fitzpatrick, *Foucault's Law*, 2–3. Golder and Fitzpatrick describe the thesis offered by Hunt and Wickham in their book *Foucault and Law*, that "Foucault 'expelled' law from his analysis of power relations in modernity by marginalizing it and subordinating it to other modalities of power" (*ibid.*, 11). Note also that Golder and Fitzpatrick offer a revisionist reading of Foucault that redeems his concept of law from expulsion: "In our reading, Foucault's law is a vacuous law which in its very penetration by powers outside or beyond it nevertheless holds itself ultimately resistant to, and uncontainable by, those same powers" (*ibid.*, 100).

86. *Ibid.*, 13.

as an ongoing process of collective self-formation.⁸⁷ We must seek out the possibility of this instability and the consequences it manifests within the biblical concept of law to expose problematic areas that must be addressed before one can accept that religion was the dominant social-political law. Law represents symbolically the *process* of society, its “discourse,” but inasmuch as this process is that which reflects fundamentally the dominant order of production. In contrast, biblical portrayals of law (such as in Ezra–Nehemiah) are less discourse and more dependent upon a premeditated paradigm that must be internalized by individual and collective. It is, in other words, despotically constructivist. This poignant difference betrays idealistic and utopian aspirations on the part of the interpreting community for a “restored” social-political reality.

Traditional views of law, according to Foucault, assume a negative view of power when its exercise expects repressive or oppressive consequences. Such assumptions betray an inadequate understanding of power and its related institutions.⁸⁸ Power is not primarily repressive or negative but productive.⁸⁹ The codification of law, however, knows not the productive capacity of law but its capability of repression.⁹⁰ Because power as a productive force is institutionalized in discourses, law operates as a symbol of historical and ritual power.⁹¹ That is, by repressing desire, law operates under taboos constructed and ritualized within a regulated code of cultural norms. There comes a point, however, when taboos are outpaced by the production of desire—a point that is ever-evolving in different networks of discourses.⁹² And in modernity, institutions such as prisons, schools, and asylums enculturate subjects within a new economy of power through repetition of behavioral norms, resulting in internalization of these norms and inserting them into alternative modes of production.⁹³ Or, as he insists,

87. *Ibid.*, 3.

88. *Ibid.*, 84.

89. Foucault, *Discipline and Punish*, 194.

90. Foucault, *History of Sexuality*, 84.

91. Note further, “One must suppose rather that the manifold relationships of force that take shape and come into play in the machinery of production, in families, limited groups, and institutions, are the basis for wide-ranging effects of cleavage that run through the social body as a whole. These then form a general line of force that traverses the local oppositions and links them together; to be sure, they also bring about redistributions, realignments, homogenizations, serial arrangements, and convergences of the force relations” (*ibid.*, 94).

92. Cf. *ibid.*, 85.

93. See also the description of Foucault’s thought on this matter in Golder and Fitzpatrick, *Foucault’s Law*, 19.

society enters into a “phase of juridical regression” in which “the growing importance assumed by the action of the norm [comes] at the expense of the juridical system of the law.”⁹⁴ Techniques of normalization develop from below in contrast to any monarchical power, which exercises power primarily through law.⁹⁵

What is more, “Disciplines will define not a code of law, but a code of normalization, and they will necessarily refer to a theoretical horizon that is not the edifice of law, but the field of the human sciences.”⁹⁶ And further, “The things government must be concerned about...are men in their relationships, bonds, and complex involvements with things like wealth, resources, means of subsistence, and, of course, the territory with its border, qualities, climate, dryness, fertility, and so on.”⁹⁷ Thus, his concepts of bio-power and governmentality, as Golder and Fitzpatrick explain, refer to power as a means of maximizing a population’s potential and optimizing its capacities.⁹⁸ Law, and here is where his theory will prove helpful for our discussion of the biblical texts, does not. That is because “resistance comes first.”⁹⁹ And “where there is power, there is resistance,”¹⁰⁰ precisely because the existence of power relations “depends upon a multiplicity of points of resistance.”¹⁰¹ If the biblical law was an effective mechanism of or for power it must be capable of functioning effectively at the axis of multiple points of resistance. It must discipline but be flexible within limits of difference. Without such room for tolerance—if the “Canaanites” must really be completely wiped out—it fails to respond to the iterative changes and sways in social, economic, and political productive processes.

94. Foucault, *History of Sexuality*, 144.

95. See Foucault, *Discipline and Punish*, 222; idem, *Security, Territory, Population: Lectures at the Collège de France, 1977–78*, ed. Michel Senellart, François Ewald, and Alessandro Fontana (Basingstoke: Palgrave Macmillan/République Française, 2007), 56.

96. Michel Foucault and Mauro Bertani, “Society Must Be Defended: Lectures at the Collège de France, 1975–76” (New York: Picador, 2003), 35, n.p. Online: https://pdflibrary.files.wordpress.com/2008/02/foucault_soc_defended.pdf.

97. Foucault, *Security, Territory, Population*, 96. Foucault cites Guillaume de La Perrière to support his thesis.

98. Golder and Fitzpatrick, *Foucault’s Law*, 32.

99. Michel Foucault, Paul Rabinow, and James D. Faubion, “Sex, Power, and the Politics of Identity,” in *The Essential Works of Foucault, 1954–1984* (New York: New Press, 1997), 167. See also Gilles Deleuze and Séan Hand, *Foucault* (London: Continuum, 1999), 74.

100. Foucault, *History of Sexuality*, 95.

101. *Ibid.*, 95.

At first blush, it might seem counterintuitive to apply Foucault's theory to the biblical expression of law. Yet biblical law, we will show, is constructed precisely with the premise of its eventual fulfillment (a sense that Matthew, to give a New Testament-related example, emphasizes in 5:17–20). In the restored world, the rigid structure of law gives way to the more flexible system of role and obligation (of the believer to God) that characterizes the original intent of the divine–human relation. It is in that predetermined goal that the prescriptive nature of biblical law takes on force. *[U]nless your righteousness exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven (Matt 5:20)!* Revelation interrupts the dominant social-political discourses. Law constructs the restored social-political world. In a restored society, the social forces and discourses that fashioned the attributes, whether through reaction to or in embrace of, religious law cease to be relevant. Better said, they become a “past event.” The three pillars (revelation, law, and restoration) are *responses* to the very “discourses of power,” to use Foucault's phrase, of the social-political world into which they were introduced. In short, it resists the conservative position in which the full extent of their purposes has already been determined.

One important distinction of religious law is its resistance. Its resistance is to any acceptance that the productive forces or processes of social-political realities separate from itself have a *positive* impact upon its development. Religious laws are almost always inherently “OK” with society providing *negative* influences as things against which to react—where reaction distinguishes the community from the broader context. Thus, in circular fashion, law reflects the processes of society that are themselves definitive of religious law, which results in its attempt to ontologically absolutize its regulative patterns, institutions, and values. This tension between the ideal of a static and imprint-able nature and the reality of, as Foucault describes, the permeability and instability of law and power results, as we will show, in the heightened anxiety over irrelevance that characterizes the concepts law and restoration as well as monotheistic identities based upon them.

While some bemoan, and perhaps rightfully so, the impossibility of interpreting Foucault, our aim here is not to provide the definitive guide to Foucault but to use elements of his theory.¹⁰² (And, in truth, the same should be said of all of our theorists employed here.) In other words, his emphasis upon law as a mechanism within discourses of power permits

102. Cf. W. T. Murphy, Review of *Foucault and Law: Towards a Sociology of Law as Governance*, ed. Alan Hunt and Gary Wickham, *BJS*, no. 1 (1996): 191.

discussion of the biblical theme of law, a *religious* law, not as a static object, or even an imprint, but as a symbol of a defined set of restrictive, or disciplinary, processes that shape the dominant forces of social cohesion.¹⁰³

Deleuze, Desire, and Restoration

Within the sometimes elusive parameters of his theoretical framework, Deleuze argues that meaning and being are defined productively through repetitions of difference and sameness—such as the qualities that encourage group cohesion—that has been marked off by a recognition of difference from an “other.” *I continue to do these particular actions because they are what I have done. But I recognize these same patterns as distinct to me and not the actions of someone else.* The death instinct, through which the fundamental, akin to Žižek’s “universal,” difference is recognized motivates the repetition of those things (actions, ideas, etc.) that support the distinction of being alive. One is reminded of the famous quote from Monty Python’s *Holy Grail*, “I am not dead yet,” as a fundamental expression of consciousness. For Deleuze, the alternative, “I am alive,” problematically assumes that self-awareness can exist without difference.¹⁰⁴ *Cogito ergo wrong! Can I really know myself without awareness of something outside myself?* Thus, repetition is given the quality of “an original, positive principle” because it masquerades, or disguises the terrors that our death instincts invoke.¹⁰⁵ We repeat the differences that separate us from death, chaos, or lawlessness. Conscious identity, in broad terms, is fashioned through repetition, and repetition alleviates the anxieties that erupt when we recognize the fragility of our own relative positions. This is what Deleuze meant when he wrote, “Difference is the state when we can speak of determination *as such*. The difference ‘between’ two things is only empirical, and the corresponding determinations are only extrinsic.”¹⁰⁶ Difference always requires an external recognition of it as such—no idea contains the essential qualities of difference within itself. Difference must be actively repeated. But for our focus in this work this last point is really only important as it relates to the repetition of identity. A fairly clear and well-accepted example is this: the difference between the *am ha’aretz* and the *golah* community in Ezra–Nehemiah was an extrinsic projection of difference: *We, the immigrating golah, have determined our collective*

103. Cf. Golder and Fitzpatrick, *Foucault’s Law*, 2.

104. Cf. his discussion in *Difference and Repetition*, 35–42.

105. *Ibid.*, 17–19.

106. *Ibid.*, 28.

identity as one that does not include the people in the land, who we view as destabilizing (“Exterminate them!” Dtr. instructed) of our identity. It is in this spirit that restoration radicalizes difference with its demand for repetition of the law, which, according to Ezra–Nehemiah, was carried in by the learned hands of Ezra. It is repetition in this form that distinguishes member from nonmember.

One should understand restoration, consequently, to be the goal of the (divine) law. Law maps out the network of relations and corresponding distribution of power consistent with an ideological (and characteristically utopian) social-political reality. Likewise, in that sense, if “desire,” as the fundamental drive behind social activity and organization, is “becoming,”¹⁰⁷ restoration is the univocal state in which desire is no longer *becoming* but has *become*. The individual or collective expresses its own identity by pursuing its desire. The biblical concept of restoration expresses the desired object in its entirety. In a restored state, desire itself does not cease to exist; instead, it becomes stabilized within the univocity of an ordered world and its productive forces that have reached a permanent stasis. It is, in the greatest claim of utopian theory, a world unassailable by change. This emphasis upon stability betrays restoration to be a response to increased anxiety over irrelevance. It is a process of perception, in the Deleuzian sense, that we perceive of things by slowing down the generation of difference.¹⁰⁸ Restoration within the biblical view necessitates absolute control over difference.

Stability, as a perceived control over the consequences of difference, is the first expression of desire. The objectified state of restoration is the final response to the “problem” of anxiety over irrelevance brought on by disruption to stability. On a fundamental level, this anxiety is the consequence of difference—which is the “relation between already identifiable things”¹⁰⁹—that cannot be controlled. It reflects¹⁰⁹ a fear of variation, change, and further creation—a process characteristic to the normal ebb and flow and iterative processes of the social world. It is the consequence of an *alternative* experience, thus, a competing differentiation and order

107. See Deleuze and Guattari, *Anti-Oedipus*, 269, as well as Claire Colebrook’s discussion of this point in *Understanding Deleuze* (Crows Nest, NSW: Allen & Unwin, 2002), location 612 (Introduction in Kindle Edition). On Deleuze’s perception of difference, cf. *ibid.*, 34.

108. Cf. Deleuze, *Difference and Repetition*, 70–82, 96–97, 185–86, 286–87. See also the discussion in Colebrook, *Understanding Deleuze*, 35. As Colebrook points out, Deleuze uses the word “contraction” to refer to this process of perception.

109. *Ibid.*, 5.

for the world.¹¹⁰ But difference, according to Deleuze, is what reveals the *real* Idea behind the essence of things.¹¹¹

Difference is not primarily negative, although laws often make that assumption. It is, when it motivates desire or its fulfillment, productive and positive.¹¹² Differentiation, together with the repetition of difference above sameness, is a process through which one creates the social world.¹¹³ Identity expresses itself in distinction from something other. Or, as Pierpaola Donati puts it, in quite similar terms, “[T]he identity of a person lies in distinguishing himself/herself by reference to others (who are different from the self). That is, not only in seeing this difference but also in the fact that the difference is established through a reciprocal reference that requires recognition and exchange of some kind.”¹¹⁴ Yet, those things, or qualities, that mark something as different are always themselves changing. Identity and difference are always in motion, but the basis of perception is a frozen moment from the past. What we perceive as different is something that has already been identified and categorized.¹¹⁵ Or to put it in different terms, what we see is not what something truly *is* but what it *was* just moments before our perceiving it, which necessitated our freezing of its possibilities within our own epistemological categories. Difference in itself, Deleuze would remind us, is not categorizable, but its perceived manifestations or expressions are. Thus, stability, in the sense of permanence, is an idealized, created state impervious to change, in which categories and differences are fixed.¹¹⁶ The biblical concept of restoration necessitates a concomitant perception (and belief!) that a tendency toward difference and death is the natural order of things and that stability and life, both of which constitute a particular view of an ordered world, must be imposed supernaturally.¹¹⁷ But more importantly,

110. Colebrook writes of Hegel, “Experience is mediated, differentiated and ordered through concepts” (*ibid.*, 8).

111. Cf. *ibid.*, 2. In fact, difference is the fundamental essence of a univocal being (see Deleuze, *Difference and Repetition*, 36–37).

112. Cf. Colebrook, *Understanding Deleuze*, 24. A negative view of difference, for contrast, makes difference secondary. That is, it makes difference dependent upon the relation between things that are already present or, in the Structuralist sense, dependent upon a structure that differentiates (see 28–29).

113. Cf. Deleuze, *Difference and Repetition*, 28–69.

114. Donati, *Relational Sociology*, 70.

115. Colebrook, *Understanding Deleuze*, 28.

116. In that sense, it would be, for Deleuze, a world of representation characterized by “its inability to conceive of difference in itself” (*Difference and Repetition*, 138).

117. The Christian doctrine of original sin is a good example of this.

restoration is the articulation of a frozen moment. It owes its attributes to the utopian past no longer assailable by or victim to the forces of change.

It is through, on account of, and because difference exists that human agents think, act, and produce. “A pure and positive difference,” according to Deleuze, is a “differential power” that represents for him life itself.¹¹⁸ Is there not a strong similarity here to Foucault’s understanding of power? That power arrived at through difference is really a power that is produced as a consequence of people being in relation to each other? In more philistine terms, real power is not the biggest cock, even if fully virile and destructive. (For Deleuze, and Foucault, the physical ability to assert dominion and to destroy are expressions of power but they are not the essence of power.) It is the ability to regulate the manner in which differences are expressed and recognized.¹¹⁹ It is through such acts that systems of relation, of distribution, of resistance, representation, etc., are built through processes of synthesis and repression.¹²⁰ Disruptions, or interruptions, to categories and systems through which differences may be recognized are therefore what create “problems.” Colebrook reminds us that “[f]or Deleuze a ‘problem’ is not a simple question that needs to find an answer; a problem is something that disrupts life and thinking, producing movements and responses.”¹²¹ Problems interrupt perceptions of stability, and this event generates difference, intersubjective engagement, and continual self-expression—the last meaning such as what Ezra–Nehemiah might hypothetically say, “*the am ha'arets are presenting a roadblock to restoration. They are threatening us. I am not one of them.*” In that sense, the “chaotic and active becoming” not “order and sameness” are the “pulse of life.”¹²²

118. A point summarized in Colebrook, *Understanding Deleuze*, xliii; see also 623–34.

119. For instance, Colebrook describes Deleuze’s understanding of evolution as a “virtual power,” as “a capacity or potential for change and becoming which passes through organisms” (*ibid.*, 1). In that sense, having power over something is having the ability to regulate its capacity.

120. Deleuze’s use of “contraction” denotes this process (cf. Deleuze, *Difference and Repetition*, 70–82, 96–97, 286–87). Colebrook makes a similar observation regarding Deleuze’s argument in *Understanding Deleuze*, 37–38.

121. Colebrook, *Understanding Deleuze*, xxxiv.

122. As interpreted by *ibid.*, xxxv. What then, as Claire Colebrook offers for Deleuze, “are the forces, differences, processes or (to use his term) ‘syntheses’ which produce recognisable entities such as human beings or political classes” (*ibid.*, x1)? This question asks about not only the attributes of the forces etc. themselves but of their sources—that is, what are they, and what motivates them?

The problem to which restoration is a response is twofold: on the one hand, it can be interpreted as the problem of the non-permanence of stability and order, as they relate directly to identity and its expression; on the other hand, it is a response to the fragility of authority and a corresponding discursive nature of power, as something always subject to a constant interpreting and reinterpreting. It signals an attempt to change prevailing modes of thought and social-political intersubjective engagement. That is, its emphasis upon a utopian form of stability expects the destabilizing of prevailing but incompatible forms. But while it presents itself as forward-looking, restoration is always dependent upon traditional systems of meaning and relation.

Or to put it differently, the biblical theme of restoration emphasizes the stabilization of difference. It reflects a perception of the world that assumes only two fundamental, binarily opposed categories, insider and outsider. And in vocabulary reminiscent of Deleuze, this is the original expression of difference as well as a territorialising act.¹²³ Restoration, in other words, necessitates (1) the identity of the other as an isolatable subject, and (2) that this identity remains static, unaffected by social and historical processes and forces or interaction with an “other.” It necessitates the possibility that orders of alliance can be fixed, permanent, and made absolute and impervious to difference. *Heaven, the New Israel, Paradise is and will always be X.* The victory of restoration will be the defeat of difference and the muzzling of change.

Žižek, Foucault, and Deleuze help clarify how anxiety, conflict, and disadvantaged relations of social-political power frame constructed values and meanings. And by doing that, they also reveal the anxieties that reside at the core of biblical monotheism. Understanding these anxieties will allow us to understand better the Bible’s dogged obsession with exclusion and authority.

As stated above, the intent here is not to treat the three different theorists in isolation but to use components of their theories as contributions to a larger “dialogue.” And this seems to be consistent with each theorist’s view of not only the applicability of their own theories but also their views on the practice of theory itself. Our use of Žižek uncovers the self-preservationist tendencies in revelation which give way to the need for a divine law as an absolute order. Our use of Foucault reveals divine law as a process of restriction upon processes of social cohesion. Its intent is to preserve traditional modes of power and identity (thus retaining the Utopia of the past). Our use of Deleuze’s emphasis upon difference

123. “In territorialisation we go from a flow of genetic differences to the organisation of those differences into a recognisable group of similar bodies” (ibid., 37).

reveals how the intent of divine law, being restoration, is a legitimation of control over difference, thus stability. The internal and external frustrations of monotheism can be attributed in part to its simultaneous appeal to constructivism, through law and restoration, and its dogged preservation of traditional, being of a utopian past, mores and values.

Description of Chapters

The following chapters do not represent autonomous units, as though a collection of essays linked together, sometimes loosely, as has become a trend in academic publishing. Rather, in an attempt to be true to the complexity one must navigate in order to understand ideological motivations, each chapter is iterative; each builds on arguments made in previous chapters while also offering new points of discussion and analysis. This means that some arguments or discussions will traverse the length of several chapters. This also means that the larger dialogue produced in this work can be carried throughout its length while its supporting arguments are refined through the dialectical process.

Chapter 2, “The Problems of Revelation, Ritualization, Contradiction, and Law’s Dependence Upon Them,” applies Žižek’s theory on the productive aspect of contradiction to critical fault lines within the social-political milieu of Persian-period Yehud.¹²⁴ Within this chapter, these “fault lines” will center specifically on intermarriage and the ritualistic obedience of separation as interruptive acts (cf. Ezra 6:19–22). The discussion here maintains that revelation is an act of social-political interruption given religious plausibility or legitimation. It will seek to expose how the Persian-period biblical literature’s emphasis upon “ethical” behavior entails fundamentally a conscious reaction to prevailing social-political norms. Ezra–Nehemiah’s emphasis, we will show, is upon contradiction as a structurally altering act. The text’s rejection of intermarriage is a clear example of this as a productive act *for the benefit of the community itself*. Žižek describes the productive nature of contradiction, as a general concept, as the “dialectics of contradiction.” In that light, what this discussion hopes to expose is that the biblical emphasis upon revelation as an act of interruption necessitates the threat of contradiction as a catalyst for group consolidation. Even more specifically, it hopes to clarify, with respect to Yehud, that the biblical emphasis upon a divine alteration of prevailing social-political norms, which comes through interruption, is primarily the ideological project of a group on the margins of power.

124. Cf. Žižek, *In Defense of Lost Causes*, 223.

Chapter 3, “Restoration in Haggai–Zechariah as Dependent Upon Difference,” looks specifically at Haggai–Zechariah’s construction of the shared symbols of Jerusalem temple and gold and silver crown(s), central to the collective identity of the returnees. This construction revises the symbols from being internal symbols (i.e. to the group) to being external symbols (i.e. symbols that must be accepted by all groups and not just the authoring community). Using Žižek’s emphasis upon the “disintegration of authority” as simultaneously an interruption and revision of the identity of the “other,”¹²⁵ which in our case is the people already in the land, this chapter will argue that the biblical emphasis is motivated by a desire to restructure social-political order (*nomos*) into a pattern based on the centrality of the collective identity of the remnant community. Manifestation of this desire necessitates, we will show, that the “other” be radically marginalized. (This sentiment is similar to that found in Ezra: “The people of Israel... have not separated themselves from the peoples of the lands... I tore my garment and my mantle” [Ezra 9:1–3].) This desire can be seen, we will argue here, in Haggai’s emphasis upon the restored Jerusalem temple as a shared object that is central to the collective identity of the “remnant” community.¹²⁶ It can also be seen in Zechariah’s revisionary emphasis—this chapter will describe how it is revisionary—upon the symbolism of the crown(s) in Zech 6:9–15.

Chapter 4, “The Role of Exclusion in Monotheistic Law,” employs Foucault’s emphasis upon the “relational” composition of power as the basis for clarifying the exclusionary attitude toward religious law within Ezra–Nehemiah and Ezekiel.¹²⁷ What this chapter seeks to reveal are the utopian aspirations regarding power and its relations behind the creative use of law and legal traditions in select Neo-Babylonian (those that may have influenced the thinking of Persian-period and later biblical authors) and Persian biblical texts. Where these aspirations will be sought out primarily is in the biblical inscription of the law upon the “body” of the nonmember, or “other,” as an inverted symbol for the member and as an element in the law’s prescribed blueprint for restoration.

125. Cf. *ibid.*, 20–36.

126. While these issues will be discussed in greater detail in the second chapter, see, for example Jeremiah Cataldo, “Yahweh’s Breast: Klein’s Projective Identification Theory as an Understanding for Monotheistic Identity in Haggai,” *JHS* 13 (2013), for a discussion of the Jerusalem temple as a shared object as the basis for collective identity in the book of Haggai.

127. While Ezekiel is more often designated as a Neo-Babylonian text, we will argue that understanding the social-political aspirations of Ezekiel helps clarify the social-political context of Yehud described in Ezra–Nehemiah.

Chapter 5, “Constructivism as a Consequence of Exile,” focuses on the theocratic emphasis, as a utopian reaction to the “remnant community’s” marginal social-political position, in Ezra–Nehemiah and Haggai–Zechariah. These texts emphasize a revolutionary attitude before prevailing legal norms—thus, a constructive legalism is contrasted with the “law of the land.” For them, the anxieties brought on by the tradition of the exiles necessitated a codification, in a legal sense (note, for example, Ezra’s emphasis upon the law in Ezra 7:6–26), of religious ritual and behavior. We do not intend here to focus on the letter of the law as much as on the use of legal traditions, which we will identify, by Ezra–Nehemiah and Haggai–Zechariah, to establish codified social-political taxonomies and corresponding regulated behaviors. In this regard, we will use a combination of Foucault’s relational theory on law and power and Deleuze’s emphasis upon difference as the foundational drive behind social-political categories and structures. Where Deleuze is relevant here is in his theoretical focus on the codification of difference, and this includes but is not limited to law, as a productive act of identity formation.

Chapter 6, “Differentiating Exiles” will explore the ways in which the biblical theme of restoration necessitates a “disorderly” world as a foil against which to distinguish itself. Put simply, within Ezra–Nehemiah, Haggai–Zechariah, and Ezekiel, restoration is meaningless without the presumed facticity of an Exile as *a univocal event*. For the authors of the Persian-period biblical literature, the Exile takes on an objective facticity as a symbol of difference. It became, to use the vocabulary of Deleuze, the “symbol of difference” upon which a shared value system was built¹²⁸—a value system that emphasizes difference not as negation but as the exposure of the centrality of *the Exile* to the collective identities of both member and nonmember. By employing Deleuze’s emphasis upon the productive determination of difference within the virtual world, what this chapter hopes to unveil is the utopian foundation of the biblical understanding of Exile in distinct contrast to the historical and material realities of exiles, plural.

Chapter 7, “Returning to the Centrality of Religion,” will utilize in a comprehensive fashion the material from the previous chapters for an analysis on the role that religious themes played in the social-political context of Yehud. Joseph Blenkinsopp, whose argument will provide a starting point of discussion for this chapter, proposed that the Persian-period biblical literature reflects religious colonization.¹²⁹ We will argue

128. Cf. Deleuze, *Difference and Repetition*, 55.

129. Cf. his work in Blenkinsopp, *Judaism: The First Phase*.

that he, and arguments similar to his, is right *to an extent* but that his argument has incorrectly inverted the social-religious relationship and has elevated too much the importance of the religious institution in itself. Using the theoretical framework developed from Žižek, Foucault, and Deleuze in the previous chapters, we will argue here that scholarly emphasis upon the centrality of religion (and the religious importance of the Jerusalem temple) in Yehud ignores the more likely role that religion played in Yehud during the Persian period and later: a profoundly paranoid mechanism of self-preservation.

Chapter 2

THE PROBLEMS OF REVELATION, RITUALIZATION, CONTRADICTION, AND LAW'S DEPENDENCE UPON THEM

With our focus upon law and restoration, it is important to identify how revelation supports the centralization of its counterparts (both law and restoration are considered to be revealed), and this will be especially true as each is related to the developing monotheistic identity in Yehud. Across monotheistic traditions there are formal attributes that define a common nature in “revelation.” Derived from the Latin *relevare*, the English term “revelation” denotes a knowledge or awareness of something revealed to an interpreting subject. Put differently, it is as though in a subject’s first encounter with an other, that other proclaimed, “Eli is strong!” In that, the identity of “Eli” and his relative parameters of strength are extrinsic concepts interpreted by the subject who, without prior encounters between “Eli” and his subject, can only accept or reject the validity of the proclamation based on faith in the source. It assumes that this knowledge would otherwise be external to and unknown by the subject—such as for further example the depth of conviction and understanding Moses gained in the Divine’s self-revelation (אהיה אשר אהיה; Exod 3:14), or Muhammad’s assertion that the Quran was a facsimile of the Book in Heaven (cf. 44:1–8), which represents the knowledge of God and not human beings. According to neither tradition would the knowledge gained have been done so without a divine intermediary.

Shemaryahu Talmon identified three verbs associated with what modern readers tend to interpret as “revelation” in the Hebrew biblical texts: גלה, roughly to “uncover”; ראה, to “see”; and ידע, to “know.”¹ While these terms frequently occur within what those readers may identify as “theological contexts,” they are more generally acts or processes through

1. Shemaryahu Talmon, *Literary Studies in the Hebrew Bible: Form and Content: Collected Studies* (Jerusalem: Magnes/Hebrew University; Leiden: Brill, 1993), 192–215.

which an encounter, which need not be divine, increases one's knowledge or understanding. More importantly, according to Talmon, they are tied up in performance and the rhetoric of revelation. On that account, "Divine revelation is thus not, as modern scholarship often describes it, a matter of 'self-disclosure' or self-revelation.' It is always an 'act of power.'"² It defines the parameters of a performance and its concomitant relationship as well as, within the biblical texts particularly, the functional boundaries of moral behavior. Talmon put it this way: "revelation...serves the purpose of promulgating enactments which impose obligations on mankind."³

Avery Dulles, in his entry in the *New Catholic Encyclopedia*, interprets the essence of revelation as "a sudden and unexpected receipt of knowledge of a profoundly significant character, especially that which gives the recipient a new outlook on life and the world."⁴ Leaning towards theology, he adds, "In theology the term generally denotes the action by which God communicates to creatures a participation in His own knowledge, including His intimate self-knowledge. Such a communication is supernatural since it transcends all that a creature could discover by its native powers."⁵ According to Dulles, revelation must alter the way things were; it must impose itself within a normative knowledge and become knowable within that cultural framework of meaning. It is, in other words, an interruption.

Balázs Mezei exuberantly proclaims that any theology of revelation is the *preeminent philosophical discipline* inasmuch as it deals with the ultimate sources of human knowledge.⁶ Perhaps if one does not think much of philosophy's ultimate potential, one might be inclined to agree with him. But revelation is not the *source* of knowledge, whether propositional (i.e. certain propositions or truths are revealed by God) or what Mezei terms "radical"; it is the *process* by which knowledge is ascertained and internalized, whether defined in theological or sociological terms.⁷ "Radical revelation" is radical for two reasons, as he describes it: God's reality is self-revelatory and in that revelation God discloses "what God is in himself."⁸ It is radical because it upends conventional wisdom and

2. Ibid., 210.

3. Ibid., 212.

4. Avery Dulles, "Theology of Revelation" (Gale Virtual Reference Library, 2003), 193.

5. Ibid.

6. Balázs M. Mezei, *Religion and Revelation After Auschwitz* (New York: Bloomsbury Academic, 2013), 93.

7. Ibid., 94.

8. Ibid.

understanding before it redefines the conventional—this emphasis upon the destructive-then-productive aspect of what is described as “radical” is shared by Žižek, as we will see.

But the singular problem with the understandings advocated by Dulles and by Mezei is their dependence upon a *real* external, supernatural body of knowledge, an “ultimate source” of knowledge, that is transformative for the purpose of “salvation,” or “restoration.” Such a starting point is problematic for the social-scientist who must find the rationale for human activities within *human* social-political behaviors. The social-scientist must find *social* answers for the following questions. If revelation introduces a new understanding meant to alter any present state of affairs, what is the reason for that introduction without attributing a divine “big Other” with will and determination? How does the concept and purpose of revelation develop within human activities? And what, for our purpose here, does revelation within the biblical text convey not about any objective reality of the Divine but about the primary desire(s) of the communities to which the biblical authors belonged?

What we need to avoid is the snare of the irreducibility of the transcendental, divine viewpoint while also attributing to it definable categories or goals. That creates a whole range of methodological problems, to which, perhaps ironically, theology has dedicated itself to resolving—*God, who is undefinable, wants X, Y, and Z*. Žižek finds this problem in the context of the divide between materialism and idealism: “the transcendental standpoint is in a sense irreducible, for one cannot look ‘objectively’ at oneself and locate oneself in reality; and the task is to think this impossibility itself as an ontological fact, not only as an epistemological limitation. In other words, the task is to think this impossibility not as a limit, but as a positive fact.”⁹ But for many biblical interpreters the impossible becomes possible in the figure of the divine Other—a methodological move often justified with the phrase, “Oh, great mystery!”

We need not get mired in theological intricacies and bickering on the theological attributes of revelation to accept this premise: within the biblical text, and subsequently within monotheistic understanding, revelation denotes an interruption; a previous understanding or even “way of doing things” is altered, with the result of its being made more “consistent,” or “stable,” terms that are relative to the receiving or interpreting community or individual. (Note, for modern example, in the U.S. the Christian Right’s attempt to control “family” as based on the biblical

9. Slavoj Žižek, *Less Than Nothing: Hegel and the Shadow of Dialectical Materialism*, Kindle (London: Verso, 2012), location 5235.

model within Christian interpretation. It reflects an attempt to preserve what defines the “basic social unit,” and so the stability of the social order.) We will argue in this chapter and those following that revelation presupposes the concept of restoration and that it is firmly situated within the prejudices of the subject group. Or to put that last differently, revelation legitimates the differences between the member and the nonmember. “*When Pharaoh does not listen to you, I will lay my hand upon Egypt and bring my people...out of the land Egypt... [They] shall know that I am the LORD*” (Exod 7:4–5 NRSV). That is why revelation is always directly attached to a divine law; divine law codifies the changes to a normative order demanded by revelation. Or, as Talmon put it, “The revealed law is the basis of the Covenant proclaimed at Sinai, which YHWH contracted with this people, and which was hence forth to determine Israel’s path in history and prove its value there.”¹⁰ And so our question must be, if we set aside any presupposition of revelation as a real supernatural event, what strategic social-political purpose lays behind its adoption as a basis against which social-political behavior is conducted in response? What role does revelation fulfill in monotheistic ways of thought if monotheism was a product *not* of revelation, as is often assumed, but of a confluence of unique, historical social-political events? Common assumptions regarding monotheistic religions notwithstanding, is not the Axial-Age proposal for monotheism consistent with theological interpretations of history in that it presupposes an external, perhaps *revealed*, knowledge—a higher-order thinking to which only certain civilizations could ascend?

Our point is this: it is only by understanding revelation as a sociological and ideological *process* that is itself a consequence of social action—it *justifies the object of my desire*—that we can best understand the role that law and restoration fulfilled for the biblical contexts. Presupposing the supernatural existence of the Divine brings us no closer to understanding the ancient audience. Rather what tends to happen is that modern expectations of God as a universal absolute are projected backward upon the biblical authors.¹¹ Are not such expectations really only the attributes of an ideal world as we envision it, with “God” as the projected symbol of that world that also legitimates our belief in it? *Heaven is a paradise as I understand the idea, from oasis or garden to streets of gold*. Peter Berger referred to this type of event as “alienation,” where the products of human activity legitimate the very activity that produced them.¹² A more modern

10. Talmon, *Literary Studies in the Hebrew Bible*, 215.

11. And this is a problem made more complicated by Christian attitudes of supercessionism.

12. Cf. Berger, *Sacred Canopy*, 85–87.

example of the sense of this can be seen in the U.S. cultural definition of “success.” Our capitalistic culture has defined success in terms of money and power and orients the actions of its social agents toward that goal (to the point that Wall Street suicides seem to be on the rise). The same act of alienating is why Žižek argued that one cannot look “objectively” at oneself and locate oneself within reality. The very “tools” we could hope to use are products of our own designs. Our intent here is to understand the Bible entirely as a human product, an alienated product, developed largely in response to social-political concerns shared by its authors and editors. We want to understand those concerns in terms of how they shaped the biblical concepts. That includes the monotheistic pillars of revelation, law, and restoration (those three things that are characteristics to all monotheisms and over which they fight vigorously to lay private claim). In all of this, we seek to understand the ideological forces that encouraged the rise of law and restoration as central and dominant concepts within the biblical texts.

Revelation as a Strategy for Difference

Ezra–Nehemiah’s dogged and sometimes aggressive distinction between the so-called *golah* community and the *am ha'aretz* juxtaposes heritage—*this land belongs to our ancestors and their descendants*—and restoration—*we will become a nation once again*. Both are utopian. Heritage, which is connected to the land, supports the text’s emphasis upon restoration as preceded by purification. “And the seed of Israel¹³ separated itself from all the sons of foreigners, and it stood and confessed its sins and the iniquities of its fathers” (Neh 9:2, translation mine). Even though the biblical texts make impressive claims about the land belonging to the *golah* community, any sociologist worth her salt must point out that it was an *immigrating minority* who was making such claims. “For thus says the LORD, when Babylon’s seventy years are complete I will gather you and fulfill my good word [‘promise,’ NRSV] by returning you to this place” (Jer 29:10, translation mine). And, “Ezra went up from Babylonia... Some of the people of Israel [a utopian designation!]...also went up to Jerusalem” (Ezra 7:6, 7). Upon what substantial basis could an immigrating community make

13. Most English translations render זרע ישראל as “descendants.” While that is grammatically correct, it tends to obscure the possible nuance of the phrase as the *starting point* (seed) from which a new Israel would emerge or grow. Note also that the verbs of the sentence are written as 3mp, while the “seed” of Israel is a singular but collective noun. For the sake of grammatical flow, I have opted to translate the verbs as 3ms to show grammatical connection to the collective noun.

(legal) claims to an inhabited land if not only to something external and superior to the already functioning systems of power and exchange? *We may have little material basis in the land to support our claim, but we have a whole lot of God!* One can't help but be reminded, even though a rough comparison, of John Sullivan's defense of land conquest as being "our manifest destiny to overspread the continent allotted by Providence for the free development of our yearly multiplying millions."¹⁴

To justify the claim of the *golah* community to the land, Ezra–Nehemiah projected a constructivist, world-building attitude. *Our claim to this land is legitimated by what we believe society will be, in light of what God has ordained.* It mimics the zest and zeal of colonizers, settlers, and any other categorical group marching into "virgin" lands with heads held proud and bent on establishing dominion over the land. Like that old patriotic song once popular in the United States, "This land is my land / This land is your land / From California, to the New York Island... This land was made for you and me."¹⁵ It fulfills this role by laying the foundation, within biblical text and ideology, for boundaries of *golah* collective identity. Thomas Thompson connects this propagandistic element of the biblical texts to imperial resettlement policy, which was practiced in different ways under the Assyrians, Babylonians, and Persians.¹⁶ And there is ample reason to assume that this policy shaped the view of the biblical authors. Even Josephus claimed that Cyrus read the book of Isaiah and was inspired by it (cf. *Ant.* 11.5–7).¹⁷ But to accept the biblical testimony and that of Josephus means that we must accept that the political world of the empire was subject to the religious ideology and fancy of a minority community. We must be careful in assuming that the so-called remnant community was an imperial tool directed at a specific targeted territory. It supposes without adequate merit (1) that there was one or more large-scale returns (enough to impact immediate changes), (2) that the highland territories (such as Jerusalem) were strategically important, and (3) that the Persian imperial king was interested in mixing things up again after the Assyrians and Babylonians had done so beforehand. On the other hand, Joachim Schaper provided a compelling reason why the imperial government would have

14. John O'Sullivan, "Annexation," *United States Magazine and Democratic Review* 17, no. 1 (1845): 5.

15. Woody Guthrie, "This Land Is Your Land," in *Original Recordings Made by Woody Guthrie 1940–1946* (Warner Bros. Records, 1977).

16. Thompson, *Mythic Past*, 192–93.

17. With an intensity reminiscent of what R. Otto attributes to *mysterium tremendum* as behavioral motivator, in Rudolph Otto, "The 'Idea of the Holy': Mysterium Tremendum," *Parabola* 23 (1998): 72–76.

been interested in the Judean highland territory in his argument that the Jerusalem temple functioned as an imperial bank.¹⁸ But the people resettling need not overly concern themselves with the political or economic reasons behind their resettlement. They need only respond to ideological and utopian motivation: the restoration of real or imagined fortunes.¹⁹ It is there that the biblical concept of revelation, as one related to law and restoration, is found. Justifications of revelation as a received knowledge are merely that, justifications. Revelation is a strategy of difference, of identifying ideological foundations for legitimating the separation between me and you. *My God. My religion. My heaven. Your hell. God revealed it.* Modern tendencies to absolutize revelation obscure the purpose of revelation in introducing boundaries of distinction for material gain, as can be seen, for instance, in popular interpretations of: “No longer shall your name be Abram, but your name shall be Abraham; for I have made you the ancestor of a multitude of nations... I will establish my covenant between you, and your offspring after you throughout their generations, for an everlasting covenant, to be God to you and to your offspring after you. And I will give to you, and to your offspring after you, the land where you are now an alien, all the land of Canaan, for a perpetual holding; and I will be their God” (Gen 17:5–8).

In nearly any case, the physical act of resettling results in possibly tense group dynamics between inhabitants and immigrants, typically brought on by the need to preserve the group’s collective identity, either through assimilating a dominant culture or resisting it. The latter option sometimes results in what Henri Turjeman et al. describe as “disintegration,” which provokes “negative social outcomes.”²⁰ In that case, a group may refuse to participate within the dominant social-political order, or to participate within dominant cultural activities and expectations. And the dominant majority may see such refusals, which portray the act of separation as an

18. Cf. Joachim Schaper, “The Jerusalem Temple as an Instrument of the Achaemenid Fiscal Administration,” *VT* 45 (1995): 528–39; idem, “The Temple Treasury Committee in the Times of Nehemiah and Ezra,” *VT* 47 (1997): 200–206.

19. Josephus’ retelling of the biblical narrative exaggerates its utopian thinking: “I [i.e. Cyrus] give order that these expenses shall be given them [i.e. to the returnees] out of the tributes due from Samaria... But my will is, that those who disobey these injunctions and make them void, shall be hung upon a cross, and their substance brought into the king’s treasury” (*Ant.* 11.16–17).

20. Hagit Turjeman, Gustavo Mesch, and Gideon Fishman, “Social Identity, Identity Formation, and Delinquency,” *International Journal of Comparative Sociology* 49, no. 2–3 (2008): 122.

assimilation strategy, as “deviant,” “delinquent,” or “abnormal.”²¹ The long history of anti-Semitism, within the scope of which the decision by many conservative Jewish religious-cultural groups to remain distinct from dominant culture perpetuated fears of the “abnormal other,” is a clear example of this. Generally speaking, groups that adopt a strategy of separation tend to emphasize a utopian ideal as the shared ideal at the root of their collective identities. This may be in the form of an idealized past or an imagined future, both of which tend to be (re)imagined scenarios of an ideal, stabilized world.

In Yehud, the utopian aspiration of restoration attached to the land by an immigrating community only exaggerated intergroup dynamics by drawing upon religiously legitimated prejudices. “*Ammonites*” and “*Moabites*” not allowed! Such prejudices, as they are preserved within the biblical texts, were found in primary attributes of the distinctive contours marking member from nonmember. The biblical concept of revelation depends upon those very distinctions.

*Biblical Law and Its Encouragement of Ritualization Are
Attempts to Stabilize Contradiction*

To get us more quickly to the crux of the issue, let us begin with a fundamental, Hegelian dialectic that haunts Žižek’s work: contradiction is inherent within “things and phenomena.” The process of development is a struggle between opposing tendencies.²² One can insist, as does Stalin, who like Hegel provided groundwork for Žižek’s academic pursuits, that this contradiction, expressed primarily through the tenuous relationship between nature and history, is

the struggle between these opposites [negative and positive sides inherent in all things and phenomena], the struggle between the old and the new, between that which is dying away and that which is being born, between that

21. A refusal to integrate into a dominant culture is still an acculturation strategy. Turjeman, et al. write of Berry, for instance, “Berry (1997) has contributed to the adaptation and identity formation theory by proposing four strategies of acculturation that follow from the multidimensional model. The strategies represent four possible ways of dealing with the ethnic group affiliation: a) choosing the heritage over the new culture, indicating a separation strategy; b) choosing the new culture over the heritage, indicating assimilation; c) adopting both cultures, which indicates integration; and d) identifying with neither culture, indicating marginality” (ibid., 113).

22. Cf. Žižek, *In Defense of Lost Causes*, 149.

which is disappearing and that which is developing, constitutes the internal content of the process of development, the internal content of the transformation of quantitative changes into qualitative changes.²³

Stalin's assertion is helpful for us here; there is some compatibility between what it conveys and the intonations of the biblical text. The biblical text is in a constant state of struggle between the old and the new, the dying, disobedient Judah, and that which is being born, a restored Israel. The concepts of revelation and restoration depend upon that contradiction. Ezra–Nehemiah's co-option of exodus tradition, for example, is effective *because* it sets in contradiction the current state of the *golah* community, without land and nationhood but with a law, with the Hebrews under the leadership of Moses (cf. Neh 9:1–37). *And* it sets in contradiction the *golah* community and the *am ha'aretz* as the new inhabitants of the land in distinction from the land's old(er) inhabitants. This exposes the possibility that the dependence of revelation and restoration upon contradiction is really the consequence of a deep-rooted revolutionary aim of rewriting the social-political normative. In a type of transubstantiary movement the real contradiction, such as between the *golah* community and the dominant culture, becomes replaced by the ideal, that between the member of the restored Israel and the faceless, nonmember other designated in terms of a single, reducible category (such as *am ha'aretz*, foreign, Ammonite, Moabite, etc.). Where the real contradiction may be non-antagonistic if the dominant culture was open to difference and adopted a corresponding strategy of acculturation, the idealized contradiction *necessitates* antagonism because its vision of restoration is based on revelation to a specific community. And that necessity, which shapes the biblical concept of restoration, is encoded within the ethical requirements of the remnant community (cf. Deut 6:1–3).

Žižek writes that *every ethic* is wrapped up in contradiction.

The question here is: does *every* ethics have to rely on such a gesture of fetishistic disavowal? Is even the most universal ethics not obliged to draw a line and ignore some sort of suffering?... Yes, every ethics—with the exception of the ethics of psychoanalysis which is a kind of anti-ethics: it focuses precisely on what the standard ethical enthusiasm excludes, on the traumatic Thing that our Judeo-Christian tradition calls the "Neighbor."²⁴

23. Joseph Stalin, "Dialectical and Historical Materialism," 1938, n.p. Online: <http://www.marxists.org/reference/archive/stalin/works/1938/09.htm>.

24. Žižek, *In Defense of Lost Causes*, 15.

What this means is that we can only identify ourselves, we can only *behave ethically*, in relation to an other who represents a threat to the stability of our communities.²⁵ Yet she represents this threat because she is first “other” as something different and so distinct from oneself. For Žižek, that is the contradiction, that in identifying ourselves, we have only a sense of ourselves as being different from the world. And our experience of the world, which inevitably shapes our ethical attitudes,²⁶ is mediated and differentiated through categorized concepts—categories that are themselves products of contradiction and provide the backbone for the meaning systems upon which we depend.²⁷

But let’s be clear, we are not talking yet of morality, which necessitates an intersubjective relationship, but ethics. Žižek writes, “Morality is concerned with the symmetry of my relations with other human beings; its zero-level rule is ‘do not do to me what you do not want me to do to you’; ethics, on the contrary, deals with my consistency with myself, my fidelity to my own desires.”²⁸ The clarification between morality and ethics is important for understanding the central role that desire, and desire production (a phrase we borrow from Deleuze), holds in Ezra–Nehemiah. Ezra–Nehemiah is, and let’s say it here, an *immoral* book. Its view of the *golah* community’s relationship with the “other,” the *am ha’arets*, is not on the level of “our relationship is characterized by mutual responses of like kind.” There is no Golden Rule, no reinterpretation of the “greatest commandment.” Its entire project deals, in the words of Žižek, “with my consistency with myself, my fidelity to my own desires,” where “my” is the hypothetical, collective voice of the *golah* community. Ezra–Nehemiah is not a moral book, but it is an ethical one by nature of its monotheistic intent in or for restoration. But its ethics are consistent not with the world that is but with a restored world—a world to come.

Nehemiah 13 is perhaps the chapter *par excellence* that demonstrates this point. Nehemiah’s exclusion of the foreign, profane “other” is not an attitude that the author expects to have been reciprocated by the rejected other. In fact, the assumption is that because God is on the side of the *golah* community, with which the author identifies himself, exclusion *can’t* be reciprocated because the *quid pro quo* has already occurred. The excluded community *is already the excluded community*; it cannot redefine the relationship by excluding the community that has already

25. See also Colebrook, *Understanding Deleuze*, 7.

26. Cf. *ibid.*, 86–92.

27. Cf. Žižek, *In Defense of Lost Causes*, 383; Deleuze, *Difference and Repetition*, 42.

28. Žižek, *In Defense of Lost Causes*, 223.

excluded it. To resolve its own exclusion it can only hope to incorporate itself within the community that has excluded it, thereby taking on the form of the other and accepting its greater power. That is what Nehemiah seems to imply while also clearly rejecting the excluded in the following passage:

On that day they read from the book of Moses in the hearing of the people; and in it was found written that no Ammonite or Moabite should ever enter the assembly of God, because they did not meet the Israelites with bread and water, but hired Balaam against them to curse them—yet our God turned the curse into a blessing. When the people heard the law, they separated from Israel all those of foreign descent. (Neh 13:1–3)

The positionality of the law in relation to the community and also to the Ammonite and Moabite is hard to miss in this passage. Its value seems indirectly correlated with the people it rejects—this is why the “other” must exist so that the importance and value of the law may be known. And in this is found a testament to its “immoral” character: the more aggressively the “other” is categorized and rejected the greater the (seeming) power of the law.²⁹

As Ackroyd points out, the law passage to which Nehemiah refers is Deut 23:3–6, “slightly modified and interpreted as an injunction to avoid foreign marriages, where originally it was concerned with the right of membership of the community.”³⁰ The account opens with a reading of the law and closes with the people hearing the law. In the first instance, knowledge is gained and a traditional memory ritualized.³¹ The people respond to the law by embracing it as a document that delineates the parameters of collective identity (and the parameters of who can be considered a member of the community).

29. See also these passages that address the position of the law before foreigners: Neh 13:3; 1 Esd 9:7; Deut 14:21; 17:15; 23:20; 1 Kgs 11:1–11; 2 Chr 14:2–4; Jer 2:20–21; Ezek 44:9; Zeph 1:8; Mal 2:10–12.

30. Ackroyd, *I & II Chronicles*, 313.

31. One can't help but also be reminded here of Garbini, who writes, “[T]he character of Ezra, created from a literary text, constitutes a fundamental dividing line for the history of Judaism, because it marked the supremacy of the teachers of the Law over the priests and became a point of reference for all Judaism from then up to now” (in Giovanni Garbini, *Myth and History in the Bible*, trans. Chiara Peri [Sheffield: Sheffield Academic, 2003], 110). P. Ackroyd suggests in fact that the law-reading reference (including 12:44–47) in Nehemiah is really a transfer from the narratives of Ezra to more clearly link the two narrative figures in action and ideology (cf. *I & II Chronicles*, 313).

Yet notice what Nehemiah is suggesting: that law is a source of knowledge, that it *conveys* rather than depends upon the fundamental ideals of (an idealized) society. Is that not a utopian ideal? Can law preexist the epistemological or experiential categories to which it refers? It would seem that Nehemiah's view of law reflects a constructivist one, which maintains that law has the power to shape society into something unique, or to create an entirely new one out of a "seed" or remnant.

Gunther Teubner, an expert in the sociology of law, describes constructivist interpretation this way: "Under a constructivist social epistemology, the reality of perceptions of law cannot be matched to a somehow corresponding social reality 'out there.' Rather, it is law *as an autonomous epistemic subject that constructs a social reality of its own.*"³² One sees in Ezra–Nehemiah this seeming contradiction between the reality "out there" and the perceived or desired reality that the law was meant to shape. This constructivist view of law, as presented by the biblical texts, is one that has been largely uncritically accepted within scholarship. Paul Dion, for one example, takes as a fundamental premise in support of his discussion of the Yahwism in fifth-century BCE Elephantine that the "book" of the law, which was imposed by Ezra and Nehemiah, was the center of religion, and so also religious identity, in Yehud.³³ T. Dozeman, as another example, also presumes that the centrality of law in Yehud that shaped the emerging form of Yahwism became a religion of law.³⁴ Jon Berquist connects the reception of the law with the Persian imperial strategy of promoting allegiance through political behavior.³⁵ He maintains that the law not only reshaped the social-political environment but that it created a greater sense of loyalty. Muhammad Dandameav and Vladimir Lukonin argue that Ezra and Nehemiah effectively transformed Yehud into a theocratic state with the introduction of religious law and reinstating the roles of the priests, levites, and Ezra's selective appointment of judges.³⁶ And Kenneth Hoglund writes, "It remains to try to comprehend how Ezra's activity relates to possible imperial concerns regarding Yehud.

32. Gunther Teubner, "How the Law Thinks: Toward a Constructivist Epistemology of Law," *Law & Society Review* 23, no. 5 (1989): 730.

33. Dion, "La religion," 243–54.

34. Thomas B. Dozeman, "Geography and History in Herodotus and in Ezra–Nehemiah," *JBL* 122, no. 3 (2003): 457.

35. Cf. Jon L. Berquist, *Judaism in Persia's Shadow: A Social and Historical Approach* (Minneapolis: Fortress, 1995), 143.

36. Muhammad A. Dandameav, Vladimir G. Lukonin, and Philip L. Kohl, *The Culture and Social Institutions of Ancient Iran* (Cambridge: Cambridge University Press, 1989), 129–30.

As was noted in the discussion of Ezra's commission, his role in establishing a new imperial legal apparatus is suggestive of a transformation in the imperial administration of law with the province."³⁷

The point in this litany of opinions is that the biblical texts presuppose the possibility of restoration, in the form of a theocracy. But it offers us nothing in the way of explaining how an area in which there is no historical evidence of any past theocracy might produce one. *Should we default to divine intervention? Revelation?* Even the Deuteronomist's apparent desire for a theocracy makes fervent appeals to legends of a Mosaic theocracy in contradistinctive response to the current state of affairs. Still, perhaps it is not surprising that most academics have accepted the biblical portrayal of Yehud's social-political reality as a veritable historical account, especially in the lack of any strong alternative evidence. But this very lack that encourages dependence upon the biblical texts alone for accurate historical portrayal should in fact motivate us to question the text's historical veracity. Would we, after all, depend solely upon, for but one comparison, Benedetto Accolti's (the Elder) account of the First Crusade, *De Bello a Christianis contra Barbaros gesto pro Christi Sepulchro et Judaea recuperandis, libri IV (Of the War Carried Out by Christians against the Barbarians to Recover the Sepulcher of Christ and Judea, Book IV [1464])*—a "historical" account that has relegated history to theological paradigm? To say nothing of the annals of any Assyrian king, those pioneers of annalistic accounts but certainly not of *objective* historiography! Where—and the prudent historian *must* ask this—are the corroborating examples within the Persian Empire that support scholarly presuppositions of Yehud's relative political autonomy? We need not the sophisticated apparatus of a "hermeneutics of suspicion" to be critical of any account that radically centralizes an *external* law in Yehud. The imperial pattern was to use already existing local laws!³⁸ And there is no evidence that the law that Ezra purportedly introduced in Yehud was already known.³⁹ We've said this before but it

37. Kenneth G. Hoglund, *Achaemenid Imperial Administration in Syria-Palestine and the Missions of Ezra and Nehemiah* (Atlanta: Scholars Press, 1992), 234–35.

38. Cf. the discussion and sources in Cataldo, *Theocratic Yehud*, 38–40, 186–89.

39. Note, for instance, E. Nicholson: "Ostensibly the law lay at the foundation of Israel's religion, having been mediated by Moses to the people at Sinai. In reality, however, little or nothing of the law seems to have been known in the pre-exilic period, and the literature deriving from that period records and reflects customs and practices at odds with its demands" (*The Pentateuch in the Twentieth Century: The Legacy of Julius Wellhausen* [Oxford: Clarendon, 1998], 3). His point is that the law was not a preexisting framework for social-political behavior. The Mosaic law

bears repeating: Ezra needed to *teach* the law (cf. Ezra 7:25–26)! Whether Ezra was a real figure who visited Yehud during the Persian period or a later creation of the Hasmonean period is almost beside the point. Because either way, the law was unknown—a point to which the author admits by putting it in the mouth of the imperial king. (And in the typical pattern of ancient Near Eastern historiography doesn't connecting a desired law to the word of the king reflect a desperate appeal to give the biblical account legitimacy? *By the word of the king, which as you am ha'aretz know is law, what we the golah desire of this province, and why not the whole of eber-naharah, will be true!* Is that not the intent of including Sanballat's vociferous and threatening response within the biblical narrative [cf. Neh 2:10, 19; 4:1–7; 6:1–14]?)

The inherent contradiction between the law's object—the idealized “member” it envisions, the community it shapes—and the identities of those whom the law has rejected (the foil against which the object is distinguished) betrays the secret: the idealized identity and supporting patterns of behavior that the law conveys are impossible: the *golah* community was an *immigrating* community. It had no material or ideological anchor in the power hierarchy that shaped the province.⁴⁰ It had no basis of physical power to enforce its ideals tyrannically.⁴¹ And if we accept that the land was not empty then we must in scholarly reconstructions account for the impact this preexisting hierarchy would have had upon the identity and core ideologies of the immigrating community (or communities!). The identifying attributes of the community would have changed in response to intergroup behaviors within the province and could never have remained static according to an idealistic law and collective identity. Yet the biblical texts assume the latter to be possible, and it is the central importance of this point that Ackroyd identifies when he observes that even if the Holiness Code predated the exile, its compilation was thought to provide the basis for a new community during the exilic period.⁴²

in Ezra's hands was not something that the people in the land could have known. It was an external law imposed upon an already functioning social-political order and concomitant power hierarchy. That point, of course, is confirmed by the statement that even the members of the community needed to be taught the law (Ezra 7:10–26; compare with 1 Esd 8:7).

40. Cf. Cataldo, *Theocratic Yehud*, 170–79.

41. Cf. *ibid.*

42. Peter R. Ackroyd, *Exile and Restoration: A Study of Hebrew Thought of the Sixth Century B.C.* (Philadelphia: Westminster, 1968), 90.

Giovanni Garbini, in recognizing the problems inherent with any acceptance that the law was a real, functioning law, concluded that Ezra's "law" was limited to providing the framework for a liturgical manual.⁴³ Maybe. But veritable manual or not, what Garbini has hit upon is the importance of ritualized behavior (a component of any liturgy), when it is consistent and stable, for both the internal articulation and the external expression of collective identity. Ezra's law is constructivist in its emphasis upon ritualizing behaviors that rewrite the dominant social-political normative. Those behaviors must also preserve the very differences upon which they are based.

Why Biblical Ritual Preserves Difference

When we speak of "ritual," we are not referring to the more modern tendency to view it as an antiquated formalistic view of special activities (like the requirement of being ejaculation-free before engaging in sacred-related activities [cf. Lev 15:16–18]). Ritual is, and Catherine Bell was correct on this, better understood *not* as a separate or different type of activity but as processes that are flexible and strategic.⁴⁴ Moreover, "[R]itual activity is tangible evidence that there is more to religion than a simple assent to belief; there are practices, institutions, changing customs, and explanative systems."⁴⁵ Ritual is a socially stabilizing activity that mediates relational parameters between members of a community and between members and nonmembers.⁴⁶ It necessitates contradiction between the productive forces of identity and the perceived anomy of the space in which an "other" resides or that it represents.⁴⁷ *Through ritual we express ourselves and reinforce the boundaries that separate us from them. They are profane, uncivilized, chaotic.* Is that not in part, after all, what

43. Giovanni Garbini, *History and Ideology in Ancient Israel*, trans. John Bowden (New York: Crossroad, 1988), 169.

44. Catherine M. Bell, *Ritual: Perspectives and Dimensions* (New York: Oxford University Press, 2009), 138–39.

45. *Ibid.*, 22.

46. See also *ibid.*, xi.

47. Note further, "[I]t has been suggested, and with good reason, that ritualized activities are ways of acting that do not particularly encourage a great deal of immediate and overt explaining. As these typical answers imply, ritualization gives people the sense that these activities do not need a lot of justification. They appear to address a very specific and obvious need, or have a sufficiently long history that in itself justifies them. Indeed, it is more common in most communities to need a good reason *not* to participate in ritual activities" (*ibid.*, 167).

should be inferred from Ezra's description of the Passover? That in the midst of anomy, death, and dissolution it was a ritualistic behavior that, by providing a mechanism through which to preserve homeostasis, "saved" the *golah* community and the Hebrews before it upon whom the tradition is based? *We are Israel, a defined, orderly, stable identity*. Observance of the Passover required communal reparation from the people already in the land, the "profane other" (Ezra 6:19–21). The central importance bestowed upon ritual and legal behavior is reminiscent of the Pentateuch's legal material (P). Throughout that material, as Ackroyd observes, the salvation of Israel is dependent upon a properly ordered cultus,⁴⁸ such that a stabilized world would be preserved within the distributed relations of the cult wherein God represented the central authority.

In Ezra, the distinction between sacred and profane, as a contradiction *par excellence*, is wrapped up in the distinction of the "returned exiles" as the "people of Israel" (6:19–22). Surely, that is what the author meant when he wrote, "[The Passover] was eaten by the people of Israel who had returned from exile and also by those who had been separated from the pollutions [uncleanliness] of the nations of the land to seek Yahweh, the God of Israel" (v. 21, translation mine). Ackroyd's proposal that "those who joined the community" points to faithful members of the northern tribes (based in part on 2 Chr 30) is a helpful clarification of who those who might be deemed worthy of permission are.⁴⁹ Deuteronomy, which the author of Ezra–Nehemiah was likely familiar with as part of the Pentateuch,⁵⁰ stipulates that the Passover sacrifice must not be eaten with anything leavened for seven days "so that all the days of your life you may remember the day of your departure from the land of Egypt" (16:3). As a component within the larger ritual, consumption is shaped by the larger act of separation. So much so that the type of food consumed and the manner in which it is so done is itself an activity of distinction. Deuteronomy stipulates that the sacrifice can only be cooked and eaten *במקום אשר יבחר יהוה אלהיך בו* (in the place that Yahweh *your God*

48. Ackroyd, *Exile and Restoration*, 96.

49. Ackroyd, *I & II Chronicles*, 238. And note further, "As an appeal to his own contemporaries, the Chronicler is perhaps calling on dissident groups—or what he regards as dissident groups—such as the Samaritan community to see where the true center of faith lies" (*ibid.*).

50. M. Throntveit observes that most scholars believe Ezra carried some form of the Pentateuch back (cf. *Ezra–Nehemiah*, 43). Thomas Römer offers a sustained argument in this regard (in "Torah and Pentateuch in the Former Prophets, with an Outlook on Latter Prophets and Writings," paper presented at the *International Meeting of the Society of Biblical Literature* [Vienna, Austria, 2014]).

has chosen; v. 7). The emphasis there is upon Yahweh as “your” god, which means Yahweh is the primary shared symbol of the collective, the basis of distinction in collective identity,⁵¹ distinguishing member from nonmember. The “you” refers to the listening community, the boundaries of which mark the primary lines of distinction. Ezra also assumes this parameter of distinction to be a necessary component. Ezra 6:21, for example, describes the people who had returned from exile as “Israel” but also Yahweh as the “God of Israel.” There is in this statement a competition over the identity of Yahweh. While some of the people already in the land described themselves as worshipers of Yahweh (cf. Ezra 4:2), Ezra co-opts the “identity” Israel and the ideal of Yahweh as a shared symbol of that identity. This is within the spirit of the Deuteronomist, who asserts that the passover lamb must be cooked and eaten—the internalization of the contradiction—in the place that Yahweh, *your God*, has chosen. For Ezra, this can only be Jerusalem in part because that was where the traditional temple once stood but, I would suggest, in greater part because that space has been identified as the place in which the community itself resides. In that sense, the new temple is not a direct continuation of the old one, but a quasi-solipsistic revision of the heritage of the old temple. Ezra–Nehemiah identifies the new temple (and its host city) as the physical symbol of the distinction between the *golah* community and the *am ha’aretz*.

Law Defines Ethics and Preserves Difference

Perhaps we’ve phrased the subheading poorly. Perhaps we should have phrased it as, “How does law, which Žižek views according to his neo-marxist sensitivities as repressive, *betray* ethics?” If “ethics deals with my consistency with myself, my fidelity to my own desires,”⁵² law as an external object that demands my fidelity and desire cannot be so much a reflection of *my* desires as it is a restriction of them. The function of law—and this is true of both prescriptive and descriptive types—is to provide a stabilizing *nomos* that preserves the social world. It regulates political behavior, stabilizing the distribution of power.⁵³ It imposes itself upon me to mold me into what I *should* be. And in that relationship, there is already a contradiction: I *need* the law to represent the ideal that I myself cannot be

51. Shared objects take on the force of collective will in groups, according to Harry Triandis, “Cross-Cultural Studies of Individualism and Collectivism,” *Nebraska Symposium on Motivation*, 1989 37 (1990): 42.

52. Žižek, *In Defense of Lost Causes*, 223.

53. Cf. Ake, “A Definition of Political Stability,” 271.

trusted to embody without its governance. Thus, the relationship is a true Lacanian one, for which the law of language is compatible with laws that regulate political behavior. Colebrook describes that point in these terms: “I must submit myself to a law of language and I will necessarily desire what lies beyond that law; I will also require some symptom or object that seems to compensate for, or stand in the way of, my full enjoyment.”⁵⁴ Ideally, law restricts the range of possible ethical behaviors for the purpose of preserving something greater than the individual, something that must be aspired to or pursued. For society, that something greater is the stabilized *nomos* of the social world. In the case of monotheism, the subject submits herself to the law but does so primarily with the hope of enlightened ethical existence in a restored world. And that is the point where ethics, law, and restoration meet. Restoration is the utopian ideal toward which divine law intends to regulate the social-political body. But my ethical position must be consistent with the law whose aim is Utopia realized. When, for example, the Jews began rebuilding the temple the names of the individual men involved in rebuilding were requested by Tattenai and Shetharbozenai (Ezra 5:3–4). The response of the builders, who increased their work effort and did not offer up individual names, emphasized the importance of the community over the individual in relation to God. Ackroyd rightly observes that builders interpreted the fact that the building process or activity was not halted as a sign of divine favor. Moreover, “The supposition that the governor had been promoted to investigate the situation by the officials in Samaria is a reasonable one, but it could equally be recognized that the function of the superior governor was, through his agents, to keep an eye on significant activities throughout the province over which he

54. Colebrook, *Understanding Deleuze*, 17. And isn't the statement that some object “stands in the way of my full enjoyment” reminiscent of Deleuze's argument that “the law is the invention of the despot himself: it is the juridical form assumed by the infinite debt” (*Anti-Oedipus*, 213)? In Deleuze's case, the “object” is the despot himself. Rather, the despot symbolizes the infinite debt of the subject to an “other.” This debt is the consequence of an uneven, or subordinate, relationship in which the subject cannot reach her full enjoyment. She must, instead, be always at work repaying her debt. And is that not, after all, the basic sense of monotheism, even (or especially so!) in its early more “compact” forms? The preface to the so-called Covenant Code, which is also the heart of the Mosaic Covenant, despotically imposes a relationship of indebtedness: “You have seen what I did to the Egyptians, and how I bore you on eagles' wings and brought you to myself. Now therefore, if you obey my voice and keep my covenant, you shall be my treasured possession out of all the peoples. Indeed, the whole earth is mine, but you shall be for me a priestly kingdom and a holy nation” (Exod 19:4–5).

exercised authority.”⁵⁵ In the process of constructing the Jerusalem temple, which would become the central, shared symbol of the community, the individual worker becomes known not for his name but for his actions that define a collective identity distinct from the people already in the land.⁵⁶

Note also Mario Liverani’s following statement regarding religious law in the post-exilic context:

The extraordinary insistence on national self-identification through observance of a divinely-given law is typical of Israel, and answers the precise needs of a nation lacking the normal geopolitical coordinates. Respect for the Law could in fact take place even in social groups scattered over the territory and dependent on different political organizations (but in any case not their own). Self-identification through observance of the Law was certainly linked to the exile and post-exile periods: initially with a wish to maintain cohesion within a community risking dispersion, and later with the will to recreate a nation based on shared values (religious and moral).⁵⁷

The law, in his view, is a functional mechanism providing collective cohesion even across territorial boundaries. And he is correct in noting that self-identification through observance of the law was linked to a wish to maintain social cohesion in the face of dispersion.⁵⁸ *In choosing to follow the same legal regulations that others are, I am identifying myself in relation to them, as one of them.* And in that is revealed the constructive aspect of religious law: its emphasis is upon restructuring the dominant hierarchy of power, supporting parameters of political behavior and social-political identity, into that which is consistent with the community’s vision of restoration. The very reality of this separation between member and nonmember, and the need continually to maintain it, reinforces anxieties concerning the chaotic dissolution of the ordered world. This law emphasizes the need to preserve that distinction between member and nonmember. But these anxieties were deeply felt because of the perceived exclusion internalized by the community. It was, in other

55. Ackroyd, *I & II Chronicles*, 233–34.

56. Cataldo, “Yahweh’s Breast”; Joseph Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible* (New York: Doubleday, 1992), 211.

57. Mario Liverani, *Israel’s History and the History of Israel*, trans. Chiara Peri, and Philip R. Davies (London: Equinox, 2005), 344.

58. His point is shared by P. Dion who while contrasting the Yahwists of Elephantine with those of Jerusalem remarks that a central difference between them was that the center of religion in Yehud was “the book” (or law of Moses) while the Jews in Elephantine worshipped their God Yaho (Sabaoth) in their own temple (see the whole of “La Religion,” 243–54).

words, the community itself—and this is a point we will explore further in the following chapters—chafing against the weight of the exclusion it sought to impose. The demand of religious law can be read in no other terms than as a self-imposed isolation. What we mean here is similar to what Žižek describes of Christianity in that the difference between heaven and hell is the distinction between me and you. “This is where the reproach of exclusion gets it wrong: Christian universality, far from excluding some subjects, is formulated from the position of those excluded, of those for whom there is no specific place within the existing order, although they belong to it...”⁵⁹

Žižek highlights that exclusion is inherent within the function of religious law. And what Liverani helps clarify is that the law is the mechanism through which a collective identity may be informed because of and also in contrast to the events of the exile. The law that Ezra purportedly brought to Yehud was unnecessary before the exile and the subsequent return of the Jews. It was, however, demanded on account of the loss of a national, collective identity producing exaggerated anxieties over the dissolution of the immigrant group seeing within itself the future of a new physically and ideologically reconstituted “Israel.” These anxieties were very likely heightened through forced immigration into Babylonian culture *and* by the people’s immigration into Yehud. We should be clear on this: the return was really an immigration, or a series of immigrations. The people in the land and those who lived in the diaspora developed along different social-cultural trajectories. That meant that they had to devise strategies for engaging a new social-political environment.

During the return to Yehud, the exile was already a past event that could be preserved within the collective memory and tradition of the immigrant group. What we mean by that, to use a more modern analogy, is that only thirteen years after the events of September 11, 2001, it is no longer the events themselves that shape the collective identity of the United States; it is instead the ritualized responses to the events that get integrated into the social-political expression of collective identity.⁶⁰ Catherine Bell identifies this as ritual framing in which, for example, acts of social cohesion are made meaningful by virtue of the cultural traditions and meanings they invoke.⁶¹ In the case of Yehud, the returnees ritualized the exile within the meaningful frame of restoration; the Passover, for instance, is celebrated

59. Žižek, “A Plea,” 244.

60. R. Wuthnow points out this same tendency can be seen in the ritualization of the Holocaust in the United States (cf. *Meaning and Moral Order: Explorations in Cultural Analysis* [Berkeley: University of California Press, 1987], 125–41).

61. Bell, *Ritual*, 74–75.

because it validates the legitimacy of the collective desire for restoration. The fact that Yahweh was worshipped also by people already in the land threatened the identity of the immigrating community not in the least. In fact, it made the claims of the community—claims that focused mostly on the community as the beneficiaries of Yahweh’s productive actions—all the more plausible for the external audience in question. That is, the shared experiences of the exiles (one needed not to go into exile to comprehend and experience its effects) and a shared concept of God established a ground for mutual understanding. But Yahweh in Ezra–Nehemiah was still the god of the community exclusively; Yahweh stood in support of the community. Yahweh ceased to be accessible to the people already in the land, despite the traditional openness that deities traditionally had: *We honor the god in whose territory we are*. The community did not exclude the people of the land because Yahweh was exclusive. The law of the “god of Israel” (as Ezra describes Yahweh [cf. 5:1]) demanded exclusivity because the community itself emphasized exclusion as a necessary component in its ritualized identity expression.⁶² In other words, the attributes of the deity, those preserved within the biblical texts, represented the desires of the community, which sought to break all ties the people already in the land had to the land. Morton Smith also makes this point when he writes, “We have already seen that those to whom the land had been given by Nebuchadnezzar could be relied on to be hostile to the returned exiles (the former owners). Moreover, they had close ties to the surrounding peoples, for both Ezra and Nehemiah were to polemicize against such connections.”⁶³ Such polemicization was identity building in that it identified and reinforced the boundaries of the community.⁶⁴ The god of the community represented those boundaries and the identity based upon them. In that way, the god of the community represented the

62. By extension, the argument is that monotheism as a religious ideology and institution was a product of conflict in Yehud. In contrast, R. Gnuse’s proposal (in *No Other Gods: Emergent Monotheism in Israel*, JSOTSup 241 [Sheffield: Sheffield Academic, 1997], 208) that monotheism was already in development before the exile wrongly assumes that monotheism was an evolutionary stage within a general development process from polytheism to monotheism.

63. Morton Smith, *Palestinian Parties and Politics That Shaped the Old Testament*, 2nd ed. (London: SCM, 1987), 81.

64. J. Kessler also makes a similar point, “[W]hen such exclusionary forces emerged, spurred on by a combination of the factors just mentioned, appeal could easily be made to the three boundary criteria of genealogical roots in the land, experience of exile, and adherence to the law of Moses” (“Persia’s Loyal Yahwists,” 110–11).

ideal of a stable order. Would that not be the best understanding of the command, “You shall have no other gods before me...” (Exod 20:3; Deut 5:7)? In other words, that the injunction speaks more to the preservation of collective identity than to some lofty theology?

How Law Might Be an Expression of Power

At the level of the Law, state power only represents the interests and so on of its subjects, it serves them, it is responsible to them and is itself subjected to their control; however, at the level of the superego underside, the public message of responsibility and the rest is supplemented by the obscene message of unconditional exercise of Power: laws do not really bind me, I can do to you whatever I want, I can treat you as guilty if I decide so, I can destroy you if I say so... This obscene excess is a necessary constituent of the notion of sovereignty (whose signifier is the Master-Signifier)—the asymmetry is here structural, that is, the law can only sustain its authority if subjects hear in it the echo of the obscene unconditional self-assertion.⁶⁵

Differences in ancient and modern forms of State and state power are not at issue here. Both share some basic structural similarities, e.g., the understanding that law and power are distinct things and (political) authority necessitates a dominant position within the hierarchy of power (or control over the dominant forms of expression of power). Both things emphasize the need to regulate social-political behavior and to insure the stability of the social-political context. Because religious behavior and ideologies were not fully distinguished from their political counterparts in the ancient Near East (there was no separation between “Church” and State), to speak of a “religious law” or a “religious covenant,” to name two examples, necessitates an awareness that such laws and covenants, etc., were cultic appropriations of dominant social-political models—but appropriations that were often assumed to hold social-political relevance. That is why, for example, many scholars have compared the literary and philosophical structure of Deuteronomy to ancient Near Eastern legal treaties.⁶⁶ Or why Deuteronomy itself blends religious and political commentary in its discussion of the legal responsibilities and behaviors of kings of Israel and Judah. Or even why Isaiah proclaims Cyrus to be Yahweh’s messiah to bring about the political deliverance of “Israel” (cf. Isa 45:1).

65. Žižek, *In Defense of Lost Causes*, 377–78.

66. Cf. Moshe Weinfeld, “Deuteronomy, Book of,” *ABD* 2:170.

Within such contexts, which are more the norm than abnormal, it is difficult to perceive of religious law as strictly regulatory of religious behavior without obvious social-political aspirations. After all, was Jeremiah's scroll not read in the palace to remind the king of his responsibility to the Divine, the particularities of which were codified within the law (Jer 36:11–32)?⁶⁷ What we are saying here is that despite any modern pretenses attributed to it, religious law is in its nature one mechanism for (attempted) *social-political* control. That is its ultimate aim rather than any obsessive emphasis upon religious behavior alone. Its ability to regulate social-political behavior requires an acceptance of a presupposed external power enforcing the law. And that is why, for instance, George Mendenhall wrote that “the God of Israel was again being invoked to legitimize the wielding of power over other human beings.”⁶⁸ What he does not say, however, is that this social act of legitimation is, especially in the case of Ezra–Nehemiah, an internal one. But perhaps the implication is there when he writes that Nehemiah differs from the Judean kings of the past in that where the latter used religious tradition to consolidate and legitimate their power and force, Nehemiah used coercive force to consolidate and support a religious tradition.⁶⁹ Ezra's law fits well with that ideological approach. Nehemiah's actions, according to Mendenhall, are constructive. They are intended to produce the desired shape of the religious tradition. Among other things, Ezra's law is meant to codify the corresponding results of those actions upon social behavioral patterns. Therein is found also the basis for Nehemiah's description of the people weeping upon hearing the law (Neh 8:9–12) and then rejoicing because they understood it. That description was meant to illustrate several things. The people did not know the law prior to hearing it. They mourned because their eyes were opened to how the community had not yet followed expected patterns of behavior. There is also an emphasis upon ritualization, especially because this event is followed immediately by the people's celebration of the Festival of Booths (see vv. 13–18). The acts of comprehending, internalizing, and responding are the trifecta of identity expression, the sum of which is ritualized in the festival. The individual sustains the life of the group by recognizing collective expectations and granting them legitimacy (virtually

67. According to the text of Baruch, Baruch continues to advocate his message even in Babylon (1:1–9).

68. George E. Mendenhall, *Ancient Israel's Faith and History: An Introduction to the Bible in Context*, ed. Gary A. Herion (Louisville: Westminster John Knox, 2001), 197.

69. *Ibid.*

automatic in the individual's recognition of them as valid expectations imposed upon individual action). In turn, the individual makes them "his own" at the expense of his own ethical desires and behaves in a manner consistent with those collective expectations.

In the case of Nehemiah, because the immigrating community did not already control the normative social-political order in Yehud, and because the community was *not* in a position of social-political power, a new order was needed that sustained the identity of the community as the inheritor of divine favor (which entailed possession of the land). The basic premise of texts such as Ezra–Nehemiah is that in a restored world divine favor was confirmation and legitimation of social-political power. Is that not the basic sentiment of Ezra 7:25–28? And is there not a similar sense of divine favor as legitimation of authority in Deut 2:31–37 and 7:1–11 and Deut 31:4? It certainly seems so, that Yahweh's selection is equivalent to legitimating social-political authority. As noted above, in Neh 8:9–12, the people wept because they did not match the expectations detailed in Ezra's reading of the law. They rejoiced because the law was not binding against prior actions—what was done in the past did not constitute a legal transgression of the laws. It became binding upon its hearing. When the people subsequently celebrated the Festival of Booths, they participated in not only the "proto-form" of a restored society, that is, the process through which the society was "brought together" and the parameters of its identity solidified through the "revelation" of the law. That was one element. The celebration of the festival also reinforced the rigid distinction between member and nonmember. To note, "And they found it written in the law, which the LORD had commanded by Moses [who plays an archetypal role legitimating the actions of Ezra], that the people of Israel should live in booths during the festival of the seventh month..." (8:14). After the festival was over, the people immediately joined in a "national" confession, the intent of which was to reinforce the distinction between "Israelite" and foreign. "Then those of Israelite descent separated themselves from all foreigners, and stood and confessed their sins and the iniquities of their ancestors" (9:2). And in that, the people "sustain the authority of the law" by hearing within its reading the "echo of the obscene unconditional self-assertion" of sovereignty.⁷⁰ But in this situation, the "Master-Signifier" is not the imperial king whose decree Ezra enjoys so thoroughly. It is divine sovereignty, whose obscene, blatant revelation of power can be seen in the deity's selection of the *golah* community. Even the imperial king reflects a hierarchy of authority that

70. Žižek, *In Defense of Lost Causes*, 378.

stops not with him but with the divine—a general idea that, as we implied above, Isaiah expressed in terms of “messiah”: “Thus says Yahweh to his messiah, to Cyrus...” (45:1).

*Law, Intermarriage, Prejudice: Expressions of Identity Through
Contrapositional Strategies*

[Belshazzar] was cast out of human company;
With asses was his habitation known; He ate hay like a beast, through wet
and dry,
Until he learned, by grace and reason shown,
That Heaven’s God has dominion, up and down,
Over all the realms and everything therein;
And then did God to him compassion own
And gave him back his kingdom and his kin.

(Chaucer, *The Canterbury Tales*, 14.197–252)

In this quote from Chaucer, whose clever sarcasm often played with conventional assumptions, the author draws attention to the biblical separation between insider and outsider. To be clear, Belshazzar—and there Chaucer is incorrect, since according to Dan 5:17–21 it was Belshazzar’s father Nebuchadnezzar who “habitated” with the asses—is never truly an “insider” when such is the designation for the remnant of Israel—a qualification that Ezra–Nehemiah unabashedly employs. He becomes, nevertheless, an “affiliate” of the community in that he is, within Daniel, attached to the community as an external pillar of support as one who potentially validates and safeguards the Judean exilic community. That is the meaning of, “O king, the Most High God [who is the god of Israel/Judah] gave your father Nebuchadnezzar kingship, greatness, glory, and majesty. And because of the greatness that he gave him, all peoples, nations, and languages trembled and feared before him...” And also, “His dwelling was with the wild asses, he was fed grass like oxen, and his body was bathed with the dew of heaven, until he learned that the Most High God has sovereignty over the kingdom of mortals, and sets over it whomever he will” (5:18–19, 21). Upon “learning” about the sovereignty of God, Nebuchadnezzar was restored in all his glory. In the biblical text, restoration cannot occur without a preceding experience of looming chaos: whether Nebuchadnezzar’s eating with the asses, or the Judean experience of exile. The epitomic Hebrew cannot enter the Promised Land without first having been oppressed *nor without first having suffered the disgrace of pursuing other gods*. And that expectation makes the traditional “golden calf” episode all the more interesting (see Exod 32:1–35;

Deut 9:6–29; Neh 9:18)! Suffering, conflict, or experiential chaos as a preliminary mechanism of identity (is there not a parallel here to the creative and world-preserving power of Elohim or Yahweh demonstrated as victory over chaos [cf. Gen 1:1–3; Isa 45:18–19; Jer 4:19–28]?⁷¹) means that the exiles cannot enter Yehud categorically as the “remnant,” the divinely preserved group, without first having experienced the exiles (the implication is there in Isa 45:13 and Jer 39:9–10). Trauma—but ritualized into something more archetypal than the historical events themselves—created the possibility for restoration. Restoration is contingent upon the ritualized trauma of the exile (its ritualization is what is associated with the exodus) as the “rupture” that breaks down a previous mode of existence, typically expressed in terms of the divine (*woe are we, we pursued other gods*), to make room for a new one (*Yahweh alone!*).

What this means, in short, is that restoration (the new “Israel”) requires a radical revision (exile) of the existing infrastructure (distributed relations between social-political agents and agencies—the productive processes in which people are involved that shape the social reality). Because there existed no previous basis or model for a similar social-political structure (which text and scholar tend to identify as “theocracy” or “hierocracy”), hierarchies of power must be rewritten to make room for the restoration envisioned by the biblical texts. Is there not an implicit acceptance of this in the biblical obsession with blaming the ancestors for the exiles? The ancestors failed. Their world was destroyed. But a new kid was in town, a new Israel full of vim and vigor and radical obedience to the divine. This need lays among those at the core of Ezra–Nehemiah’s emphasis upon an inflexible distinction between sacred and profane, foreigner and citizen—a point that we will revisit throughout the remainder of this work.

Casting Žižek Upon the Contraposition Between Annihilation and Restoration

This strategic contraposition between annihilation and restoration mirrors what in monotheistic religions has been identified as the distinction between evil and good. And for the moment, let’s analyze this contraposition for

71. See also Ralph W. Klein, *Israel in Exile: A Theological Interpretation* (Philadelphia: Fortress, 1985), 114, in which he discusses the metaphor of creation in relation to the exile. In particular, “We have already seen how God’s creation and preservation of the world provided the basis for affirming his ability and willingness to save (40:12–13). Affirmations about creation also supported God’s credentials in his contest with the gods (45:18; cf. 40:25–26) and in his promise to free Israel from its tyrants (51:13–16)” (114).

what it might reveal about the ideological positions that undergird Ezra–Nehemiah’s emphasis upon distinction. Let’s revisit the epigraph from Žižek that opened our first chapter:

[T]he difference between Good and Evil is not that of content, but that of form—but, again, not in the sense that Good is the form of unconditional commitment to a Cause, and Evil the betrayal of this commitment. It is, on the contrary, the very unconditional “fanatical” commitment to a Cause which is the “death drive” at its purest and, as such, the primordial form of Evil: it introduces into the flow of (social) life a violent cut that throws it out of joint. The Good comes afterwards, it is an attempt to “gentrify,” to domesticate, the traumatic impact of the Evil Thing. In short, the Good is the screened/domesticated Evil.⁷²

The last statement in the quote is Žižek being Žižek. It is hyperbolic sensationalism for the sake of shock and awe as a de-centering tactic. After all, if good is evil, or vice versa, the distinction as something substantive between the two collapses. Yet perhaps there is something in that. Perhaps there is something inherently fruitful in reimagining any distinction between good and evil from some oppressive objective category into something better recognizable as a socially relative series of productive actions that characterize the society’s or community’s normative order. Social order is fragile, Žižek observes. “[W]e need strict law enforcement and ethical press to prevent the explosion of violent passions. Human nature is naturally evil, descent into social chaos is a permanent threat.”⁷³ Does not fundamentalism as a concept teach us there is some truth to that? That that what constitutes “evil” is that which threatens the stability of the stabilized (or “domesticated”) order? Thus, the struggle for fundamentalists is typically not between insider and outsider—that separation has already been determined—but between “co-religionists,” groups that show common traits, or members of the same society, and those who threaten the internal stability of the group, community, or society.⁷⁴ *The secularist on an island across the ocean doesn’t bother me. The secularist in my own country speaking out against my religious view of marriage does.* Is there not also a sense in which Ezra–Nehemiah’s portrayal of the conflicts surrounding the *golah* community are more intense when they describe the conflict between the community and those who might share

72. Žižek, *In Defense of Lost Causes*, 345.

73. Slavoj Žižek, *Violence: Six Sideways Reflections*, 1st Picador ed. (New York: Picador, 2008), 95.

74. Torkel Brekke, *Fundamentalism: Prophecy and Protest in the Age of Globalization* (Cambridge: Cambridge University Press, 2012), 24–25.

certain ideological and cultural traditions? Communities in which Yahweh was also a central god but ones whose collective identities were not ones based on restoration (cf. Ezra 4:2)? Such communities are the target of the oracle in Ezek 8:1–18, for example: “Have you not seen this, O Mortal? Is it not bad enough that the house of Judah commits the abominations done here?... I will not listen to them” (vv. 17–18).

What Žižek means by his distinction in the above quote is not that there is any absolute or objective thing as “good” or its antithesis. “Good” can only be a productive *action* that restricts the unmitigated possibilities of actions and their effects. In other words, “good” denotes “productive actions that stabilize the group.” Žižek’s distinction, and this is where his point becomes more helpful for our discussion, between the two concepts is based less on ideas of good and more upon *actions* that constitute the distinction: the ways in which a community internalizes its response to the threat of death or annihilation (what must be meant by the “death drive” on the level of a collective). In this sense, we understand better the situation in Ezra–Nehemiah in which what is “good,” or affiliated with a type of sacred or fundamental order, is that which supports the collective identity of the *golah* community as one in a position of authority. The text’s “violent” reaction to intermarriage is precisely the “cut” that Žižek describes which throws the social life of the province out of joint. After all, the economics of land ownership were closely tied to marriages as forms of legal contract and alliance.

Contraposition in Intermarriage

Tamara Eskenazi was correct when she argued that the concern over intermarriage in Ezra–Nehemiah was primarily a concern over land. The foreign spouse or children of a deceased Jew could, in theory, retain ownership of the land, the continued practice of which would result in the loss of land by the Judahites.⁷⁵ Control over the land and its economic production provided the community with the opportunity to shape the contours of power within the province.⁷⁶

75. Tamara C. Eskenazi, “The Structure of Ezra–Nehemiah and the Integrity of the Book,” *JBL* 107, no. 4 (1988): 124.

76. This is also what L. Fried meant when she argued that Nehemiah’s prohibition of intermarriage was an attempt to limit the influence and power of the landed aristocracy within the province (*The Priest and the Great King: Temple–Palace Relations in the Persian Empire* [Winona Lake: Eisenbrauns, 2004], 210–11).

But we cannot stop there and treat intermarriage as an isolated autonomous event or cause. In other words, intermarriage was not an isolated concern uniquely related to beliefs and attitudes about the land. It was part of a larger process of interruption, of distinction between the *golah* community and the *am ha'aretz* as groups that embodied in their actions good (world building and preserving) and bad (world destroying). This larger process of interruption was meant to create a space by despotically imposing artificial boundaries in the social-political context around the *golah* community as a community in a position of authority. Mary Douglas's observation that Ezra's correlation of defilement with intermarriage, including its canonization within the law, reflected the conflict between the priestly editors and the governmental officials, highlights the external and internal struggles that faced the community as it sought authority.⁷⁷ The former, for her, represented the "repatriates" while the latter represented the people already in the land. In her words, the volatile issue of intermarriage within the biblical text reflected a strong xenophobia on the part of the immigrating community. That fear of the "other," oftentimes irrational in nature, is directly the fear of a loss of the stable forces that define "my world" and "my sense of collective self." *The stranger represents a different way of doing things. If I let the stranger in, I must either accept his way of doing things, which destabilizes my world, or impose upon him my own, which confirms the strength of my own world.* We need only take that observation a short step further to point out that xenophobia results from an internal paranoia over anomy that the outsider has come to symbolize. Xenophobes, as sociologist of religion Jon Shields points out, operate from enclave cultures bent on resisting the "disintegrating effects" of pluralism, assimilation, and even tolerance in a mutually productive sense of groups entering into a mutually effective relationship.⁷⁸ And anthropologist Maurice Godelier states, after dismissing Levi-Strauss's hypothesis that kinship is based on men's domination of and exchange of women, that marriage is still founded upon a basis of alliance and exchange, though of various and sometimes unique types.⁷⁹ In that sense, intermarriage may have been prohibited in Ezra–Nehemiah to establish limits on the extent of social, economic, and

77. Mary Douglas, "Responding to Ezra: The Priests and the Foreign Wives," *BI* 10 (2002): 1–23.

78. Cf. Jon A. Shields, *The Democratic Virtues of the Christian Right*, Kindle ed. (Princeton: Princeton University Press, 2009), 12.

79. Maurice Godelier and Nora Scott, *The Metamorphoses of Kinship* (London: Verso, 2011), 127–28.

political exchange permitted with the people already in the land. And in turn those limits on intercultural exchange created boundaries around collective identity.

Julian Morgenstern, as early as 1957, stated concerning intermarriage in Ezra–Nehemiah,

These marriage reforms reflect the spirit and procedure of Jewish particularism and isolationism which evolved within a certain, small section of the Babylonian Jewish community and which were transmitted to Palestine and instituted there as an actively aggressive program only by Ezra and Nehemiah, rather than the spirit and purpose of the native Jewish population of Palestine in the period with which we are dealing.⁸⁰

He is correct, but only to an extent. The marriage reforms in Ezra–Nehemiah *do* reflect the “spirit and procedure” of “particularism and isolationism.” But particularism and isolationism as the type of sociological response to which he refers would have more logically occurred within the social-political context of Yehud, a territory in which the community had invested itself as the native in-group. There is very little question that the Judeans who had been exiled to the Babylonian territories underwent processes of assimilation, in which cultural or group differences were minimized, and in contrast, in which the same differences are exaggerated.⁸¹ Yet the exaggerated emphasis and rigidity that characterizes Ezra–Nehemiah reveals a deeper rooted concern than one shaped initially within a foreign cultural context. Morgenstern’s assertion is guilty of confusing history with theory, of using data to explain data.⁸² The very fact that Ezra–Nehemiah describes the existence and attributes of the *golah* community explains neither (1) that the Judeans in Babylon identified themselves through isolationist or particularist philosophies or behaviors, nor (2) that the community en bloc faithfully translated either strategic philosophy into an aggressive program. To put it differently, Ezra–Nehemiah’s description of particularist or isolationist behaviors is not a cause but an effect. In our argument, we say that it is an effect of

80. Julian Morgenstern, “Jerusalem—485 BC (Continued),” *HUCA* 28 (1957): 21.

81. Cf. Scott Plous, “The Psychology of Prejudice, Stereotyping, and Discrimination: An Overview,” in *Understanding Prejudice and Discrimination* (Boston: McGraw–Hill, 2003), 8–10.

82. Mayhew describes the details of this error in “Causality, Historical Particularism and Other Errors in Sociological Discourse,” *Journal for the Theory of Social Behavior* 13, no. 3 (1983): 289–90. Put briefly, this error uses data to explain itself which suggests an elementary reliance upon existentialism.

immigration into an environment perceived as hostile to *golah* ideals.⁸³ *When we arrived, they did not accept our claims to the land. So we dug our heels in deeper.*

Joseph Blenkinsopp proposed that during the 139 years or so from the deportation of Jehoiachin in 597 BCE to the arrival of Ezra in 458 BCE there was “enough time for the Jewish community in and around Nippur to have settled down and developed its own *modus vivendi*, institutions, traditions, and no doubt parties and factions. There was also time enough for the complex of theological ideas associated with Ezra and Nehemiah to emerge and incubate.”⁸⁴ And in this, he is close in philosophical position to Morgenstern. He is correct in terms of sociological development that the Judeans would have developed their own cultural responses, attitudes, behaviors, institutions, and ideologies to meet their changing circumstances. But to assume that the community in Babylonia (in and around Nippur, al-Yahudu, and possibly other locations⁸⁵) provided an inculcating context for a set of totalitarian, rigid counterparts capable of navigating the turmoil and anxieties in Yehud is certainly incorrect. While that move credits the initial development of those strategies with being responses to changed circumstances demanding a reconfiguration of defenses against anxieties old and new, it also assumes that such strategies can be faithfully transplanted between foreign contexts. Is not a similar assumption characteristic to many older style Christian missionary strategies of the nineteenth and twentieth centuries framed by an Orientalist perception of the world? That what the missionary has developed within the incubator of a Western, Christian society can be applied whole-scale to a foreign

83. One must say “perceived” because not all authors viewed the context as threatening. M. Moore and B. Kelle, for example, summarize S. Japhet’s position on the Chronicler who wrote and redacted from a more removed historical context, as: “The Chronicler cannot accept the foundations of Ezra–Nehemiah’s theology: the exclusive, narrow concept of Israel as a ‘holy seed,’ the supremacy of the ‘returned exiles’ or simply ‘exiles,’ the attitude to the native inhabitants of the land and to intermarriage” (*Biblical History and Israel’s Past*, Digital [Grand Rapids: Eerdmans, 2011], 446–59). P. Ackroyd put the Chronicler in the mid-fourth century during which time he linked Ezra and Nehemiah (cf. *I & II Chronicles*, 26). For the Chronicler, what we’ve described as “*golah* ideals” should be understood as an idealization of restoration. Ackroyd writes, for example, “The community of the post-exilic period to which the Chronicler belonged and for which he wrote is seen to be the descendant of that totality of Israel which lay within the creative and redemptive purpose of God” (31).

84. Blenkinsopp, *Judaism: The First Phase*, 122.

85. Cf. Joannès and Lemaire, “Trois tablettes cunéiformes,” 399–411.

context? And isn't that more guilty of producing anomy by trying to "fix" a foreign context rather than by working to develop ways of internally resolving its own instability?

Blenkinsopp suggests that the strategies for defining *golah* collective identity within Yehud were developed in and around Nippur and employed by the sectarian community. Consequently, if the confessional prayers in Ezra–Nehemiah (Ezra 9:6–15; Neh 9:6–37) are responses to a changed social-political situation, they are responses that occurred within a specific social-political community in Babylon.⁸⁶ One must take great pains to show how the responses (strategies) translated from one social-political context to another. Identity, for either the individual or the collective, is nurtured through active and immediate relationships with others and with the surrounding environment.⁸⁷ More importantly for our discussion here, Ezra–Nehemiah's prohibition on intermarriage, Blenkinsopp believes, was the consequence of a predetermined view of Judah as a "defiled land" that needed the divine process of restoration in order to be fruitful again.

[Ezra 9:6–15's] prohibition of intermarriage with the narratives is also behind the first and principle stipulation of Nehemiah's covenant (Neh 10:30 [MT 31]). Closely related is the absolute exclusion from the Israelite assembly of Ammonites and Moabites and the banning to the third generation of Edomites and Egyptians in Deut 23:3–8 (MT 4–9). This stipulation was invoked by Nehemiah (Neh 13:1–2, 23) and insinuated into the account of Ezra's campaign against intermarriage (Ezra 9:1)."⁸⁸

Blenkinsopp explains Ezra–Nehemiah's prohibition of intermarriage as a theological strategy for dealing with outsiders. And one can find a point of agreement with his argument in that it reflects a strategy of

86. Blenkinsopp, *Judaism: The First Phase*, 125.

87. Cf. Frank Schimmelfennig, "The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union," *International Organization* 55, no. 1 (2001): 47–80; Jon L. Berquist, "Constructions of Identity in Postcolonial Yehud," in Lipschits and Oeming, eds., *Judah and the Judeans in the Persian Period*, 53–66; John Berry, "Immigration, Acculturation, and Adaptation," *Applied Psychology Appl. Psychol.* 46, no. 1 (1997): 5–34; Karen A. Cerulo, "Identity Construction: New Issues, New Directions," *Annual Review of Sociology* 23 (1997): 385–409; R. D. Hinshelwood, "Ideology and Identity: A Psychoanalytic Investigation of a Social Phenomenon," *Psychoanalysis, Culture & Society* 14, no. 2 (2009): 131–48; Judith A. Howard, "Social Psychology of Identities," *Annual Reviews in Sociology* 26 (2000): 367–93.

88. Blenkinsopp, *Judaism: The First Phase*, 126.

social-political engagement. But as we've pointed out he also proposes that this strategy was developed *before* any real social engagement with the people already in the land occurred. It was a strategy of response developed *before* knowing who one needed to respond to and what any ideological position might have been. *I don't know who lives in the country next to mine, but I already know how I'm going to respond to anyone who tries to get in the way of my building my house when I get there.* In his explanation, Blenkinsopp centralizes theology as the barometer for social-political engagement, which is intended to provide a more "universal" ideological strategy. In other words, for him the *golah* community was a theologically defined community; theology defined the identity of the community, when in fact the reverse is more accurate.⁸⁹

The better conclusion is that the theological attitudes and positions expressed in Nehemiah concerning intermarriage and other related matters were products of the community's experience in Yehud *not* in Babylonia. Can one not see a strategy of active engagement of the cultural context in Yehud when Nehemiah inspects the walls of Jerusalem and decides to restore them? "Then I said to them, 'You see the trouble we are in, how Jerusalem lies in ruins with its gates burned. Come, let us rebuild the wall of Jerusalem, so that we may no longer suffer disgrace.' I told them that the hand of my God had been gracious upon me, and also the words that the king had spoken to me. Then they said, 'Let us start building!' *So they committed themselves to the common good*" (Neh 2:17–18, emphasis mine). The "common good" in this context is the preservation of the community, both physically and ideologically. *That* is the barometer against which Nehemiah's actions should be measured. "Thus I cleansed them from everything foreign, and I established the duties of the priests and Levites, each in his work; and I provided for the wood offering, at appointed times,

89. Blenkinsopp's position on the importance of theology seems to be due to his hypothesis that Ezra–Nehemiah and Ezekiel share important, theological, points of contact, especially the areas of intermarriage and the law (cf. *ibid.*, 127–28). Note, for further reference, "The movement of the Glory from Jerusalem to the Babylonian *golah* and its anticipated return to take up residence in the Jerusalem temple, once it was built according to a prophetically-mandated blueprint, *provided the theological template for those in the eastern diaspora who entertained the hope of an eventual religious and political restoration in Judah.* Preeminent among these, according to Ezra–Nehemiah, were the Zadokite priests Joshua ben Jehozadak and Ezra" (130, emphasis mine.). Note especially the emphasized point that what was gained was a "theological template" for religious, certainly, but also political restoration. Blenkinsopp here is dangerously close to describing Yehud as a theocracy in the manner that J. Weinberg has done (cf. the larger work, Weinberg, *Citizen-Temple Community*).

and for the first fruits. Remember me, O my God, *for good*” (13:30–31, emphasis mine).

Gary Knoppers offers a similar argument to the one we’ve posed here when he describes Ezra–Nehemiah’s injunction against intermarriages as a strategy that was employed within a particular social-political situation:

But the repertoire of autochthonous nations in Ezra 9:1—“the Canaanites, Hittites, Perizzites, Jebusites, Ammonites, Moabites, Egyptians, and Edomites”—is drawn only in part from the standard pentateuchal lists. The authority of earlier injunctions against intermarriage is both applied and expanded to deal with a new situation. The new nations not originally covered by the injunctions of Exod. 34:11–15 and Deut. 7:1–4 include Egyptians, Ammonites, Moabites, and Edomites. To this list Nehemiah adds Ashdodites. The expansion in the number of peoples is, in fact, critical, to mandating the divorce and expulsion of wives not included in the earlier prohibitions.⁹⁰

In context, his approach is better than Morgenstern’s. Where Morgenstern (and Blenkinsopp is similar here) must rely upon the exiles entering into Yehud already with a fully complex program, regardless of what situation awaited their arrival, there is space within Knoppers’s position to allow for Ezra–Nehemiah’s injunction against intermarriage to be an active response to the situation into which the exiles, or immigrants, arrived, whether or not Ezra–Nehemiah replicated the attitudes and philosophies of all individuals who “returned” or just a small sampling. The law, into which Ezra–Nehemiah’s injunction was codified, makes no sense outside the social-political context of Yehud. What Morgenstern’s theory (and Blenkinsopp’s to a lesser degree) requires, of course, is an empty land.

Why Prohibiting Intermarriage Interrupted the Social Order

The *golah* community’s acting out Ezra–Nehemiah’s prohibition on intermarriage and the text’s position on ritualistic separation is, in Žižek’s terms, an interruptive act. It interrupts the normative order by changing the nature of the social-political (and economic) relations that until that point were central in the power hierarchy. It heightens fears of anomy. Which means that the complex machinery for producing a stabilized normative order—institutional and legal requirements on interpersonal relations, hierarchies on power and value necessary for economic exchange, and

90. Gary N. Knoppers, “Intermarriage, Social Complexity, and Ethnic Diversity in the Genealogy of Judah,” *JBL* 120 (2001): 29.

the ability to insulate group members from threats of anomy or death or even the power to accept and include outsiders as members—was subject to revision by a minority group, but one without a clear hold on material power.

There is also a sense in which the proposed act betrays a contradiction at a fundamental level in group identity: the *golah* community is both identifiable as a group *within* Yehud but also as one that carried out actions of separation and exclusion. In other words, it excludes the very society that provided the institutional parameters and powers⁹¹ within which the group's identity was defined and nurtured—a contradiction that finds passionate expression in the community's apparent xenophobia against the people already in the land.⁹²

As an act by the *golah* community, the negative projection of the *am ha'aretz* as "foreign," "other," etc., does not find the attainment of its goal alone in creating a categorical outsider. Its goal is better found in the community's desire to create a stabilized world based on its own collective identity.⁹³ The *am ha'aretz* were the object upon which the experiences of instability and anomy were cast.⁹⁴ And in that we find the frustrated core of the contraposition between annihilation and restoration. *My restoration requires the annihilation of your way of life.*

Establishing clear categorical boundaries between insider and outsider was a clearly felt need in Ezra–Nehemiah. When Nehemiah beats and pulls the hair of those who had intermarried "foreigners," his intent was to create a rupture in the preexisting social-political order by radically altering

91. "One needs to be nominalistic, no doubt: power is not an institution, and not a structure; neither is it a certain strength we are endowed with; it is the name that one attributes to a complex strategical situation in a particular society" (Foucault, *The History of Sexuality, Volume 1*, location 1210.).

92. Cf. Galambush, *This Land Is My Land*, 91.

93. Note also, for further instance, the levirate marriage in Deut 25:5, in which the emphasis is upon the assumption of economic burden for other group members for the benefit of preserving the group.

94. M. Klein's theory is quite helpful. For instance, "Projection...originates from the deflection of the death instinct outwards and in my view it helps the ego to overcome anxiety by ridding it of danger and badness. Introjection of the good object is also used by the ego as a defense against anxiety... Idealization is bound up with the splitting of the object, for the good aspects of the breast are exaggerated as a safeguard against the fear of the persecuting great. While idealization is thus the corollary of persecutory fear, it also springs from the power of the intellectual desire which aims at unlimited gratification and therefore creates the picture of an inexhaustible and always bountiful breast—an ideal breast" (in Klein, *Envy and Gratitude*, 6–7).

behavioral patterns.⁹⁵ Inter-marriage, which presumably was compatible⁹⁶ with the old order, and so could have been an assimilation strategy, could not be accepted lest it allow the old order to bleed into the new one. Ezra's imposition of the divine law was intended to sustain the consequence of that rupture, a new social-political normative, by codifying a new set of behaviors. As it is portrayed in Ezra–Nehemiah, its intent is primarily to categorize permanently the distinction found in both geographic occupation and ideological expression (where one is and how one thinks), things that directly influence expressions of collective identity. Its introduction into the social-political context of Yehud interrupts the normative order. But more importantly, it codifies a set of social (including political and religious) behaviors, responses, and rituals (e.g., the Passover) intended to preserve the collective identity of the *golah* community, one that is itself entirely a product of the (attempted) ruptured normative order in Yehud. In other words, the community—which, we must recall, was an immigrating community—was only knowable via productive actions that broke it away from, made it distinct from, and preserved its separation from the people already in the land. In this emphasis, Ezra–Nehemiah is not alone; there is precedence in Deuteronomy:

When the Lord your God brings you into the land that you are about to enter and occupy, and he clears away many nations before you—the Hittites, the Gergashites, the Amorites, the Canaanites, the Perizzites, the Hivites, and the Jebusites, seven nations mightier and more numerous than you— and when

95. I am basing this in part on Žižek's discussion of "divine violence": "[D]ivine violence is not divine because it serves a divine purpose (such as the sanctity of life); it is divine in itself, it manifests in itself the divine dimension. In the divine, the difference between means and end falls away, becomes irrelevant: divine violence doesn't serve the divine, it is directly a sign of, or, rather, a manifestation of the divine" (*In Defense of Lost Causes*, 484). For Žižek, "divine violence" in contrast to other more aggressive or bloody forms is the act or process that creates the possibility for producing a social order that disturbs, and ideally destroys, an old social order. In that role, it must radically *interrupt* the preexisting order and impose in its place something new. When the aid of Sanballat, Tobiah, and others, for example, is rejected, the intent is not only to establish a private claim over the Jerusalem temple, it is to interrupt the traditional order of things. It is to impose a new, restrictive set of behaviors, values, and meanings that comprise the core of collective identity—where identity is a product of mobilization around a shared ideology of restoration. See Cerulo, "Identity Construction," 385–409, for a discussion of identity as a production of mobilization.

96. Cf. James C. VanderKam, *From Joshua to Caiaphas: High Priests After the Exile* (Minneapolis: Fortress, 2004), 53–54.

the Lord your God gives them over to you and you defeat them, then you must utterly destroy them. Make no covenant with them and show them no mercy. Do not intermarry with them, giving your daughters to their sons or taking their daughters for your sons, for that would turn away your children from following me, to serve other gods. Then the anger of the Lord would be kindled against you, and he would destroy you quickly. (Deut 7:1–4)

Chapter 3

RESTORATION IN HAGGAI–ZECHARIAH AS DEPENDENT UPON DIFFERENCE

In the social sciences, the subject of action cannot be observed, understood or explained in and of itself, except through—inside of, with and by means of—social relations. The postmodern can only be transcended through a careful and comprehensive reading of social relations, one that is multi-dimensional and supra-functional—in short, relational.¹

If, as Žižek proposes, violence disturbs, and ideally destroys, an existing social-political structure or order (the last would be the result of a true revolution, as he explains); if in that process it creates the space for something new, something that fulfills a greater social need, it is violence that serves a more “objective” purpose. It creates the space for (re)creation, but it must do so without any preconceived plan for its future outcome, following a plan would mean that the “pattern” (and, consequently, the structure itself) of the “destroyed” structure had been preserved. For instance, replacing the figurehead in a tyranny even if through revolutionary action doesn’t replace the tyranny with a different governing structure. Žižek maintains that violence refers to the fundamental dismantling or interruption of an ordered system, whether social-political or interpersonal. Violence is not a thing *sui generis*, so to speak, but another aspect of the relational act that in meting out its consequences recognizes, and sometimes preserves, the categories of distributed relationships within a social world. *My blowing up a bus is not an act of autonomous evil, as though evil “just happens.” As a terrorist act, it testifies to my marginal position within a dominant social-political hierarchy. And in choosing that act of violence, one that strikes at the dominant order but does not overcome it, I am insuring that my social-political position and that of the group to which I belong will remain marginal in relation to that dominant order.* What violence assumes, Žižek points out, is an element

1. Donati, *Relational Sociology*, 135.

of social facticity, a “plausibility structure”² upon which the meanings and constructed orders of the social world are based. The truly violent act is an attempt to redefine the nature of that “base,” not to abstract it but to locate it more fully in a redesigned social world (a big Other whether that be the “social substance of mores,” *à la* Hegel, or “a substantial set of customs and values,” *à la* Lacan).³ For Žižek, rewriting, or restructuring, social-political hierarchies is a truly violent act *if* it dismantles preexisting institutions and hierarchies.

Žižek argues that restructuring, or “disintegrating,” relational patterns of authority interrupts distributed relations of power, which would include a revision of the difference that separates the member from the nonmember, since that difference depends upon the dominant hierarchy of power.⁴ In the context of Yehud, this entails identifying the acts of separation that isolate the people already in the land as “other” vis-à-vis the “remnant” community. And in that, there is an ideological violence that takes place as members of the remnant community no longer relate themselves to the people already in the land self-awaredly as Judean immigrants but as native citizens. *It’s never, “Hey, may we join you here?” but “Get out of our land, squatters! You are nothing like us!”* To understand that is to grasp more fully the implied intent that lay behind Haggai’s and Zechariah’s employment of the Jerusalem temple or crown as a shared central(izing) symbol. Haggai’s emphasis upon the Jerusalem temple and Zechariah’s emphasis upon the crown—which we should really write as “crown(s),” as we will discuss below—must first be interruptive acts before they can be considered constructive. They do not reinforce the dominant order of the social-political world but require a revision of it. They must, in other words, redirect expectations and assumptions regarding authority in Yehud away from traditional institutions that developed in the wake of the exile. The Jerusalem temple, the symbolism of which has been redefined for a new context, will be raised from the ashes. Those ideological ashes are of a forgone social-political world that must find its own demise in the temple’s construction—a phoenix that Zechariah likewise envisions in the text’s oracle of the crown(s). There *is* a connection between the past and the narrative present found in the symbol of the temple, which suggests that Haggai–Zechariah is not entirely “Žižekian” in its philosophy. But

2. Berger, *Sacred Canopy*, 45.

3. For Žižek, this is a type of “objective violence,” cf. Žižek, *Violence*, 1–2. On the “big Other” in both the Hegelian and Lacanian senses, see Žižek, *In Defense of Lost Causes*, 34.

4. Cf. Žižek, *In Defense of Lost Causes*, 20–36.

that connection is made primarily for the ideological gain of the remnant community (cf. Hag 2:1–9); the new temple will not be the same as the old but, “The latter splendor of this house shall be greater than the former...” (2:9).

The (De)Constructive Role of Ideology

Žižek’s emphasis upon “objective violence,” violence at the level of the base in contrast to the levels of the infrastructure or the superstructure, is not surprising given his sometimes bellicose attitude toward ideology.⁵ He maintains that ideology’s role as one of the primary motivations behind the things that people do always fails to close any exchange with the outside as the area against which we distinguish ourselves. Because this act of distinction is foundational for identity, we must be in constant negotiation with the things against which we define ourselves.

This is why ideology is not simply an operation of closure, drawing the line between what is included and what is excluded/prohibited, but the ongoing regulation of non-closure. In the case of marriage, ideology not only prohibits extramarital affairs; its crucial operation is to regulate such inevitable transgressions... In this way, an ideology always admits the failure of closure, and then goes on to regulate the permeability of the exchange with its outside.⁶

Ideology’s “non-closure” is why, for example, the line between “what is included and what is excluded” is ritualized within the religious law of the biblical texts. Under the anxiety of non-closure, ritual provides a tangible sense of certainty through a façade or symbolization of closure.⁷ The law regulates not only the behavior appropriate for a community’s internal relations but how its members may or may not relate (through exchange, contract, or other) to others outside the community. “*Ammonites and Moabites will not be permitted in the assembly of Yahweh*” (*Deut 23:4, translation mine*). But we must be clear, at least when invoking Žižek,

5. And here he is quite influenced by Marxist leanings.

6. Žižek, *In Defense of Lost Causes*, 29.

7. C. Bell points out that rituals, among other actions, create a harmonious sense of order and stability by categorizing meaning and experience and by demonstrating values and forms of social organization (cf. *Ritual*, 135). She is supported in this by J. G. A. Pocock, “Ritual, Language, Power: An Essay on the Apparent Meanings of Ancient Chinese Philosophy,” *Political Science* 16 (1964): 3–31, cf. 6; also cited in *Ritual*, 135.

that we recognize the additional role in which the law, or its representative authority, takes hold of the individual—a concern that may be best expressed in a critique of the fascist tendency to impose bodily control over individuals. Žižek clarifies his point through an engagement of Gilles Deleuze:

Deleuze’s theory of fascism [is] a theory whose basic insight is that fascism does not take hold of subjects at the level of ideology, interests, and so on but directly at the level of bodily investments, libidinal gestures, and so on... Fascism is a life-denying view, a view of renunciation, of the sacrificial subordination to Higher Goals; it relies on impersonal microstrategies, manipulations of intensities, which work as life-denying.⁸

The temptation to read Ezra–Nehemiah—and we will clarify this connection to Haggai–Zechariah—as something akin to fascist, as authoritarian or intolerant views or practice, is there. Violence to enforce obedience, as Nehemiah demonstrates, and a discouragement of disagreement with the leader, religious and political, in Ezra–Nehemiah, could in fact convey fascist-type tendencies in terms of seemingly authoritative or intolerant views. The general trend in biblical interpretation is to see even that type of violence as a means to a moral end. But employment of violence within Ezra–Nehemiah is a moral act only for the *golah* community and cannot be described as such for the people outside that community. Its action preserves the boundary between inside and outside. And that is a general phenomenon, as Peter Berger writes: “[E]very society is faced with the problem of allocating power among its members and typically develops political institutions in consequence. The legitimation of these institutions has the special task of explaining and justifying the requisite employment of means of physical violence, which employment indeed gives their peculiar ‘majesty’ to the institutions of political life.”⁹ The actions described within the text portray the formation of a community within a “foreign” context. Nehemiah’s actions are meaningful only for the *golah* community as it sought to establish the security of its place and position within the province. This distinction between “residents” and “citizens”—where Ezra–Nehemiah identifies the immigrating Judeans as citizens in contrast to the residents, or people already in the land—also provides the ideological basis for Haggai–Zechariah’s position on the sacred nature of the Jerusalem temple and the gold and silver crowns of Zech 6.

8. Slavoj Žižek, “The Ongoing ‘Soft Revolution,’” *Critical Inquiry* 30, no. 2 (2004): 298.

9. Berger, *Sacred Canopy*, 91.

The potencies of the symbolisms of temple and crown are best understood after exposing their underlying ideological processes. The relative, cultural particularities of any given idea of restoration reminds us that there is no universality in restoration, a truth Louise Bourgeois, whose work often reacted to Catholic ideals, invoked when she proclaimed, “My art is a form of restoration in terms of my feelings to myself and to others.”¹⁰ There is no prefabricated world (an eschatological “new Jerusalem”) that can be placed wholly, like the delineated product of a cookie cutter, into a foreign social-political context and function effectively and in consistency with dominant social-political attitudes and behaviors. Perceptions of God in Ezra–Nehemiah and Haggai–Zechariah, and that includes the role of the temple, crown, and land, are products of the social-political conflict the remnant community thought itself embroiled in with people already in the land. Consequently, any meaning that symbols such as the temple might have are products both of utopian aspiration—*this is what our restored, stabilized world will look like*—and reaction to a failed realization of that stabilized world. R. A. Mason, as he is summarized by John Kessler, was close to this when he argued,

[H]e identified certain priestly expressions and preoccupations in the book: בית (through Hag. 1:1) etc. used in connection with Moses in Exod. 9:35; 35:29 etc.; the temple as the abode of Yahweh (Hag. 1:9; cf. Ezek. 37:27); the term מלאכה (work Hag. 1:14; cf. Exod. 35:29). Mason viewed this priestly-Deuteronomistic redaction as having occurred quite rapidly following the proclamation of the oracles. According to him, the goal of the framework was to attenuate the eschatological hope found in the oracles, thereby integrating such notions into a more theocratic context. Mason concluded that despite the fact that many of the promises announced by the prophet were not yet fulfilled, for the author of the redactional framework, the first fruits were already present in the community: the existence of a people sensitive to the divine world, and a rebuilt temple.¹¹

These “first fruits” to which Mason refers were the behavioral patterns and cultural values, meanings, and attitudes that codified the distinction between insider and outsider, not according to the functioning social-political context but to the “restored” society. In other words, the community tried to impose the foundation for restoration through dogged preservation of the insider–outsider distinction that defined it. In Haggai, this restoration

10. Taken from <http://www.brainyquote.com>.

11. J. Kessler is summarizing Mason’s argument in *The Book of Haggai: Prophecy and Society in Early Persian Yehud* (Atlanta: Society of Biblical Literature, 2007), 34–35.

looked akin to a theocracy, which would require—despite apparent scholarly desire for mere revision of existing social-political institutions!—a dismantling of previous social-political order and the construction of a new one. Note Haggai: “Once again, in a little while, I will shake the heavens and the earth and the sea and the dry land; and I will shake the nations, so that the treasure of all nations shall come, and I will fill this house with splendor, says the LORD of hosts... The latter splendor of this house will be greater than the former, says the LORD of hosts; and in this place I will give prosperity...” (Hag 2:6–8). This “shaking” (v. 6) is not merely something akin to dislodging debris from a carpet. The language used in Haggai refers to the type of shaking from Israel’s theophanic traditions—a radical, world-transforming shaking after which the “debris” falls neatly into appropriate sacred or profane categories.¹²

Yet, as David Petersen describes, there is an additional element:

Further distinguishing this language from typical theophanic descriptions is the scope of such violent agitation. It is no longer just the mountains which quake. The entire cosmos vibrates, as indicated by the two polar sets: earth–heavens, sea–dry land... The shaking of these elements serves as a nonverbal proclamation that Yahweh is acting decisively on behalf of his people, a community gathered around the rebuilt temple.¹³

Despite his description of metaphor as a nonverbal proclamation, his interpretation of Haggai’s oracle as bringing about a structural change is consistent with Žižek’s assertion that true political change can only come through violent action. In Haggai, the temple represents the central axis around which the old order would collapse. As the dust settled, the rebuilt temple would stand out as something not only connected with past traditions, as they were preserved within the cultural memory of the community, it would stand out as the representative symbol, a shared one, of a new social-political order. John Collins puts it this way: “Haggai’s prophecy...entails not only wealth in Jerusalem but also the submission and subordination of the other nations. This prediction was not a sober assessment of the political prospects.”¹⁴

12. See David L. Petersen, *Haggai and Zechariah 1–8: A Commentary*, OTL (Philadelphia: Westminster, 1984), 67. He cites in support of his argument Jörg Jeremias, *Theophanie: die Geschichte einer alttestamentlichen Gattung* (Neukirchen-Vluyn: Neukirchener Verlag, 1965), 66–69.

13. Petersen, *Haggai and Zechariah*, 67.

14. John J. Collins, *Joel, Obadiah, Haggai, Zechariah, Malachi* (Collegeville, MN: Liturgical, 2013), 53.

We are faced again with the utopian aspirations of the biblical texts. Like that of Ezra–Nehemiah, Haggai’s vision of restoration was very much utopian. And the prophet’s emphasis upon wealth and political power are clearly linked. Not only does wealth support political position, but the centralization of material and ideological power in Jerusalem mimics the centralization of the collective identity being developed. In other words, there is a parallel between the internal formation of the collective identity of a community and the formation of an externally recognized social-political body. In this case, the collective identity of the remnant community was projected as the requisite political identity of the restored reality—a new system of power relations symbolized by and in the Jerusalem temple and crown.¹⁵ There is a further parallel here in the exodus tradition: “Yet now take courage, O Zerubbabel, says the LORD; take courage, O Joshua, son of Jehozadak, the high priest; take courage all you people of the land, says the LORD; work, for I am with you, says the LORD of hosts, according to the promise that I made you when you came out of Egypt. My spirit abides among you; do not fear” (Hag 2:4–5).¹⁶

The “first fruits” that Mason describes refer to the “setting of the stage,” so to speak, for the dramatic, world-changing actions of Yahweh—the type of which may be called “revolutionary actions” in terms more familiar with Žižek’s vocabulary. These fruits, we recall, were “sensitivity to divine presence in the world” and, and here we must include Zechariah as Haggai’s more cultic half, a rebuilt temple.¹⁷ Where the latter was a physical symbol of a “restored” social-political order, the former speaks to the ideological attitudes, behaviors, and identities reflecting the ordered world whose power was centralized in the Jerusalem temple.

15. Cataldo, *Breaking Monotheism*, 61; idem, “Yahweh’s Breast.”

16. The connection between the Babylonian immigrants (returnees) is found also in Zechariah. P. Ackroyd, for example, writes of the prophetic command to take gold and silver from the community for the crown(s): “Returning exiles from whom silver and gold can be obtained is reminiscent of those passages in Ezra which point to contributions made by exiles to the restoration of the Judaeen community. Such contributions, whether made by the exiled Jews themselves or by government, fit well with Persian restoration policy. They also fit in well with the conception of the return as being in some sense a new Exodus, with a new spoiling of the Egyptians (Ex 12.35–36). So the action here performed is naturally to be linked to the hopes of restoration which follow upon the return to Judah of some of the exiles” (*Exile and Restoration*, 195).

17. As C. L. Meyers and E. M. Meyers note, Haggai–Zech 1–8 was completed before the Jerusalem temple was rebuilt (*Haggai, Zechariah 1–8*, AB 25B [Garden City, NY: Doubleday, 1987], xlv).

Saving the Temple from the “Other”

When it comes to an analysis of the “other” in the traditional sense, in the sense of the marginalized nonmember, the minority, or the “foreigner,” it is not the “other” as an object that we analyze. We analyze the identity, rather the negative or inverse of our own identity, as it is legitimated within the rules of our own social worlds. That is, the identity of the “other” is not an object in the essentialist sense, but the response as social-political agents to the intersection of our performances that is forced upon outsiders. *Like the American who says, “Are not all Mexicans lazy and stubborn to the expectations of Capitalism? I saw one once, and all he did was take siesta.”* Such performances serve the purpose of staving off perceived threats to the stability of our social worlds and their formalized rules.¹⁸ Consequently, the concept of “other,” which takes on objective value, regulates our distance from others by symbolizing the catastrophic effect (upon identity) of anomy or lawlessness.¹⁹ It reflects the negative side of membership—a symbolic reminder of the ideological annihilation one risks outside the ordered world. That is why monotheistic traditions require the presence of a “profane” other. Restoration requires the constant reminder of its absence—*there is a possible reality outside of this ordered world*. One must expel but not forget the foreigners, and eliminate but ritualize the consequences of all ritual impurities.²⁰ The failures in religious fidelity must be projected upon the body of the “other” whose expulsion reinforces the boundary between member and nonmember, insider and outsider.

What this means is that we produce the “other” through the performance and articulation of our own identities. That is why, for Žižek, the “other” will always be a source *and* a product of conflict.²¹ And that is why the very articulation of our own identities requires the “other,” why our relationship with the “outside” can never be “closed,” and why we will always find ourselves at the intersection of a dependent relationship with the other. The nonmember, or outsider, must always exist for the sake of ourselves; the distinction between insider and outsider will always fail to be fully closed, for Žižek. And it is this failure that requires the continued performance of ideology. As we cited above, “[A]n ideology always admits the failure of closure, and then goes on to regulate the

18. Cf. Žižek, *In Defense of Lost Causes*, 34–35.

19. *Ibid.*, 35.

20. Cf. Blenkinsopp’s discussion of Udjahorresnet’s influence on Cambyses to restore the cult of Sais (“The Mission of Udjahorresnet and Those of Ezra and Nehemiah,” *JBL* 106 [1987]: 410).

21. Žižek, “Plea,” 232.

permeability of the exchange with its outside.”²² And perhaps that is why within the biblical tradition restoration necessitates law’s regulations for engagement with outsiders, whether written, such as in Judaism, or ethical, such as in Christianity.

Jerusalem Temple as a Potentializing Symbol

This permeability, or “failure of closure,” to which Žižek refers in the previous quote, can be found in the meaning of the Jerusalem temple as a potentializing symbol and as a shared object central to the collective identity of the remnant. The people already in the land, whose identity has been reduced to “other” by the biblical author, must want to participate in the construction of the temple because this supports through external validation the identity of the member. They must want to participate in it precisely because of their rejection from being able to do so. It is in this way that they express as part of their identities the absence of fulfilled desire, of an internalized incompleteness that can only be fixed through active engagement of the ordered world or its prevailing norms. Ezra–Nehemiah identifies this explicitly in its discussion of rejecting the aid of Sanballat and others (cf. Ezra 4:2). Haggai implies it through the text’s emphasis upon the necessity of the temple as a symbolic representation between god and people, and the positively productive aspect of Yahweh’s presence in the midst of the restored community. For instance, “Before a stone was placed upon a stone in the LORD’s temple, how did you fare?... Since the day that the foundation of the LORD’s temple was laid, consider: Is there any seed left in the barn? Do the vine, the fig tree, the pomegranate, and the olive tree still yield nothing? From this day on I will bless you” (Hag 2:15–19).

Petersen’s assessment that Hag 2:15–19 is part of a text used in a temple ceremony, or the “foundation stone ceremony,” is in my judgment convincing.²³ As is his contention that reconstruction efforts began, possibly under Sheshbazzar, before the rededication ceremony and the laying of the foundation stone. “Rather than presenting a chronological inconcinnity, this order of events is exactly that which we should expect.

22. Žižek, *In Defense of Lost Causes*, 29.

23. See his discussion in Petersen, *Haggai and Zechariah*, 88–90. M. Boda also makes this case (in “Messengers of Hope in Haggai–Malachi,” *JSOT* 32 [2007]: 116–17). But contrast with Meyers and Meyers, who argue that Haggai was written for the dedication of the temple.

Work on the footings and some basic construction would have been necessary for the formal dedication of a temple that had been destroyed and defiled.”²⁴ It is tempting to read this dedication as primarily a theological activity, as John Kessler does, and to view the passage as one depicting a change in the relationship between deity and people.²⁵ But doing so problematically attributes active agency to the deity and makes the divine–human relationship, and not social-political relevancy, the central idea of text. It overlooks the possibility that “Yahweh” was *not* a real divine agent but the symbolic mechanism through which historical intersubjectivities and intersectionalities were regulated.²⁶ Moreover, it misses the fact that the value of the temple as a potentializing symbol was wrapped up entirely in the so-called remnant community’s projected desire for social-political ascendancy and relevancy—desires that are very frequently linked with the more theological term “bless.” Again note, “Do the vine, the fig tree, the pomegranate, and the olive tree still yield nothing? From this day on *I will bless you*” (v. 19, emphasis mine).

There is no clean theology in Haggai. The symbolism of God and temple is directed at the distinction between the remnant community and the people already in the land, the latter whose collective identity was not, we might infer, based on the centrality of the defunct Jerusalem temple as Yahweh’s domicile. Can we not see in Haggai’s emphasis a subjective gesture in positing the existence of God as a “big Other” vis-à-vis the prophet’s community? The concept of “big Other” as Žižek describes, “is a virtual entity that exists only through the subject’s presupposition...”²⁷

The rededication ceremony, as such ceremonies typically do, gave purpose to the object. It identified the temple as the physical symbol of the community’s position in relation to those already in the land. That is the meaning of the preceding verses:

If one carries consecrated meat in the fold of one’s garment, and with the fold touches bread, or stew, or wine, or oil, or any kind of food, does it become holy? The priests answered, “No.” Then Haggai said, “If one who

24. Petersen, *Haggai and Zechariah*, 89.

25. He writes, for instance, “I view שום-אבן אל-אבן as a parallel to the phrase היום אשר-יסד היכל-היהוה in v. 18, and see both phrases as referring to a step of a more ritual and ceremonial nature that enabled the community to enter into a new phase in its relationship with its deity” (*Book of Haggai*, 207).

26. Cf. Žižek’s discussion of how centralized, symbolic mechanisms regulate social distance in group relations in order to create and preserve stability (*In Defense of Lost Causes*, 34–35).

27. *Ibid.*, 113.

is unclean by contact with a dead body touches any of these, does it become unclean?" The priests answered, "Yes, it becomes unclean." Haggai then said, So it is with this people, and with this nation before me, says the LORD... (Hag 2:12–14)

The dedication of the temple symbolized, necessitated even, a restructuring of the social relationships that defined the social context of the province. After all, the temple symbolized a new collective identity, one that cast as outsiders those who had already been in the land. The expectation expressed in Haggai is not too far from the injunction in Numbers,

Speak to the Israelites, and say to them: When you cross over the Jordan into the land of Canaan, you shall drive out all the inhabitants of the land from before you, destroy all their figured stones, destroy all their cast images, and demolish all their high places. You shall take possession of the land and settle in it, for I have given you the land to possess... But if you do not drive out the inhabitants of the land from before you, then those whom you let remain shall be as barbs in your eyes and thorns in your sides; they shall trouble you in the land where you are settling. And I will do to you as I thought to do to them. (Num 33:51–56)

The temple symbolized not another "church on the corner" but a radically changed social-political order built around an identity expressed in religious terms. This order necessitated an "other," the nonmember, who portrayed in antithesis the identity of the member.

Put differently, the Jerusalem temple is the shared object upon which is based the collective identity of the immigrating community (Ezra–Nehemiah designates this community as *golah*).²⁸ *The Divine has chosen us to be the seed of a new Israel. The temple offers a microcosm of that choice and our corresponding world.* Haggai's emphasis lays further in the temple's symbolic reference to collective action as a basis for collective identity—the temple is interpreted as a shared collective symbol.²⁹ To note, "Go up to the hills and bring wood and build the house, so that I may take pleasure in it and be honored, says the LORD. You have looked for much, and, lo, it came to little; and when you brought it home, I blew it away" (1:8–9). The need for appropriate collective action, and its role as a means of improving the group's social position,³⁰ is emphasized there.

28. See also Cataldo, "Yahweh's Breast."

29. Ibid.

30. S. C. Wright and M. E. Lubensky correctly argue that rather than defaulting merely to prejudice as being the primary force behind intergroup relations, collective action and social protest are a means of improving one's social-political position (cf.

And note further, “Then Zerubbabel son of Shealtiel, and Joshua son of Jehozadak, the high priest, with all the remnant of the people, obeyed the voice of the LORD their God, and the words of the prophet Haggai, as the LORD their God had sent him; *and the people feared the LORD*” (v. 12, emphasis mine).³¹ Haggai’s emphasis upon ritual clearly connects the temple to the remnant with material prosperity and, logically, given the obvious importance of material prosperity and control over it, to provide greater stake in the power relations of the province.³² Is that not the sense in Hag 1:4–11? The prophet clearly connects the economic standing of the people (v. 12, שְׂאֲרִית הָעָם) to the level of attention that the Jerusalem temple and its associated rituals receives. “*Is it a time for you yourselves to live in your paneled houses, while this house is desolate*” (Hag 1:4)? Rebuilding the physical temple is not an end in itself; the cultic rituals that animate the temple are likewise expected—and that point is made clear

“The Struggle for Social Equality: Collective Action Versus Prejudice Reduction,” in *Intergroup Misunderstandings: Impact of Divergent Social Realities*, ed. Stéphanie Demoulin, Jacques-Philippe Leyens, and John F Dovidio [New York: Psychology Press, 2009], 292–93. One must endeavor to understand *why* groups behave the way they do and hold the prejudices that they do. In relation to our discussion of Haggai, their assertion reminds us to look for motivations behind Haggai’s emphasis upon what characterizes group identity through action, behavior, and attitude, all of which reside at the heart of collective identity and must be controlled.

31. Note also Kessler, who writes, “[Verses] 12–15 constitute a tightly packed unit, narrative in form, revealing the over-arching redactional themes into which the oracles of Haggai are being integrated. The section stresses the authority and role of the prophet, and the efficacy of his words. The content of this section is utterly essential to the rest of the book, since all of what follows presupposes a restored relationship between Yahweh and his people, and a building whose reconstruction is in process” (*Book of Haggai*, 153).

32. Collins likewise identifies the importance of ritual in Haggai and its connection to material prosperity (cf. *Joel, Obadiah, Haggai, Zechariah, Malachi*, 49–51). Kessler argues that Hag 1:3–11 links the two independent traditions of covenant violation and neglect of the temple. And in doing so, Haggai “finds a new ‘sphere of application’ for an existing body of traditional material, that is the curse of the Deuteronomistic tradition. Such ‘curses’ are normally imposed for cases of flagrant disobedience to the law, especially idolatry (cf. Deut 28:14–15, 46–48, 58–59; Lev 26:3, 14, 15). In 1:3–11, Haggai applies the curse vocabulary to a question not dealt with in that tradition” (*Book of Haggai*, 155). Kessler’s link between Haggai and Deuteronomy is possible but still presumptuous. The general formula for blessings and curses was not unique to the Deuteronomist but a common literary motif in the ancient Near East.

with the inclusion of Joshua, the high priest, in the response described in the following verses:³³

Then Zerubbabel son of Shealtiel, and Joshua son of Jehozadak, the high priest, with all the remnant of the people, obeyed the voice of the Lord their God, and the words of the prophet Haggai, as the Lord their God had sent him; and the people feared the Lord. Then Haggai, the messenger of the Lord, spoke to the people with the Lord's message, saying, I am with you, says the Lord. And the Lord stirred up the spirit of Zerubbabel son of Shealtiel, governor of Judah, and the spirit of Joshua son of Jehozadak, the high priest, and the spirit of all the remnant of the people; and they came and worked on the house of the Lord of hosts, their God, on the twenty-fourth day of the month, in the sixth month. (Hag 1:12–15)

The actions of Yahweh responded directly to the people's ritualistic behavior; prosperity was the reward for fulfilled obligations.³⁴ Here Kessler is (finally) close to the mark:

While neglecting to rebuild the temple does not constitute idolatry or flagrant disobedience to the commandments, our prophet sees in it a gesture of contempt. The text portrays Haggai as deploying a hermeneutical strategy whereby his specific situation is viewed on the basis of a tradition that never specifically envisaged such a state of affairs. The broader notion of the fear of Yahweh is thus interpreted and applied with reference to a specific historical situation.³⁵

33. Petersen's comments regarding the functionaries of governor, priest, and prophet are apropos here for understanding the critical role that the religious institution was playing in the order of the social-political world: "The author of this history of Haggai seems interested in highlighting the importance of Haggai the prophet. Just as Zerubbabel receives the label of governor, and just as Joshua is known as high priest, so Haggai receives an official title in order to have a similar standing with his peer functionaries. All three major characters receive role labels. Yahweh had, to be sure, sent Haggai, and Haggai was directed to speak Yahweh's words. Without this specific human agent, Yahweh's words would not have been communicated in an appropriate way" (*Haggai and Zechariah*, 56).

34. See again Collins, *Joel, Obadiah, Haggai, Zechariah, Malachi*, 49–51. See also Kessler, *Book of Haggai*, 155. But compare E. Assis who argues that Haggai's focus is on the Jerusalem temple itself (see "The Temple in the Book of Haggai," *JHS* 8, Article [2008]: 8, n.p. Online: http://www.jhsonline.org/Articles/article_96.pdf). While Haggai does focus on the building more than any ritualistic specifics, it is naïve to separate the physical temple from its symbolic importance as legitimated and expressed ritualistically. Moreover, the temple building is important precisely because it is the shared collective symbol at the core of the remnant community's identity.

35. Kessler, *Book of Haggai*, 156.

This “broader notion,” again, refers to the traditions, rituals, and other behaviors and activities that legitimate the social importance of the temple. It is in effect the cultural or religious normative, the one of which cannot be separated from the other. C. Meyers and E. Meyers argue that Haggai, along with Zechariah, emphasized a reorganization of national life and institutions in the so-called restoration period.³⁶ One may be inclined to agree with the authors but with the following qualification: one cannot speak yet of a “national” identity in a descriptive sense. The prophet’s vision is prescriptive, constructive, world-building. It is meant to establish a pattern that would reflect not a past national identity but one that was almost entirely the ideational product of a minority within the social-political context of Yehud. It is the “new thing” that represents the culmination of divine action, restoration. Or, as B. Oded puts it, “[Haggai and Zechariah] envisage a radical new beginning, not emptiness of the land on the one hand or a continuity of the ‘great majority’ on the other.”³⁷ If it symbolizes the collective identity and authority of the remnant community, the Jerusalem temple is meaningful *only* if its symbolic meaning is legitimated both internally within the community and externally by those considered to be designated as “nonmembers.” “*Let us build with you, for we worship your God as you do...*” (Ezra 4:2). But legitimating the symbolic value of the temple as described in Haggai also requires that nonmembers accept their “otherness” in relation to the remnant community (parallel Ezra–Nehemiah’s “*golah*”). In that, they must accept the authority of the community over them and over regulating the normative order and its function of distributing social groups. *That* is the ideological goal of the community.

The Necessity of Violence for Utopia

Up, up! Flee from the land of the north, says the LORD; for I have spread you abroad like the four winds of heaven, says the LORD. Up! Escape to Zion, you that live with daughter Babylon. For thus said the LORD of hosts (after his glory sent me) regarding the nations that plundered you: Truly, one who touches you touches the apple of my eye. See now, I am going to raise my hand against them, and they shall become plunder for their own slaves. Then you will know that the LORD of hosts has sent me. Sing and rejoice, O daughter Zion! For lo, I will come and dwell in your midst, says the LORD. Many nations shall join themselves to the LORD on that day,

36. Meyers and Meyers, *Haggai, Zechariah 1–8*, xliv.

37. Oded, “Where Is the ‘Myth of the Empty Land’ to Be Found?,” 62.

and shall be my people; and I will dwell in your midst. And you shall know that the LORD of hosts has sent me to you. The LORD will inherit Judah as his portion in the holy land, and will again choose Jerusalem. (Zech 2:6–13)

Up! Flee! Escape! Plunder! Rejoice! What does Zechariah imply regarding restoration? Violence can create space for the institutions and structures necessary for restoration, including those attitudinal expectations that accompany the remnant's ideology regarding it. Can we not infer that from the prophet's chosen series of verbs? Underlying this, to be sure, is an absolute dependence upon the authority of Yahweh, which is clearly expressed in the unfolding oracle. Put differently, there is a radical dependence upon an external authority—but *one that demonstrates no clear material existence*—capable of reshaping social-political contexts. *God will bless us even if we don't yet have national power in the imperial province.* The prophet commands the audience to flee the annihilation inevitable in Yahweh's creative act: destroying the old order to make space for the creation of a new order. Thus, the contrast is set up: the community shall be "saved" while the surrounding peoples, or at least the social-political structures that define them, will be annihilated (whether symbolically or literally does not obscure the intended meaning). The inherent violence of restoration as a utopian vision is expressed in this. But we must be clear that utopian thinking itself is not always overtly violent. Some utopian thinking depends less upon an obvious radical structural change and more upon a subversive change brought on by replacing actors within an already known and idealized structure. The Christian vision of Heaven, for example, cherishes the symbolism of the archaic monarchic social-political structure. This strikes a chord with the statement of the always interesting Terry Eagleton that, "Some conservatives are utopianists, but their utopia lies in the past rather than the future. In their view, history has been one long, doleful decline from a golden age set in the age of Adam, Virgil, Dante, Shakespeare, Samuel Johnson, Jefferson, Disraeli, Margaret Thatcher or more or less anyone you care to mention."³⁸

In general, utopian thinking is driven by a dependence upon the possibility of a pure state, of a stabilized equilibrium that, having learned the lessons of the past, recent or other, no longer runs the risk of falling victim to self-destructive behaviors and attitudes. Shmuel Eisenstadt credited the so-called Axial Age with the advent of utopian thinking in its "proper" sense, in which developed "visions of an alternative cultural and social

38. Terry Eagleton, *Why Marx Was Right*, Kindle digital ed. (New Haven: Yale University Press, 2011), 70.

order beyond any given place or time.”³⁹ His original theory on the Axial Age, which responded to Karl Jaspers’s earlier work, incorrectly assumes that multiple, disparate cultures shared a singular, universal cause in the unique development of higher-order thinking.⁴⁰ Thus, the basic premise of an Axial Age is itself fairly utopian, whether appealing to the concept of an original paradisiacal order, in which knowledge “between good and evil” was clear and didn’t need to be learned, or in a historical materialist sense akin to Marx’s adoption of Hegelian thought.⁴¹ The critical point of Eisenstadt’s proposal, one that we *can* work with, is that utopian thinking, which emphasized an alternative reality “beyond any given place or time,” expects radical change within the prevailing social-political order. The quality and intensity of this change, however, depends upon the unique cultural circumstances of the authoring community. These unique circumstances are a consequence of the context in which it must intervene: it should, in Žižek’s terms, “move the underground”⁴² and change implicit social-political behaviors and practices that sustain the explicit attitudes and anxieties that lay at the heart of collective identity.

For Zechariah, this is not found in the absence of a pre-exilic State or even in the presence of Judeans in locations other than Judah. It is found in the desire for a radical change within Yehud—one that benefits the remnant. Yahweh’s “raising his hand against” the nations that “touched the apple of his eye” should be read more as a demonstration of power resulting in collateral damage *before* the real change comes. That is how we should read, והיו שלל לעבדיהם וידעתם כי-יהוה צבאות שלחני (“and they will become plunder for their servants, *then* you will know that the LORD

39. His emphasis is upon utopian thinking within a religious framework. He writes further, “Such visions contain many of the millenarian and revivalist elements which can be found also in pre-Axial or non-Axial ‘pagan’ religions, but they go beyond them. The Axial religions combine those other elements, emphasizing the necessity to construct the mundane order according to the precepts of the higher one, and with the search for an alternative ‘better’ order beyond any given time and place” (Shmuel N. Eisenstadt, “The Expansion of Religions: Some Comparative Observations on Different Modes,” *Comparative Social Research* 13 [1991]: 48).

40. For Jaspers, see “The Axial Age of Human History,” *Commentary* (New York) 6 (1948): 430. Even Eisenstadt himself later rejects the idea of a singular Axial Age, choosing axial ages, plural (cf. “Axial Civilizations and the Axial Age Reconsidered,” in *Axial Civilizations and World History*, ed. Jóhann Páll Árnason, S. N. Eisenstadt, and Björn Wittrock, *Jerusalem Studies in Religion and Culture* 4 [Leiden: Brill, 2005], 531–74).

41. For further criticism of S. Eisenstadt’s early position, cf. Cataldo, *Breaking Monotheism*, 21–24.

42. Žižek, *Violence*, 171.

of Hosts sent me"; Zech 2:13 HB; 2:9 ET). The identity of the remnant is not found in the demise of nations or even in the act of return itself. In the sense of the latter, one could easily credit the human king Darius with one who acts effectively within preexisting structures and does not require structural change. Is this not the sense also of Zech 3:2: "And the LORD said to Satan, 'The LORD rebuke you, O Satan! The LORD who has chosen Jerusalem rebuke you! Is not this man a brand plucked from the fire?'" Satan, the accuser, the antagonist who does not appear to be a member of the dominant social-political community but attempts to work within it, symbolizes the "other" who legitimates the system by protesting its success. (And is not a similar role played by the *am ha'aretz*, the "foreigner," and the "unrepentant" Judeans?) It is in the choosing of Jerusalem that the accuser (שטן) is silenced and is reduced to an object against which the subject's desire may be cast. In other words, the accuser becomes the object upon whom the anxieties and relations that threaten to destabilize the collective ideology of the remnant are projected. The figure of the accuser symbolizes the *faillite de la communauté* to carry out structural change. Thus, the drama portrays the internal conflict of the community, between those who fear assimilation and those who favor an active role in restoration: mainly creating space for divine action by or through exclusion and ritualistic behavior.⁴³ One cannot help but be reminded of the *am ha'aretz* in Ezra–Nehemiah. While the NRSV translates *hasatan* as "Satan," the diabolical "other" upon whom the evils of God are cast in gross projection, the Hebrew used literally means "the satan," or "accuser." In other words, the "accuser" is the inverted lens in which is seen the proper patterns of social-political (nomic) behavior. *Your stain exaggerates my purity. My self-identity as chosen by God necessitates your rejection.* In Ezra–Nehemiah, the *am ha'aretz* fulfill this same purpose: they are rejected not for the sake of their own rejection but so that the collective identity of the *golah* community may be distinguished. Yet the accuser is in reality far from an external body; despite his portrayal as an outsider he is instead the antithesis to the narcissistic self-expression of the community. In that sense, the satan is the truer appearance of the social-symbolic identity of the community. In fact, Petersen identifies the satan with Yahweh's anger, which functions within a legal nexus.⁴⁴ In this passage, restoration, divine election, are what Žižek would term "false

43. Žižek describes this pattern in *Less Than Nothing*, location 134, in his description of religious condemnation of atheism and the image of the resulting reality as the "underside" of religion (or the order and favorable image the religion has for itself).

44. Petersen, *Haggai and Zechariah*, 190.

screens.”⁴⁵ Their purpose is not to express the community’s desire but to render palpable the real situation of the community; the community continues to find itself on the periphery of social-political authority. Fixing this situation is necessary for restoration (cf. Zech 2:9–12).

In the passage from Zechariah, the celebration of the presence of Yahweh implies several things: (1) the actions of Yahweh demonstrate authority over the international scene (cf. v. 9); (2) Yahweh’s selection of and return to Jerusalem would necessitate modification of the structures and institutions already in place; (3) Jerusalem must become a sacred space in which the profane are cast out (moved to the “outside”) and only the “righteous” are present. Is not the typical attitude of an accuser a desire *for* authority and a fetishistic eagerness to sully others in order to attain that authority? And can it not therefore be said that the very unity of restoration, which the symbol of Joshua (see below) now embodies, actualizes itself only in the body of the community?⁴⁶ Peter Ackroyd was close to this when he wrote,

It is God who, as indicated in ch. 1–2, has declared his intention of restoring his city and taking up his place there again. So here it is clear that the accusation against Joshua is not to be interpreted in personal terms, but as one directed against him as a representative of the whole community. [And note further, t]he following phrase points in the same direction. The “fire”...here clearly refers to the disaster of the exile, and a comparison of the parallel in Amos 4.11, together with other passages in which the word “*serepa*” is used, also point to a sense of total desolation rather than of ordinary fire. The deliverance of Joshua is not a personal matter; *it is the rescue of the community of the restoration which has taken place and is here declared even more clearly.*⁴⁷

Petersen’s Typology of the Profane “Other,” or Satan

As Petersen observes, the typology of the satan, which is assumed in Zechariah, is consistent with social-political norms (and not strictly theological constructions): “one who acts in a legal context, one whose action inspires a negative connotation, [and] one of the divinities functioning in the divine council.”⁴⁸ Yet there is a further assumption regarding the attributes of the legal context in which the symbolic agent of the satan

45. Žižek, *In Defense of Lost Causes*, 12.

46. I am drawing from Žižek’s discussion of “fetishistic illusion” (ibid., 133).

47. Ackroyd, *Exile and Restoration*, 184, emphasis mine.

48. Petersen, *Haggai and Zechariah*, 190.

functions as the productive inverse of what Yahweh as a shared symbol represents. Namely, this legal context emphasizes the positive action of Yahweh—action that is “positive” because it is consistent with the community’s expectation for a stabilized social-political order. One may consider such an order “stabilized” when it fulfills the desires of the community so effectively that the community harbors no conscious feeling of need. Petersen is partly correct that the indictment of Joshua by the accuser is indirectly a challenge to Jerusalem *and* to Yahweh, who chose it.⁴⁹ But it is more so a constructivist rebuke of the existing social-political structure: the “proper” and stable legal context, faithfully embodied in the community of obedient members, should be managed by Yahweh through his representative. Yahweh’s rebuke defines the arena in which restoration as productive action should occur.⁵⁰ What this choice *means*, of course, is that the social-political context of Yehud must be restructured in support of (1) either the high priest or (2) the community symbolized in the figure of the priest.

Petersen’s second point of his typology, one whose action inspires a negative connotation, may be better understood through the symbol of the “bad breast” in Melanie Klein’s object-relations theory.⁵¹ Within that framework, the satan is the symbolic object upon which the community projects its bad experiences as it seeks preservation of social-political stability by reducing heightened anxieties—such anxieties are the consequences of fears of instability and ultimately annihilation or death. One can see a similar sense of this in the imagery of Joshua’s dirty robes. The filth in Joshua’s clothing “rests in the clothes and not in the person, its removal will, presumably, be easier—at least if done by the deity.”⁵² The filthy clothes, just like the scathing rebuke, may be removed and projected externally upon the “bad object” when the obedient community behaves consistent with the desire of Yahweh. Such a manner will, it is thought, preserve the community as something identifiably distinct: “The angel said to those who were standing before him, ‘Take off his filthy clothes.’ And to him he said, ‘See, I have taken your guilt away from you, and I will cloth you with festal apparel.’ And I said, ‘Let them put a clean turban on his head.’ So they put a clean turban on his head and clothed him with the apparel...” (Zech 3:4–5). Cleanliness is certainly likened to being in a “right” position before Yahweh.

49. *Ibid.*, 192.

50. Cf. *ibid.*, 191.

51. See her work Klein, *Envy and Gratitude*.

52. Ackroyd, *Exile and Restoration*, 194.

Petersen's third characteristic, a divinity functioning in the divine council, reflects a common literary and legal motif in the ancient Near East. Mythic imagery of the divine world usually reflected the common structures of the social-political world. The Psalmist, for example, describes the throne room and entourage of the divine world in ways that mirror their corollaries in Jerusalem (cf. Pss 45:6; 89:3–4). And even Hammurabi describes his throne as a microcosm of the divine realm (cf. *Hammurabi* I:50; IV:6). *The world of the divine looks hauntingly like our own!*

Zechariah presumes a context in which authoritative (and legal) decisions are meted out, but a context that is organized under the authority, or the auspices of authority, of Yahweh. This sense of Yahweh is not one common to Yehud (recall that the people of the land worshiped Yahweh [cf. Ezra 4:2]) but constituted a symbolic reflection of the remnant community. In other words, it was the community's desire for restoration that shaped the vocabulary and meaning attributed to the Divine (cf. Zech 8:1–5). The figure of the accuser connects the vision to the known quantity—that is, to the social-political structures and institutions with which the people in the land were already familiar. Yet the figure is also symbolically silenced by virtue of his profanity. Petersen writes,

The accuser, and other people in the community, could properly question the ability of the “unclean” high priest, to remove the people's *'awon* when he himself is contaminated as a result of the exilic experience. No doubt such was the gist of the satan's indictment of Joshua. This particular vision presents a way in which such an objection may be met. The exilic experience, a punishment by fire, is understood potentially as an experience of purification, just as it is of contamination.⁵³

What is at stake in this vision of the satan is the very nature of authority. The accuser who draws question to the possibility of restoration is silenced while “God” who symbolizes the authority and corresponding social-political structures of restoration speaks boldly.⁵⁴ Joshua, the

53. Petersen, *Haggai and Zechariah*, 195–96.

54. Ackroyd's position is consistent with our statement: “A twofold refrain here emphasizes (cf. 6.15, etc.) that the prophet is acting in the divine commission (cf. Hag. 1.12ff.)—the obscurity of the text of the first of these statements unfortunately leaves it somewhat in doubt as to what is its precise intention, though the general sense is clear. The protection of the exiles and the subordination of the hostile power—here perhaps directly with reference to the situation in Babylon in the beginning of Darius I's reign—are demonstrable, presumably because at the moment at which the words were

religious figure who symbolizes the community and its dependence upon a restored reality symbolized in God, becomes transformed through the experience of the exile and Yahweh's re-clothing of him. Both actions demonstrate the power and authority of Yahweh over the powers of the world—and most notably those in the province of Yehud. The purification of Joshua and the community must occur before the so-called Branch can arrive. “*Now listen*, Joshua, high priest, you and your colleges who sit before you! For they are an omen of things to come: I am going to bring my servant the Branch” (Zech 3:8, emphasis mine).⁵⁵ The combination of the particle of entreaty and the Qal imperative (אָנֹכִי־שָׁמַע) may assume two important responses from the audience: (1) that it must listen (presumably for its own well-being) but that (2) the audience is also faced with the opportunity not to accept the speaker's basis for the command; thus a possible interpretation of the particle with “please” as a “polite particle.”⁵⁶ In other words, there is a designation of authority in the statement, a recognition that authority must be legitimated, and an expectation that preservation of the “things to come” will require certain legalistic and ritualistic behaviors (Joshua was the high priest, after all!). And the prophet's recounting of the words of Yahweh, “and I will remove the guilt of this land in a single day,” expects the central importance of the law. To get that point, we need only refer back to Leviticus, which claimed that transgression of the law would lead to the exile, which meant a permanent loss of land (cf. Lev 18:24–30). This connection is implied also in Zechariah's seventh vision in which “wickedness” is cast off into the land of Shinar (Babylon; 5:5–11). Wickedness here refers to actions that threaten or destabilize the normative order of the community. They were cast into Babylon because of this wickedness.

given in their present context, either by the prophet or by some other, the fulfillment of them in Darius' favorable policy and the rebuilding of the Temple allowed the confirmation of the prophet's position to be recognized” (*Exile and Restoration*, 180).

55. Note also Petersen's assertion, “Despite this focus on Joshua, one does wonder about the identity of those sitting before Joshua. Many commentators suggest that they comprise a group of priests. Unfortunately, there is little warrant for this assertion... Those addressed and referred to could equally well be important members of the newly revived society in and around Jerusalem, quite possibly those who had returned from Babylon” (*Haggai and Zechariah*, 208–9).

56. Regarding this use of the particle, see Bent Christiansen, “A Linguistic Analysis of the Biblical Hebrew Particle *Nā'*: A Test Case,” *VT* 59 (2009): 379–93 (387); see also 379–80. For further reference, see Petersen, *Haggai and Zechariah*, 208.

There is a further consideration in 3:8: the invocation by the prophet of the symbolism of the “branch” may refer to the Davidic ruler. Petersen, for example, connects this imagery with Isa 11:1, which states, “There shall come forth a shoot from the stump of Jesse, and a branch shall grow out of his roots.”⁵⁷ This emphasis upon a Davidic ruler does not expect a mere substitution of the political figurehead. The institution of the local monarchy had given way to a governorship remotely administered by an imperial king. What must happen is precisely what the purification of Joshua implies: when it emerges from the fires of judgment and purification, the stain of the past must be replaced by something new. Or, as Petersen puts it, “The image of a just and beneficent ruler is called up by the metaphor. Restored royal government at Yahweh’s instigation will redound to the welfare of Judah and Israel.”⁵⁸

And it is with this understanding that Zechariah’s oracle of the crown(s) is made clearer.

The word of the LORD came to me: Collect silver and gold from the exiles—from Heldai, Tobijah, and Jedaiah—who have arrived from Babylon; and go the same day to the house of Josiah son of Zephaniah. Take the silver and the gold and make a crown,⁵⁹ and set it on the high priest of Joshua son of Jehozadak; say to him: Thus says the LORD of hosts: Here is a man whose name is Branch: for he shall branch out in his place, and he shall build the temple of the LORD. It is he that shall build the temple of the LORD; he shall bear royal honor, and shall sit and rule on his throne. (Zech 6:9–13)

The crown symbolizes the possibility of a new order, of restoration, but it does so without certainty. Restoration is still a “thing to come.”

The Law as Constructive in Light of Petersen’s Typology

The law as it is envisioned by the biblical literature does not govern the province. It provides the blueprint for the construction of a desired reality. I wrote elsewhere that *divine* law expresses an alternative.⁶⁰ It demands a new pattern of behavior in its function of reshaping social-political

57. *Ibid.*, 210.

58. *Ibid.*

59. This is the NRSV’s attempt to alleviate the confusion from the Hebrew text which has עטרות, or “crowns,” plural.

60. Cataldo, *Breaking Monotheism*, 113–14.

relations.⁶¹ It interrupts the productive flows of the social-political body that shapes what Foucault terms “bio-power.” And because, as Robert Wilson previously observed,⁶² notions of judicial authority are already strongly linked with a society’s social political structure in contrast to an external law, and because divine law is external, the authority upon which divine law depends is known or manifest through revelation, which is an interruptive act that at times implicitly and at others overtly challenges the established structures of a society. Divine law both systematizes and categorizes that revelation.⁶³

Our assertion here is not far-fetched. Written law in ancient Near Eastern contexts tended to be ceremonial rather than functional.⁶⁴ Michael LeFebvre, for example, argues that this is true even for the so-called Deuteronomistic Reform under Josiah: “It ought not to be supposed that Deuteronomic scribes invented the idea of written legislation as a replacement for kings. The ‘intermediate’ state represented by the Deuteronomic law looks like an enhanced juridical treatise (even kings are taught by it), but law writings are not yet perceived as *being* ‘the law.’”⁶⁵ LeFebvre is certainly correct in that regard and his observation is relevant beyond the context of Josiah’s reform even for the context of Yehud during the Persian period. Perhaps the more important point, however, is that the law needed to be introduced; it was something that must be taught (cf. Ezra 7:25; compare with 1 Esd 8:23). This indicates that it was not already integrated within the normative order of the social-political context. In fact, its introduction is revolutionary, in the sense that Žižek defines the

61. That the nature of law is to support authority is generally accepted. As Ake (“A Definition of Political Stability,” 271) writes of laws and political behavior generally, “Obedience to the law constitutes political behavior just as much as contesting elections does. For, whether intended or not, the effect of obedience to the law is to uphold the authority of those who make decisions about what the law should be, and how it should be enforced. To uphold this authority is to aid in maintaining aspects of the distribution of power to make decisions for society.”

62. Robert R. Wilson, “The Mechanisms of Judicial Authority in Early Israel,” in *The Quest for the Kingdom of God: Studies in Honor of George E. Mendenhall*, ed. H. B. Huffmon, F. A. Spina, and Alberto Ravinell Whitney Green (Winona Lake, IN: Eisenbrauns, 1983), 60.

63. For the original context of this paragraph, see *Breaking Monotheism*, 113–14.

64. Cf. Michael LeFebvre, *Collections, Codes, and Torah: The Re-Characterization of Israel’s Written Law*, LHBOTS 451 (New York: T&T Clark, 2006), 1. See also the discussion in John Van Seters, *A Law Book for the Diaspora: Revision in the Study of the Covenant Code* (Oxford: Oxford University Press, 2003), 1–40.

65. LeFebvre, *Collections, Codes, and Torah*, 87, emphasis in original.

term. That is, the legitimation of a new law requires that the previous social-political order be radically overturned. Of course, the problem is that the proposed law is not based within any existing social-political order. It is, according to Ezra–Nehemiah, a product of Ezra’s scribal activities. It is not a reflection of how people act and think but an overly idealized plan for behavior and action.⁶⁶ Suffice it to say here that in the absence of an established, legitimating social world envisioned by the law that Ezra purportedly introduced, Zechariah’s vision of the crown(s) (6:9–14) does not refer to a mere substitution of one political figurehead with another but an entire reconstruction of the social-political order. Zechariah’s vision necessitates the social-political context that Ezra’s law imagines.

The symbolism (i.e., the meaning) of the crowns in Zechariah is a much debated topic within scholarly discourse. Two examples, Petersen and Collins, are quick to assert that the act of crowning does not denote rulership.⁶⁷ But what other meaning should be read into the act if we are to avoid concluding that it was a meaningless ritual? Moreover, the act or symbolism of crowning took place within a context largely shaped by utopian aspirations and desires for restoration. As Ackroyd points out: “The making of the crown naturally suggests a royal symbol...”⁶⁸ While crowning Joshua does not make the high priest a king, it is consistent with the general desire for a “restored State.” Moreover, one cannot overlook the placing of crowns *in memoriam* within the temple, which may or may not have been built at this time.⁶⁹ Whether or not the crown(s) indicate a shared rule by the high priest and the Davidic “seed” or possibly a rule by the priest alone is not entirely clear. The Hebrew clearly has “crowns,” plural, while English translations generally opt for the singular. One can also not disregard the oracle in ch. 4 that seems to describe a type of dyarchy:

66. Cf. P. Miller’s theological analysis of the purpose of divine law as something that “charts a way of freedom” (in “Divine Command/Divine Law: A Biblical Perspective,” *Studies in Christian Ethics* 23, no. 1 (2010): 33–34.

67. Petersen, *Haggai and Zechariah*, 272–81; Collins, *Joel, Obadiah, Haggai, Zechariah, Malachi*, 91–92. See also Lars Gösta Rignell, *A Study of Isaiah, Ch. 40–55* (Lund: C.W.K. Gleerup, 1956), 185 n. 49, as cited in Ackroyd, *Exile and Restoration*, 197 n. 89.

68. *Ibid.*, 193.

69. Cf. Boda, “Messengers of Hope,” 113–31. See also Paul Redditt, “Themes in Haggai–Zechariah–Malachi,” *Interpretation* 61, no. 2 (2007): 192, who describes Haggai–Zech 1–8 as the plan for the temple (a plan that ultimately did not pan out).

And a second time I said to him, “What are these two branches of the olive trees, which pour out the oil through the two golden pipes?” He said to me, “Do you not know what these are?” I said, “No, my lord.” Then he said, “These are the two anointed ones who stand by the Lord of the whole earth.” (4:12–14)

Where Zech 4:6–14, which frames the above passage (vv. 12–14), seems to emphasize the importance of Zerubbabel, Zech 6:9–14 seems to emphasize the role of the high priest, Joshua. Petersen also wrestles with this bifurcated focus. As a response to the obvious anxieties, he provides a possible, but not entirely convincing, solution that Zech 6:9–14 is less about any identification of a political authority and more about providing “pride of place” to the individual important in rebuilding the temple.⁷⁰ Yet he also notes that the “matrix of both oracles” deemphasizes the role of Zerubbabel.⁷¹ And compare with, “In sum, 6:12–13 is a carefully constructed oracle. It serves to enhance the status of the royal figure, Zerubbabel, and at the same time to explain the relative positioning of the two figures, Davidide and priest. Both explicitly and implicitly the Davidic scion achieves pride of place.”⁷² What sense to make then of the apparent deemphasis upon Zerubbabel if not that the obfuscation of which Zechariah may be guilty (retreating from any answer as to who should be political authority) was intended to preserve hope in a possible restoration even at the failure of any particular individual?⁷³ In other words, that the text does not describe a real state of affairs but one desired, the specifics for some—we would be better saying “much”—of which remained imaginary.

Coggins may support that conclusion with his assertion that the “problem” with Haggai and Zechariah centers upon Zech 6:9–15. His view is that the text has been modified—a view that “arises from the fact that in both vv. 11 and 14 the Hebrew text has ‘crowns.’”⁷⁴ But what produces such uncertainty produced through textual modification if not that what the prophet

70. See Petersen, *Haggai and Zechariah*, 276.

71. See *ibid.*

72. *Ibid.*, 278.

73. In this sense, we find some agreement with Ackroyd, “The function of the leaders is again in ch. 6 related to the declaration of God’s purpose. Here, somewhat as in ch. 3, a number of oracles are gathered, together with a symbolic action which is concerned with leadership and its relation to the new age; and these all follow upon the vision of 6.1–8, which has already been briefly considered, in which the action of God towards the nations and towards his people in exile in Babylon is again set out” (*Exile and Restoration*, 194).

74. R. J. Coggins, *Haggai, Zechariah, Malachi* (Sheffield: JSOT, 1987), 14.

imagined remained unfulfilled? What changes in our understanding if we take seriously Zechariah's assertion that the cult was not fully established?⁷⁵ The crown symbolizes the *possibility* of a new order, whether diarchic or theocratic.⁷⁶ Yet the preservation of the crown(s), if kept in remembrance and not immediately employed as potent symbols, symbolizes possibility but not certainty. This possibility, as a space for action, expects restoration. The law, one should also bear in mind as being generally true for monotheistic traditions, provides the blueprint for that restoration.⁷⁷

The symbolism of the crown(s) in Zechariah is an extension of the law in that the law stipulates the proper pattern of behavior (social-political) and the crown confirms the ideal of authority. In the first instance (law), a new order complete with supporting social-political and religious institutions is envisioned. In the second (crown), the authority of the figurehead (symbolic) of the waiting distribution of power is confirmed. The satan symbolizes the profane, accusatory "other" who must be resisted, whose position in the distribution of power must be redefined. Thus, the satan represents those who stand outside the community, who become the foil against which restoration was mapped out.

75. J. Alberto Soggin, *Introduction to the History of Israel and Judah*, trans. John Bowden (London: SCM, 1993), 282.

76. Interpreting the symbolism of the crown in Zechariah as a "possibility" for a new order is consistent with Ackroyd's assertion that three main themes can be identified in Zechariah: (1) the temple, (2) the new community and the new age, and (3) the people's response (cf. *Exile and Restoration*, 171). The third "theme" emphasizes the necessity of a collective action that externalizes behavioral patterns of restoration.

77. This proposal is permissible even if, as Ackroyd and Edelman have both argued, Zechariah the prophet is the same as the one identified in Neh 12:4, 15, therefore son of Iddo. In that case, rather than Zechariah being a later arrival upon the scene, his oracle began in Babylon and described symbolic action in Jerusalem "as an act of faith" in Zerubbabel. Ackroyd explains the possibility of this chronological change in order to maintain relative consistency with the rest of Zech 1–8 as such: "The view then that 3.8–10 represent earlier words called to mind because of their significance for the assurance now given to Joshua and so to the community in 3.1–5 would seem to be the right one. We must then, not unreasonably, assume that 6.14... represents a later element, and that the last words of 6.10 'who came from Babylon' is a later addition made in the light of the events, at a time when the words of the earlier period were being grouped together or re-expounded by the prophet himself" (ibid., 197–98).

Finding Order in Restoration

Religion...serves to maintain the reality of [the] socially constructed world within which men exist in their everyday lives. Its legitimating power, however, has another important dimension—the integration into a comprehensive nomos of precisely those marginal situations in which the reality of everyday life is put in question.⁷⁸

“Nomos” is the system and framework of common meaning and intersubjective relationships that define a socially constructed reality. It is the life-blood of social consciousness. It is law where “law” denotes the regulation of social-political actions and their agents in support of the dominant normative order. It stabilizes that world by categorizing behaviors and ideas as being in either support of or a threat to it. “*We cannot build the foundations of a state without rule of law.*”⁷⁹ Every such reality, Peter Berger observes, “must face the constant possibility of its collapse into anomy.”⁸⁰ By providing a sense of “order,” nomos presents itself as “an area of meaning carved out of a vast mass of meaninglessness, a small clearing of lucidity in a formless, dark, always ominous jungle.”⁸¹

Nomos is nearly synonymous with what Žižek, in the spirit of Lacan, describes as the “big Other,” which is the social order—a shared set of customs and values that imposes itself upon individuals.⁸² The figure, symbol, ideology, or other, of the big Other, according to Žižek, is the axiom needed to regulate one’s distance from others.⁸³ It is for this reason that nomos, as the stability of the normative order, may be described as a big Other when by definition it refers to the *idealized* order, which one might, for example, find in utopian rhetoric about restoration within the Bible.⁸⁴

78. Berger, *Sacred Canopy*, 42.

79. Mahmoud Abbas, “We Cannot Build Foundations of a State Without Rule of Law,” September 2011, n.p. Online: <http://www.independent.co.uk/news/world/middle-east/mahmoud-abbas-we-cannot-build-foundations-of-a-state-without-rule-of-law-5344466.html>.

80. Berger, *Sacred Canopy*, 23.

81. *Ibid.*

82. I am using Žižek’s description of the Other in the manner in which he defined it (cf. *In Defense of Lost Causes*, 34).

83. Cf. *ibid.*, 35.

84. Because we are not discussing anything “other” in an objective sense, which could then operate in an independent fashion by influencing one’s social and political decisions, we must specify that we are referring to the thing that *becomes* other

Ultimately, nomos, or normative order, and we are depending largely on Peter Berger’s framework for this concept, is an order that requires a marginalized other against whom it cultivates distinction and difference in a world-building act of self-preservation. There is a great deal in that statement that needs to be unpacked. Berger describes nomos as the externalized and objectivated product of our world-building activities.⁸⁵ We create the social reality that we become subject to, constrained within its rules and regulations. We know ourselves, we come into social consciousness, by perceiving differences between ourselves and others. Even utopian desires, such as restoration, are products of an already created reality, situated within its “plausibility structure.” The qualities of such desires are meaningful within the reality we already know, in which we have contributed to the knowledge base and expressed our desires in light of or in response to already determined categories of knowledge. That is why Žižek wrote that a true revolution must have no goal apart from destruction of preexisting social-political institutions.⁸⁶ What this means for the biblical texts in their attempt to constructively map out restoration is that their vision of restoration is very much a product of the “profane” world it rejects. Their interest in restoration is to reinvent the difference that distinguishes the remnant community from the broader social-political context. On that general sociological theme Berger writes further:

Worlds are socially constructed and socially maintained. Their continuing reality, both objective (as common, taken-for-granted facticity) and subjective (as facticity imposing itself on individual consciousness), depends upon specific social processes, namely those processes that longingly reconstruct and maintain the particular worlds in question. Conversely, the interruption of these social processes threatens the (objective and subjective) reality of the worlds in question. Thus each world requires a social “base” for its continuing existence as a world that is real to actual human beings. This “base” may be called its plausibility structure.⁸⁷

(Other) in our social worlds. It is the sense of order, and Deleuze would describe this as a fundamental desire, against which we measure our actions and which also acts upon us to shape our behaviors as members of a group or culture.

85. Cf. his discussion in *Sacred Canopy*, 4.

86. See for example Žižek’s description of Marxist Revolution in *In Defense of Lost Causes*, 176. Note also his discussion of negation in terms of revolution (194). Revolution is the necessary first step in creating a new world, complete with new Master-Signifiers—that which gathers or orients otherwise free-floating ideological elements. True revolution is not a revision or emendation of a past world.

87. Berger, *Sacred Canopy*, 45.

Even desires, such as for restoration, are realities constructed in response to a primary difference between what constitutes and preserves the normative order and that (in the form of anomy) which threatens it. In that sense, restoration is built upon the backs of the excluded; the restored world is knowable only in contradistinction from the world left behind. As Philip Davies once put it, “individual...identity is meaningless without the existence of other identities from which it can be differentiated.”⁸⁸ Likewise, the people already in the land are crucial for differentiating the identity of the remnant community. As we have and will discuss, we see three primary strategies within the biblical texts for doing just that: imposing strict ideological parameters on identity production; ritualizing and institutionalizing collective identity and agency within a framework supporting divine authority—one that (if only in theory) supplants all “earthly” authorities; and creating a discourse of resistance through symbolic (but sometimes also physical) walls and other expressions of resistance to an external “other.”

As a specific point of focus, we might again refer to the following passage in Zechariah:

Escape to Zion, you that live with daughter Babylon. For thus said the LORD of hosts (after his glory sent me) regarding the nations that plundered you: Truly, one who touches you touches the apple of my eye. See now, I am going to raise my hand against them, and they shall become plunder for their own slaves. *Then you will know that the LORD of hosts has sent me.* (2:7–9, HB 10–13, emphasis mine)

Petersen observes that the Hebrew word used for “touch(ing)” (נג, cf. v. 12) often denotes a harmful touching, hitting, or killing—or in a phrase, “malevolent action.”⁸⁹ Such actions are typically associated with those that cause disruption or disorder (cf. Ps 73:14; Isa 53:4; Amos 9:5; Josh 9:19; and even touch a woman in Gen 20:6). The symbolism of the eye, Petersen argues, is meaningful in that the eye is the most sensitive part of the body. Consequently, “Anyone who acts injuriously toward Israel is, at the same time, acting injuriously toward Yahweh, toward one of the most sensitive and important parts of Yahweh’s being.”⁹⁰ But let us not overlook the fact that directed violence (malevolent action) by an “other” is the necessary step in highlighting the status of the community as “precious”

88. Philip R. Davies, *Memories of Ancient Israel: An Introduction to Biblical History—Ancient and Modern* (Louisville, KY: Westminster John Knox, 2008), 106.

89. Petersen, *Haggai and Zechariah*, 177.

90. *Ibid.*

to Yahweh. This sense is shared by both the exodus tradition and by Ezra–Nehemiah’s co-option of that tradition as a symbolic reference to the return of the *golah* community, or “Israel,” for Ezra. This “directed violence” is necessary because it exposes the true need for restoration: the creation of a new social reality.⁹¹ In Zechariah, divine action is prompted through violence as the deity is roused to respond. (Is this theme not true for much of the Bible?) As the prophet puts it, the threat of loss ignites jealousy within the deity: “Thus says the LORD of hosts: I am jealous for Zion with great jealousy, and I am jealous for her with great wrath. Thus says the LORD: I will return to Zion, and will dwell in the midst of Jerusalem; Jerusalem shall be called the faithful city, and the mountain of the LORD of hosts shall be called the holy mountain” (8:2–3).

Jealousy, which is either noble or ignoble based on the object, fears to lose what it has.⁹² It is aroused when the object of desire runs the risk of being unattainable. In Zechariah, the jealousy of Yahweh preserves the difference between insider and outsider. The claim in 8:8 that “they shall be my people and I will be their God” appeals to the Mosaic Covenant, which presented the basis of the constitution of Israel/Judah including the people’s acquisition of the land. The intent, just as it was in the exodus tradition, is to emphasize the distinction between the community as the desired object of Yahweh and others against whom the community is contrasted. The utopian element of this desire is expressed even further in v. 23: “Thus says the LORD of hosts: In those days ten men from nations of every language shall take hold of a Jew, grasping his garment and saying, ‘Let us go with you, for we have heard that God is with you.’”⁹³

We return to our previously stated point: as a stabilized order, *nomos* necessitates a perpetually marginalized “other” in order to sustain itself by cultivating distinction and difference. *You must exist to remind me of the differences that mark my uniqueness and that shape the contours of a stable world.* This other represents symbolically the consequence of a disordered world: the ideological loss of collective identity and the

91. On this role of violence, see the discussion in Žižek, *In Defense of Lost Causes*, 150.

92. I am using M. Klein’s description of “jealousy,” which she took from Crabb’s *English Synonyms* (in Klein, *Envy and Gratitude*, 181–82).

93. Petersen makes a similar observation in *Haggai and Zechariah*, 319. Note further, “Given the specific language of this oracle, someone must have been saying that *elohim* was with Israel. The *goyim* report that they have heard such things reported. Put another way, there is implied dialogue here just as there was explicit dialogue in the previous oracle. The *goyim* have been provoked to speech and movement by an expression of religious particularism, not by some universal cultural appeal” (320).

institutions that support it. When that order is utopian, when its intent is to create something new—and how can we avoid Žižek’s haunting echo here?—violent action perpetrated against the preexisting social order is necessary to pave the way. We cannot help but return to the possibility that restoration is fundamentally a revolutionary act; it expects structural change within the social-political world. It reflects a fundamental drive to create a world in which the collective identity of the group may be projected broadly and outwardly as the dominant social identity. The group member becomes the paradigmatic political subject. With the foci of our remaining chapters in mind, we would do well to observe that this revolutionary tendency within the biblical text is a consequence of its growing monotheistic orientation and violent demand: “You shall have no other gods before me” (Exod 20:3).

Chapter 4

THE ROLE OF EXCLUSION IN MONOTHEISTIC LAW

The highly idealized biblical conflation of cult, power, and restoration has been embraced by scholars bent on finding a theocracy in Yehud. (*No evidence needed!* Or, so it seems for many.) But a theocracy was (and still is, for many biblical scholars) the ideological product of desire (*a theocracy embodies the standards we want to shape the conditions of our experiences and interactions—our relations to the real world—within the social-political context of Yehud*¹); it was not, however, the material reality of historical circumstance. That reality, despite the beguilingly oft-cited Joel Weinberg’s passionate argument, was not a unique example of Persian beneficence.² The Persian imperial government probably cared very little for a backwater location beyond its continued obedience. And the temple in Jerusalem, so beloved by biblical authors as the symbol of political independence, likely served in reality an imperial function,³ which better explains why the imperial government *might* have bankrolled its construction, if the imperial letter in Ezra is even partly authentic (see Ezra 7:11–26; see also 1 Esd 8:8–24).⁴ Without historical or political basis,

1. I find L. Althusser’s definition of “ideology” helpful in its emphasis upon relation for the point I am making about what theocracy, as a social-political institution, meant to the biblical author. To note, “Now I can return to a thesis which I have already advanced: it is not their real conditions of existence, their real world, that ‘men’ ‘represent to themselves’ in ideology, but above all it is their relation to those conditions of existence which is represented to them there” (*Lenin and Philosophy, and Other Essays* [London]: New Left Books, 1971), 164. Online: <http://www.marx2mao.com/Other/LPOE70ii.html#s5>).

2. Weinberg and Smith-Christopher, *Citizen-Temple Community*, 106.

3. J. Schaper, for example, suggests the temple served as a type of regional, imperial bank (cf. “The Jerusalem Temple,” 528–29).

4. D. Janzen, for example, suggests that the letter was not authentic but that it might have provided a type of midrash on the rest of the Ezra narrative (see “The ‘Mission’ of Ezra and the Persian-Period Temple Community,” *JBL* 119 [2000]: 643). A midrash is a bit of a stretch. It is more likely an added element not to provide

the motivation for a theocracy must be found elsewhere, not in historical, material reality but in the desire *for* change—a desire found at the intersection of reality and the community’s marginal position within it (a type of perspective space), resulting in social and political anxiety-driven insecurities.

Yi-Fu Tuan’s description of anxiety may provide parameters for a clearer understanding of the connection between utopian desire and anxiety as a result of insecurity in one’s place: “Anxiety...is a diffuse sense of dread and presupposes an ability to anticipate. It commonly occurs when an [organism] is in a strange and disorienting milieu, *separated from the supportive objects and figures of its home ground*. Anxiety is a presentiment of danger when nothing in the immediate surroundings can be pinpointed as dangerous.”⁵ For the immigrating Judeans, the so-called “remnant,” Yehud was “home ground” only in an ideal sense through utopian (re)constructions. After a period of about 70 years (cf. Jer 25:11–12; or if one uses the range of 597–531 BCE, then 66 years, to be exact), Babylonia would have provided a more stable location for such a “home ground.” Emboldened by religious belief and fervor for reclaiming the land, members of the returning community embraced in theocracy a symbolic representation of their *desired* conditions of existence. But the fulfillment of that desire was uncertain. Law (*here’s our blueprint for reaching our desired reality*) and restoration (*our desired reality, which has been shaped by the conditions of relation defined in the law*) were responses to those insecurities. Burdened by the increasing anxieties of those insecurities in an act of self-preservation, the returning community focused inwardly and ritualized acts of exclusion and dissociation.

The turn to exclusion was not an accidental one. By defining areas of differentiation and incompatibility, exclusion highlights boundaries of identity, for all involved parties (insider *and* outsider, this last from the perspective of the insider) within a dominant culture normative. Exclusion itself is not the fundamental core, as Pierre Bourdieu has argued convincingly; it is an act based on a more axiomatic division, a differentiated reality between those forces that affirm the stability of a group and those that threaten it.⁶ *I will not accept you if doing so requires that my sense*

commentary but an attempt to justify the community’s claim to the land. The general themes of the letter are the construction of the Jerusalem temple for the community’s sake and Ezra’s establishing of Mosaic law as the normative law in Yehud.

5. Yi-fu Tuan, *Landscapes of Fear* (New York: Pantheon, 2013), 5, emphasis mine.

6. Bourdieu, “Genesis and Structure,” 3.

of a stable identity be too greatly redefined, to include the extent of your differences, thus putting my group's stability at risk. Because a culture derives its symbolic systems from that fundamental division, those systems are already predisposed to serve functions of “inclusion and exclusion, of association and dissociation, of integration and distinction.”⁷ These structural functions, Bourdieu reminds us, “always tend to be transformed into political functions.”⁸ This transformation happens in all societies; note, for example, the racial profiling that occurred within legal and security systems and structures for “middle eastern” individuals within the decade following 2001 in the United States. The intent was to protect society but the fallout has been an increased marginalization of anyone who appears “middle eastern,” a rather abstract concept, or who wears a head covering, even if not Islamic—a hastiness which may reveal an eagerness to express prejudice. Our point is that the exclusivist tendencies of the *golah* community naturally reveal social-political aspirations: social-political agents categorize between insider and outsider to preserve a stabilized social-political order. Within the constant flux of the social world, this order can only be inferred from incomplete and temporary representations of stability that one encounters through experiences and relationships in and with the social world. This constant flux in pursuit of stability is why a stabilized (and not *stabilizing*) world based on a collective's position vis-à-vis the fundamental principle of distinction is itself utopian. This is also why postexilic “Israel” is itself a utopian idea, and why its law must serve the constructive function of mapping out areas of inclusion and exclusion. “*So let us now make a covenant with our God to send away all these wives and their children, according to the counsel of my lord and of those who tremble at the commandment of our God; and let it become according to the law*” (*Ezra 10:3*).

Transformed into a political function, exclusion (and inclusion, distinction, association, etc.) conveys a culture's dominant legal and moral values. *On that day they read from the book of Moses in the hearing of the people; and in it was found written that no Ammonite or Moabite should ever enter the assembly of God... (Neh 13:1)*. Once someone has been identified as “not sharing the group's beliefs and values” one may see in that person evidence of moral inferiority, providing grounds for identifying them as an object worthy of discrimination or prejudice. Those acts can be justified because the amount of justice one might need to extend to the “objectified other,” and remain consistent with the dominant

7. Ibid.

8. Ibid.

order, diminishes.⁹ The exercise of (symbolic) power in this case is found in the institution's ability to demonstrate to those excluded the very legitimacy of their exclusion.¹⁰ One can see a poignant example of this in the yellow Star of David inscribed with *Juden* that Jews were required to wear in early twentieth-century Germany. Under the machinery of the Nazi German symbolic system, the complexity of Jewish identity was reduced to the simplified, homogenous meaning of the yellow star. In the case of the returning or immigrating Judeans, symbolic power would have been seen in the community's ability to redefine the term *'am* as one that denotes exclusion rather than its more pre-exilic sense of belonging.¹¹ That means that to define the social-political context of Yehud by enforcing a distinction between the *golah* community and the *am ha'aretz*—the latter which would have included Judeans that did not leave Yehud/Judah, Moabites, Ammonites, et al.—would have signified real power if it could ever have been implemented. And that is the type of power, the creation of a new ordered reality based on its interpretation of the principle division, that monotheism has hunted doggedly since its emergence.

What then to make of biblical prohibitions of intermarriage that list particular groups, such as in Josh 23:6–13?¹² The social body often legitimates prejudice toward certain groups or individuals deemed a threat to the social order. Such targets are often intentional, in that there is some basis beyond arbitrary selection for identifying them. Regarding Josh 23, Christine Hayes says, “the very fact that certain groups are pinned out for exclusion...implies that other groups are permitted.”¹³ Maybe.

9. Crandall and Eshleman make this point in “A Justification-Suppression Model,” 429.

10. See also Bourdieu, “Genesis and Structure,” 25.

11. See also Liverani (*Israel's History and the History of Israel*, 257, who states that *'am* was usually opposed to *goyim* (the foreign nations).

12. We accept here the argument that the Deuteronomistic History was redacted and supplemented in the Neo-Babylonian and Persian periods. See, for example, C. Newsom's discussion, in which she identifies three different strands of deuteronomistic tradition (Dtn, Dtr 1, and Dtr 2), that last of which she offers the possibility may be from the exilic period (cf. “Joshua, Book of,” *ABD* 3:1013). Joshua was shaped by the hand of Dtr 2. More tellingly, “Joshua's farewell address unmistakably anticipates the exile” (*ibid.*, 1014). And M. Noth concluded that Dtr. wrote entirely after the middle of the sixth century BCE (*The Deuteronomistic History*, JSOTSup 15 [Sheffield: JSOT, 1981], 19). “Dtr. was not a redactor trying to make corrections, but a compiler of historical traditions and a narrator of the history of his people” (84).

13. Christine Hayes, *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (New York: Oxford University Press, 2002), 26.

One may also put it this way: utopian aspirations *for* power provide the basis for prohibition as a prerequisite in biblical restoration. They are inscribed upon the nonmember as an inverted symbol of the member, shaped by the perverse core of monotheistic identity: *I recognize you not so much for who you are but as the very opposite of who I believe I am*. In short, we argue here that monotheistic ideologies of restoration are never far removed from aspirations for power—aspirations for which patterns of exclusion are powerful tools. The blueprint for restoration, law, codifies such patterns of exclusion.

Let's Dispense With Theocracy

There has been a significant and unfortunate tendency in biblical scholarship to categorize Yehud as a theocracy under the authority of a Yahwistic cult.¹⁴ But a theocracy, when properly defined, is a highly comprehensive *political* organization.¹⁵ A theocracy is not, as some scholars have suggested, simply any social-political organization (such as a monarchy) that includes religious experts, or priests, in dominant positions of social and political power, positions that grant them facets of ideological influence.¹⁶ Under such a liberal definition, anything in which a cult has *influence* could be qualified as a theocracy. But replace the priest with a secular politician and you've lost your theocracy! More importantly, it is a gross mistake to assume that all forms of government (tyranny, monarchy, democracy, etc.) are essentially *secular* in stark contrast to a theocracy. The “neat,” modern distinction between the secular and the religious did not exist in ancient Near Eastern cultures. The presence of a cultic official in government or an expression of religious loyalties or sensitivities simply does not automatically transform the nature of government.

14. For example, Weinberg and Smith-Christopher, *Citizen-Temple Community*, 115–26; Wellhausen, *Prolegomena*, 411–25; Jonathan E. Dyck, *The Theocratic Ideology of the Chronicler*, *BibInt* 33 (Leiden: Brill, 1998), 1–4; Paul Hanson, *The Dawn of Apocalyptic: The Historical and Sociological Roots of Jewish Apocalyptic Eschatology* (Philadelphia: Fortress, 1979), 210–20; Mary J. W. Leith, “Israel Among the Nations: The Persian Period,” in *The Oxford History of the Biblical World*, ed. Michael D Coogan (Oxford: Oxford University Press, 1998), 367–419.

15. Cf. Cataldo, *Theocratic Yehud*, 164–69.

16. Cf. Terpstra's discussion of the “four positions” in the term theocracy, in “God's Case on Earth: Notes on Theocracy and the Political Theology of Vladimir Solov'ëv,” in *Vladimir Solov'ëv: Reconiler and Polemicist: Selected Papers of the International Vladimir Solov'ëv Conference Held at the University of Nijmegen, the Netherlands, in September 1998*, ed. William Peter Van Den Bercken, Manon De Courten, and Evert Van Der Zweerde (Leuven: Peeters, 2000), 412–13.

In his anthropological study, Daniel Webster observes that the term “theocracy,”

[H]as been applied to various stages of virtually all pristine states. It has been used to designate a *type* of sociological organization found among complex societies. It has denoted a *stage* of sociopolitical evolution preceding “secular” states. It has been applied to societies on various evolutionary levels, including chiefdoms, states, and intermediate transformational forms. It has carried a wide range of connotations concerning the hierarchical structures of complex societies, and their relationship to other cultural process or institutions.¹⁷

The inconsistency in academic (and popular!) applications of the term betrays a fundamental uncertainty: *It seems to me that a theocracy is like X*. After enough conversations, one will have heard descriptions of a theocratic democracy, a theocratic monarchy, a theocratic republic, and so on.¹⁸ Such categories assume that “theocracy” is an affecting ideological influence (like “happy” is to “beer”) rather than something substantively *sui generis* (“happy” does not equal “beer”). But using theocracy to describe any type of sociopolitical organization is an easy excuse for scholars to ignore the essential qualities of an organizational form and focus instead upon possible phenomenological qualities manifest through any religious value-driven engagement of that form. (*Perspective takes the place of essence!*) That, to give a popular example, is why former U.S. President George W. Bush was frequently accused in popular media and by people waiting in Starbucks’ lines for their half-caff, caramel macchiatos of ushering in a theocracy. (In reality, it would take, in Žižek’s terminology, a “radical revolution” to establish a theocracy in the United States.) Similar is the tendency in biblical scholarship to posit a dominant comprehensive analysis of a society based on a limited number of *influences*, such as religious law, within the sociopolitical organization. *Ezra brought religious law. That’s our proof of a theocracy! Pass the happy!*

17. David L. Webster, “On Theocracies,” *American Anthropologist* 78 (1976): 812.

18. The *LBD*, for one example, describes “theocracy” as “a form of government [that] depends upon God’s direct revelation. It was thus that He directed the patriarchs, and whenever the writers of the Old Testament mention the relationship between God and His people, they are speaking of a kind of theocracy (see Judg 8:23; 1 Sam 8; compare 1 Sam 12:12; 2 Chr 13:8; 2 Sam 7:1-17; Ps 89:27; Deut 17:14-20). No other literature, ancient or modern, so sharply portrays a people or nation ruled directly by God.”

Despite his historical proximity to Yehud, Josephus' definition of theocracy (*θεοκρατία*), the first "academic" use of which we are aware, is unhelpful. Even he admits to that deficiency when he defined the Jewish community as theocratic because it governed itself according to religious values and ethics (preserved within a divine law) although it was still subject to a different political power (cf. *C. Ap.* 2.164–66). When he spoke of a theocracy he spoke more of a religious phenomenon than a political structure or organization.¹⁹ His emphasis upon the internal motivation of the law, however, established a pattern that later academics followed. Josephus acknowledged that the early Jewish communities were under the political authority of foreign leaders. What for him was the mark of a theocracy was that while the Jewish community lived under the laws of Greek and Roman empires, it maintained as the basis of religious identity an internal observance to the Mosaic law (*C. Ap.* 2.151–56). But we can see that his definition does not apply to political behaviors regulated within a State but to behaviors that express and define a religious-cultural identity. That should hardly be surprising. At one point, he argues that religious law existed to teach religious piety (cf. *C. Ap.* 2.291). At another he argues that a theocracy was a social order governed religiously and politically by the laws of God (cf. *C. Ap.* 2.164–66). The apparent contradiction in Josephus' own usage demonstrates even he had trouble with his own definition and concept, which he alludes to when he describes the term as a "strained expression" (see again *C. Ap.* 2.164–66).

An additional influence on scholarly understanding of theocracy as related to Israel has been that of Julius Wellhausen:

The cultus of Israel is essentially distinguished from all others by its *form*, the distinctive and constitutive mark of the holy community. With it the theocracy begins, and it with the theocracy; the latter is nothing more than the institution for the purpose of carrying on the cultus after the manner ordained by God. For this reason also, the ritual, which appears to concern the priests only, finds its place in a law-book intended for the whole community; in order to participate in the life of the theocracy, all must, of course, have clear knowledge of its essential nature...²⁰

19. His possible reference to a structure is quite limited to its general feasibility within the religious ideology of a community under the political authority of an empire. "And where shall we find a better or more righteous constitution than ours, while this makes us esteem God to be the governor of the universe, and permits the priests in general to be the administrators of principle affairs, and withal intrusts the government over the other priests to the chief high priest himself" (*C. Ap.* 2.184–87).

20. Wellhausen, *Prolegomena*, 53.

Wellhausen, however, admits that his definition of theocracy was not intended to be a political term.²¹ In fact, it denoted an “un-political” organization whose counterpart was often foreign rule.²² Like Josephus, Wellhausen cannot do much better than define a theocracy as a quality of religious-cultural behavior, regulated by a religious law, that defines not a State but a religious community—as though a theocracy equaled a religious community. When Wellhausen refers to the “cultus of Israel” he refers to the “distinctive holy community” that existed in Yehud during the Persian and later periods (such as described by Ezra–Nehemiah).²³

With that said, let us return to the original point: the expectations that we have for our discussion of the compatibility between law and restoration must be able either to address the existence or possibility of a theocracy or to put it to rest finally. The biblical texts, such as Ezra–Nehemiah, leave us with the impression that Yehud was theocratically organized. Of course, that type of organization assumes two things, since there was already in place a type of social-political organization (*the Babylonian and Persian governments appointed governors!*): (1) that the land was empty during the exile, waiting eagerly for the return en masse of the Judeans from Babylonia (and a few from other areas such as Egypt); and (2) that a theocracy necessitates only that priests or individuals loyal to the cult be in positions of power and that religious law be the dominant law. As I have defined elsewhere, a theocracy is an institutional governing order exercising social, economic, political, and religious authority. It is a product of a dominant (or dominating) religion, an institution it uses in part to legitimate its authority. Its dominant social-political order is based on the plausibility structure of the religious institution and its corresponding meaningful order. Consequently, in a theocracy the religious institution has authority over regulating the processes that shape the infrastructure—the overall organization of production and its related distribution of authority and power—of society. Its stability rests upon the strengths of the systems and institutions underlying it—such as those that define cultural norms, that regulate behaviors, that permit and restrict expressions of prejudice, and so on—that necessitate the theocratic organization. It is a system of government, and for this reason, the authority of a theocracy possesses the socially legitimated knowledge that contains individual or group resistances within tolerable limits and enforces political obedience.²⁴

21. Cf. *ibid.*, 190.

22. *Ibid.*, 422.

23. *Ibid.*, 53, 82.

24. This definition of “theocracy” is taken with some modification from Cataldo, *Theocratic Yehud*, 168.

If Yehud was *not* a theocracy then what role did the religious law play in the formation of collective identity? If texts such as Ezra–Nehemiah were not descriptive in their portrayals of historical context but were rather prescriptive in highlighting areas of necessary change then what function did the religious law hold? Our position is that when uncritical presumptions about a theocracy in Yehud are put to rest, what is left, and what fits better within the utopian desires of the text for restoration, is that on a sociopolitical level the religious law of the community was constructivist. What modern scholars identify as “theocracy” was the artifact of a utopian desire that contoured the biblical texts toward a pattern of intersubjective relations intended to signal a new, “restored” context.

Exclusion Is the Dark Side of Monotheistic Law

Exclusion and monotheistic law, as sociological concepts, should be better explained in light of this discussion. *Recall the ambitious claim of this chapter’s title!* One must establish the connection between them as it occurred within the context of Yehud. One must also identify the contours of the biblical attitude regarding law and its conception of restoration. Doing this is important not only for a historical understanding of the social-political context but also because these biblical concepts continue to play a critical role in modern forms of monotheistic thinking. Understanding what monotheists think demands that we reevaluate core concepts of monotheistic biblical belief.

Ezra–Nehemiah provides an example—and one that provides a good starting point for discussion—of an assumed connection between exclusion and monotheistic law. According to the so-called decree from Artaxerxes,

And you, Ezra, according to the God-given wisdom you possess, appoint magistrates and judges who may judge all the people in the province Beyond the River who know the laws of your God; and you shall teach those who do not know them. All who will not obey the law of your God and the law of the king, let judgment be strictly executed on them, whether for death or for banishment or for confiscation of their goods or for imprisonment. (Ezra 7:25–26)

Guilt and a fear of exclusion (whether physical or eternal) is a common mechanism within divine laws in their attempts to encourage behavior that is the desired characteristic of the ideal social-political body.²⁵ This is as

25. R. Leys provides a good working definition of guilt, and a possible connection to the concept of exclusion: “Guilt is thus a question of the survivor’s ‘unconscious

true of the past as it is of the present. Even the accomplished theologian Richard Niebuhr observed that “In guilt, whether it be guilt before a provincial or universal other, the self fears exclusion from a society.”²⁶ Roger Smith, who shows that guilt is linked to debt in conceptual terms, writes, “Beyond the economy of guilt lies the idea of reparation, the political version of the metaphor of healing. The central question is no longer how to collect debts of transgression, but how to mend the disturbed or broken relationships within the community.”²⁷ And Robert Lifton, who made his mark in studies of survivor guilt, wrote,

The extreme experience...demonstrates that guilt is immediately stimulated by participation in the breakdown of the general human order and by separation from it. This is true whether we employ the Western cultural idiom sin and retribution or the East Asian one of humiliation and abandonment. Death, especially when inappropriate and premature, is the essence of breakdown and separation.²⁸

The role of guilt, and exclusion as a response strategy, is glaringly clear in Ezra not only with the ritualization of the return but also in the dramatic denunciation of foreign marriages, during which the foreign wives *and* children were rejected (both represented the blurring of community boundaries by extending community membership outside of the prescribed parameters within the law).

sense of an organic balance’ which makes him feel that his survival has been ‘purchased’ at the cost of another’s...” (*From Guilt to Shame: Auschwitz and After*, Digital [Princeton, NJ: Princeton University Press, 2007], 50). The “survivor” is left, vis-à-vis the community, in a position of debt for his own survival, and that is the strategy that divine laws, particularly those of monotheistic traditions, employ to insure obedience. The basic premise becomes misrecognized. No longer does one see that the survival of the law depends upon the community’s acceptance of it but that the survival of the community, and the individuals within it, is dependent upon their acceptance of the law. Despite the fact that the law was created by the community, it is transformed into a symbolic representation of a big “Other,” namely God, and in fact operates in place of this “Other.”

26. H. Richard Niebuhr, “The Ego-Alter Dialectic and the Conscience,” *Journal of Philosophy* 42, no. 13 (1945): 356.

27. Roger W. Smith, “The Economy of Guilt,” *Political Theory* 3, no. 2 (1975): 208.

28. Robert Jay Lifton, *Death in Life: Survivors of Hiroshima* (Chapel Hill: University of North Carolina Press, 1991), 497.

The people of Israel, the priests, and the Levites have not separated themselves from the peoples of the lands with their abominations, from the Canaanites, the Hittites, and Perizzites, the Jebusites, and Ammonites, the Moabites, the Egyptians, and the Amorites. For they have taken some of their daughters as wives for themselves and for their sons. Thus the holy seed has mixed itself with the peoples of the lands, and in this faithlessness the officials and leaders have led the way. (Ezra 9:1–2)

Ezra–Nehemiah describes the ritualization of guilt, the reality of exclusion, and a corresponding response of separation. Ezra’s protest assumes a connection with the “ancestors” who sinned and were consequently exiled—a strategy not only of identity but also of territorial claim to the land. Separation from the peoples of the lands, and here we may find a cause for prejudice, was necessary lest the individuals or community suffer rejection by Yahweh. Moreover, Ezra’s identification of different groups using sometimes anachronistic ethnic categories exposes an underlying prejudice in support of the distinction between the *golah* community and those outside it.

Chris Crandall and Amy Eshleman, whose work has opened new grounds in prejudice studies, argue that genuine prejudices²⁹ are restrained by beliefs, values, and legitimated norms. In that sense, if we talk about prejudice in biblical texts such as Ezra–Nehemiah, we refer not to genuine prejudices, but those permitted or filtered through the dominant beliefs, values, and norms that are expressions of a desire for group coherence.³⁰ Prejudices support strategies of exclusion when those strategies are directed toward the preservation of the group or the stability of its normative order. Those, rather than any prejudice in pure form, contribute to shaping the contours of collective identity. And it is those upon which the law itself focuses.

What this means for our discussion here is that exclusion is a productive force in defining intersubjective relationships; it is, therefore, an expression of the categorical boundaries that constitute the contours of “citizenship” within the community or social-political body. The parameters of exclusion, we will show, are institutionalized within the religious law of the *golah* community, as Ezra–Nehemiah demonstrates.³¹ Exclusion is a defining

29. See their discussion of the concept in “A Justification-Suppression Model,” 416–17.

30. *Ibid.*, 414–17.

31. Using the model of the family, P. Donati provides further sociological support for the current discussion: “The point is that to grasp social change in the family, it is necessary to regard it as a social relation and to maintain the connections between

act of citizenship but in the negative, which traces out the boundaries of social relations between individuals within a political community.³² There is a productive element, then, in exclusion. The often-cited passage from Nehemiah is but a most excellent example of this:

On that day they read from the book of Moses in the hearing of the people; and in it was found written that no Ammonite or Moabite should ever enter the assembly of God, because they did not meet the Israelites with bread and water, but hired Balaam against them to curse them—yet our God turned the curse into a blessing. When the people heard the law, they separated from Israel all of those of foreign descent. (Neh 13:1–3)

Nehemiah clearly links Ammonite and Moabite with all foreigners, who are those who have been excluded from the assembly of “Israel.” We have already noted that Ezra–Nehemiah redefines the meaning of the term “Israel” to designate a restored polity constituted from the “remnant,” those who had been exiled and who had subsequently returned to Yehud. We’ve also noted that the law to which Nehemiah refers is not the law of any social-political polity. It held legitimate claim to no socially dominating institutions of discipline or other forms of behavioral regulation.

Is not this absence one of the very points of Neh 8:9–12, which describes the ritualized celebration of the people who understood the words of the law? The word for understood is *בין*, which also means “become separated, distinct,” “perceive,” “given discernment.” The very process of understanding mirrors the process of defining the community. *בין* requires more than a mere cognitive recognition; it demands a response. For instance, I know that those are pants laying on my bed. I recognize them because I have learned the semantic qualities of what constitute “pants.” I *understand* that those are pants after I have worn them and am able to associate the object with the function. When the community understood the law, it separated itself from the “foreign,” an act that is meaningful both as an internal expression of collective identity and an external one: *you are not one of us because we have drawn the line between those things that define us and those things that define you*. Or should we simply appeal to Nehemiah again, “Now on the twenty-fourth day of this month the people of Israel were assembled with fasting and in sackcloth, and with earth on

the family as an intersubjective relation (defined by *Lebenswelt* characteristics) and as an institutional relation (defined by the expression of other sub-systems or social institutions)” (*Relational Sociology*, 187, emphasis in original).

32. Cf. *ibid.*, 188.

their heads. Then those of Israelite descent separated themselves from all foreigners, and stood and confessed their sins and the iniquities of their ancestors” (9:1–2)? The ritualized act of mourning reinforces the distinction between member and nonmember. One should hear the implied warning behind this act: *if you do not observe the law and maintain the distinction between the member and nonmember, you will lose the very qualities that distinguish you and the possibility of restoration.* Consequently, exclusion and law function cooperatively to facilitate the social and ideological organization of individuals into the form (or set of distributed relations) of the desired body: the “restored Israel.”

Biblical Law in the Discourse of Power

With the direct connection between monotheistic law and exclusion, can we see naught but that monotheistic law uniformly regulates individual and group behavior toward a dominating, singular ideal? As I stated elsewhere, “In a general sense, law is a functional, regulative pattern of engagement that defines acceptable and sometimes productive relations between social agents. It is ‘repressive’ in that it articulates the limits of the socius, defining the ‘territoriality’ of the social body. But it fills this role only because the law itself is a production of the social body.”³³ That description will provide a starting point for our discussion of Foucault.

Foucault connects the ideological abstract nature of law to its real application in the experiential formulation of power in the following manner:

[W]e can surely accept the general proposition that, in our societies, the systems of punishment are to be situated in a certain “political economy” of the body: even if they do not make use of violent or bloody punishment, even when they use “lenient” methods involving confinement or correction, it is always the body that is at issue—the body and its forces, their utility and docility, their distribution and their submission.³⁴

According to him, law is a discourse of power. It is not itself power but a mechanism for its expression. Where various extractions of power might be denaturalized, disparate, and multiple, law imposes a certain “regularity” upon those expressions.³⁵ What this means is that there is

33. Cataldo, *Breaking Monotheism*, 114–15.

34. Foucault, *Discipline and Punish*, 25.

35. Note also S. Bignall’s summary of Foucault’s theory on power: “Power must be understood *in the first instance* as the multiplicity of force relations ‘immanent in the spheres in which they operate and which constitute their own organization,’

always intentionality in the articulation of law. In the case of Yehud, this intent, best summarized as “restoration,” and best understood as being constructivist or utopian in nature, is the manifest desire of an immigrating minority community. “*When the LORD (re)turns to the restoration of Zion, we will be as in a state of dreaming*” (Ps 126:1, translation mine).

Law amounts to the regulation of the body enforced through disciplinary means. Or as political scientist Claude Ake put it, “[T]he effect of obedience to the law is to uphold the authority of those who make decisions about what the law should be, and how it is to be enforced. To uphold this authority is to win in maintaining aspects of the distribution of power to make decisions for society.”³⁶ Obedience to the law legitimates the claim to positions of power and authority that those in power have. *When you obey the law as I have interpreted it, you support my authority.*

Foucault reminds us that the real effects of the law are neither entirely neutral nor positive. They are “written” upon the political body. And as Žižek describes it, the law is “other” to the individual and her corresponding political body. For him, the law, which regulates habitual obedience to a sovereign, whether idea or person, is a product of that sovereign.³⁷ But what “sovereign” truly reflects is the dominating desire that shapes the intent of the law and the corresponding restriction it places upon social-political behaviors—this may take the form of the despotic individual or the utopian, monotheistic ideal.

In the context of Yehud, this “sovereign” was one of two things, or perhaps a combination of both: Yahweh, who was only knowable externally through physical symbols such as the Jerusalem temple and the remnant

as processes, and as strategies, which crystallize into strata (Foucault 1990: 92–93). *Subsequently*, macropolitical structures or Power in ‘the sovereignty of the State, the form of the Law, or the overall unity of a domination...are only the terminal forms power takes’ (Foucault 1990: 92)” (*Postcolonial Agency: Critique and Constructivism* [Edinburgh: Edinburgh University Press, 2010], 136).

36. Ake, “A Definition of Political Stability,” 271.

37. Note further H. L. A. Hart, who writes, “The doctrine [of sovereignty] asserts that in every human society, where there is law, there is ultimately to be found latent beneath the variety of political forms, in a democracy as much as in an absolute monarchy, this simple relationship between subjects rendering habitual obedience and a sovereign who renders habitual obedience to no one” (*The Concept of Law*, 2nd ed. [Oxford: Clarendon; New York: Oxford University Press, 1994], 50). Note also Foucault: “[S]overeignty is absolutely not eliminated by the emergence of a new art of government that has crossed the threshold of a political science. The problem of sovereignty is not eliminated; on the contrary, it is made more acute than ever.” And the law remains “part of the social game in a society like ours” (*Security, Territory, Population*, 107).

community, or the idea of a restored reality in which the productive flows of desire, toward which religious law was focused, were stabilized. Desire production in the Neo-Babylonian and Persian-period biblical texts amounts to a political body whose actions, institutions, and ideologies, systems, rituals—all those things that make a social-political body an animate body—which were stabilized against antinomy, legitimated the authority of Yahweh as sovereign. But while biblical readers may be too happy to accept the sovereignty of Yahweh as an objective “Other,” to do so is to be caught up in the spectacle of ritualization and miss entirely the more “revolutionary” move by the biblical authors: the community’s self-perception is the basis upon which is built its perception of the divine “Other.” “*So that you will know that I, Yahweh your God, am dwelling in Zion, my holy mountain, Jerusalem will be holy and strangers will not cross through her again*” (Joel 4:17, translation mine). The assumption seems to be that the restored world and its normative order are based around the dominant order of the community. That explains in part why Ezra–Nehemiah rejects the foreign. The temple as a symbolic object of the community’s identity is centralized, for further example, in Haggai.³⁸ And political authority is subordinated to the cult under Joshua in Zechariah. That is why, in part, the community can reject the people already in the land as not having a stake in Jerusalem despite their seeking (דרש) Yahweh (cf. Ezra 4:2). Does not דרש imply behavioral modification? To “seek” in the sense of that term is not merely to find an object, but to approach the reality of it through a realigning of one’s attitude and behaviors (in a pragmatic fashion). That, after all, is the sense of it in Deut 4:29; Hos 10:12; Amos 5:4, 6; Isa 9:12, and so on: anomy, resulting in the loss of any collective identity other than “other,” as a consequence of not seeking God, or the collective ideal. Yet in Ezra, the activity of seeking, the behavior of it, is not itself the problem; the object of what is being sought is wrong. Those individuals making the request, those rejected, approached Yehud as a shared object to which devotion may be directed. The text of Ezra, by contrast, identifies Yahweh as the shared idea or object of the community alone—a projected ideal symbolizing the internal organization of the community. “*Sing and rejoice, O Daughter Zion, for I have come and settled in your midst, says Yahweh*” (Zech 2:14; translation mine). In other words, Ezra’s image of the divine reflects the desire of the community for a reality fashioned around its own authority, which can be expressed through association with the Divine. We need go no further than the community

38. For further discussion on the temple as a central object, see Cataldo, “Yahweh’s Breast.”

itself to explain the space between proper worship (seeking) and improper worship. If we reject any notion of an absolute law (the existence of which is a fundamental pillar in later monotheism) then law is relative to the political body and its legitimated sovereign. We are not making the overly simplistic association of law as the command of the sovereign backed by sanctions, a criticism that Hurt and Wickham level against Foucault.³⁹ “Legitimated sovereign” refers to the authority that symbolically and often physically summarizes the distributed relations that have been legitimated by the social-political body. In other words, the people already in the land, who were not members of the immigrating community, could not worship the same god or observe the same laws because *they were not members of the same community*. They were guilty by their very exclusion, by the very prejudice that shaped the distinction between them and the immigrating community.⁴⁰

I wrote previously,

Divine law exists not because it is the ideal form, toward which, subsequently, natural law would aspire. *Divine* law, rather, expresses an alternative; it demands a pattern of behavior that supports an authority alternative to that which has already been institutionalized. In other words, divine law is an interruption to the productive flows that form natural law and its corresponding authority; it is an alternative whose ontological core is characterized by reaction and whose ultimate aim is to facilitate a new reality.⁴¹

Outside a theocracy, the intent of divine, or religious, law, as we also discussed in the previous section, is to introduce an alternative to prevailing systems of law and the authorities they legitimate. The subversive quality of monotheism in particular is precisely its negation of prevailing social-political authorities against which the authority of God is cast. Žižek’s description of what he identifies as the carnivalesque quality of Christianity, for example, makes the same point when he exposes the importance of ritualizing the “sinner” for the positive self-image of the community.⁴² The

39. Hunt and Wickham, *Foucault and Law*, 59.

40. The description of the community in Ezra 4:3 as being identified by Cyrus is probably fantastical on the part of the author. The implication is, of course, that Cyrus put social-religious authority of an entire province into the hands of an immigrant community. That sentiment fits within the restoration ideology of the community but it cannot avoid a number of insurmountable problems, as I have described throughout *Theocratic Yehud*.

41. Cataldo, *Breaking Monotheism*, 114.

42. He makes this point throughout *The Puppet and the Dwarf: The Perverse Core of Christianity* (Cambridge, MA: MIT, 2003), cf. 86–91.

Beatitudes, for example, which emphasize reconstruction of the social-political structure—the powerless shall become powerful—make this point baldly: true power will be yours when restoration has been fulfilled.

When I used the term “natural law” (in the previous quote)—and I am aware of the possible criticisms that could be leveled against my initial use of the term—I meant the law that was a product of natural, internal forces and relationships and not externally imposed; it was meant to describe the product of a social-political body. As ritualized and projected ideals, religious laws, in contrast, are no longer seen as products of any internal force, production, or evolution. They are seen as wholly Other. “Pay attention to the law that they teach you and to the commandments they tell you to do. Do not turn aside from what they tell you, to the right or the left” (*Deut 17:11*). This is why in modernity they are attributed with an objective autonomy and assumed accessible to different cultures. In this sense, religious laws reflect the change in religion with modernity that Žižek observes: “One possible definition of modernity is: the social order in which religion is no longer fully integrated into and identified with a particular cultural life-form, but acquires autonomy, so that it can survive as the same religion in different cultures.”⁴³ A religious law presupposes an institutionalized religion engaged in an ongoing discourse with a larger social-political body, the fate of which in monotheism is a (symbolic) and profane, sinful “other” against whom the identity of the “righteous” community is measured. The implication of this is there in the Deuteronomist’s admonition that the (Deuteronomic, Mosaic) law be read every seven years, during the festival of booths, in the hearing of “all Israel” (31:9–13). When the law is read it should be “heard and understood” as long as the people are living in the land “they are about to possess.” The law that should be observed is not that which governed the political body already in the land. “Possession” of the land expected a takeover or conquest, a Manifest Destiny of sorts. But perhaps more importantly, the law presupposes restoration.

*The Role of the Social Body in the Law:
Ritualization and Exclusion*

According to Foucault, “[T]he body becomes a useful force only if it is both a productive body and a subjected body.”⁴⁴ It is the body that both produces the relations, and nature, of power and legitimates power by

43. *Ibid.*, 3.

44. Foucault, *Discipline and Punish*, 26.

remaining subject to it.⁴⁵ That point, we might remember, was the same one that Marx was pillaring in his argument that change could only come through revolution: an overturning of prevailing institutions of production and power by refusing to legitimate them. And according to Žižek, that is the perverted truth: that the moral sense the law purportedly provides is a sterilized or neutered sense of symbolic value or desire.⁴⁶ Recall the command in Deuteronomy to observe the law while in the land, the object of collective desire, as a requisite for maintaining possession of it. Recall also that the law, for the Deuteronomist, in the transgression of it becomes the exact reason the people were “vomited” out of the land. The very thing that the people produced as an expression of their own identity, the law, became the measure against which they were judged and found guilty.

The Deuteronomist interpreted the exiles as corrective punishment for disobedience of the law. To understand this better, Foucault is helpful when he writes that what one is trying to restore in corrective punishment is not the entirety of what is meant by the juridical subject but the obedient one. The first is one “who is caught up in the fundamental interests of the social pact.” The latter is one who is “subjected to habits, rules, orders, an authority that is exercised continually around him and upon him, and which he must allow to function automatically in him.”⁴⁷ The possible difficulty here, of course, is that the law to which the Deuteronomist refers is a religious law and not a political one. The Deuteronomist’s ideal for a restored political body is something perhaps more reminiscent of a theocracy than a monarchy; kings as sovereigns were a necessary evil to maintain social-political stability.⁴⁸ What the Deuteronomist envisioned as the ideal social-political organization was in fact not far removed from what was implied in texts focusing on the reconstitution of “Israel,” such as Ezra–Nehemiah and Haggai–Zechariah.

45. Note further, “The success of disciplinary power derives no doubt from the use of simple instruments; hierarchical observation, normalizing judgement and their combination in a procedure that is specific to it, the examination. The exercise of discipline presupposes a mechanism that coerces by means of observation; an apparatus in which the techniques that make it possible to see induce effects of power, and in which, conversely, the means of coercion make those on whom they are applied clearly visible” (ibid., 170–71).

46. Cf. Žižek, *Violence*, 109.

47. Foucault, *Discipline and Punish*, 128–29.

48. Cf. von Rad’s “redemptive history” in *The Problem of the Hexateuch and Other Essays* (London: SCM, 1966), 205–21.

The biblical concept of restoration assumes that with restoration the law would eventually cease to be a part of the discourse of power. When all allegiances are directed without question to Yahweh, when the social-political order has been stabilized, its necessity as a tool of the sovereign will cease. Is that not, after all, the sense of Jeremiah?

The days are surely coming, says the LORD, when I will make a new covenant with the house of Israel and the house of Judah. It will not be like the covenant that I made with their ancestors when I took them by the hand to bring them out of the land of Egypt—a covenant that they broke, though I was their husband, says the LORD. But this is the covenant that I will make with the house of Israel after those days, says the LORD: I will put my law within them, and I will write it upon their hearts; and I will be their God, and they will be my people. No longer shall they teach one another, or say to each other, “Know the LORD,” for they shall all know me, from the least of them to the greatest, says the LORD: for I will forgive their iniquity, and remember their sin no more. (Jer 31:31–34)

Jeremiah’s description of the law written upon the heart states that what the law was meant to facilitate, the patterns and expectations of a new order (*nomos*), would become an innate quality of the community. In this sense, the expectations of the law are the same that constitute the shared desire, upon which collective identity is based, of the community: the function (marking out boundaries, determining appropriate intra-group behavioral patterns) of community and the legitimation of processes that confer the group or community with identity—or, as Gunther Teubner describes this last in more general analyses of law, the agreed-upon production of law that transforms human agents from producers into semantic artifacts in relation to the law.⁴⁹ It functions, to appeal to the terminology of Melanie Klein, as idealization: “While idealization is thus the corollary of persecutory fear, it also springs from the power of the instinctual desires which aim at unlimited gratification and therefore create the picture of an inexhaustible and always bountiful breast—an ideal breast.”⁵⁰ Where the symbolism of the breast may be substituted for the powerful symbolism of Yahweh, the law as idealization speaks no longer to the letter of the law but to the internal motivations of the collective “ego” pursuing a desired outcome. Jeremiah’s point is this: divine/religious law represented the communicative process through which “foreign” was identified and excluded while facilitating restoration—a point that Julius Wellhausen advocated:

49. Teubner, “How the Law Thinks,” 730.

50. Klein, *Envy and Gratitude*, 7.

[I]n the Mosaic theocracy the cultus become a pedagogic instrument of discipline. It is estranged from the heart; its revival was due to an old custom, it would never have blossomed again of itself. It no longer has its roots in child-like impulse, it is a dead work, in spite of all the importance attached to it, nay, just because of the anxious conscientiousness with which it was gone about. At the restoration of Judaism the old usages were patched together in a new system, which, however, only served as the form to preserve something that was nobler in its nature, but could not have been saved otherwise than in a narrow shell that stoutly resisted all foreign influences. That heathenism in Israel against which the prophets vainly protested was inwardly overcome by the law on its own ground; and the cultus, after nature had been killed in it, became the shield of supernaturalistic monotheism.⁵¹

It was through the law and its exclusionary function that “heathenism” was overcome within the community. Well, perhaps it was never fully overcome: Is that not one of the main reasons why the community’s ideological descendants in Judaism and Christianity today are still in an *active* resistance against the surrounding social-political body? But where it was not overcome, the law provided what the community believed was the blueprint for successfully overcoming it. It is in restoration that this overcoming, which is a radical exclusion, is finally realized. The radical nature of this exclusion is perhaps most colorfully portrayed in Christianity: restoration for the saved necessitates the repeated, eternal torture and deconstruction of nonmember individual and collective social bodies. *The sinner must burn*. And the path toward restoration is ritualized obedience as the process of transforming human agents into members of a new social-political body.

Ritualized obedience provides comfort by resisting disruptions to one’s normative order. Or as Catherine Bell described “ritual,”

The body acts within an environment that appears to require it to respond in certain ways, but this environment is actually created and organized precisely by means of how people move around it. The complex reciprocal interaction of the body and its environment is harder to see in those classic examples of ritual where the emphasis on tradition and the enactment of codified or standardized actions lead us to take so much for granted about the way people actually do things when they are acting ritually.⁵²

51. Wellhausen, *Prolegomena*, 425.

52. Bell, *Ritual*, 139.

As an act of agency, obedience provides a mechanism through which a group expresses internally and externally, as a mark of distinction, the contours of its collective identity. The rather marked emphasis within the biblical texts upon obedience to religious law confirms this assertion. Ritualized identity preserved through obedience is a collective response to other competing, cultural identities; it is a promise of stability. The *golah* community demonstrates its ritualized identity through obedience to the law, including, for example, observance of the Passover festival, which connects the community with the Hebrews of the Exodus tradition (cf. Ezra 6:19–21).

Recall Wellhausen's description of the Mosaic theocracy rooted in childlike impulse—the true desire of the ego, in Kleinian terms. He refers here to an innate natural inclination for the authority of Yahweh, which in its ideal form—which means also its restored form—no longer necessitates institutional or legal means of discipline or control. Foucault offered a similar observation: “The art of punishing...must rest on a whole technology of representation. The undertaking can succeed only if it forms part of a natural mechanics. Like the graviton of bodies, a secret force compels us ever towards our well-being. This impulsion is affected only by the obstacles that laws oppose to it.”⁵³ Foucault's assertion that law is an instrument whose eventual demise would be realized when all forms of discourse have been brought into balance mirrors what is also expected in monotheistic restoration.⁵⁴ Ideally, the law has served its purpose when restoration has occurred. But the gross inverse of disciplinary power is the perpetual instability of constructed defenses against anomy; order is always under threat on account of social-political circumstances forever in the process of changing. That is, the productive effect of discipline is found only in the threat of chaotic dissolution. *I know that heaven is the antithesis of hell*. Or as Žižek observed of Christianity, “Salvation consists not in our reversing the distinction of the Fall, but in recognizing Salvation in the Fall itself.”⁵⁵ According to Foucault, law is an instrument of disciplinary power in that as part of other discourses of power it provides the blueprint for integrating those discourses into a larger network of control. But this can come about only through the absolutization of exclusion, what Žižek describes as the “crushing” of the marginal position.⁵⁶ “And I contended [רִיב] (contend, shout, quarrel,

53. Foucault, *Discipline and Punish*, 104.

54. Again, see Golder and Fitzpatrick, *Foucault's Law*, 2.

55. Žižek, *Puppet*, 87.

56. Cf. Žižek, “The Ongoing ‘Soft Revolution.’”

clamour)] with them and cursed [קלל] (despise, make small, curse)] them and beat some of them and pulled out their hair [מרט] (make smooth, bare, bald, scour, polish)]...” (Neh 13:25).

Nehemiah’s dramatic response to group members was meant, in Foucault’s terms, to “mark out on the body of the criminal” the (necessary) boundaries that preserve the internal cohesion and structure of the community. Criminals are distinct from enemies in that the former tend to be insiders who “get it wrong” (or in some cases an outsider looking to establish his or her place in society).⁵⁷ The death or destruction of the latter serves no internally constructive purpose apart from consolidating the group around a shared concern for self-preservation. The effectiveness of exclusion, and its violent enforcement, is found in the perpetuated fear that the member herself may be cast out, excluded, from the community and become little more than an “other,” or even possibly “enemy.” In this way, the body is productive—it orients itself (and for Nehemiah this occurs in part through violent action) around clearly marked boundaries between member and nonmember and it imposes upon its members expectations of behavior that maintain those boundaries. Foucault’s theory on power permits us to see how Ezra–Nehemiah’s emphasis upon identity may simultaneously be an emphasis upon redefining the distributed relations of power.

Law as a Negative, Repressive Power?

If articulating identity in Ezra–Nehemiah entails redefining the networks of relations of power, how can we clarify the role that law holds in relation to power? Foucault identified law as a premodern negative, repressive power that is progressively overtaken by disciplinary power. Bodies in relation create systems and sub-systems of (self-)regulation. Yet scholarly assumption regarding the law has been less as a product of relations and more as an objective force imposing the parameters of a theocracy in Yehud. Those parameters, as we will show in this section, typically take the form of values manifest in exclusion, isolationism, or particularism.

Foucault is certainly correct that disciplinary measures against the threatening “other” (he uses the example of the leper, one with which the Bible is familiar) call for disciplinary projects, “multiple separations,

57. And isn’t this true even for our modern use of the term to categorize those guilty of war crimes? It is an attempt broadly to define a global civilization that can be uniformly governed and regulated. Thus, the assumption that there exists some “objective” ethics by which “criminals” can be tried and found guilty is itself an imperialist act.

individualizing distributions, an organization in depth of surveillance and control, an intensification and a ramification of power,” rather than a “massive, binary division between one set of people and another.”⁵⁸ What certain biblical texts portray, however, is in fact a massive, binary division—such as between Ezra–Nehemiah’s *golah* community and *am ha’aretz*. There are, of course, two ways to interpret this emphasis: as a product either of intent or of ignorance on the part of the biblical author(s). The irony is that intent on the part of the author seemingly *intends* to cultivate ignorance on the part of his audience. It is very much like politicians who argue that the only logical solution to a problem, after being reduced to two possible outcomes, is the one with which they agree. When the public engages the subject on the terms presented by the politician, he has successfully dumbed the issue down not to the structural components or fundamental issues of the problem but often on an emotional desire for stability. One might see the same thing as occurring in Ezra–Nehemiah, who argues that the solution to the problem faced by the *golah* community—the community itself was not central in the distribution of authority—was “radical” (to use Žižek’s term) exclusion.⁵⁹ Authorial intention in that work seems almost entirely to be focused on reshaping the social-political context in support of the *golah* community and its relationship to Yahweh. We can accept that the author was clearly aware of the complexities of his social-political environment and that his gross reduction of them into a massive, binary opposition was for ideological purposes (such as to provide a plan for a “restored” society). Otherwise, we must assume that the author was ignorant of what went on in a society. How much so if we accept the reality that the division of

58. Foucault, *Discipline and Punish*, 198.

59. R. Gnuse, who is not alone in this, argues that the strategy of radical exclusion legitimated by law was developed en masse in exile: “Jews in exile were still a peripheral people in the middle of a great river valley civilization, for they refused to become part of the social fabric of Mesopotamia and chose instead to separate themselves by observation of the Priestly laws. Basically, they rejected the values of that great culture when they chose to do so, and they could reshape and rearticulate great ideas according to their own worldview” (*No Other Gods*, 213). Certainly Gnuse refers to the cultural literary borrowing, such as the story of the flood, the heroic legends of ancestral kings, and more. He is wrong, however, in his overly reductive reduction of “Jewish” identity. Recent archaeological finds—namely, finds from Babylonian al-Yahudu—have brought to light evidence of Judeans assimilating quite well into the larger social fabric of Babylonian society (cf. Joannès and Lemaire, “Trois tablettes cuneiforms,” 17–33; Pearce, “New Evidence,” 399–411). In short, there was undoubtedly a spectrum, running the gamut from conservative to assimilationist, of reaction to a new normative social-political order.

Yehud between member and nonmember, *golah* and *am ha'aretz*, was not an actual state of affairs but the ideological product of desire, as observed in Ezra–Nehemiah—a fabrication done in order to rewrite the complex network of structures and distributions of relations of authority into something centralized around *golah* authority.⁶⁰

In this case, the mechanism of religious law facilitates the author's binary division by requiring obedience to a social-political division it itself is playing a part in creating. Is not the law, which Ezra is described as bringing, part of the authorial process of the division between remnant and other. And is not the divine law set in contrast with what we can safely assume to be the prevailing law of the land—the “illegal” violence to which Žižek refers?⁶¹ How much more so if one accepts that the law introduced by the immigrants was set in competition with an already established law of the land?⁶² It represses behaviors permissible within the land but does not reinforce the boundaries that unfairly make up the controls of the community's collective identity. Take the opening salvo from Zechariah, for example:

In the eighth month, in the second year of Darius, the word of the Lord came to the prophet Zechariah son of Berechiah son of Iddo, saying: The Lord was very angry with your ancestors. Therefore say to them, Thus says the Lord of hosts: Return to me, says the Lord of hosts, and I will return to you, says the Lord of hosts. Do not be like your ancestors, to whom the former prophets proclaimed, “Thus says the Lord of hosts, Return from your evil

60. J. Berquist writes, “The politicians also introduced, on Persia's behalf, a new law under the reign of Darius. This law may well be strongly connected to the laws of the Pentateuch in their current form. These laws served to limit Yehud's activities and to define the society in accord with an ethic of not questioning the Persian Empire. The laws produced a sense of status quo in which allegiance to this Persian-sponsored law would be likely” (*Judaism in Persia's Shadow*, 144).

61. Žižek, *In Defense of Lost Causes*, 150.

62. But one should not go so far as Finkelstein and Silberman: “[The returnees] were mainly individuals of high social and economic status, families who had resisted assimilation and who were most probably close to the Deuteronomic ideas. Though the returnees were a minority in Yehud, their religious, socioeconomic, and political status, and their concentration in and around Jerusalem, gave them power far beyond their number. They were probably also supported by the local people who were sympathetic to the Deuteronomic law code promulgated a century before. With the help of a rich collection of literature—historical compositions and prophetic works—and with the popularity of the Temple, which they controlled, the returnees were able to establish their authority over the population of the province of Yehud” (*The Bible Unearthed*, 308–9).

ways and from your evil deeds.” But they did not hear or heed me, says the Lord. Your ancestors, where are they? And the prophets, do they live forever? But my words and my statutes, which I commanded my servants the prophets, did they not overtake your ancestors? So they repented and said, “The Lord of hosts has dealt with us according to our ways and deeds, just as he planned to do.” (Zech 1:1–6)

*Legal Taboos or Categorical Restrictions:
Further Discussion on Legalized Strategies of Exclusion*

In many ways, the law operates under taboos. That is, in part, why Morgenstern can claim that the taboos on, for an example best linked with the Babylonian context, clean and unclean foods in the biblical text were intended to decrease interaction with outsiders.⁶³ And as we have seen already, the prohibition against foreigners was clearly integrated within the law as it was described in the Neo-Babylonian and Persian-period biblical texts. Yet there is always a point when taboos are outpaced by the social-political demands of desire production, which is ever-evolving in a network of discourses.⁶⁴ Institutions such as prisons, schools, and asylums, for a more modern example, enculturate political subjects within a new economy of power through repetition of behavioral norms, resulting in internalization of these norms, and inserting them into modes of production. Consequently, laws often codify an expanded set of taboos. Jeremiah 31:31–34, for example, makes permissible an expansion of taboos to focus on the body of the individual and not the collective.

Taboos are social prohibitions or restrictions sanctioned by innate, or better, internally legitimated, social means. Taboos may be enforced in a variety of ways including guilt, shame, or other actions bestowed with the force of prohibition. In that sense, taboos can be a cultural expectation codified as an extension of the intent of the law: preserving the basic social order. Yet there is an important distinction: “Taboo differs from abstract,

63. Julian Morgenstern, “Jerusalem—485 BC (Concluded),” *HUCA* 31 (1960): 24.

64. Note also, “[T]he point is that here (and elsewhere) Foucault does not seem to want to circumscribe the role of *law* (a particular form of power) as being pre-eminently negative and as functioning within a very restricted juridico-discursive economy. Law is conceived of as ‘a law which says no’ and as ‘the law of prohibition.’ It is ‘essentially,’ indeed ‘excessively,’ repressive in its mode of operation. Moreover, and importantly for Foucault, this ‘somber law that always says no’ is not just a negative power but ultimately an abidingly limited one as well (which helps explain, on this reading, its historical eclipse in modernity by more insidious, efficient and expansive forms of power)” (Golder and Fitzpatrick, *Foucault’s Law*, 16).

codified law in the degree to which the prohibited object or act is specified and developed into a symbol, or even a fetish, of the prohibition itself. Taboo is not so much a system of regulations as it is a scheme of negative differentiation, in which the fact of prohibition and the prohibited act or object itself obscure the reasons for a prohibition."⁶⁵ But this emphasis upon negative differentiation is consistent with the intent of the law. Our point is not to equate taboo and law but to argue for their mutual compatibility, especially in the context of Persian period and later Yehud, and, by extension, to law-obsessed monotheism.

Foucault's understanding of the repressive quality of law, the rationale for which also provides a plausibility basis for taboos, may be best demonstrated in his articulation of the relationship between law and sexuality (which he sees at the root of relations of law):

[T]hou shalt not go near, thou shalt not touch, thou shalt not consume, thou shalt not experience pleasure, thou shalt not speak, thou shalt not show thyself; ultimately thou shalt not exist, except in darkness and secrecy. To deal with sex, power employs nothing more than a law of prohibition. Its objective: that sex renounce itself. Its instrument: the threat of punishment that is nothing other than the suppression of sex.⁶⁶

What is plainly caught here is desire under the net of suppression. Individual desire must be restrained within the parameters of collective identity as it is understood by the law. *Not everything that I want is permissible, especially when what I want runs contrary to the good of the group.* Moreover, Foucault was tracing out the development of power, from blood (genealogy) to sexuality, or the power over sexuality:

The new procedures of power that were devised during the classical age and employed in the nineteenth century were what caused our societies to go from *a symbolics of blood* to *an analytics of sexuality*. Clearly, nothing was more on the side of the law, death, transgression, the symbolic, and sovereignty than blood; just as sexuality was on the side of the norm, knowledge, life, meaning, the disciplines, and regulations.⁶⁷

What Foucault emphasizes here is the transition from the more physical nature of power relations to the more abstract. Do we not see

65. Taken from "Taboo," in the *Encyclopedia of Religion*. Online: http://go.galegroup.com/ps/i.do?id=GALE%7CCX3424503025&v=2.1&u=lom_gvalleysu&it=r&p=GVRL&sw=w&asid=41e021860191ff9a3d7b4008838ba7a5.

66. Foucault, *The History of Sexuality, Volume 1*, 84.

67. *Ibid.*, 147 (emphasis in original).

a similar emphasis in the biblical texts, which emphasize, first, blood as the qualification of membership within the community and then more importantly as the basis for dynastic succession and, second, a reinterpretation of bloodline for more ideological purposes, as occurred in Ezra–Nehemiah?

It was not always so but as concepts of shame and taboo became linked within a legal system, expressions of individual desire became subject to suppression. Deleuze’s sense of “overcoding” entailed precisely that process of suppression, or interruption of the pursuit of desire. Through that process, individual identities are “re-coded” to reflect the identifiable characteristics of the “state.”⁶⁸ Or to put it differently, the intent of the law is to restrict the actions of the individual so that they are consistent with the stability of the state—what Foucault calls its repressive nature⁶⁹—a stability that must also incorporate the struggles and compromises characteristic of individuals and collectives in relationship—the very constitution of the social field.⁷⁰ Restricting the “permissible” actions of the individual through general, collective expression keeps the impact of group struggles and compromises within tolerable limits. *We are better equipped to respond to external threats when we have a greater sense of internal cohesion.* That is precisely what H. L. A. Hart meant when he wrote, “In any large group general rules, standards, and principles must be the main instrument of social control, and not particular directions given to each individual separately.”⁷¹

Taboos focus similarly upon the individual; perhaps that is one reason why taboos began with issues of sex and procreation.⁷² Foucault’s argument follows the idea that sex drive (sexuality, libido, desire) lies at the heart of human motivation, identity, and emotion—components that must be controlled for the stability of the “State” (social-political collective).⁷³ With

68. Deleuze and Guattari, *Anti-Oedipus*, 212–13.

69. Cf. Foucault, *History of Sexuality, Volume I*, location 1899.

70. Cf. Deleuze and Guattari, *Anti-Oedipus*, 269.

71. Hart, *The Concept of Law*, 124. Note also C. Ake, who wrote similarly, “[T]he network of political expectations, or the political structure, constitutes a system of channels or obstacles that control the flow of political exchanges (that is, the transactions and communications) between political actors, preventing political exchanges from fluctuating beyond certain limits and giving them a general regularity without making them perfectly predictable. Political structures may thus be called the ‘pattern of the flow of political exchanges’” (“A Definition of Political Stability,” 273).

72. According to C. Bell, that is precisely the point that Freud began with in his analysis of taboos (*Ritual*, 13–14).

73. As argued by Eve Kosofsky Sedgwick, *Touching Feeling: Affect, Pedagogy, Performativity (Series Q)* (Durham, NC: Duke University Press, 2003), 17.

this distinction between sacredness and taboo, which are the prevalent types within the biblical literature, we find the ritualistic distinction, *at its most fundamental level*, a category separating those things that preserve the *nomos* of social order from those that disrupt it. Even those taboos that are seemingly removed from direct influence upon the normative social order are still connected back to it. While Marvin Harris, for example, links ancient Judaism's taboo on pork to health concerns, the primary concern is not for the individual. Judean culture during the time in which the law was written was a collectivist one.⁷⁴ Because the collective functioned as the sum of its individual parts, preservation of the individual was driven by an overriding concern for the community. For this reason, Julian Morgenstern's argument that the taboos on clean and unclean foods were a way of decreasing interaction with strangers or outside groups is also correct.⁷⁵ The related emphasis upon ancestral lineage preserves the stability of the group: *this is who we are, who we have been, and we've preserved ourselves by following these cultural expectations, bodies of knowledge, and laws*. Taboos facilitate and expand upon obedience to the law by reinforcing negative differentiation. As Erhard Gerstenberger wrote, "Ethical and legal norms are responsible only in part for ethical behavior. In antiquity, but also in modernity, religions and magic taboos are added, which elude rational interpretation to a large extent."⁷⁶ And further, "The emerging Yahweh community, perhaps analogously to Persian religiosity (taboo of corpses!), became particularly sensitive against many forms of cultic pollution."⁷⁷ The heightened concern over taboo and its enforcement was a consequence of religious law's insecure position.

The Intent of Monotheistic Law Was to Create a New Normative Order

To find the suitable punishment for a crime is to find the disadvantage whose idea is such that it robs forever the idea of a crime of any attraction.⁷⁸

We need to be clear that punishments themselves do not define an operative law. Punishments are consequences of the law. So if we accept that the law Ezra is purported to have brought to Yehud (whether the entire Pentateuch or not) was a product of social-political desire, we need

74. Cf. H. Wheeler Robinson, *Corporate Personality in Ancient Israel* (Philadelphia: Fortress, 1964).

75. Morgenstern, "Jerusalem—485 BC (Concluded)," 24.

76. Gerstenberger and Schatzmann, *Israel in the Persian Period*, 502.

77. *Ibid.*, 505.

78. Foucault, *Discipline and Punish*, 104.

not dismiss that law as a *possible* functional law but merely maintain that it was a constructive one. Punishments reflect changing bodies of knowledge that develop in response to new technologies of power needed to meet the changing expectations and needs of the social-political body.⁷⁹ But the true intent of punishment is to reinforce appropriate behaviors within the normative order. *This is what happens when you don't follow the law.* In many ways, and as prisons in the United States and the high rates of recidivism have shown, it is too late for the criminal who is seen as someone outside and disruptive of the normative order of society. The law is written on the body of the criminal for the sake of the full, free citizen of the social-political body. And as Golder and Fitzpatrick put it, “[The law] is constitutively attached to a whole range of different entities, bodies of knowledge, or modalities of power.”⁸⁰

Disciplinary power, including the law, is, Golder and Fitzpatrick summarize, “constitutively linked to the knowledge of the individual and society and the way in which the ‘reversal of the procedures of individualization’ rendered necessary the giving of every person...a distinct individuality, a discrete place in the great social continuum of abnormal to normal.”⁸¹ Disciplinary power, in simpler terms, sustains the normative order. While Foucault thought that the law would diminish in the discourses of the technology of power, to be superseded by “biopower,” it still functions in establishing the paradigm upon which other, new and evolving discourses are based. It provides, in other words, a “reference point” if even in the negative. “Disciplinary power lies outside sovereignty and this does not depend on the centralized power of the state. It is in this sense that Foucault describes the disciplines as being “counter law” which “operates on the outside of the law.”⁸² Take note, for instance, of Foucault’s point here:

79. Golder and Fitzpatrick summarize Foucault’s argument helpfully: “Foucault... does not argue that the human sciences simply arose out of the exigencies of the disciplinary project. Rather, his contention is that the emergence of the human sciences as a form of knowledge of ‘man’ is intricately linked to the emergence of the new ‘technology of power,’ or the ‘new political anatomy of the body,’ that was taking shape at the turn of the eighteenth century. And indeed the prison (as well as the asylum, the workhouse, the school, and so forth) was a crucial site for the generation of disciplinary knowledge, a knowledge which thenceforth came to be generalized throughout the social body” (*Foucault’s Law*, 62).

80. *Ibid.*, 60.

81. *Ibid.*, 63.

82. Hunt and Wickham, *Foucault and Law*, 65; citation from Foucault, *Discipline and Punish*, 223. Note also, “In appearance, the disciplines constitute nothing more

But the supervision of normality was firmly encased in a medicine or a psychiatry that provided it with a sort of “scientificity”; *it was supported by a judicial apparatus which, directly or indirectly, gave it legal justification.* Thus, in the shelter of these two considerable protectors, and, indeed, acting as a link between them, or a place of exchange, a carefully worked out technique for the supervision of norms has continued to develop right up to the present day.⁸³

For Foucault, the law not only regulates proper behaviors, it also places restraints on power. “[W]e might say,” offer Golder and Fitzpatrick writing on Foucault’s theoretical position, “that it is through the law’s ‘framing’ of disciplinary power that the relationship between the two begins to emerge more clearly.”⁸⁴ But even more importantly,

[B]y purporting to exercise its supervisory jurisdiction only over the more egregious aberrations, abuses and excesses of disciplinary power, law confirms the basic claim at the heart of disciplinary power to adjudicate on questions of normality and social cohesion... Thus, in confining its legal supervision to the contested *periphery*, the instability at the very *core* of disciplinary power (the lack of epistemological certitude and authority for its normalizing project) is left unquestioned and hence reinforced. It is solely those instances of disciplinary power’s application which, in the margins, appear somewhat excessive that receive the legal treatment—everything else is plausibly rendered, in the language of disciplinary power itself, normal, as the norm.⁸⁵

In the case of early monotheism, the strict form of which was found in Persian-period Yehud and later, one problem rendered with Foucault’s theory is that the immigrating community of Judeans from Babylonia did not control the institutional and individual relationships that together gave force to disciplinary power. Ezra–Nehemiah’s engagement of the law, to note, was as a reference point, that much is true. Yet it was not a reference point that could take immediate effect within social-political relationships, going to work immediately shaping and guiding the process of normalization. Thus, the law could render nothing as plausible except the utopian aspiration of community.

than an infra-law. They seem to extend the general forms defined by law to the infinitesimal level of individual lives; or they appear as methods of training that enable individuals to become integrated into these greater demands” (ibid.).

83. Ibid., 296, emphasis mine.

84. Golder and Fitzpatrick, *Foucault’s Law*, 64.

85. Ibid.

The Reactionary Nature of Law?

What Foucault has shown us is that there is a reactionary nature within social-political bodies who suffer under the weight of law and its purpose of defining or restricting the process of normalization. Ideologies react to the influence of the law. In contrast, religious law works in reverse; it is generally prescriptive in that it seeks to *define* a normative order that is consistent with the dominant monotheistic ideology: restoration as an absolutized, stable normative order. The law shaped this commitment to restoration ideology. This order, however, necessitates the permanent categorization of the “other” as profane.

Golder and Fitzpatrick summarize Foucault’s previous point: “One of the ways in which the law achieves the aim of constituting the authority of disciplinary power is—paradoxically, it might seem—to act, and to be seen to act, as a restraint upon it.”⁸⁶ Law is authoritative through restraint, which is the power to keep anomy producing actions at bay. But how does this restraint work with—*or does it work against?*—the *constructive* nature of religious law? Perhaps the nature of the well-known Decalogue—a portion of a legal code written or redacted during the Neo-Babylonian and Persian periods—will help:

Then God spoke all these words: I am the LORD your God, who brought you out of the land of Egypt, out of the house of slavery; you shall have no other gods before me. You shall not make for yourself an idol, whether in the form of anything that is in heaven above, or that is on the earth beneath, or that is in the water under the earth. You shall not bow down to them or worship them; for I the LORD your God am a jealous God, punishing children for the iniquity of parents, to the third and fourth generation of those who reject me, but showing steadfast love to the thousandth generation of those who love me and keep my commandments. (Exod 20:1–6)

And the prohibitions go on: two more emphasize allegiance to Yahweh, by honoring the name of Yahweh and by observing the Sabbath; the remainder focus on what may be described as proper moral behavior that preserves cohesiveness of the social-political body and the distributed relationships upon which its power hierarchies are based. The important point to note is the immediate restrictions set out by what many consider to be the prologue to a larger Covenant Code. The authoritative “Other”—and here we are invoking Žižek’s definition—who stands on the opposite side of the law, asserts his positionality before the social-political body:

86. Ibid.

I am your god, which could also read easily as *I am your sovereign*.⁸⁷ Yahweh's introduction of sovereignty is immediately followed by—and one might notice an insecurity here—restraints on the permitted behaviors within the social-political body. These restraints seem to be focused on the possibility of power in the hands of social-political agents that might delegitimize the power of Yahweh. Paranoia over that possibility can be seen in the initial blessing and curse, a model that would be adopted later by the Deuteronomist: “punishing children for the iniquity of their parents, to the third and fourth generation of those who reject me” and “showing steadfast love to the thousandth generation of those who love me and keep my commandments” (Deut 5:9–10). Of course, what happens when the child of one who “loves” Yahweh rejects him? These positive and negative responses demonstrate an elementary understanding of psychological behavior. *If my immediate needs are met by legitimating through my actions the behavior of Yahweh, why would I risk losing it all?* One could even see it in reverse: the law, or the Other, internalizes those individuals and actions that are “pleasing,” that support the authority of this Other, and rejects those that don't support the social-political body and the qualities it defines as “member.” This is a consequence produced through engagement of the law because the law projects an idealized version of the collective self.⁸⁸ The adage “you are what you eat” is certainly correct, in a metaphoric sense, here. Consumption of an ideal—Berger describes this as “internalization”—will eventually produce something that appears to be the desired result.

But let us also not forget that the event that introduced the law was a reactionary one. The metaphor of the flight out of Egypt, which Ezra–Nehemiah also employs eagerly, speaks more generally to fleeing an oppressive situation under a “foreign” law and a corresponding low position in the social-political hierarchy. Yet the liberating quality of the law is found in its imposed restraints: there is an implied *quid pro quo* in its very articulation—you will receive the material benefits of a higher status and full citizenship *if* you validate me as your sovereign. Isn't that

87. And this is precisely the point that J. Wellhausen and others have made in light of the larger context in which the law was given. According to Exodus, Moses was on Mt. Sinai, having ascended what Eliade describes as the *axis mundi*, in face-to-face contact with the Other, to receive the law. Thus, the delivery of the law presupposed the institutional structures upon which most laws, even those of an ancient context, depend. The Deuteronomist would pick up on this “theocratic” style of governance in his typically negative assessment of the different kings of Israel and Judah.

88. Cf. Ake, “A Definition of Political Stability”, 271; Hart, *The Concept of Law*, 113–14.

the way of it with any new “other” as sovereign? A response to insecurity by imposing even more oppressive restraints? Thus, Ezra must reject the foreigner as the true oppressor in order to validate his vision of a new social-political order. And isn’t this also true of monotheism even in the modern world? This fetishistic obsession with the law precisely because it preserves the existence of the other as a foil against which the identity of the member is cast? And is this not one reason why it is possible within Judaism to be agnostic or even atheistic and still be Jewish? Or that within Christianity, the institution of the Catholic Church, wherein the authoritative interpretation of the legal requirements before God, offers a stand-in for the divine Other? Even in the Protestant variation, following a deemphasis upon tradition and structure—yet isn’t it ironic that the most successful Protestant denominations have reemphasized structure?—as one might excitedly see in Martin Luthers’ claim “*sola fide!*” there is still an emphasis upon proper behavior and obedience. It is now up to the individual to “get it right.” The flight out of the oppressive nature of the law, as Paul describes it (cf. Rom 8:20), demands that the community play an increasingly active role in enculturating individual members to the ethical patterns that clearly mark the individual as a member of the community: the so-called Fruits of the Spirit (cf. Gal 5:22; Rom 8:23). This seems to be Foucault before Foucault. Disciplinary power depending upon networks and subnetworks of relations. Collective identity no longer centered on law but upon the community in motion.

Why the obsessive reaction of the law in Ezra–Nehemiah, or even its later counterparts in Judaism and Christianity? The law did not govern a political body—academic longings for a theocracy in Yehud are mostly a product of romantic scholarly visions of monotheism as an intellectual, philosophic, and of course religious achievement.⁸⁹ In addition, restoration is still a future event for monotheism. The unspoken fear of monotheism, which we see take root in the context of Yehud, is that there is no object, no shared collective symbol, no God that can adequately support the monotheistic identity. That restoration will never happen, that it has all been a façade, that there will never be any reward for repression of our own individual desires. That is why monotheism needs a mysterious God that both liberates and oppresses. It too is subject to the same cultural forces that define and restrict. Of those, in a more general sense, Colebrook writes,

89. I presented a sustained argument against proposals that Yehud was a theocracy in the Persian period in Cataldo, *Theocratic Yehud*.

Insofar as I speak, I must submit myself to a law of language and I will necessarily desire what lies beyond that law; I will also require some symptom or object that seems to compensate for, or stand in the way of, my full enjoyment. Without the fantasy of one who is standing in the way of my desire I would have to accept that my desire is essentially unattainable, precisely because it is the negation of all thought and system.⁹⁰

While Colebrook describes Lacan's theory on the law of language, she refers to the source of the law as something capable of expression.⁹¹ If we apply that strategy here, the excluded other, the profane, the sinner, is necessary for monotheism absent any tangible presence of the divine sovereign. The excluded body of the other confirms by virtue of its exclusion the credibility of the law.⁹² That is the meaning behind Ezra–Nehemiah's portrayal of the Ammonites and Moabites, who must always exist and must always be rejected by the law for the sake of the community itself (cf. Neh 13:1). They are the symbolic rejected body. They are not productive in themselves but only for the member as a preservation of the negative.

A Final Word on Law as a Framework for Restoration

We have made the case that divine law provides a blueprint for restoration. Because restoration requires a restructuring of the social-political world, the force of the law must maintain the separation between insider

90. Colebrook, *Understanding Deleuze*, 13–17. She notes further that, for Žižek, “this explains the necessity of the cultural ‘symptom.’”

91. Žižek puts it this way, “[T]his opposition is, of course, the opposition between Symbolic Law (the ego ideal) and the obscene superego: at the level of the public symbolic Law, nothing happens, the text is clean, while, at another level, it bombards the spectator with the superego injunction ‘Enjoy!’, that is, give way to your dirty imagination... And this double reading is not simply a compromise on the part of the Law, in the sense that the symbolic Law is interested only in keeping up appearances and leaves you free to exercise your fantasies, insofar as they do not encroach upon the public domain, namely insofar as they save the appearances: the Law itself needs its obscene supplement, it is sustained by it, so it generates it” (*In Defense of Lost Causes*, 242–43).

92. This point is supported by Foucault's assertion that “the systems of punishment are to be situated in a certain ‘political economy’ of the body: even if they do not make use of violent or bloody punishment, even when they use ‘lenient’ methods involving confinement or correction, it is always the body that is at issue—the body and its forces, their utility and docility, their distribution and their submission” (*Discipline and Punish*, 25).

and outsider, or member and nonmember. It must, in other words, become the mechanism through which authority is re-institutionalized, and the network of intersubjective relations redefined according to the composition of the community.

The Deuteronomist identified this radical purpose of the law when he wrote, “When the LORD your God brings you into the land you are about to enter and occupy, and he clears away many nations before you...and when the LORD your God gives them over to you and you defeat them, then you must utterly destroy them. Make no covenant with them and show no mercy” (Deut 7:1–2). Was the law descriptive or constructive in nature? To appreciate it as descriptive of reality either requires that the religious law of an immigrating community created and sustained the framework of dominant social-political behavior in the province, which would necessitate legitimation by the whole of society, or it requires that its regulations were intended for the religious community alone. It is in this direction that we turn next.

The exaggerated emphasis upon exclusion betrays the remnant community’s attempt at remapping the distributed relations of power. Thus, the rituals and confessions that occupy the community deal with actions and ideologies that focus directly upon creating and enforcing boundaries. Those boundaries are directed at a (desired) reorganization of the larger social-political body. This occurs through strategies of exclusion, through taboo, or categorical restrictions, developing strategies for redefining the normative, and using the law as a mechanism of repression⁹³ and as a symbolic ideal of restoration. Restoration is the ideal that provides the purpose and mission for redefining the organization of the social-political body. Law and exclusion are mechanisms toward that end. And ultimately, those are the nascent steps of monotheism.

93. The Jewish or Christian martyr is the carnivalesque response at the extreme of this. *I subject myself so much to the repressive will of the Other that I sacrifice my own desire to live all for the glory of the Other.*

Chapter 5

CONSTRUCTIVISM AS A CONSEQUENCE OF EXILE

The Israelite state had become completely incompatible with the religious purposes for which the Israelite community had originally been created... It had not even been capable of acting competently enough to ensure its own political survival. It is not surprising that most of the preexilic biblical prophets predicted its destruction. Once the Israelites dropped the illusion that their state and its divine patron would protect them, they were free to inquire into the religious source of real and lasting security, such as represented by the Yahweh of the Sinai covenant.¹

To agree completely with George Mendenhall is to be caught up in the romance of the Bible. *"They were free to inquire into the religious source of real and lasting security."* But he does highlight an important trend: the belief preserved within the biblical narrative that the past nature of society (which amounted to anomic law-breaking) must be replaced by a more stabilized, orderly one (which is meant by "restoration"). Whether what the biblical texts describe is descriptive or constructive is another but desperately important matter, and one that will occupy, but not settle everything, for us here.

It is not new to say that the dislocation caused by exile resulted in utopian dreams for a restored world. This restored world would not be the world that was, that world had led to exile. *"Again I will build you, and you shall be built, O Virgin Israel" (Jer 31:4)*. It must be a purified world, one whose people had been judged and deemed worthy of divine salvation—where the line between member and nonmember was clear and powerful. *"Turn to me and be saved, all the ends of the earth! For I am God, and there is no other" (Isa 45:22)*... *"Listen to me... Israel... I will carry you" (46:3–4)*. The biblical texts describe the path to that world, the internal formation that the community must undergo. But it

1. Mendenhall, *Ancient Israel's Faith and History*, 179.

would be up to the community, like a bride regaining her virginity,² to make herself ready for that world.

In the sense of restoration as a “cleansing process,” Emil Fackenheim was correct when he wrote,

A people cannot survive in a disastrous exile unless it can view that exile as meaningful, and unless it has an abiding hope. In short, existence in Galut required Galut Judaism, defined by the belief that exile, while it lasts, must be patiently endured, and that its end is a secret in the keeping of God.³

While he refers specifically to the Diaspora Jewish community post-70 CE, the sociological mechanism of response he identifies remains appropriate as a description for even the sixth–fifth century BCE. There is an alluring similarity between the two events, both of which emphasized the importance of similar survival mechanisms or strategies. In both cases, the threatened community focused internally, centralizing around shared objectives that directed the community toward a common strategy of survival.

And in each case, the relevant community responded to external events that shook its world by focusing internally upon itself, by centralizing around shared objectives and ideals that once legitimated would provide the needed structural social-cultural (we need not distinguish religion from culture here) support. The biblical authors found meaning in the exile: it was an act that both purified the land (gave the land its sabbaths) *and* purified the community.

Understanding the Social and Political Aspects and Impacts of Constructivism

While Nicholas Onuf is often credited with the term “constructivism,”⁴ especially in the field of international studies, Alexander Wendt may be better known as the one who developed a more stable theory of social

2. On “humorous” note, Growthtrac Ministries claims there are seven steps to regaining one’s virginity, which the organization’s philosophy has effectively spiritualized. See <http://www.growthtrac.com/seven-steps-to-regaining-and-maintaining-virginity/#.VYF3-hNViko> (accessed June 17, 2015).

3. Emil L. Fackenheim, *To Mend the World: Foundations of Post-Holocaust Jewish Thought* (Bloomington: Indiana University Press, 1994), 16–17.

4. See Nicholas Greenwood Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia, SC: University of South Carolina Press, 1989).

constructivism.⁵ He states that constructivism maintains the position that the core aspects of any reality are products of ongoing processes in social practice. Core aspects are those things that a culture might hold to be objectively true (like the benefit of Western democracy to human rights) or those things taken for granted (like the value of money in a Capitalist context). All practices are relevant here, those that help comprise the norm and those that deviate from it, as well as those that shape various types of interaction (interpersonal, intra-personal, intercultural, etc.). These core aspects are not innate to human individuals, or even to interpersonal relations. In other words, we produce (and are always producing) the fabric of our social realities.⁶ As Wendt describes, “A fundamental principle of constructivist social theory is that people act toward objects, including other actors, on the basis of the meanings that the objects have for them.”⁷ And further, “the meanings in terms of which action is organized arise out of interaction.”⁸ Perhaps somewhat paradoxically, once it identifies objects primary to its enterprise, constructivism tends to resist changing its rules.⁹ This tendency reflects the social need to maintain stability by controlling change, even in a vision that sees change as the mechanism for bringing about a new, stabilized vision for the world (recall the above quote from Mendenhall).

The shared norms characterizing an organized social-political body (such as a State) must continually be acted upon.¹⁰ Their “objective” status is entirely contingent upon their continued affirmation. For instance:

If states stopped acting on those norms, their identity as “sovereigns” (if not necessarily as “states”) would disappear. The sovereign state is an ongoing accomplishment of practice, not a once-and-for-all creation of norms that somehow exist apart from practice. Thus, saying that the “institution of sovereignty transforms identities” is shorthand for saying that “regular practices produce mutually constituting sovereign identities (agents) and their associated institutional norms (structures).”¹¹

5. Alexander Wendt, “Anarchy Is What the States Make of It: The Social Construction in Power Politics,” *International Organization* 46, no. 2 (1992): 391–425.

6. Cf. the larger work of Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*, Digital ed. (London: Penguin, 1967).

7. Wendt, “Anarchy,” 396–97.

8. *Ibid.*, 403.

9. See Nicholas Greenwood Onuf, *International Legal Theory: Essays and Engagements, 1966–2006* (New York: Routledge-Cavendish, 2008), 313.

10. Wendt, “Anarchy,” 413.

11. *Ibid.*

If in studying the social-political nature of Yehud one were to ask, Why is it even relevant to discuss sovereignty of a political community in relation to the biblical texts of the Neo-Babylonian and Persian periods?, the answer could only be, “Precisely!” That we cannot talk of any formal structure or sovereignty based on utopian thinking fashioned outside the real structure of empire and province is in itself a compelling argument against the existence of a theocracy—a reemphasized point from the previous chapter. But this does not mean one should throw out the biblical texts altogether—*the baby with the bath water!* The lack of a formal(ized) structure characteristic to a theocracy does not mean that the biblical authors themselves, or the communities they represented, did not envision one. A theocratic structure *does* best portray the nature of biblical restoration that has become intrinsic to monotheism, both in its historical more compact forms and its modern more complex ones.¹² But that portrayal is constructivist, utopian. To make it real would require a radical change to the social-political institutions that were already at work. But let’s argue this point in terms of power and its relation to constructivism.

According to Wendt, a fundamental principle of constructivist theory is that people act towards objects on the basis of the meanings those objects have for them. This principle should sound familiar. It is closely aligned with Foucault’s notion of power, though Foucault has been criticized for not adequately addressing “constructive agency”—*Can we build a new structure for our social world? Can we hope in it and orient our behaviors around that hope? Yes, we can!*¹³ In light of her critique of Foucault, Simone Bignall points out that power and desire are central to the postcolonial understanding of agency, a perspective that must be engaged because its influence is growing within the field of biblical studies.¹⁴

12. Cf. the larger discussion between compact and complex forms of monotheism in Cataldo, *Breaking Monotheism*, 1–4.

13. This critique of Foucault was pointed out by Bignall in *Postcolonial Agency*, 131. See also her definition of “constructive agency” in *ibid.*, 13.

14. Note further, “Central to the creation of a postcolonial concept of agency is the need to reconsider the nature of power and desire, which together constitute the conditions and the impetus for social action. The first aim of this chapter is to present an alternative perspective on power, not conceptualised in relation to mastery. This is found in Deleuze’s interpretation of Nietzsche, and in Foucault’s elaboration of this in *Discipline and Punish* and the *History of Sexuality*. However, Foucault’s analysis is largely limited to the constitutive effects of power upon the subject, and the scope for constructive agency is often not understood or is obscured in readings of Foucault’s work. I will suggest,” and here Bignall offers a Deleuzian correction to Foucault, “that this problem arises because Foucault does not adequately emphasize desire as

To understand the larger context, and to introduce Foucault's understanding of powered agency, one should note that Bignall mirrors precisely Deleuze's position in her attempt to rescue Foucault from illiteracy in terms of postcolonial agency. Despite his seeming obscurantism on the topic, she argues, Foucault was aware of the influences of relative desires on the construction of power; this awareness comes through in a few "explicit moments" from his work. Where most readings of Foucault conflate his differentiation of macro and micro categories of power in light of spatial relations and differences in degree or scale, Foucault was aware of a more profound distinction. As Bignall puts it:

This distinction is made in terms of time, duration or movement, in terms of differential speeds and slowness, flux and stoppage. For example, in *The History of Sexuality*, Foucault (1990: 93) distinguishes "power" and "Power" according to the different dynamics of the force relations that compose them. The first is conceived in terms of "the moving substrate of force relations which, by virtue of their inequality, constantly engender states of power; but the latter are always local and unstable." The second, Power, which "insofar as it is permanent, repetitious, inert and self-reproducing, is simply the overall effect that emerges from all these mobilities, the concatenation that rests on each of them and seeks in turn to arrest their movement."¹⁵

For Foucault, constructivism in power relations occurs at the level of production. That is, it shapes individual and collective ideological dispositions in their relations to others and to objects, such as symbols and institutions of authority, within a given cultural context. What this means is that his position reflects that of Deleuze, who emphasizes that "macropolitics" is a politics of form that "establishes and manipulates structures and strata," and "micropolitics" is a politics of transformation, "a politics of

a causal component of agency. While there are constant references to desire made in the context of his history of sexuality and his later work on the ethical practices of the self, ultimately Foucault shows how a *concept* and *practice* of 'desire' is produced in modernity as an effect of power, captured by discourses of sexuality and modernity as an effect of power, and reduced to an aspect of pleasure. This obscures the way the *force* of desire itself acts as a cause in the production of social forms" (ibid., 131, emphasis in original). On the growing influence of postcolonial studies, cf. the works of Berquist, "Constructions of Identity," 53–66, and R. S. Sugirtharajah, *Postcolonial Criticism and Biblical Interpretation* (Oxford: Oxford University Press, 2002); idem, *Exploring Postcolonial Biblical Criticism: History, Method, Practice* (Chichester: Wiley-Blackwell, 2012).

15. Bignall, *Postcolonial Agency*, 136.

movement, of contestation, of difference, of the creation of novel identities through shifting political relations between selves.”¹⁶

What does Foucault’s (and Deleuze’s) distinction between micro- and macro-level politics mean for Yehud? The primary focus of the biblical texts upon the micro-level—their *obsessive* focus—implies either the absence of or an ignorance of any corresponding macro-level politics, the real “form” that stabilizes the ideological and relational elements fundamental to intersubjective relationships and desire production. And if we were to put a name to this hypothetical “form,” what other should we use than “theocracy”? The obsessive nature of this focus derives from the biblical attempt to construct something along the lines of what Wendt described above as the “shared norms of the State,” where “state” may for our purpose be a general reference to a self-governing social-political body. To better understand the patterns of relation on the “micro-level” that the Bible describes, we are, given that we are dealing with a historical text and context, limited primarily to the relations between individuals and objects as described by the ancient author. Moreover, by highlighting the lack of any “macro-level politics” that stabilizes, and therefore legitimates the “shared norms” of the social-political body, we better understand the biblical emphasis upon law and restoration as a *constructive* articulation of a new social-political identity. *There was no “politics of form” or structure that supported the “remnant” community’s utopian desire.* This “micro-level discourse,” which occupied itself with many matters that would otherwise have merely been taken for granted, was a direct consequence of the destabilizing impact of the exiles. In short, the community clearly expressed its vision for a stabilized world in the biblical texts, but it lacked the power to enforce its vision upon the broader social-political, provincial context. The biblical emphasis upon rituals and prioritization of shared objects exposes the fact that these things were not “taken for granted.” That is, they needed to be repeatedly emphasized as having objective values the people *should* internalize. This point can be seen in any number of the biblical books related to the “return” and to articulating desires for restoration. We’ll discuss some of these in the following sections.

16. According to *ibid.*, 137. Bignall writes further, “Macropolitics is a politics of consolidation, of stability, of the reproduction of identity by the fixture of power relations into regular hierarchies of dominant and subordination. Micropolitics or deterritorialisation describes the goal and action of resistances directed at the ‘permanent, repetitious, inert and self-reproducing’ structures of domination that constitute the ‘state-form,’ the ‘terminal forms’ of Power, which function by delimiting a conceptual ‘territory’ defined by its rigidity and its capacity to preserve its form” (*ibid.*).

“We Are the World”:
Defining “People” as a Shared Object in Malachi

I have loved you, says the LORD. But you say, “How have you love us?” Is not Esau Jacob’s brother? says the LORD. Yet I have loved Jacob but I have hated Esau; I have made his hill country a desolation and his heritage a desert for jackals. If Edom says, “We are shattered but we will rebuild the ruins,” the LORD of hosts says: They may build, but I will tear down, until they are called the wicked country, the people with whom the LORD is angry forever. Your own eyes shall see this, and you shall say, “Great is the LORD beyond the borders of Israel!” (Mal 1:2–5)

Malachi, which many scholars date between 515 BCE and 445 BCE, identifies the contours of the desired object (the autonomous social-political body) through negation: a “restored Israel” would be seen only after the true nature of “Israel” as chosen by Yahweh is understood.¹⁷ Jon Berquist puts Malachi before the traditional dates for Ezra and Nehemiah with the understanding that the text helps lay some of the framework for the attempted social stabilization Ezra–Nehemiah describes.¹⁸ Fueled by anxieties over social instability, Malachi maintains that restoration will be seen, to put it bluntly, when both clergy and lay—the entire cultic enterprise was at fault—“get their acts together.”¹⁹ Both parties, Paul Redditt

17. B. Glazier-McDonald is correct (in “Malachi,” in *Women’s Bible Commentary [Expanded Edition]*, ed. Carol A Newsom and Sharon H Ringe [Louisville: Westminster John Knox, 1998], 248) that the figures of Jacob and Esau should be interpreted not as literal individuals but as (shared) symbols of the nations descended from them. Regarding the dating of Malachi, see Paul L. Redditt, “The Book of Malachi in Its Social Setting,” *CBQ* 56, no. 2 (1994): 241–42. See also Assis (“Moses, Elijah and the Messianic Hope: A New Reading of Malachi 3,22–24,” *ZAW* 123, no. 4 [2011]: 215–16) who argues that Malachi was active after the time periods described in Haggai and Zechariah. Malachi seems to assume the temple was built.

18. Jon L. Berquist, “The Social Setting of Malachi,” *BTB* 19, no. 4 (1989): 121.

19. Using P. Hanson’s “four responses to calamity” (reinterpretations of the royal, priestly, prophetic, and wisdom traditions), which existed before the exile but were reinterpreted after exilic events, J. Berquist argues that social fragmentation prohibited religious uniformity. Malachi’s message, therefore, was meant to generate a commitment to a uniform, religious ideal (cf. *ibid.*). According to him, the consequences of social fragmentation can be clearly seen in the various foci of the six units, or oracles, within Malachi: (1) 1:2–5, with a focus on the ethnic hatred between Yehudites and Edomites; (2) 1:6–2:9, indicating a division between priest and laity; (3) 2:10–16, with a focus on marriage and divorce, which Berquist admits is slightly confusing in relation to the book’s overall focus; (4) the material surrounding 3:2 and the discussion of divine judgment; (5) the larger context of 3:9, 12 with its focus on

describes, were guilty of “interpersonal and cultic sins,” where one may read “sin” as attitudes and behaviors that threaten the normative order.²⁰ The redactor of the book, whom Redditt posits was a Levite, was largely concerned with the “protection of the community, conversion of some skeptics, and the purification of the Levites and, hence, of temple worship on the coming Day of Yahweh.”²¹ This emphasis upon protection fits with our argument that Malachi was written (or redacted) with the intent of rallying collective identity around the community as a body comprised of a defined set (i.e. fitting within certain ideological parameters) of intersubjective relationships itself as a shared object or ideal.²²

To emphasize its focus on the distinction of the community, Malachi uses Edom as a foil against which the identity of the religious community is cast. Note again, for instance, the statement from v. 4: “If Edom says, ‘We are shattered (רָשָׁנוּ); or, ‘we have been beaten down’) but we will rebuild the ruins...’” The statement provides both a physical and an ideological description: (1) the physical ruins—but of Jerusalem and not Edom—must be rebuilt and (2) the full nature of “Edom” as a social-political identity has been effectively annihilated.²³ Even if the Edomites tried to rebuild—the

curse and blessings; and (6) 3:13–4:3 with its focus on the punishment of evildoers and the rewarding of those who are obedient (see 122). His omission of 3:22–24 [Eng. 4:4–6] is not accidental. A number of scholars view those verses as later additions that were not written by Malachi (cf. Assis, “A New Reading of Malachi 3:22–24,” 207; see also his discussion of those scholars who view Malachi as part of the unified corpus with Haggai and Zechariah, in 207 n. 4).

20. Redditt, “Book of Malachi,” 241. See also Assis, “A New Reading of Malachi 3:22–24,” 210. Redditt writes further, “[T]he redactor had at his disposal two written collections of materials from the same prophet. The first collection (1:6–2:9; 2:11[?]13–16) castigated the priests; the second (1:2–5; 2:10, 12; 2:17–3:1a + 3:5; 3:6–7; 3:8–12; and possibly 3:13–15) condemned the laity. The redactor provided the superscription (1:1) and most of ch. 3, specifically 3:1b–4, 13–21 (reapplying 3:13–15, 18). Either he or the redactor of the Book of the Twelve added 3:22–24 (Engl. 4:4–6)” (“Book of Malachi,” 249). Note also that Berquist, who builds off the work of C. C. Torrey and S. Talmon, makes a case for a three-party context rather than two (cf. “The Social Setting of Malachi,” 121–26; see also Charles C. Torrey, “The Prophecy of Malachi,” *JBL* 17 [1898]: 11 n. 21; Shemaryahu Talmon, “The Emergence of Jewish Sectarianism in the Early Second Temple Period,” in *Ancient Israelite Religion: Essays in Honor of Frank Moore Cross*, ed. Patrick D. Miller Jr., Paul D. Hanson, and S. Dean McBride [Philadelphia: Fortress, 1987], 599).

21. Redditt, “Book of Malachi,” 241.

22. See also Berquist, “The Social Setting of Malachi,” 124.

23. Note Glazier-McDonald: “However, whereas Yahweh loved Jacob, Esau was detested, and Malachi refers to some recent desolation of Edom’s territory as proof

same activity Malachi was encouraging of the “returnees”—they would be discouraged from completing their task because they are “the people with whom the LORD is angry forever.” The juxtaposition between the favor and anger of Yahweh is one common within the biblical texts. Defining the body of an “other” as an object lesson for the remnant community is also a common technique, and one that betrays legitimated prejudices held by the community. Within Malachi the disposition of Yahweh becomes the primary means of identifying the contours of social-political identity and membership. One is considered a “member” or “nonmember” based on whether one is favored by Yahweh or the subject of his anger. Appealing to the frightening consequences of the Divine as disciplinary power—motivation through immediate realizable fear—shows a focus on actively defining the boundaries of social-political identity.²⁴ The author’s primary dependence upon emotional appeal suggests the lack of structural legitimation, or the lack of a dominant structure and a normative relationship

of that statement. Although no reason is given for the hatred of Edom, Malachi’s animosity is likely rooted in Edom’s participation in the Babylonian destruction Judah in the sixth century B.C.E.” (“Malachi,” 248).

24. This type of rhetorical strategy, motivation through a fear of impending chaos, is common among revolutionary ideologues. Stalin, for colorful example, wrote, “To enable the proletariat to utilise the impending revolution for the purposes of its own class struggle, to enable it to establish a democratic system that will provide the greatest guarantees for the subsequent struggle for socialism—it, the proletariat, around which the opposition is rallying, must not only be in the centre of the struggle, but become the leader and guide of the uprising. It is the technical guidance and organisational preparation of the all-Russian uprising that constitute the new tasks with which life has confronted the proletariat. And if our Party wishes to be the real political leader of the working class it cannot and must not repudiate these new tasks. And so, what must we do to achieve this object? What must our first steps be? Many of our organisations have already answered this question in a practical way by directing part of their forces and resources to the purpose of arming the proletariat. Our struggle against the autocracy has entered the stage when the necessity of arming is universally admitted. But mere realisation of the necessity of arming is not enough—the practical task must be bluntly and clearly put before the Party. Hence, our committees must at once, forthwith, proceed to arm the people locally, to set up special groups to arrange this matter, to organise district groups for the purpose of procuring arms, to organise workshops for the manufacture of different kinds of explosives, to draw up plans for seizing state and private stores of arms and arsenals. We must not only arm the people ‘with a burning desire to arm themselves,’ as the new Iskra advises us, but also ‘take the most energetic measures to arm the proletariat’ in actual fact, as the Third Party Congress made it incumbent upon us to do” (*Works* [Moscow: Foreign Languages Publishing, 1952], 135–36).

to it that already predisposes individuals toward the desired mode of behavior.²⁵ *If I lack the cultural support to compel you, I will appeal to your passions.*

In the case of Malachi, this appeal fits within the growing monotheistic sentiment of the “remnant” community associating itself with the ideal social-political community of a “restored Israel”—but an ideal that may be more in line with a theocracy than a monarchy.²⁶ Malachi 1:4–5 does not distinguish between the god(s) of Edom and the god(s) of Israel. The pseudonymous prophet (“malachi” means “my messenger”²⁷) maintains that Yahweh is authoritative over even Edom, which resides outside the political boundaries of Yehud—political boundaries were the typical borders of divine territories in the ancient Near East. The use of the term “Israel,” in contrast to Edom, in v. 5 is consistent with Ezra’s use of the term. In other words, it speaks of a restored political community, the product of Yahweh’s desire as an already identifiable reality whose borders mark the clear distinction between built and destroyed, order

25. We are suggesting that this was true for the community vis-à-vis the larger social-political body. Berquist makes a similar observation but extends it to the larger social-political body: “The empire chose a *laissez-faire* policy, and no internal group could exert sufficient socio-political pressure to unify the people. In the absence of a strong central group, the many minority positions continued to fragment the society” (“The Social Setting of Malachi,” 122). On the contrary, the empire’s *laissez-faire* policy extended only to allowing the local social-political institutions to operate but to do so in accordance with imperial policy (cf. Cataldo, *Theocratic Yehud*, 34–66). Berquist’s statement would be more correct if it said that the social-political context was marked by minority groups in competition and that none was strong enough to assert authority over the dominant social-political normative.

26. Cf. Assis, “A New Reading of Malachi 3:22–24,” 214–20.

27. See a supporting discussion in Blenkinsopp, *Judaism: The First Phase*, 201. But see also S. Cook, who is dismissive of translating the name as a general reference to an anonymous author. “The...position is an unnecessary hypothesis as there seems to be little basis for assuming (as some do) that the name was lifted from God’s reference to ‘my messenger’ later in the book (Mal. 3:1). The figure in 3:1 is no prophet at all, but the angel (in Hebrew, literally, ‘messenger’) who led Israel’s camp during and after the Exodus from Egypt (Exod. 14:19; 23:23; 32:34; Num. 20:16; cf. Josh. 5:14)” (“Malachi,” ed. Stephen L. Cook, 2009, n.p. Online: <http://www.oxfordbiblicalstudies.com/article/opr/t280/e47>). Cook’s conclusion is remiss, if not egregious. The Hebrew term does not denote a specific being but a category. Moreover, there are numerous uses of the term outside the context of the Exodus. The same word is used, for instance, in Gen 32:4, Deut 2:26, Judg 6:35, and 1 Sam 6:21, each time denoting a human messenger sent by another human with no relation to the context of the Exodus.

and chaos, favored member and *dis*-favored nonmember. And one should not lose sight of this critical point: “Yahweh’s desire,” or favor, is the community’s own externalized projection of an ideal normative order, one in support of the community as socially dominant. *For I the LORD do not change; therefore you, O children of Jacob, have not perished (Mal 3:6)*. In other words, we cannot consider Yahweh to be a cause (in terms of a cause that brings about an effect) that functions in isolation. “Yahweh” represents the shared ideal and desire the community maintained for itself: that it would be a unified body, with claim to the land, established in a position of social-political authority, and supported by an indefatigable source of power.

And we must remind ourselves of the source for this identity—which really is the assumed collective identity of the social-political body of a restored nation—as one found in religious ideology, which puts it under the control of priest and prophet. This correlation explains Malachi’s immediate shift to the corruption of the priesthood (see 1:6–14), which includes a curse against those who offer blemished sacrifices (v. 14). But note also the statement in the second part of the verse: *כי מלך גדול אני אמר יהוה צבאות ושמי נורא בגוים* (“for I am a great king, says the LORD of Hosts, and my name will cause fear among the peoples”). The correlation between Yahweh as king and the recipient of cultic sacrifice should not be overlooked. Even if such correlation is explained as a common ancient Near Eastern motif—the divine as king who bestows regency upon a human representative—it assumes a central point of political authority that is ideologically justified by a dominant religious-cultural meaning framework. Elie Assis suggests that hopes in a restored monarchy were abandoned in Malachi, and were replaced by a greater emphasis upon the political authority of Yahweh and the prophet as his “statesman.”²⁸ The metaphor of Yahweh as king expresses the desire of the community for the re-articulation of the social-political body—and by “re-articulation” we mean the redefinition of the distributed relations of power (Yahweh as king, not Cyrus or his appointed representative). Yet to speak of Yahweh as king, as the “lord of hosts,” a militaristic title, implies that the desire expressed in the text was for a political authority and power that maintained the distinction, which would be preserved in the constitution of Israel as a new social-political body, over the borders between “Israel and Edom” and that subsequently preserved the social-political autonomy of a *restored* nation.²⁹ But during Malachi’s time,

28. Cf. Assis, “A New Reading of Malachi 3:22–24,” 218.

29. For further reference, note E. Gerstenberger, “A fundamental sociological philosophy plays an important role in all questions about the formation of identity and

that social-political reality was entirely utopian. And if Assis is correct that Mal 3:22–24 [4:4–6 Eng.] belongs to the original composition of the book and was not a later addition then this Utopia would look more like a theocracy than a monarchy.³⁰ After all, “Israel” did not exist in the ethnic or political senses; the Assyrian Empire saw to that in 722 BCE. Yet Malachi, like Ezra before him,³¹ employed the term in a constructivist sense—he defined the identity of the political before that body existed.³² This explains why physical actions (violence, division such as in divorce) were coupled with ideological assertions of “Israelite” identity. The new identity needed to be forged.

Joseph Blenkinsopp notes that Malachi and Ezra shared a concern for intermarriage, a theme that he uses to date Malachi, in contrast to Berquist, after Ezra and explain Malachi’s position as a repose to Ezra’s.³³ His statement regarding Malachi’s position on divorce is worth mentioning.

internal structure: the Judeans of the Persian epoch of necessity organized in a form that has to be situated between family and clan, on the one hand, and an impersonal bureaucratic imperial society, on the other. Such sociological patterns of a ‘middle’ position still participate in the personal relationships and conceptions of solidarity of the familial small groups, but they also share in the relations that are no longer based on the ‘I–you’ relationships but on broader governmental and nongovernmental levels of organization. Precisely this in-between existence holds major possibilities and risks for the communities of all times and their paradigms of faith. It explains the predominantly personal categories in theology and ethics that can be ascertained in the Judeo-Christian tradition. It also suggests that the biblical witnesses lack concepts representing the interests of the state due to lacking responsibility in the imperial realm” (*Israel in the Persian Period*, 448–49).

30. See his argument in Assis, “A New Reading of Malachi 3:22–24,” 207–11. Note also, “Elijah’s mission to ‘turn the hearts of the fathers to their children’ (3:24) is reminiscent of the call by the prophet in 3:7: ‘Return unto Me, and I will return unto you.’ The reference to the fathers and their children in the last verse of the book recalls 1:6. The threatening description of the Lord’s coming in 3:24 also takes us back to 3:1. The function of the prophet ‘and he shall return’ (וְהָשִׁיב), parallels the function of the priest in 2:6. These affinities strongly suggest that these verses were written from the outset as the closing to the Book of Malachi, though admittedly they would also serve as a fitting closing to the Pentateuch and Prophets” (209).

31. Cf. Blenkinsopp’s discussion of the dating of Malachi and the prophet’s dependence upon the “intermarriage situation” described in Ezra in *Judaism: The First Phase*, 201–4.

32. One cannot help but be reminded of our modern patent-oriented culture in which patents are claimed for possible uses or technologies that do not yet exist.

33. He dates the text as possibly before Nehemiah based on complaints about non-payment of tithes and general neglect of temple maintenance (cf. Blenkinsopp, *Judaism: The First Phase*, 202, see also n. 28).

[T]he polemical note about divorce associated with violence in 2:16, often taken to be an interpolation, could be construed, whether interpolated or not, as an attack on Ezra's policy of coercive separate from wives and children... Allusions to social injustice (3:5; cf. Neh 5:1–13), appeal to ethnic solidarity (2:10; cf. Neh 5:5), and emphasis on the levitical covenant (2:4–9; cf. Neh 13:29) could point in the same direction.³⁴

That Malachi might have reacted negatively to the violent enforcement of boundaries in legal unions in Ezra may seem contrary to the prophet's rather violent description of the distinction between Israel and Edom. But, and we will make this point below, Malachi's emphasis upon the "micro-level" to employ Foucault's concept, still fits the constructivist perception of identity in that "Israel" must be seen in contrast to "Edom," or the "other."³⁵ Malachi's seeming inconsistent concerns over divorce and over the priesthood also fit within a pattern of exclusivism vis-à-vis intersubjective relations—varied responses would have been a consequence of changes in those relations.

Malachi criticizes the priests because they "have caused many to stumble" (2:8). The author holds the priests responsible for the behavior of the people "For the lips of a priest should guard knowledge, and people should seek instruction from his mouth, for he is the messenger of the LORD of hosts" (v. 7). The priests, then, should be the examples of "the way" (הדרך; v. 8) that offers stability rather than leading people to "stumble" or "stagger." In this particular instance, the prophet identifies the priesthood as the representative ideal for the shared norms of the community; their actions should mirror the proper modes of behavior, bound to the religious law of the cult, that legitimate the authority of the deity over the people—the priests preserve in ritual the shared ideal of the social-political body. The prophet's concern is less the appearance of the priesthood and more the meanings and values that the community internalizes in response to its interaction with the priesthood as a shared symbol of the authority of Yahweh. It is with that sense that we should understand the text's reference to the divine covenant with Levi:

Know, then, that I have sent this command to you, that my covenant with Levi may hold, says the LORD of hosts. My covenant with him was a covenant of life and well-being, which I gave him; this called for reverence, and he revered me and stood in awe of my name. True instruction was in his mouth, and no wrong was found on his lips. He walked with me in integrity and uprightness, and he turned many from iniquity. (Mal 2:4-6)

34. *Ibid.*, 202.

35. As described by Bignall, *Postcolonial Agency*, 212–13.

Take note of the correlation between reverence and life and well-being (החיים והשלום). Both concepts are attributes of a perceived stabilized normative order. Obedience to Yahweh resulted—*should we say “produced” in the sense of desire production, à la Deleuze?*—in stability, peace, order, within the social-political order. What’s at stake here is not the divine as real objective “Other.” We must avoid the trap that has ensnared so many others who perform methodological gymnastics to avoid considering “Yahweh” or “God” as entirely a social-political fabrication.³⁶ This fabrication is the product of an ideological self-perception, where identity is a reflection of belief and performance, projected as the contours of a desired world in a state of perfect equilibrium. In Malachi, this world does not exist, but it should. “[Y]ou have corrupted the covenant of Levi...and so I make you despised and abased before all the people, inasmuch as you have not kept my ways but have shown partiality in your instruction” (2:8–9).

The prophet’s push for the centrality of Yahweh as a shared symbol denoting political identity connects the behavior of the priests with the behavior of the people:

Have we not all one father? Has not one God created us? Why then are we faithless to one another, profaning the covenant of our ancestors? Judah has been faithless, and abominations have been committed in Israel and in Jerusalem; for Judah has profaned the sanctuary of the LORD, which he loves, and has married the daughter of a foreign god. May the LORD cut off from the tents of Jacob anyone who does this—any to witness or answer, or to bring an offering to the LORD of hosts. (2:10–12)

E. Gerstenberger was correct that this passage emphasizes the family metaphor to express social-political solidarity. “Whoever,” he writes, “does not accept the ‘brother,’ showing solidarity, and does not care about him puts one’s relationship to Yahweh, the God of the covenant, on the line.”³⁷ The centrality of Yahweh depends upon obedience to the “laws of

36. This should not be read as promoting atheism as a philosophical belief system. Instead, it advocates that apart from personal commitments, the social-scientific endeavor must be agnostic. Even atheism is guilty of the same unverifiable belief patterns that theistic belief is. The atheist maintains a pattern of belief inverse to a theistic one. The best position to maintain in any social-scientific endeavor, which demands a detached observer perspective, is “I don’t know. I observe people believing in some idea of a God or gods, but all I can know is how they collectively externalize their belief(s) and how they internalize those beliefs by orienting their lives around them.”

37. Gerstenberger, *Israel in the Persian Period*, 496.

the covenant,” that characterize the intersubjective relationship between members themselves and between members and nonmembers. Moreover, we are not looking at ethics for the sake of ethics. These behaviors are meant to legitimate the authority of Yahweh and its mediation through the institution of the cult. Gerstenberger is certainly on the mark that the metaphor of “father” for God is a communal one.³⁸ Its use invokes the model of the patriarchal family. The absence of a royal metaphor implies that the institutional authority to which the prophet refers existed only at the communal level and not the provincial one. And that the prophet describes *building* the proper, institutionalized, and ritualized modes of behavior at the communal level implies that it was a work *in progress*. In other words, the dominant normative order that defined the then current social-political reality was not the one envisioned by the prophet. It needed to be replaced. It is in that sense that A. Rofé is correct when he states that Mal 2:10–16 denotes “a new type of Judaism...characterized by its ability to reinterpret the laws.”³⁹ The community reinterpreted old laws and most likely added new ones to respond to its anxiety-driven need: to preserve the collective identity of the community in light of the events of the exile(s) and a continually threatening environment in Yehud.

With the construction of the social-political body in mind, should we not read Malachi’s position on divorce in this manner as well (cf. 2:13–17)? That it refers primarily to the transgression of the divine–human covenant modeled after a legal contract? That the central social-cultural core of “Israel,” which we are seeing increasingly to refer to an idealized state, was at risk of dissolution? This anxiety is apparent in Malachi:

See, I am sending my messenger to prepare the way before me, and the Lord you seek will suddenly come to his temple. The messenger of the covenant in whom you delight—indeed, he is coming, says the LORD of hosts. But who can endure the day of his coming, and who can stand when he appears? For he is like a refiner’s fire and like fullers’ soap; he will set as a refiner and a purifier of silver, and he will purify the descendants of Levi and refine them like gold and silver, until they present offerings to the LORD in righteousness. (3:1–3)

38. *Ibid.*, 206.

39. A. Rofé, “The Onset of Sects in Postexilic Judaism: Neglected Evidence from the Septuagint, Trito-Isaiah, Ben Sira, and Malachi,” in *The Social World of Formative Christianity and Judaism: Essays in Tribute to Howard Clark Kee*, ed. Jacob Neusner, E. S. Frerichs, P. Borgen, and Richard A. Horsley (Philadelphia: Fortress, 1988), 42.

Thompson rightly pointed out the irony in Mal 3:1–5 of individuals seeking fulfillment of their desires in divine presence. “[I]t identifies the two metaphors of God’s presence, as Yahweh and as his angel, and...it marks the contradiction central to the tradition of a longing for justice: this God of judgment, fully aware of the potential horror implicit in this human desire for perfection.”⁴⁰ We can put that sentiment in these terms: restoration demands radical intervention—a divine “refiner” and “purifier”—that opens the way for new distributed relations and powers to serve as the basis for new institutions of authority.⁴¹ “*I will shake the heavens and the earth and the sea and the dry land; and I will shake the nations...*” (*Hag 2:6–7*). And only then could the Mosaic theocracy, so beloved by the Deuteronomist, come to fruition. But such a reality would be the product of ideological aspiration and be without firm basis in material reality.⁴² “See, the day is coming, burning like an oven, when all the arrogant and all evildoers will be stubble; the day that comes shall burn them up, says the LORD of hosts, so that it will leave them neither root nor branch” (*Mal 4:1* NRSV [3:19 HB]). And those who revere the name of Yahweh “shall go out leaping like calves from the stall” and they shall “tread down the wicked, for they will be ashes under the soles of your feet” (v. 3). The creation of a restored state, the product of utopian aspiration, requires the destruction of the prevailing one under the control of “evildoers,” who are not essentially “evil” but who symbolize those identities central to a competing political body.⁴³ The utopian nature of this revolutionary day is confirmed by the prophet’s invocation of Moses and

40. Thompson, *The Mythic Past*, 355. According to A. Petterson, while Malachi does not specifically mention a Davidic king, 3:1 implies a fulfillment of the hopes articulated in Haggai and Zechariah for a Davidic king (see “The Shape of the Davidic Hope Across the Book of the Twelve,” *JSOT* 35 [2010]: 245–46). This is certainly possible, but not entirely convincing.

41. This act of radical intervention entails both purification and punishment of “wicked Israelites” (cf. 3:19 [Eng. 4:1]), an event in which those who revered Yahweh would tread the wicked down (3:20–21 [Eng. 4:2–3]). See also Redditt, “Book of Malachi,” 250.

42. W. J. Dumbrell, for one, argues that Malachi builds on the deuteronomic code (see “Malachi and the Ezra–Nehemiah Reforms,” *Reformed Theological Review* 35 [1976]: 43–49). But compare to Redditt, “Book of Malachi,” 242 n.10.

43. This position is consistent with the academic position regarding the context of Yehud represented by Berquist, “The dynamic was the struggle by several distinct groups to maintain and further their own traditions and identity [*sic*], while adjusting to new situations of life in the Jerusalem vicinity. These various groups struggled to define themselves, both against the ambient culture and against each other. This complex dynamic is a more accurate representation of the religious and social setting

Elijah (vv. 4–5), who are symbols of the coming, revolutionary, bloody Day of the Lord. The Day of the Lord is the day in which physical force would be given to utopian aspiration. It is a day in which the construction of the new political body would follow the destruction of the extant one. It is a day in which the covenant would be renewed and in which the people would be purified of all “negative elements.”⁴⁴ “Such hope for the future may be called eschatological in the sense that it entails the end of evil, or conditions of history so radically improved that only God could have brought about the new order.”⁴⁵ It is, as Žižek would have defined the idea, a “true revolution.”

*“We Bow Down at Your Temple...and Give Thanks”:
Temple as a Shared Object in Haggai–Zechariah*

The temple is a central symbol in Haggai and to a less obvious extent in Zechariah (note also that Ezra 5:1–2, 6, 14 suggests both Haggai and Zechariah were involved in rebuilding the Jerusalem temple).⁴⁶ Within the latter, its influence is present through direct reference, to be sure, but equally so through inference (cf. Zech 3:1–10; 4:1–14; 6:9–15; 8:1–17). Moreover, the prevailing utopian ideology regarding restoration within the biblical texts assumes a clear connection between cultic and political office. Within Haggai–Zechariah, we argue here, the office of centralized power exists by causal linkage to the temple institution. This network of meaning and inference while easily discernible from the texts nevertheless requires elaboration.

*Foucault’s Theory on Power Helps Us Discern
Some Important Things About the Temple*

But first, according to Foucault, constructivism in terms of power occurs at the level in which individuals create meaning through their productive activities in their relations to each other and to objects, such as symbols and institutions of authority, within a given cultural context. If Haggai–Zechariah reflects an attempt, by author or community, to change the contours of networks or distributional patterns of power, we need to

of Malachi, and perhaps of the entire early post-exilic period” (“The Social Setting of Malachi,” 125).

44. Cf. Assis, “A New Reading of Malachi 3:22–24,” 215.

45. Redditt, “Book of Malachi,” 254.

46. See also the discussion of the temple in relation to Haggai and Zechariah in Assis, “A New Reading of Malachi 3:22–24,” 215–16.

identify, as Foucault and Deleuze independently do, the patterns of transformation (what Bignall designates as “micro-level” for Foucault) and of stabilization (“macro-level,” in contrast), or the lack thereof.

The text of Haggai opens with complaint after the “word of the LORD” is linked to levels of political and religious authority (1:1–2). The order in which the individuals are named is likely important, first to Zerubbabel, governor of Judah, then to Joshua, the high priest. While it certainly is possible that Haggai spoke to both individuals simultaneously, it is uncertain. It would, however, have been proper procedure to list names according to importance or social-political standing.

Haggai complained that the people were not supportive of rebuilding the temple, which put temple as a central symbol in jeopardy. Haggai certainly interprets the construction of the temple in a particular, intentional fashion as confirmation of collective identity. There is suggestion that the rebuilding project had imperial support, but this rebuilding emphasis fell within the larger imperial policy of the Persian government to strengthen the territories under its jurisdiction.⁴⁷ This policy was one reason, and most likely a main one, why previously captured peoples were allowed to “go home.” While there is still significant debate regarding the dating of the temple itself, its actual date of completion is of less importance to our discussion than is the weight of the symbolic value given it. In Haggai, the temple symbolizes the ideal pattern of the social-political body that has been “restored,” and that view is taken despite, or perhaps in light of, imperial policy. It is the symbolic object upon which the favorable experiences of the community are projected in a positivistic statement of identity.⁴⁸ “You have looked for much, and, lo, it came to little; and when you brought it home, I blew it away. Why? said the LORD of hosts. Because my house lies in ruins, while all you hurry off to your own houses” (Hag 1:6 NRSV).

How often the symbolic value of the Jerusalem temple in Haggai is inadequately understood! The general scholarly pattern, for instance,

47. For further discussion, see Gerstenberger, *Israel in the Persian Period*, 88–90.

48. For some of the debates regarding the connection of Haggai–Zech 1–8 to the temple, see C. and E. Meyers, who argue that Haggai–Zech 1–8 was composed for the dedication of the Jerusalem temple. M. Boda, however, believes the text was written for the foundation laying rather than the completion of the temple (“Messengers of Hope,” 116–17). D. Edelman goes so far as to connect Zerubbabel as a contemporary of Nehemiah, or separated by a single generation rather than the 65 years generally proposed (*The Origins of the “Second” Temple: Persian Imperial Policy and the Rebuilding of Jerusalem* [Durham: Acumen, 2005], 2–3, 75). On the connection of the temple to identity in Haggai, see Cataldo, “Yahweh’s Breast.”

has tended to focus on the value of the temple for the social or political authority of the cult within Yehud, and sometimes as far as Babylon and Elephantine. Most scholars, based on an uncritical reliance upon the biblical texts, have emphasized the central importance of the Jerusalem cult and its priesthood—as though Persian-period Yehud brought about the fulfillment of the Deuteronomic qualification of proper ritualistic behavior in the place “that Yahweh chooses” (cf. 12:14, 21). As but two examples, Assis and Kessler emphasize the theological importance of the temple as the driving force behind social-political order, that the temple already represented the shared norms of the existing provincial culture. Assis states that the sole purpose of the temple in Haggai was “to give glory to God and make His name great.”⁴⁹ Kessler argues that the temple was central to the *life and faith* of the Yehudean (the entire province? or just the immigrants?) community.⁵⁰

Haggai’s opening provides some clarity on the social-political context. The prophet’s activity during the Persian period seems fairly certain, but the more important point is how the author refers first to Zerubbabel, the political leader, then to Joshua, the high priest. This pattern is continued throughout the book of Haggai (cf. vv. 12, 14; see also 2:2, 4). There are several possible ways of interpreting this. The first is that as a possible Davidic fulfillment, Zerubbabel was in the forefront of the author’s mind as confirmation of restoration. The second possible interpretation, which despite its common practice in the ancient Near East does not find much enthusiasm in scholarship seeking to find a theocracy in Yehud, is that the author follows the social-political hierarchy: first he mentions the governor, the real authority of the social-political body, then he mentions Joshua, the authority over the cult and the pattern of religious ideology. (That Yahweh is mentioned after Darius is more a grammatical necessity: “in the year of...the word of...”⁵¹) This last is made more curious in that in Zechariah, Zerubbabel is never referred to as the governor.⁵² Where Haggai may pay heed to the political hierarchy, Zechariah attempts to undermine it.

49. Assis, “Temple in the Book of Haggai.”

50. Kessler, *Book of Haggai*, 275–79.

51. But Coggins’ comment is apropos: “It is striking that in Haggai (1.1, 15) Darius is simply called ‘the king.’ One can scarcely imagine the words of pre-exilic prophets being dated by the years of the rule of an Assyrian king” (*Haggai, Zechariah, Malachi*, 8).

52. Cf. the discussion of this point in Meyers and Meyers, *Haggai, Zechariah 1–8*, xxxiv.

The evidence is not strong enough to confirm that Joshua was the real political authority. He was a religious authority, but in what state was the cult? And what might that say about his actual influence? None of the Persian-period and later biblical texts provide us with any image of a strong, productive cult—the temple is in disrepair, the people have married “foreign” women, tithes were not being given, etc. Recalcitrance is clear in Haggai: “Thus says the LORD of hosts: These people say the time has not yet come to rebuild the LORD’s house” (1:2). If, as every conscious political scientist would admit, authority must be legitimated by the people, and if the Jerusalem temple was a symbol of religious and political authority, the lack of support for its completion can do naught but question the real authority of the cult. Of what social impact is a cult if the people it is meant to serve do not see it as a central “object” of collective identity? This lack of motivation toward the cult and its temple is precisely why Haggai appealed to the inspiring tradition (mythic or real makes no difference here) of the exodus. One may be reminded of that famous line, with a slight emendation, from the movie *Field of Dreams*: “If you build it, [He] will come.”

Haggai appeals to that tradition in 2:4–5: “Yet now take courage, O Zerubbabel, says the LORD; take courage O Joshua, son of Jehozadak, the high priest; take courage, all you people of the land, says the LORD; work, for I am with you, says the LORD of hosts, according to the promise that I made you when you came out of Egypt. My spirit abides among you; do not fear.” This analogy with the exodus from Egypt is telling. Haggai identifies the people under the leadership of Zerubbabel and Joshua with the Hebrews who entered into Canaan in acquisition of the so-called Promised Land. And one cannot ignore the larger tradition that belongs to this exodus-acquisition event: “But as for the towns of these peoples that the LORD your God is giving you as an inheritance, you must not let anything that breathes remain alive. You shall annihilate them—the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—just as the LORD your God has commanded, so that they may not teach you to do all the abhorrent things that they do for their gods, and you thus sin against the LORD your God” (Deut 20:16–18).⁵³ Creating a new social-political body consistent with the community’s idealization of restoration requires the destruction of preexisting social, political, and religious institutions and structures. *You shall annihilate them*. In their places new institutions and structures embodying

53. Compare with Exod 33:2, which describes Yahweh sending an angel to drive the people out. The sentiment is the same regardless of the actor.

the shared norms of the desired society (sans men with crushed testes or missing penises [Deut 23:1!]), the restored “world,” would be built; power networks would be constructed according to the community’s desire for power following its own “traumatic” experiences.⁵⁴ Yet there is also a complicitness between the individuals within the community and the ideological forces that repress them.⁵⁵ The social world that the prophet imagines is bound by the repressive nature of religious law. Redefining the social-political body revised boundaries demarcating the dominant collective identity and the dominant mode of intersubjective relation. Within that process, repression (of the foreigner) becomes a necessary mechanism for remapping the dominant relations of power.⁵⁶

For Foucault, desire is a servant of power.⁵⁷ If this provides an interpretive strategy for Haggai, then, this means that the prophet’s desire for restoration, a utopian desire, is the product of a real relation of power—though inverted in terms of desire. *Our desire for restoration is more intense because we are on the margins of power.*

It is poignant that Haggai has Zerubbabel and Joshua, political and religious, respectively, authorities, hear the words of the prophet connecting the events of the exodus with what Yahweh will do: “Once again, in a little while, I will shake the heavens and the earth and the sea and the dry land; and I will shake all the nations, so that the treasure of all nations shall come, and I will fill this house with splendor, says the LORD of hosts” (2:6–7). Connecting the experiences of the returnee community in Yehud with those of the Hebrews during the exodus, Haggai draws upon the symbolic ideal of the social-political hierarchy under Moses—the Deuteronomist, for related reference, favors this utopian theocracy as a social-political model—as that which should serve as the basis for intersubjective relations that provide the basis for the distribution of power. But in this, the prophet is doing more than offering up a dream as a source for enthusiasm. He is identifying a point of subjective resistance.⁵⁸ That

54. At this point, we are following R. Leys’ mimetic theory on trauma and how it shapes identity, individual and collective (*From Guilt to Shame*, 8–10).

55. Seeking to explain how individuals can be complicit with forces that suppress them is one of Foucault’s main objectives in his theory on the transitory nature of power (cf. Bignall, *Postcolonial Agency*, 138).

56. For further discussion on the causes behind power and desire in Foucault’s theory, see *ibid.*, 142–43. See also S. Lash, “Genealogy and the Body: Foucault/Deleuze/Nietzsche,” *Theory, Culture & Society* 2, no. 2 (1984): 7.

57. *Ibid.*, 3.

58. For further reference, note Žižek: “At first sight, it may appear that Lacan’s big Other is the poor cousin of Foucault’s notion of the *dispositif*, which is much more

this resistance occurs primarily on an ideological level—we resist not with physical force to convince you but with an obsessive focus on ideological boundaries—should remind us that the community did not have control over the material resources of the province. In that, the group uses religion to define the contours of and provide support for the base of the envisioned distributed relations of the social-political body.⁵⁹

For Haggai, the Jerusalem temple was the shared symbol of this strategy, a role in which it connected Yahweh's plan for restoration to the community. Rebuilding the temple symbolized the restoration of the people, and its completion would mark it as the "gratifying object" upon which the collective desire of the community would be projected (the core of the people's "object-relation"). And there is a greater synergy in the temple: rebuilding the temple and liberating it from annihilation symbolizes the "restoration" of a social-political body, the people of "Israel." Consequently, it is not only the absence of the physical temple that frightens the prophet, but so also do the alluring realities that seduce the people toward finding themselves in individual successes or in alternative social communities (cf. Hag 1:2–6). This fear is found also in Zechariah: "The LORD was very angry with your ancestors. Therefore say to them, Thus says the Lord of hosts: Return to me, says the LORD of hosts, and I will return to you, says the LORD of hosts" (Zech 1:3–4). This fear operates on the level of ideology as a motivation for group cohesion and distinction.

Return (*Return to me!*) defines individual relationships by (re)establishing, and thereby legitimating, a mutual or shared normative. Yet it also, in its creative moment, identifies the primary network of power. There is always one who calls and one who responds. In the act of turning, the individual accepts the authority of the "other" to both identify the individual and motivate her into a response. Yet the desire of the one who turns remains a driving factor. *I accept your presumed authority because there is something that I want from you; something that meets*

productive for social analysis. However, there is the deadlock of the dispositif with regard to the status of the subject: first (in his *History of Madness*), Foucault tended to exclude from it the resisting core of subjectivity; then, he shifted his position to its opposite, to the radical inclusion of resistant subjectivity into the dispositif (power itself generates resistance, and so on—the themes of his *Discipline and Punish*); finally, he tried to outline the space of the 'care of the self' that allows the subject to articulate through self-relating his own 'mode of life' within a dispositif, and thus to regain a minimum of distance from it" (*In Defense of Lost Causes*, 113).

59. Cf. Eagleton's discussion of this general sociological pattern in *Why Marx Was Right*, 148.

some primary need of mine. And in that, I associate the “other” with meaning that is valuable for me. Recall the similar arguments by Wendt and Foucault that people act towards objects based on the meanings they have for them but meanings oriented around reserving the stability of the normative order. Within Zechariah, then, return is a constructive act not because it reflects Yahweh’s desire. It is a constructive act because it entails what the *I*, or in Zechariah’s case, the community, wants: a stabilized order in which “my” position in authority and more fundamentally “my” livelihood are unthreatened. Is that not the motivating power behind Zechariah’s statement here, “Therefore, thus says the Lord, I have returned to Jerusalem with compassion; my house shall be built in it, says the Lord of hosts, and the measuring line shall be stretched out over Jerusalem. Proclaim further: Thus says the Lord of hosts: My cities shall again overflow with prosperity; the Lord will again comfort Zion and again choose Jerusalem” (1:16–17)? The material benefit of return is unmistakable, and it is hard to miss the greater implication: material prosperity is the basis for economic and political authority. The fanciful nature of this—meaning that we are looking at an expression of wistful desire and not a pragmatic description of reality—is further confirmed in Zech 2:4–5 in which Jerusalem is described as a city without walls surrounded only by the fire that is Yahweh. Such fire is both purifying and judging—the very dichotomy at the heart of monotheistic identity and that sustains the gap between member and nonmember. The judgment of Yahweh enforces the parameters of the political body. As A. R. Petterson states of Zech 7–8, describing a consequence of a political body destabilized and torn,

In Zechariah 7–8, the exile is pictured as a scattering and desolation (7.14), a time when everyone was against their neighbor (8.10; cf. 11.6). Yahweh promises to save the houses of Judah and Israel so that they might be a blessing (8.13). The implication is that the division of the kingdom and the exile were the direct result of Yahweh’s judgment on their covenant unfaithfulness (cf. 1.4–6; 7.9–10). In addition, shepherd and sheep imagery is a feature of Zechariah 9–10, and this approach to Zechariah 11 offers an explanation for why the people wandered like sheep and were afflicted for lack of a shepherd (10.2). It is because they had rejected Yahweh as their true shepherd.⁶⁰

60. Petterson, “The Shape of the Davidic Hope Across the Book of the Twelve,” 237.

Ezra–Nehemiah: The Law as a Lurking Body

One of the more telling things is that Ezra–Nehemiah never explicitly quotes the law; the text always offers an interpretation of it. One cannot help but be reminded of the earlier practice of the Catholic Church to make interpretation the symbolic capital of the institutional structure and the priest as its representative. Congregants were told what the religious law (and the Bible as a whole) meant and the manner in which it should be applied to their lives. Something similar seems to be at play in Ezra–Nehemiah. When Ezra⁶¹ read and interpreted the law, the people gathered in that place depended upon him for their next action. As Ezra 10:5 states, “Then Ezra stood up and made the leading priests, the Levites, and all Israel swear that they would do as had been said. So they swore.” In other words, the author presents a scenario in which the people become dependent upon the representative and interpreter of the law—the law took on a central function in collective identity. And that may be the reason why the author leads the reader to infer that Ezra was a high priest (but does not explicitly make the case). Lester Grabbe identified the tasks that Ezra performs, which are tasks traditionally performed by the high priest, as confirmation of Ezra’s elevated status.⁶² Blenkinsopp, however, while addressing the problems of any genealogical reconstruction that verifies Ezra’s status as high priest in Ezra–Nehemiah, writes,

Ezra was not, of course, high priest. He appears in none of the lists (Neh 12:10–11, 22) and is nowhere described as such (see also Ezra 8:33). If this genealogy is to be considered at all historical, he must have stood in the collateral line of descent. But it is much more likely that the genealogy is fiction designed to convey the message that Ezra’s function with respect to the law and the cult continued that of the pre-exilic priesthood.⁶³

Blenkinsopp’s position on this point is in line with ours. The text of Ezra is a text with an agenda, not to provide an accurate historical accounting but to shape actively the contours of the (new) social-political body around the centrality of the law as interpreted through the figure of Ezra. Later redactors likely assumed that if Ezra was responsible for interpreting the

61. Descriptions of Ezra as a priest are likely later additions (see also the below description of Blenkinsopp’s point). Ezra 7:1–6 puts him in the line of Aaronide priests; see also 1 Esd 8:8; see also *Ant.* 11.121, 123, 127.

62. Lester L. Grabbe, “What Was Ezra’s Mission?,” in *Second Temple Studies*, 2, ed. T. C. Eskenazi and K. H. Richards (Sheffield: Sheffield Academic, 1994), 292.

63. Joseph Blenkinsopp, *Ezra–Nehemiah* (Philadelphia: Fortress, 1988), 136.

law for the people, then he must have been associated (lineage would have been the only possibility in the absence of the temple) with the institution tasked with interpretation.

Prior to receiving Ezra's interpretation, one may safely infer, the people were governed by a law of the land (*otherwise we must conclude that the territory was in anarchy!*). In Ezra, the imported, divine law is something that must be taught and the proper response of the collective body be given. There is no way to read this reality apart from concluding that Ezra's law was *not* already a fundamental fixture in the normative order of the social-political body. And we would do well to remember that the "law of the land" was a social-political law that had developed within the province in the absence of those who returned and in general consistency with imperial law, first Babylonian and then Persian. With the religious law in Ezra–Nehemiah we do not have a law that operates as the norm, by which we mean that "the law operates more and more as a norm, and that the judicial institution is increasingly incorporated into a continuum of apparatuses (medical, administrative, and so on) whose functions are for the most part regulatory. A normalizing society is the historical outcome of a technology of power centered on life."⁶⁴ Consequently, the only expression of power the law can represent is the ideological imperative for a restored social-political body. Blenkinsopp describes this constructivist attempt in terms of blending the jurisdictions of social and civil law under the authority of Ezra.⁶⁵ Success there would be a necessary prerequisite before redefining the contours of the social-political body.

The text of Ezra–Nehemiah opens with, "In the first year of King Cyrus of Persia, in order that the word of the LORD by the mouth of Jeremiah might be accomplished..." (Ezra 1:1). This is, of course, a reference to the seventy-year exile promised by the prophet Jeremiah (see 25:11–13), a theme that was adopted also in 2 Chr 36:19 and 1 Esd 1:58. Yet the prophecy does not end only with an exile of people, which would make the collective body the only subject in need of cleansing. There exists an additional expectation that the "whole land shall become a ruin and waste" (v. 11). Passages such as this last have contributed to a wealth of attempted historical reconstructions of Yehud as empty during the time of the exile.⁶⁶ Outside such problematic reconstructions, Ezra–Nehemiah's

64. Foucault, *The History of Sexuality, Volume 1*, location 1905.

65. Blenkinsopp, *Judaism: The First Phase*, 53.

66. Cf. the discussions in Barstad, "After the 'Myth of the Empty Land,'" 3–20; Oded, "Where Is the 'Myth of the Empty Land' to Be Found?," 55–74; Carroll, "Exile! What Exile?," 62–79; Davies, "Exile!," 128–38.

attitude toward the people already in the land was likely influenced by the similar attitude expressed in Jeremiah (cf. Jer 24:2–8). Or even, “Thus says the Lord of hosts, I am going to let loose on them sword, famine, and pestilence, and I will make them like rotten figs that are so bad they cannot be eaten” (29:17). The land required its own “sabbaths” and those who remained in the land were identified as impure obstacles to restoration (cf. Jer 25:11–12; 29:10; see also 1 Esd 1:57–58; 2 Chr 36:21).⁶⁷ Consequently, the reality of people who remained in the land could be explained in one of two ways: (1) either Jeremiah’s prophecy would never come true, there was no foreseeable end to people living in the land; or, (2) the people who remained didn’t matter, weren’t a factor worthy of consideration, because their identities could be stricken from the record. With the latter, the exodus tradition became even more poignant, if the “return” from Babylon was not already the original context for what is likely a fictional tradition: pollution of the land could be projected upon the people already in the land making them objects that must be removed in the purification of the land and its “true” people. Thus, the people already in the land became the foil against which the contours of identity of the new social-political body could be cast; they became, in other words, the “other” that must exist as the fundamental, perceivable difference in the expression of identity. This is along the lines of what Judith Howard wrote regarding social identity theory: “Social identity theory focuses on the extent to which individuals identify themselves in terms of group memberships. The central tenet of social identity theory is that individuals define their identities along two dimensions: social, defined by membership in various social groups; and personal, the idiosyncratic attributes that distinguish an individual from others.”⁶⁸ And for Foucault, the “other” symbolizes the consequence of the law: loss of identity, loss of authority, and loss of economic blessing that comes with being in favor with the presumed god of the land. Josephus interpreted the situation in similar terms:

God commiserated the captivity and calamity of these poor people, according as he had foretold to them by Jeremiah the prophet, before the destruction of the city, that after they had served Nebuchadnezzar and his posterity,

67. There is an implicit expectation of “return” in the sabbath: work, rest, work. Eliade identifies this type of ritualistic behavior as repetition of an archetype meant to preserve ordered reality (cf. *The Sacred and the Profane: The Nature of Religion* [New York: Harcourt, Brace, 1959], 81).

68. Howard, “Social Psychology of Identities,” 368–69.

and after they had undergone that servitude seventy years, he would restore them again to the land of their fathers, and they should build their temple, and enjoy their ancient prosperity; and these things God did afford them... (*Ant.* 2.1–2 || 2.1.1)

Josephus assumes that the grace and blessing of God (*restoration!*) requires the terrible, rejected body of the “other” upon which the terror of the law is written.

The expectation of economic blessing is consistent with the Deuteronomic assertion that obedience would result in blessings while disobedience would result in curses (Deut 11:26–31). These two alternatives cannot be read in isolation of Jerusalem as the place that Yahweh would choose to reside (cf. Deut 12:4–12). In other words, blessings are consequences of obedience to the law. Law is linked with possession of the territory surrounding Jerusalem:

If you will diligently observe this entire commandment that I am commanding you, loving the LORD your God, walking in all his ways, and holding fast to him, then the LORD will drive out all these nations before you, and you will dispossess nations larger and mightier than yourselves. Every place on which you set foot shall be yours; your territory shall extend from the wilderness to the Lebanon and from the River, the river Euphrates, to the Western Sea. (Deut 11:22–24)

Ezra shows affinity with this expectation by making Cyrus the Persian imperial king issue an edict that charges that a temple be built in Jerusalem. In addition, the text charged that everywhere the “survivors” reside they shall be assisted “with silver and gold, with goods and with animals” (1:4). The symbolic gesture behind this is that the “survivors” are everywhere recognized as distinct by virtue of their selection (which also partly reflects the resistance to rebuilding described in Ezra 4:1–5). That this identity is connected with the temple in Cyrus’ decree expects the law to be the principle source for regulating the normative order, a role it embodies by emphasizing behaviors meant to shape the political body. That this is true is confirmed in the first noted act after the so-called return, and after a lengthy genealogical listing or roster: “When the seventh month came, and the Israelites were in the towns, the people gathered together in Jerusalem. Then Jeshua son of Jozadak, with his fellow priests, and Zerubbabel son of Shealtiel with his kin set out to build the altar of the God of Israel, to offer burnt offerings on it, *as prescribed in the law of Moses the man of God*” (Ezra 3:1–2; emphasis mine).

The importance of *torah* as a symbolic model of regulated behavior is confirmed again after the described completion of the temple in two events. The first, sin offerings are offered for the “twelve tribes of Israel,” and that event followed by another, “they set the priests in their divisions and the Levites in their courses for the service of God at Jerusalem, *as it is written in the book of Moses*” (Ezra 6:18; emphasis mine). The second takes place in the observance of the Passover, the fundamental symbolic importance of which is an assertion of distinction between the people and the “pollutions of the nations of the land” (cf. Ezra 6:19–22). Throntveit posits that Ezra left for Jerusalem when he did because “his study of the Torah had uncovered the first day of the first month as the time of the Passover festival commemorating the first exodus” (Exod 20:2).⁶⁹ His interpretation frames Ezra’s actions as religious ritual. But Ezra’s use of religious ritual and tradition was less for any purist theological purpose; it was more a mechanism through which to construct a “restored” social-political body. Toward that end, the not-quite surreptitious presence of the *torah* underlines the more climactic moment when Ezra, “a scribe skilled in the law of Moses that the LORD the God of Israel had given,” arrives in the land with the weight of the imperial king (cf. 7:1–6). The so-called decree of Artaxerxes unabashedly details the people’s free access to the imperial coffers for the purpose of rebuilding the temple and establishing the “law of Moses” as the law of the land (see 7:11–28). Ideally, then, Ezra’s denunciation of mixed marriages, so wrapped up as it is in the law, would also bear the full weight of the imperial king.

In marrying foreign women, in mixing the “holy seed” with the peoples of the land, the people in their faithlessness were guilty of transgressing the law—according to Ezra 9:10–15 a sentiment shared with Deut 7:1–6. We can’t ignore the strongly utopian character of the text and its description of a reality that seems to centralize the remnant community as the physical manifestation of Yahweh’s divine sovereignty—and we should remember that the end goal was not divine sovereignty in itself but what divine sovereignty represented: the necessary control over the physical world to create space and possibility for restoration.

In Foucault’s terms, under the law the collective life of the community became the substance and matter of political object and political struggle.⁷⁰ Religious law protected the political object from external forces threatening to undermine the collective identity of the community. Its validation within the cultural institution of religion is further confirmation that this

69. Throntveit, *Ezra–Nehemiah*, 44.

70. Foucault, *History of Sexuality, Volume 1*, location 1910.

protection was one-sided; it protected the gap between “us” and “them” but simultaneously collapsed any other similar gaps or distinctions between outside groups into a homogenous category of “them” or “other.”⁷¹ It was, in short, reductionist for the sake of highlighting the remnant as a “restored” social-political body. This point is further emphasized in Shecaniah’s address to Ezra: “We have broken faith with our God and have married foreign women from the peoples of the land, but even now there is hope for Israel in spite of this. So now let us make a covenant with our God to send away all these wives and their children, according to the counsel of my lord and of those who tremble at the commandment of our God; and let it be done according to the law” (Ezra 10:2–4). In the same chapter, Ezra provides a list of priests, Levites, and of “Israel” generally who had married foreign women and increased the guilt of the people. *We are complex individuals, you are dismissible as a single category.*

Ezra–Nehemiah’s emphasis is upon the restored community. It identifies the “contours” of collective identity with a more driving agenda: the community must become the ideal envisioned by the law. In this regard, Berquist was correct in his description of Ezra’s law as intended to define a new society around which the law is constructed. He is less so in his crediting the law with the full weight of imperial backing.⁷² Instead, the author of Ezra–Nehemiah credits the law with imperial backing in order to provide the remnant community with a greater sense of legitimacy. Blenkinsopp connects the law with a clearly defined community in this way: “We are dealing in the first place with those referred to in the book as *haggola*...by an oath to which the participants appended their own names.”⁷³ For Ezra–Nehemiah, the law and a strictly regulated adherence to it (through imposed cultural means) meant restoration of “Israel” as a social-political body.

“I’m Better Than You”:

Deutero-Isaiah the Ideal Social-Political Body

The ideology of divine selection as a fundamental requirement of restoration, one legitimated by the law, is found also in Deutero-Isaiah.⁷⁴ This shows that there was a consistent and common focus on this idea

71. In this sense, references to Moabites, Ashdodites, etc., are quickly dissolved into a singular subject who is “not permitted for intermingling, etc.”

72. Berquist, *Judaism in Persia’s Shadow*, 144.

73. Blenkinsopp, *Judaism: The First Phase*, 198–99.

74. Smith (*Palestinian Parties and Politics*, 76–77) also maintains the position that Deutero-Isaiah, along with Ezekiel and the Deuteronomic and Priestly traditions,

among those who were responsible for the biblical texts during the Neo-Babylonian and Persian periods. One need not look only to the Hellenistic period or later for rationale that motivated Ezra–Nehemiah or other texts.⁷⁵ To accept that does not mean we must credit the biblical texts with historical clairvoyance. We need only accept that they are responding to something that happened, whether as a first-hand witness or through cultural memory.

Deutero-Isaiah begins with Yahweh naming Cyrus “his anointed” and commanding him to subdue nations: “For the sake of my servant Jacob, and Israel my chosen, I call you by your name, I surname you, though you do not know me. I am the LORD, and there is no other; besides me there is no god... I form light and create darkness, I make weal and create woe; I the LORD do all these things” (45:4–5, 7).⁷⁶ The call also connects Yahweh to creation as an assertion of the god’s dominion over natural and political powers. Not only is the Persian Empire under the control of Yahweh but so also the natural world. The prophet’s intent is not so much cosmogony as it is a type of dominionism. Absent any real political power, which was in the hands of the Persian Empire, the prophet and his community, those who would be “restored,” can depend *only* upon the absolute sovereignty of Yahweh, who has “called Israel by name.” Yet this dependence is one-directional: the sovereignty of Yahweh is a presumed reality for the community but not accepted as such by external individuals or other communities. The fragility of this position offers an underlying reason why the biblical literature focuses so poignantly upon the distinction between members and nonmembers as the final frontier between identity and annihilation.⁷⁷ For this reason, we get passages such as:

and the Holiness Code, were written or at least largely shaped by the so-called “Yahweh-alone” party, a party identity that is consistent with Ezra–Nehemiah’s *golah* community.

75. A point that Blenkinsopp also makes in *Judaism: The First Phase*, 228–30.

76. One may do well to note that this view of Cyrus seems to have been limited to Deutero-Isaiah within the Judeans but was also one expressed by Babylonian priests in the Cyrus Cylinder (see also the discussion of Mayer I. Gruber, “The Achaemenid Period,” in *Esther’s Children: A Portrait of Iranian Jews*, ed. Houman Sarshar [Philadelphia: Jewish Publication Society, 2002], 4). Blenkinsopp adds that the expectations set up in Deutero-Isaiah were not fulfilled, which resulted in the unsatisfactory situation depicted in Trito-Isaiah (see *Judaism: The First Phase*, 123).

77. Perhaps this helps explain the Isaianic passage referring to Sarah. Note Blenkinsopp, “Sarah, mother of the race, is mentioned only once outside of Genesis, in a postexilic Isaianic passage (Isa. 51:2). Her initial infertility (Gen. 11:30) and

Thus says the LORD, the Holy One of Israel, and its Maker: Will you question me about my children, or command me concerning the work of my hands? I made the earth, and created humankind upon it; it was my hands that stretched out the heavens, and I commanded all their host. I have aroused Cyrus in his righteousness, and I will make all his paths straight; he shall build my city and set my exiles free, not for price or reward, says the LORD: The wealth of Egypt and the merchandise of Ethiopia, and the Sabceans, tall of stature, shall come over to you and be yours, they shall follow you; they shall come over in chains and bow down to you. (Isa 45:11–14)

The emphasis upon “hand” and “command” should not go unnoticed. While the meaning of “command” is obvious, the image of “hand” is frequently used to denote authority and control (cf. Gen 14:20; 22:10; 32:11; Exod 3:20; 4:17; Deut 8:17; Neh 9:27; Job 1:11; Jer 51:7). The claim that Yahweh is in power, that Yahweh controls the social-political world of even the Persian Empire, bolsters the restoration hopes of the prophet and his audience. Consequently, the radical dependence upon the divine world, which was not entirely common in the ancient Near East during this time,⁷⁸ reveals the community’s desire for survival or for control or authority over the social-political body. Moreover, connecting the “God of Israel” to creation provides the basis for: “But Israel is saved by the LORD with everlasting salvation; you shall not be put to shame or confounded to all eternity” (Isa 45:17; see also 48:12–13). Certainly, appeals such as this will set up later theologies of eternal salvation, such as those found in Christianity. But the intent here is not upon an other-worldly promise but upon the material realization of utopian aspiration through the creative and authoritative actions of the divine.⁷⁹ In a restored

eventual miraculous maternity (Gen. 17:15–19; 18:9–15) are mirrored in the destiny of the mother-city Zion, initially infertile but whose numerous children will settle the ruined towns of Judah (Isa. 54:1–3)” (*Judaism: The First Phase*, 41).

78. The gods were more frequently seen as subjects that needed to be placated for the communal goal of survival or, in the case of kings, provided a fundamental legitimation of kingly authority.

79. Berquist offers a similar observation of Isa 40:1–2, whose audience was in Babylon rather than the province of Yehud: “The comfort of salvation for this prophet points toward Jerusalem. The emphasis is strange, since the audience consists of Babylonian Jews. However, the promise to these exiles is that they will receive the land of Yehud; the audience will be the comfort for Jerusalem. The prophet depicts an emigration from Babylonia to Yehud, so that the exiles can take over a Persian colony. Deutero-Isaiah defines this occupation as good news for Jerusalem (Isaiah 41:27), even though one might reason that the native inhabitants of Yehud would have disagreed” (*Judaism in Persia’s Shadow*, 36).

world, the normative order is stable and divinely protected from lawless or chaotic intrusion—that is the meaning of *eternal* in Isa 45:17.

For thus says the LORD, who created the heavens (he is God!), who formed the earth and made it (he established it; he did not create it a chaos, he formed it to be inhabited!): I am the LORD, and there is no other. I did not speak in secret, in a land of darkness; I did not say to the offspring of Jacob, “Seek me in chaos.” I the LORD speak the truth, I declare what is right. (Isa 45:18–19)

Yet the possibility of anomy, as punishment for disobedience of the law, remains. Moreover, like other biblical texts, Isaiah links obedience to economic prosperity and stability: “O that you had paid attention to my commandments! Then your prosperity would have been like a river, and your success like the waves of the sea; your offspring would have been like the same, and your descendants like its grains; their name would never be cut off or destroyed before me” (Isa 48:18–19). This emphasis is upon the anomic world as materially prosperous. What is implied here is that the order of that world is consistent with the community’s perception of a restored world, one in which the distributed relations of the political body are defined primarily according to the organization of the “restored” community. This conclusion, for instance, supports Berquist’s assertion that in Isa 52:1–2, 7–10, Jerusalem was “fit only for the exiles.”⁸⁰ Or Blenkinsopp’s proposal that “tremblers” led a sectarian (exclusive) movement during the Persian period.⁸¹ And it offers the only possible basis for Robert Gnuse’s argument that without exilic theologians “and especially Second-Isaiah” the emergence of strict monotheism would not have happened.⁸² Paul Hanson remarked that Second Isaiah “sees all of creation restored to its divinely intended wholeness.”⁸³ But to be clear, none of our scholars imply that Isaiah single-handedly produced monotheism. Rather each seems to accept that the particular sequence of events that resulted in Yahwistic strict monotheism, which benefitted from Isaiah’s contribution, was the result of changing networks of interrelationships.

80. *Ibid.*, 38.

81. Joseph Blenkinsopp, “A Jewish Sect of the Persian Period,” *CBQ* 52 (1990): 5–20.

82. Gnuse, *No Other Gods*, 142.

83. Paul Hanson, *Isaiah 40–66* (Louisville: John Knox, 1995), 11.

*“This Land Is My Land”:
 “Law” and the Power of Land Claim as Shared Objects
 in Jeremiah*

Jeremiah shows a constructivist view of law. His emphasis upon preservation of the words of Yahweh in “a book” reflects an association of a textual preservation of the *torah*: “Write in a book all the words that I have spoken to you. For the days are surely coming, says the LORD, when I will restore the fortunes of my people, Israel and Judah, says the LORD, and I will bring them back to the land that I gave their ancestors and they shall take possession of it” (Jer 30:1–3). The connection to the prevailing ideology of restoration (i.e. within the Neo-Babylonian and Persian periods) is obvious here. In some contrast with Ezra–Nehemiah, for example, Jeremiah uses the terms “Israel and Judah” presumably in their social-political senses rather than in the more theological sense employed by the former. Yet the prophet invokes the so-called Mosaic Covenant, the symbolic ideal *par excellence* of a political body structured around the authority of the deity’s representative (both individual and institutional), with his reference to the land as a gift given by Yahweh. In the tradition of the Mosaic Covenant, this gift is conditional and dependent upon the people’s obedience of the law. The repeated use of Exodus analogies confirms a conditional component of restoration in the prophet’s view (cf. Jer 32:36–41 || Exod 29:43–46). It is found also in Jeremiah’s emphasis upon seeking Yahweh:

Then when you call upon me and come and pray to me, I will hear you. When you search for me, you will find me; if you seek me with all your heart, I will let you find me, says the LORD, and I will restore your fortunes and gather you from all the nations and all the places where I have driven you, says the LORD, and I will bring you back to the place from which I sent you into exile. (Jer 29:12–14)

There is novelty in this return: restoration follows exile and the restored individual must also be the exiled one. Consequently, Robert Carroll may be correct that one should not accept Jer 32 as paradigmatic for land transactions in ancient Israel.⁸⁴ In fact, there is greater reason to see this claim as something unique to the situation in Persian-period Yehud. Preserving the land claim in the land itself offers a symbolic gesture that appeals to the tradition of the exile: Yahweh gave the land to the people but the land

84. Robert P. Carroll, “Textual Strategies and Ideology in the Second Temple Period,” in Davies, eds., *Second Temple Studies*, 1, 115–16.

needed its own “sabbaths” because of the people’s disobedience. The sabbath freezes the passing of “legal time.”⁸⁵ It is like the hypothetical homeowner who goes on a prolonged vacation but leaves his mailbox full of bills to signal his eventual return. Yet he never returns and his children come in his place.⁸⁶ The promise of return is linked directly to a utopian aspiration for restoration of people and land. And the connection between past and future symbolized by the land deed, for instance, brackets the historical period during which the returning remnants were in Babylonia and so out of the ongoing process of social-political production in Yehud.⁸⁷ Along these lines, Julie Galambush highlights the intimate relationship between Yahweh and the land in Jeremiah: the land is a victim whose injury Yahweh will avenge.⁸⁸

In terms more reminiscent of Foucaultian vocabulary, Jeremiah politicizes the body of those who would “return.” What is important here is the intersubjective relationship being established: those that the prophet imagines being “restored” are those who have suffered intimately the requirements and punishments directed within the *torah*. That is what Freedman meant when he wrote, “[T]he texture of the book is full of immediate and confused presences...”⁸⁹ But contrary to Foucault’s crucial point, and this is precisely because the religious law was constructivist in intent or nature and *not* descriptive, punishment *within Jeremiah*, and in contrast to Ezra–Nehemiah (see above), is not written so much on the body of the criminal as outsider as upon the insider as criminal (cf. Jer 29:15–23; 30:12–17).

85. Carroll writes, “I suspect that we should read the story of Jeremiah the landowner as a textual strategy helping to enforce the ideological claim to the land on the part of those who could trace or claim association with the Babylonian Jews” (ibid., 115). But note also his observation (116) that Lev 25:23 brings tension to the claim in Jeremiah because it mentions that the land belongs to Yahweh.

86. S. Japhet’s claim (see “The Concept of the ‘Remnant’ in the Restoration Period: On the Vocabulary of Self-Definition,” in *From the Rivers of Babylon to the Highlands of Judah: Collected Studies on the Restoration Period* [Winona Lake, IN: Eisenbrauns, 2006], 435–36) that the remnant according to Jeremiah was those who remained in the land certainly cannot be correct based on Jeremiah’s narrative of preserving his land deed. Moreover, chs. 29–32 are replete with assertions that Yahweh will *bring the people back* (cf. 29:10).

87. Which is one reason why Japhet asserted that Jeremiah (and subsequently Haggai) defended the people in the land as “remnant” (ibid., 435–36).

88. Galambush, *This Land Is My Land*, 84.

89. David N. Freedman, “Son of Man, Can These Bones Live?” *Interpretation* 29 (1975): 180.

Thus says the LORD: The people who survived the sword found grace in the wilderness; when Israel sought for rest, the LORD appeared to him from far away. I have loved you with an everlasting love; therefore I have continued my faithfulness to you... Hear the word of the LORD, O nations, and declare it in the coastlands far away; say, "He who scattered Israel will gather him, and will keep him as a shepherd a flock. For the LORD has ransomed Jacob, and has redeemed him from hands too strong for him." (Jer 31:2–3, 10–11)

The restored political body would be comprised of exiled individuals, those who were outside the land and, as immigrants, on the margins of the distributed relations of power already in Yehud before their arrival. Jeremiah's act of burying a land deed is connected to his constructivist view of law. Within the framework of that understanding, the restored community (and political body) maintains possession of the land so long as it obeys the law. One can only assume, however, that any future land transactions would occur within the legitimated normatives established by the "restored" social-political body.⁹⁰ *Or might we risk Sanballat finding a land deed in a jar?*

90. Cf. Carroll, "Textual Strategies," 113.

Chapter 6

DIFFERENTIATING EXILES

There is something naggingly schizophrenic about the biblical exile. It exists as an ideological force *and* it does not exist as a singular historical reality behind that force; it has shaped the biblical texts if primarily as an idea of a singular historical event in the minds of the biblical authors. But in that it is circular. Its meaning is so central for a restored polity that the biblical desire for restoration necessitates the exile as a *universal* event, one that demonstrates Yahweh's power through his punishment of the disobedience of nations. Yet in terms of historical actuality, *the* exile was not an objective facticity outside the constructed history of the biblical authors. *What would a Babylonian ever have to say about the exile?* Without question, members of the Judean aristocracy were relocated into Babylonia, but their experiences were hardly different from any other conquered people group. There were "exiles" but no world-shaking "Exile." Moreover, the term "exile" necessitates the existence of the very thing that was lost—a nation. Yet the hope for its reclamation was retained, and the biblical authors appeal to a *restored* nation as the basis for the meaning of "exile," and the consequent "mass return."¹ Both ideas reflect utopian desire but not historical reality. More importantly, the biblical meaning of restoration necessitates a corresponding concept of a "disorderly" world, which explains in part its obsession with destruction and boundaries. The "restored world" is the product of an imposed distinction or fabrication of the remnant community distinguishing itself from the surrounding peoples. In short, the biblical (and monotheistic) view of restoration *demand*s difference as a foundational act. It is in that

1. B. Becking put it well, "If the concept of a mass return from Exile were correct, then (1) hints of it should be present in official Persian documents; (2) traces of it should be observable in the archaeological record of Persian-Period Yehud; and (3) a dramatic demographic decrease of Judeans in Mesopotamia should be traceable" ("We All Returned as One!": Critical Notes on the Myth of the Mass Return," in Lipschits and Oeming, eds., *Judah and the Judeans in the Persian Period*, 7).

sense that we should understand the well-known passage from Jeremiah, one to which we have referred before: “And the LORD said to me, ‘What do you see, Jeremiah?’ And I said, ‘Figs. The good figs are extremely good. The bad ones extremely bad; so bad that they cannot be eaten on account of their badness’” (24:3, translation mine).

Difference and Distinction: A Primer

Difference is the state in which one can speak of determination *as such*. The difference “between” two things is only empirical, and the corresponding determinations are only extrinsic. However, instead of something distinguished from something else, imagine something which distinguishes itself—and yet that from which it distinguishes itself does not distinguish itself from it.²

Herein we nearly have a paradox in the simultaneous extrinsic and the seeming unidirectional—*it is something I define*—nature of difference. One cannot help but be reminded of Ezra–Nehemiah where it speaks out passionately for the centrality of the *golah* community as well as the community’s social-political relevance. What if, for instance, the *golah* community was only a community by virtue of internal recognition, that it was a community merely by speaking itself into existence, or only as a consequence of literary creation? What if we were able to poll the so-called *am ha’aretz* and ask one simple question: Are there only two groups in Yehud, the *golah* community and you, the *am ha’aretz*?

Blenkinsopp’s observation of the Bible’s internal problem with distinguishing between the *golah* and the *am ha’aretz* finds the same issue but from a different angle.³ The specific *golah*–*am-ha’aretz* distinction seems to exist only in Ezra–Nehemiah. Yet the root of the distinction *does* exist in other relevant biblical texts; the vocabulary is merely different. Perhaps the lack of internal consistency in biblical vocabulary suggests that the distinction was a creation in progress, that the increasingly rigid contours of the distinction increased with the growing centrality of the utopian ideal of restoration as a shared collective symbol.⁴ *The more we understand what we want, the better we are able to express why you are not one of us.* Ezra–Nehemiah takes as a given the existence of the *golah* community, but we cannot afford the luxury of assuming that the community itself

2. Deleuze, *Difference and Repetition*, 28.

3. For reference, see Joseph Blenkinsopp, *Isaiah 56–66: A New Translation with Introduction and Commentary* (New York: Doubleday, 2003), 49.

4. It is likely that it would only have been during the late Hellenistic or Hasmonean periods that it would enjoy broad external validation.

was externally recognized as such. *Did the people already in the land recognize a golah community?* Instead, we must look for those signs of group conflict, antagonisms and projections that mark the community as an externally verifiable, distinct community toward whom resistance may be directed—we must look, and let’s say it with simple alliteration, for demarcations of difference.

That strategy is the basis of Deleuze’s position regarding difference: “Negation is difference, but difference seen from its underside, seen from below. Seen the right way up, from top to bottom, difference is affirmation.”⁵ In Ezra–Nehemiah’s binarily opposed society, the *am ha’aretz* must legitimate the *golah* community by accepting its distinction, its difference as “other,” its inverted relationship to production (and that is precisely the role that Sanballat, Tobiah, and Geshem individually play; cf. Neh 2:19; 6:1–6). Likewise, it must accept the authority or power of the *golah* community effectively to dictate, “but you have no share or claim or historic right in Jerusalem” (2:20). Given the context in Yehud, that statement is true only if the “rejected” people accept *as true* its lack of “right” in Jerusalem. For an example, one might recall the children’s rhyme that goes, “Sticks / and stones / may break my bones / but words will never / hurt me.” The point is that the target “I/me” refuses to accept the validity, truth, or value of what the subject person is saying. *If you call me an “ass,” for it to shape me I must accept that either you have correctly assessed who I am or that you have the power to define who I am.* Nehemiah claims the latter power, the ability to define the contours of distinction that identify the *golah* community from the *am ha’aretz* and to impose limits upon the *am ha’aretz* as something wholly other. Or to put it in Deleuzian terms, the *am ha’aretz* “other” must *repeat* the inverse restrictions and regulations of its intersubjective relation with the *golah* community, those that positively define the identity of the *golah*. *We say and do Y because we are not golah, which does X.* Yet this would mean that the *am ha’aretz* is knowable only as an inverse of the *golah* community and, in terms of its identity, wholly dependent upon it. That is certainly what the biblical texts seem to expect.

Repetition, then, becomes an act of legitimation. Deleuze writes: “Repetition changes nothing in the object repeated, but does change something in the mind which contemplates it.”⁶ The importance is found in the mind of the individual or group that must interpret and repeat the “object,” which may be material or ideal. In other words, to use again our

5. Deleuze, *Difference and Repetition*, 55.

6. *Ibid.*, 70.

children's rhyme, I must confess to myself and to you that I am an "ass" and embody that realization by internalizing it. I must repeat it not only in my response to you but in my future engagements with others. Or in the case of Nehemiah, the people who are already in the land must identify themselves as the *am ha'aretz* and constrain themselves according to the parameters of that identity. Parameters, we must recall, that are not positive attributions given to the *am ha'aretz* but the negative of such attributions given to the *golah* community; the *am ha'aretz* is knowable on account of its antithesis to the *golah* community. Yet there is more. Deleuze writes: "In considering repetition in the object, we remain within the conditions which make possible an idea of repetition. But in considering the change in the subject, we are already beyond these conditions, confronting the general form of difference."⁷ This emphasis upon the productive qualities of repetition and difference clarifies that for biblical texts such as Ezra–Nehemiah the assertion of group distinction entails a simultaneous rewriting of relations of power.⁸ It must do so. There was no preexisting distinction internal to the province between a *golah* community and the *am ha'aretz* before 539 BCE. But following the growing community of immigrants—and we are assuming there were returns, plural, rather than a singular, grand return—the distinction that existed was between the social-political agents of society within the province of Yehud and those individuals immigrating into the province, from Babylonia and elsewhere.

What we are finding in this analysis is that there is a productive quality to difference. Articulating qualities of difference defines aspects of the parameters of intersubjective relations between individuals and groups. For our study here, we are focusing primarily upon the distinctions and differences articulated by the biblical texts. Those qualities are part of an attempt to redefine the social-political order in favor of the *golah* community, immigrants who sought land and corresponding positions of power. For these texts, the "Exile" is the event *par excellence* that established the fundamental difference between the binarily opposed categories of "remnant" and "profane"—that difference so beloved of the biblical texts.

7. Ibid., 71.

8. Is not the imposing of a collective identity upon an "other" a type of depotentializing of the other? A making of her to be something categorically finite, completed, and therefore easily dismissible? See also Deleuze's discussion of potentiality versus depotentiality in *ibid.*, 174–75.

*The Exile as a “Univocal” Event and Its Quality
as a Symbol of Difference*

For thus says the LORD: Just as I have brought all this great disaster upon this people, so I will bring upon them all the good fortune that I now promise them. Fields shall be bought in this land of which you are saying, It is a desolation, without human beings or animals; it has been given into the hands of the Chaldeans. Fields shall be bought for money, and deeds shall be signed and sealed and witnessed, in the land of Benjamin, in the places around Jerusalem, and in the cities of Judah, of the hill country, of the Shephelah, and of the Negeb; for I will restore their fortunes, says the LORD. (Jer 32:42–44)

The prophet assumes only one possible meaning for the exile: Yahweh was punishing the people, and the invading nation was simply a tool in the divine hand. But the intent was not simply to explain the events that happened to the people, although it does that. Jeremiah describes Yahweh as being in a position of power over both the fate of the people and the Babylonian Empire, whom Yahweh *used* to make a point upon a grand stage—the empire a tool in a glorious display of phallic power. Yahweh controlled the imperial powers, which includes the Persian Empire after the Babylonian one, not for the sake of authority alone but because *it made restoration possible*. In order to show control over a land associated with imperial territory the power of Yahweh needed to be greater than that of the imperial system. Isaiah certainly made the case when he described Cyrus as a tool in the land of Yahweh—imagery that was frequently associated with power (or the demonstration of it) in the ancient Near East. The supremacy of Yahweh was extended beyond political borders because the legitimacy of the remnant community and its claim to the land necessitated it. Restoration required a power capable of overturning the extant, dominant order in support of one that favored Yahweh’s dominion. Toward that end, Cyrus, and also the Babylonian kings before him, must be, as we have mentioned before, a servant-king.

Thus says the LORD who made the earth, the LORD who formed it to establish it—the LORD is his name: Call to me and I will answer you, and will tell you great and hidden things that you have not known... I am going to bring [to Jerusalem] recovery and healing; I will heal them and reveal to them abundance of prosperity and security. (Jer 33:2, 6)

Reading Deutero-Isaiah next to this only provides further confirmation of our point:

[I am the LORD] who says of Cyrus, “He is my shepherd, and he shall carry out all my purpose”; and who says of Jerusalem, “It shall be rebuilt,” and of the temple, “Your foundation shall be laid.” (Isa 44:28)

To fulfill their expectation for restoration, the exile must be a universal event for the authors; it must stand as a singular event with a singular interpretation. The exile must become the foundational moment of difference, a creative act, upon which the idea of restoration is based. But the point that we have been arguing is that the magnetism of the exile emerged simultaneous to its biblically attributed univocality, through which shared anxieties regarding assimilation in Yehud were alleviated.⁹ *We don't have to be like them. God will restore us.* This assertion shares much with that of Niels Peter Lemche who posited that the concept of a unified Israel did not preexist the events of the exile.¹⁰ Persian and later period biblical descriptions of Israel tend largely to be a *theological* entity; such a thing was unnecessary before the absence of Judah as a geopolitical entity. And let's say it here, appealing to the religious institution as a primary determiner of identity was a last resort. In the ancient Near Eastern world, it was uncommon for religion (as an isolated institution) to play such a primary role. An appeal to religion as an autonomous institution in this capacity typically betrays an insecure political position—the only available option offering a vanguard to the threatening anomic world—and a case of ideological imperialism—*we lay claim to the god of this land and to all that god's material holdings*. By this last we mean that the community sought dominion over the god of the land, Yahweh, who was god over Israel/Judah and who was undoubtedly worshiped, as would have been the typical ancient Near Eastern practice, by people already in the land. In support of restoration, the biblical authors privatized the local deity—*Yahweh is ours alone. And according to Ezekiel (cf. 10:18–22; 43:2),*

9. M. Liverani finds a similar point in the act of self-identification through the law, though one should disagree with his claim that the practice was “typical.” It was instead the product of the Neo-Babylonian and later periods: “The extraordinary insistence on national self-identification through observance of a divinely-given law is typical of Israel, and answers the precise needs of a nation lacking the normal geopolitical coordinates. Respect for the Law could in fact take place even in social groups scattered over the territory and dependent on different political organizations (but in any case not their own). Self-identification through observance of the Law was certainly linked to the exile and post-exile periods: initially with a wish to maintain cohesion within a community risking dispersion, and later with the will to recreate a nation based on shared values (religious and moral)” (*Israel's History*, 344).

10. As described in Israel Finkelstein, “The Emergence of Early Israel: Anthropology, Environment and Archaeology,” *JAOS* 110 (1990): 678.

Yahweh went with us into exile—and re-invented the relationship between god and land, the latter which took on strong ideological meaning.¹¹ But to manipulate effectively the imperial political world, which was necessary for restoration, the god (Yahweh) could no longer be restricted to the land. No longer would the deity be the god of a specific geographic space but a god who acts like an imperial king, taking and giving land as he desires.¹² This shift in thinking is quite apparent in Ezekiel’s temporary throne, Deutero-Isaiah’s description of Cyrus as a messiah, Ezra–Nehemiah’s confessional emphasis upon the political dominion of Yahweh, and so forth (cf. Isa 45:1; Ezek 10–11; Ezra 10:1–44).

Julie Galambush, in her discussion of Ezekiel, offered a similar point: “The exiles’ desire to possess ‘their’ land (Ezek 36.17), negatively projected onto the current inhabitants, finds narrative resolution through the character of YHWH.”¹³ This followed by, “The exiles’ separation from the land is depicted as YHWH’s own, and YHWH’s struggle to conform nature to his will and assert his universal overlordship validates and symbolically fulfills the community’s desires.”¹⁴ The last part is poignant: Yahweh was viewed as conforming nature to his will and asserting his universal overlordship as that which validates and symbolically fulfills the community’s desire(s). The psychoanalytic term for this is “projection.” Projection is the act of externalizing experiences and desired attributes about oneself—and this can be seen in the individual and the collective—and imposing them upon an external object, whether a person, thing, or idea. In a situation such as this, Deleuze points out that the negative is not simply antithesis or negation. It represents the “not us” that is knowable outside of the boundaries that distinguish ourselves from others—but a reality or essence that we also engage in different ways.¹⁵ It is in a similar

11. Regarding the different ideologies of “land,” see the informative study of Norman C. Habel, *The Land Is Mine*.

12. On the imperial practice, cf. Pierre Briant, “De Cyrus à Alexandre: Histoire Politique de l’Empire et de la Dynastie Achéménides,” *Bulletin d’Histoire Achéménide* 1 (1997): 405–21; Cataldo, *Theocratic Yehud*, 51–56.

13. Galambush, *This Land Is My Land*, 91.

14. *Ibid.*

15. Cf. Deleuze’s discussion of non-being as an expression of difference (in *Difference and Repetition*, 28–69). But note: “in this relation, being is difference itself. Being is also non-being, *but non-being is not the being of the negative*; rather, it is the being of the problematic, the being of problem and question. Difference is not the negative; on the contrary, non-being is Difference: *heteron*, not *enantion*... As for negative, this is only the shadow of the highest principle, the shadow of the difference alongside the affirmation produced” (64).

fashion that the biblical view of “exile” emphasizes as its negative the distinction between insider and outsider. In other words, the exile must mean the same thing for the returnee community (the so-called “exiles”) as it does for those who remained in the land whose expression of identity begins as, “we are *not* the remnant” (cf. Ezek 11:14–21).

Of course, we run into an interpretive problem if we credit Yahweh to be an active agent rather than an ideological construction of the biblical authors—a problem that has brought a number of biblical scholars to methodological demise. If we remove the idea of some universal, abstract big Other selecting, punishing, and restoring, we must find our answers in the productive activities of human agents. *When I say that God will restore me, what I really mean is that the community will provide the institutional space and support for what I desire.* Apart from the possible objective existence she grants the divine, Galambush was certainly correct in her methodological strategy when she defined Yahweh as a character or symbol through which the author sought to find resolution for the exiles’ desire for the land. Let us repeat this increasingly unavoidable point: the narrative character or symbol of Yahweh represents a desire for land and for a collective identity that is based on ownership of that land.¹⁶ Correspondingly, the actions attributed to Yahweh by the Neo-Babylonian and Persian-period biblical texts should be interpreted within the framework of this desire.

Perhaps the more sensual vocabulary of Melanie Klein may be more appealing to those who barely tolerate frolicking in the more abstract fields of theory. Yahweh, and the temple as a physical symbol of the deity’s presence, is the “good breast,” rounded and full of milk, the favored object upon which those things that promote internal stability and satisfaction are projected.¹⁷ The outsider, or profane “other,” is the “bad breast,” sagging and dry, upon which all experiences and ideas that heighten anxiety of anomy (or even physical death) are projected. Consequently, the productive impact of collective projection demands that one cannot presume that the immigrating community shared the same perception of Yahweh as the people already in the land. The god of the immigrating community was a manifestation of its own desire for fulfillment and stability—a desire that emphasized heavily the importance of its own desire for land and social-political authority. In that sense, Zerubbabel was right in his dismissal of the proposed claim of Sanballat and others to worship also Yahweh

16. I also presented this point at length in Cataldo, *Breaking Monotheism*.

17. Cf. her theory in projective identification throughout *Envy and Gratitude* in which she uses the metaphor of the “good breast” vs. the “bad breast” as an extension of Freud’s arguments.

(cf. Ezra 4:1–3). The objectified *desire*, the projection of which constitutes the symbolic force of the divine, of the *am ha'arets* and the *golah* community, was not the same. *But you have no portion, right, or remembrance in Jerusalem*" (Neh 2:20, translation mine).

Scholarly consensus tends to rest upon the Judean aristocracy, from which we get the "remnant" community, as something that was materially and intellectually valuable to the Babylonian culture. But note Hans Barstad, who writes, "By bringing the aristocracy of Judah into exile, Nebuchadnezzar in fact removed its statehood, which was identical with the royal family and the upper classes... The Judean state was then replaced with a Neo-Babylonian state. This would have but little effect on national production in Judah, where life soon would have 'returned to normal.'"¹⁸ There is a problematic gap between what Barstad describes as the removal of statehood and "little effect on national production." Deleuze reminds us that true production is desire production, and that surplus production is but a part of desire production itself.¹⁹ Thus, the removal of the aristocracy would have unavoidably altered economic production within the territory to the degree that the ruling ideology behind the dominant mode of production changed. That is the critical emphasis for the biblical texts. Return and restoration does not denote simply the physical return of the exiles to the land, it includes a reorganization of the social-political order. Barstad attempts to navigate the blatant social-political problem that any empty land theory must account for: the necessity for the wholesale removal of population and subsequent destruction of various institutional arrangements that characterize the dominant relations of power and the authoritative "class" legitimated by those relations. The basic point behind scholarly arguments for an empty land is that it clears the way for the easy return or restoration of the previous aristocratic "statehood." To

18. Barstad, "After the "Myth of the Empty Land,"" 3–4. But compare C. Carter, who writes, "There was very likely a substantial disconnect, given the absence of a monarchy and its attendant infrastructure. And the imprint of this disconnect is present in the biblical traditions themselves. An empty land? Not at all. A subsistence-level economy for those who remained, probably overseen by a Neo-Babylonian appointee? A good guess. And the best we can do here is guess" ("Ideology and Archaeology in the Neo-Babylonian Period: Excavating Text and Tell," in Lipschits and Blenkinsopp, eds., *Judah and the Judeans in the Neo-Babylonian Period*, 311).

19. Deleuze and Guattari, *Anti-Oedipus*, 29, 139–40. Note also, "A State desire, the most fantastic machine for repression, is still desire—the subject that desires and the object of desire. Desire—such is the operation that consists in always stamping the mark of the primordial Urstaat on the new state of things, rendering it immanent to the new system insofar as possible, making it interior to the system" (221–22).

further strengthen his position, what Barstad should have argued further was that while the “non-aristocracy” who remained in the land likely did not notice any substantial change, the quiddities of desire production within Judah were modified in support of those who found themselves (if some weren’t already before the exile) in authority.

The dirty secret of the exile is that it supports a radical social-economic stratification. As a literary device, its acquired function is an act of differentiation between insider and outsider. The remnant, comprised of those chosen by Yahweh to be the seed of the “new Israel,” denotes the descendants of the past ruling aristocracy. The biblical separation between sacred and profane is unavoidably shaped by the productive activities driven by the ideological and material desires of the immigrant community. The differentiation between primary groups such as *golah* and *am ha’arets* that one finds in texts such as Ezra–Nehemiah was already predetermined along traditional economic and ideological levels. All said, the biblical concept of “exile” is concerned less with any actual series of events and more with the meaning of a singular event (should one say “ideal”?) of radical rupture, by which we mean the forced separation of differences. And the reason for this emphasis upon distinction was to carve out new boundaries and networks of authority.

There is a rough parallel with Žižek’s description of difference:

Here we encounter the Lacanian difference between reality and the Real: “reality” is the social reality of the actual people involved in interaction and in the productive processes, while the Real is the inexorable “abstract,” spectral logic of capital that determines what goes on in social reality. One can experience this gap in a palpable way when one visits a country where life is obviously in shambles. We see a lot of ecological decay and human misery. However, the economist’s report that one reads afterwards informs us that the country’s economic situation is “financially sound”—reality doesn’t matter, what matters is the situation of capital.²⁰

There is a distinction between the experiences of the people “on the ground,” so to speak, and the values and desires that motivate their productive activities. The biblical reference to “exile” embodies a shared meaning that resides at the distinction between member (e.g. *golah*, remnant, “Israel,” etc.) and nonmember. That distinction is a product of group conflict, driven by the immigrating community, in Yehud between those who “returned” and those who were already in the land. When we see the singular concept of “exile” within the Bible we must first look to the group struggles occurring within the Persian province of Yehud.

20. Žižek, *Violence*, 13.

The critical investigator employing the term “exile” in its full biblical glory must be able to answer: From whose perspective? Any given answer already predetermines subjective and objective values of the biblical texts that broach the topic. Likewise, we have already predisposed ourselves to a certain position regarding the credibility of a mass return from “Exile.”²¹ To be clear, however, the question is not really whether there was a series of events that could be described as “exile.” Let’s accept that there was a significant series of events that affected the loyalties of Judeans removed from the land. Even with sufficient doubt cast against the authenticity of the biblical narratives, there is still little reason to doubt that something, or somethings, had a profound impact upon the cultural memory of those responsible for the production of the biblical texts. As Philip Davies argued well, the notion of the exile operates on several levels: the canonical, the literary, and the historiographical. On a canonical level, the deportation brings the period of the Former Prophets to a close.²² On a literary level, the exile stands at the center of a complex intertextual issue.²³ And on a historiographical level, “exile” as an idea can be mapped.²⁴ Again, we need not dismiss that something, or somethings, happened in order to question what “exile” meant both to the community who employed the term and those who did not. Such questions may begin with, which meaning, which value system, which product of desire do we credit with the term? Exile means what for whom? But did the idea of exile mean anything for the so-called *am ha'aretz*? To say yes, would that not be like arguing that the self-imposed exile of Hollywood movie stars, whom we might quite begrudgingly acknowledge as members of the aristocracy, to the French Riviera has radically impacted my social identity as an academic and the consequent productive quality of my social-political agency (*even if I am in love with Johnny Depp*)? To construct any historical or sociological reconstruction of Yehud while including the exile as the watershed moment that radically altered the entirety of the social context of Yehud is entirely problematic. It myopically employs *golah* ideology, the product of desire of a minority group, as the lens and framework through which to interpret the social-political world of the province.

Or perhaps a different angle would be more helpful. “Exile” is similar to the motto “Currahee” of Easy Company, 2nd Battalion of the 506th Parachute Infantry Regiment of the 101st Airborne Division. The word

21. Of course, see again Becking’s point regarding the real problem with any theory that supposes a mass return did occur (“Critical Notes,” 7).

22. Davies, “Exile!,” 129.

23. *Ibid.*, 130.

24. *Ibid.*, 131.

purportedly comes from the Cherokee language and means “We stand alone, together”²⁵ and was also the name of a 1735-foot mountain near a U.S. Army training camp in Stephens County, Georgia. The company adopted the name of the mountain as its motto because its recruits were frequently made to run up and down the ascent with and without full gear. The motto represented the shared experience, a force of bonding, for the soldiers of Easy Company. Its adoption became an act of distinction between those soldiers and all others. It served as a reminder of what others were not: they had not endured the same experiences that were definitive of the collective identity of Easy Company. Our suggestion is that the biblical writers, notably of the Neo-Babylonian and Persian-period literature, used “exile” in a similar manner to designate a shared experience distinguishing “remnant” from all other people in the land. That is certainly what Mario Liverani meant when he wrote, “The returnees, during their exile, had built up a strong ideology, based on the new covenant, on Yahweh’s exclusiveness, on “the remnant that shall return” (*shear-jashub* is the name given by Isaiah to his son; Isa 7:3, see also 10:21).²⁶ In that sense, the events of the exiles were less important than the “archetype” they served: the shared meaning that defined the contours of a collective identity distinct from the people already in the land.²⁷ That is also the point that Davies’s previous comment identifies. For social, historical reconstruction one cannot depend upon the *biblical portrayal* of the exile as historically veritable. While we can be fairly confident events identifiable as “exiles” occurred, we should not for want of historical evidence default to the biblical meaning of “Exile.” In fact, such a portrayal was never the intention of the biblical authors. David Freedman is close to this point when he writes, “[T]he Bible as a literary entity is a product of the exile.” And, “*While we know little of the ordinary events of the exile*, we do have what is undoubtedly more important, a careful and extensive record of the revolutions of the human spirit that took place during those years.”²⁸

25. There is some indication that “currahee” is in fact Spanish and not Cherokee. Nevertheless, the motto remains and is attributed to the Cherokee language.

26. Liverani, *Israel’s History*, 256. But note also that he contrasts the *am ha’aretz* as disorganized and leaderless, ignorant, and illiterate (ibid.). In doing so, he has fallen victim to the unfortunate tendency of shaping his view of Yehud within the framework of *golah* ideology.

27. Cf. my discussion in “Yahweh’s Breast.”

28. Freedman, “Son of Man,” 172, emphasis mine.

The exile as a univocal event is meaningful within the value and meaning systems of those Judeans immigrating to Yehud. Its truest meaning is found not in historical events but in its function as a symbolic ideal that, to use Peter Berger's terms, externalizes and objectivates as an unbridgeable gap the differences between the "remnant" and "everyone else." *We, the remnant, are the ones who have endured the exile* (cf. Jer 29:14, 16–17). This shared experience defines the boundary between insider and outsider.

The Role of a Value System in Self-Preservation

Deleuze will not accept that there just "is" a structure of differences. He insists on thinking the genesis or emergence of difference: how is it that we have a system of differentiated signs, such as language? How did we come to think of ourselves as differentiated from the world, as subjects? Deleuze insists that we have to confront this problem by thinking of difference positively. Only positive difference can explain the emergence of any differentiated thing, whether that be the system of differences of a language or the differentiated human individual.²⁹

According to this point of view, the psychology of the mature human organism is an unfolding of emergent process that is marked by the progressive subordination of older behavioral systems to newer, higher order behavior systems. The mature human being tends normally to change his psychology as the conditions of his existence change. Each successive stage or level is a state of equilibrium, he has a psychology which is particular to that state. His acts, feelings, motivations, ethics and values, thoughts, and preference for management all are appropriate to that state. If he were in another state, he would act, feel, think, judge, and be motivated in a different manner.³⁰

Graves's point, our second epigraph, that individual psychologies are particular to a given state of equilibrium, is important—and the weight of this point is the same for collectives as for individuals. Throughout this work we have continually emphasized the social drive for stability, that God and restoration are projections of that drive but directed toward an idealized stability. Graves's point also assumes that change between states is a consequence of "upward direction." The dialectical snare that occupied modernist theory for generations is obvious in Graves's assumption regarding the nature of human activities as progressing in

29. Colebrook, *Understanding Deleuze*, 13.

30. Clare W. Graves, "Deterioration of Work Standards," *Harvard Business Review* 44, no. 5 (1966): 121.

an “upward direction.” Moreover, Graves is not entirely clear about what makes the individual aware that her position, or state, is no longer in equilibrium. But her point that the contours of individual productive actions as characterized by a drive toward equilibrium is important and is no less true of historical individuals than modern ones.

But like our own personal Virgil, Deleuze offers a possible way out of the dialectical snare. One recognizes the deterioration of stability in the non-closure of the “other,” in the other’s constant resistance to closed categories: “[T]he identity of anything is an effect of difference. It is not that there is a world of beings that we then perceive as being different from each other—a being is what it is only through its difference from another thing.”³¹ Identity is a performance preserved in relationships marked by non-closure. This constant expressibility of identity resists being constrained by closure because it is always in the process of defining itself in relation to new directions in the productive activities of others. *Because your attitudes and actions change, and because they affect our relationship, I must continue to make adjustments in my position before you.* Deleuze makes the case that the pursuit of desire, which is always a productive one, is the basis upon which any stability or equilibrium must be based. Equilibrium entails the full, complete satisfaction of desire. Yet the full articulation of my desire, contrary to those who argue for a strict individualistic relativism, is possible only within “creative circuits of social relationality.”³² *I know what I desire because the difference between us helps shape the objects of my desire. I desire them because of the meaning we have attributed them with.* Yet my desires and values are ineffective at maintaining stability, or equilibrium, against internal and external forces if they are not legitimated in the dominant cultural value system, which regulates the productive actions of individuals.

There should be little question, then, regarding the statement that the value system of the remnant community was based on the preservation, the stability or equilibrium, of the community as a “restored” community—a community whose identity is defined according to a utopian world in which the threats against the community have been abolished. Thus, the value system of the community was based on *future* actions, those that

31. Colebrook, *Understanding Deleuze*, 7, who summarizes Deleuze’s argument.

32. Donati, *Relational Sociology*, 113. Donati writes further, “By ‘relationality’ I mean the property of ‘*being in relationship*’, which has a Janus face: the property of *being* a relationship (social ontology) and the property(ies) that emerge(s) from reciprocal action (the relationship is contingently generated by reciprocal action)” (113 n. 17, emphasis in original).

reflected creative aspirations for stability and how it could be achieved. *The “good citizen” of our coming nation, which will be restored, will behave in consistency with these laws as we have them now.* Yet while value systems are partially open sets of morals, ethics, standards, preferences, and beliefs, the biblical texts are conservative. That is, the biblical texts attempt to *close* completely the value system. But this closure exists not in a value system that is part of any normative but one that is part of a utopian ideal. In Deleuzian terms, the relevant biblical texts advocate the production of desire, which is always in the “to come,” while simultaneously restricting the possibilities in production, often in the form of the *torah*. *This is the way things should be; this is the limit upon what you can do.* Is this simultaneous—one could well say “schizophrenic”—emphasis not the meaning behind this passage, one that emphasizes material and ideological desire production?

The LORD your God will put all these curses on your enemies and on the adversaries who took advantage of you. Then you shall again obey the LORD, observing all his commandments that I am commanding you today, and the LORD your God will make you abundantly prosperous in all your undertakings, in the fruit of your body, in the fruit of your livestock, and in the fruit of your soil. For the LORD will again take delight in prospering you, just as he delighted in prospering your ancestors, when you obey the LORD your God by observing his commandments and decrees that are written in this book of the law, because you turn to the LORD your God with all your heart and with all your soul. (Deut 30:7–10)

We must finally accept that the core of “restoration ideology” that shapes the biblical texts is a desire for self-preservation. It is an attempt to sustain in equilibrium collective identity as an effective defense against multiple sources of conflict. As Pierpaolo Donati writes astutely: “Every way of being one’s self—as the *I*, *me*, *we*, or *you*—is a dialogue (an internal conversation) with one’s I (personal identity). Social identity is formed from the dialogue between the I and the other identities. The battlefields for conflicts of identity are everywhere and occur at every moment of personal and social life.”³³ In that sense, the biblical ideal of stability is often measured against a glorified past even if that past is utopian and even while it emphasizes future actions. The exile as a universal and symbolic act imposes itself as a world-creating act, the hollowing out of a space, as an initial difference necessary to establish the distinction between the “true Israel” (cf. Ezra 6:16, 21; 7:7; 9:4) and

33. *Ibid.*, 51.

everyone else. But the genius behind Ezra's re-appropriation of the term is found in its refusal to be restricted by the historical contingencies of a real event. *Doesn't it function effectively under Persian, Greek, Hasmonean, Roman and even by extended metaphor to modern times?* And that is what preserves the term's continued symbolic use, in conjunction with restoration, in an increasing number of Jewish and Christian communities. The continued celebration of the Passover within Judaism even today is a ritualization not of any real, historical event in Egypt. It is the ritualization of Ezra's imposing of the *torah* upon Yehud (cf. Ezra 6:19–22 followed by 7:1–10—a glorious act preserved in perpetuity, a utopian narrative that describes the beginning stages of restoration).³⁴ After all, what is the Passover if it is not the radical choice by a divine Other who enjoys power greater than any surrounding nations, a choice that creates and imposes distinction between communities, upon which the cultural value system of the chosen community must be based, and so part of the greatest imposition of debt upon the community (“You have seen what I did to the Egyptians, and how I bore you on eagles’ wings and brought you to myself. Now therefore...” [Exod 19:4–6])? Participation within the ritual expects a full adoption of the value system that gives it meaning precisely because participation necessitates that one is one of the “saved,” as that term would be understood in terms of remnant, or elect. In other words, the Passover is a ritual only for members because it is an act of difference that repeats the boundaries of communal identity.

In Deleuzian terms, the ritualization of the Passover is a productive preservation of difference that dissolves and retranslates a previous convergence of assimilated identities—people in the province of Yehud are not seen to constitute a single social-political body—into a series of incompatible and divergent acts. For hypothetical example, the “Israelite” as insider cannot assimilate “Egyptian” culture because Egyptian culture represents the antithesis, the chaotic instability against which a stabilized state exists primarily by distinguishing itself from the other. Likewise, the categories *am ha'aretz* and *golah* are incompatible. The utopian idea of “Israel” necessitates the rejection of any preexisting social-political structures. Thus, the social-political intent of controlling the forces of identity production (*is not the killing of the firstborn the radical destruction of the future of identity?*) behind the ritualization of the Passover and its celebration is, in Žižek's terminology, a *revolutionary* act. It is bent on the

34. Even the description of Josiah keeping the Passover in 2 Kgs 23:22 is consistent with this idea that the ritual is less about the saving of any historical community and more about the creation of an ideal one.

destruction of the dominant normative order and the subsequent creation of a new one, or killing the first-born and the subsequent dismantling of the social-political institution that would empower it.

This is why one must conclude, contrary to Manfred Oeming's argument, that Ezra–Nehemiah's emphasis upon ritualization should not be read simply as a concern to establish proper religious behavior.³⁵ It may include that, but "proper religious behavior" does not explain *why* ritualization occurred. Writing on the behavioral sociology of ritualization, Richard Davis said:

The stimulus for the ritualization of human behavior is likewise the presence of anxiety of some sort. This anxiety may be ecological (as is the case in the performance of agricultural rituals); economic or political (as in cargo cults, for example); interpersonal (such as propitiating an ancestor or a living parent in response to guilt); doctrinal (striving to achieve salvation in response to learning that one is damned, for example); internal (such as prayer or magic in response to a fear of one's own growing fear); or merely symbolic (a response to the anxiety felt by others)... To say that ritualization is a response to anxiety does not necessarily mean that ritual alleviates anxiety, however.³⁶

With this restriction on the function of ritualization regarding the Passover in mind, what better explanation of anxiety in Ezra–Nehemiah than as the result of a loss of any possibility, as might happen through assimilation, of a unique social-political identity and corresponding authority? The radical intervention of divine election, in which the group becomes the basis for a nation, becomes through the ritualization process itself a shared symbol of the fundamental difference between the immigrant community—the one who is in waiting for a geographic territory to call "home"—and the people who are already in the land. And let's push the concept of ritualization further with a little help. Pierre Liénard writes, "Ritualized behavior is the consequence of the combined elicitation of various systems devised for processing specific materials different from ritual information and it is not the outcome of dedicated ritual mechanisms."³⁷ In other words, ritual does not exist in and of itself, as though the product of an isolated set of religious or other mechanisms.

35. See Oeming, "The Real History," 131–49.

36. Richard Davis, "The Ritualization of Behaviour," *Mankind* 13, no. 2 (1981): 106.

37. Pierre Liénard and E. Thomas Lawson, "Evoked Culture, Ritualization and Religious Rituals," *Religion* 38, no. 2 (2008): 157, 162.

Ritual, an act of circularity creating religious-cultural schemas deployed in various ways meant to restructure social(-political) situations for the benefit of the group but which also imposes restrictions upon the attitudes and actions of the group, is a backbone of religious behavior.³⁸ It is a response to external stimuli threatening the stability or equilibrium of the normative order, a response that defines the attributes of the social-political world in which the group resides. This last means that ritual can be a response to anxieties brought on by a real threat or a perceived one. Pierre's statement clarifies that ritual is not the end-goal in itself but is a product, in the form of a behavioral pattern given religious legitimation, of material and ideological stimuli acting upon the group or individual. Rituals can be meaningful in themselves, but they are never unaffected by imminent existential concerns.³⁹

Perhaps one can already see how rituals, ritual dramas, or ritual systems can be mechanisms through which prejudices against an other are suppressed or legitimated. Rituals are aspects of social relations, which Donati describes thus: "The relation is not only a medium, it is the viewpoint from which whoever is analyzing and operating must define their objects, if they want to capture their nature."⁴⁰ The most simplified kind and degree of relation, he posits, is the binary code (0–1, yes–no, inside–outside).⁴¹ Such codes are the repetitions of imposed sets of categorization the intent of which is to preserve difference. The collapse of this difference, which Žižek describes as the "unbridgeable gap," is itself the breakdown of a stabilized order, or equilibrium.

And that emphasis upon the qualities of difference is something that Deleuze seems well aware of when he writes,

38. Cf. Berger, *The Sacred Canopy*, 210; Bell, *Ritual*, 81.

39. R. Bellah refers to this as "enactive representation" (*Religion in Human Evolution: From the Paleolithic to the Axial Age* [Cambridge, MA: Belknap Press of Harvard University Press, 2011], 13–14) based on Jerome Bruner's thesis that this type of representation is the earliest form of true representation in children. Deleuze refers to this simply as repetition.

40. Donati, *Relational Sociology*, 125.

41. Ibid. But note that he also adds that this simplified relation is not fully helpful for sociology: "To define an object in relational terms, sociology needs codes of greater complexity than the reductive selection effected by either/or binary codes. Appropriate symbolic codes and models of analysis are required. A *symbolic code* is needed that does not look solely at the *relata* (*that which is related*) but at relations themselves, as mediations not reducible to their components" (126).

It is said that difference is negativity, that it extends or must extend to the point of contradiction once it is taken to the limit. This is true only to the extent that difference is already placed on a path or along a thread laid out by identity. It is true only to the extent that it is identity that pushes it to that point. Difference is the ground, but only the ground for the demonstration of the identical.⁴²

Difference is the foil against which we know ourselves. But difference also exists precisely because we know ourselves. *I know who I am because I know I am not you.* That is one reason why Lacan, for example, emphasized the need of a third party, the so-called big Other. My identity, for hypothetical example, is expressed in the qualities of my intersubjective relationship with you. But that which makes a relationship, or simply a “common ground of recognition,” even possible is the existence of a difference between a third party and ourselves. We may not be conscious of that difference, but we are aware of the similarities and differences between ourselves and our abilities to communicate them. We respond to others because they are different, and we categorize them in relation to us. That is precisely what Deleuze asks us to recognize when he describes the productivity of difference. In such terms, the differences highlighted by the biblical texts (e.g., *golah* community—*am ha'aretz*, sacred—profane, “Israel”—foreign, etc.) serve a productive role in both identifying qualities of a fundamental difference between social groups and articulating the identities based on that difference, which emphasizes a distinction between the particular and the general, or the “I” and the “other.”⁴³ This distinction, which necessitates the exile as a central and universal symbol, is what is referred to in passages such as, “Thus says the LORD of hosts: I will save my people from the east country and from the west country; and I will bring them to live in Jerusalem. They shall be my people and I will be their God, in faithfulness and righteousness” (Zech 8:7–8). In that there is the creation of a difference between “my people” and the peoples of the east and the peoples of the west. While the emphasis is upon articulating the identity of the people Yahweh has chosen, it necessitates a reductive categorization of others. The prophet’s emphasis upon the restorative activities of Yahweh is a repetition of the fundamental concern, one that is both defensive and offensive: preserving the community that immigrated in the hopes of establishing itself in a “desolate land” (Zech 7:14).

42. Deleuze, *Difference and Repetition*, 49–50.

43. Are not the problems of defining the self in this manner—though how can we avoid it?—not exhaustively laid out in E. Said’s work on “orientalism” (*Orientalism* [New York: Vintage, 1994])?

What this prolonged discussion of ritual means is that the ritualization of the Passover is a product of a complex set of relations that exist initially independently of the ritual itself or the ritual drama surrounding it. In some cases, such as in the Passover in Ezra–Nehemiah, rituals develop out of a fear of a loss of identity. That is, rituals such as the Passover are responses to this anxiety that ritualize the difference in order to preserve it. That is one motivation behind the passover ordinances described in Exodus, which show a clear symbolic tendency toward an insider–outsider distinction:

The LORD said to Moses and Aaron: This is the ordinance for the passover: no foreigner shall eat of it, but any slave who has been purchased may eat of it after he has been circumcised; no bound or hired servant may eat of it. It shall be eaten in one house; you shall not take any of the animal outside the house, and you shall not break any of its bones. The whole congregation of Israel shall celebrate it. If an alien who resides with you wants to celebrate the passover to the LORD, all his males shall be circumcised; then he may draw near to celebrate it; he shall be regarded as a native of the land. But no uncircumcised person shall eat of it; there shall be one law for the native and for the alien who resides among you. (Exod 12:43–50)

Note that the emphasis upon circumcision is again not an emphasis upon the act itself but upon the ritualized meaning behind the act. Circumcision is the physical, ritual symbol of a full assimilation of the group’s collective identity, including its systems, structures, and patterns of relations. More directly, it includes the adoption of the values and value systems that uniquely define the identity of the group *and preserve the stability of that identity*.

The biblical emphasis upon ritualization as a primary means of exclusion is due to the emergence of the monotheistic identity within the province during the Persian and later periods. For example, Zechariah’s emphasis upon the themes of divine anger, evil deeds/ways, and return clearly reflect a concern for the breakdown of the fundamental distinction between insider and outsider. The prophet’s opening salvo frames, which employs the exilic typology, the text by this dominant concern:

The LORD was angry with your ancestors. Therefore say to them, Thus says the LORD of hosts: Return to me, says the LORD of hosts, and I will return to you, says the LORD of hosts. Do not be like your ancestors, to whom the former prophets proclaimed, “Thus says the LORD of hosts, Return from your evil ways and from your evil deeds.” But they did not hear or heed me, says the LORD. Your ancestors, where are they? (Zech 1:2–5)

Zechariah's urgency suggests that the identity of the group was an *emerging* identity, that it was not secure, and that the group must establish behavioral patterns, or rituals, to preserve it. Where the prophet emphasizes coordinated action (the group must act as one) he maintains it should take place in resistance to the dominant normative order.⁴⁴ And through that expression, the boundaries of collective identity would be known. *This group, for whom restoration will occur, is recognizable by the qualities X.* The law preserved those boundaries, supporting the authority of Yahweh through ritualized and legalized obedience. And in that it created for the community a codified, always stable boundary preserving the community's collective identity.⁴⁵ The community's religious law (the predecessor of which is referenced in Zech 7:12, and from which we can infer the existence or idea of a revised form of the law) functions in this case in a constructive rather than descriptive manner. *The law does not reflect what we already are but what we are becoming.*

Deutero-Isaiah's qualification of Cyrus as messiah can be explained in this manner as well. The richness of the metaphors in Isa 45:1–7 is evident:

Thus says the LORD to his anointed, to Cyrus, whose right hand I have grasped to subdue nations before him and strip kings of their robes, to open doors before him—and the gates shall not be closed: I will go before you and level the mountains, I will break in pieces the doors of bronze and cut through the bars of iron, I will give you the treasures of darkness and riches hidden in secret places, so that you may know that it is I, the LORD, the God of Israel, who call you by your name. For the sake of my servant Jacob, and Israel my chosen, I call you by your name, I surname you, though you do not know me. I am the LORD, and there is not other; besides me there is no god. I arm you, though you do not know me, so that they may know, from the rising of the sun and from the west, that there is no one besides me; I am the LORD, and there is no other. I form light and create darkness, I make weal and create woe; I the LORD do all these things.

44. As Klein notes, “[e]xcessive idealization denotes that persecution is the main driving force” (*Envy and Gratitude*, 192). Yet this perceived persecution was not a physical oppression but the possible dissolution of the remnant identity. In other words, if the community did not share the prophet's vision of restoration, nor the prophet's vision of the importance of the temple for collective identity, the collective identity of the remnant as the national self-identification of the citizens of a restored polity would be irrelevant.

45. See also Liverani, *Israel's History*, 344.

The repetition of the phrase “I...though you do not know me” invokes the idea of ‘the Third’ as necessary for the articulation of identity and its underlying difference. Cyrus acts for the benefit of the identified subject, not for his own benefit but as a mechanism that simultaneously establishes the absolute authority of Yahweh and the uniqueness of his chosen, “Israel.” Within the typological framework of exile, Yahweh creates the space in which the difference that marks the uniqueness of the chosen subject may be productively acted out. Under the biblical concept of exile, the metaphorical gameboard was wiped clean and a new game with new rules created.

Note also the fundamental binary distinction elicited in v. 7: “I form light and create darkness, I make weal and create woe; I the LORD do all these things.” The manner in which the juxtaposition is set up seems important. Yahweh forms “order,” which is frequently synonymous with light, and creates darkness, which is synonymous with chaos. Likewise, prosperity and lack come from the hand of Yahweh. Whether one is prosperous or in need depends upon one’s relational status to Yahweh. Note, for example, the following two verses:

Shower, O heavens, from above, and let the skies rain down righteousness; let the earth open, that salvation may spring up, and let it cause righteousness to sprout up also; I the LORD have created it. Woe to you who strive with your Maker, earthen vessels with the potter! Does the clay say to the one who fashions it, “What are you making”? or “Your work has no handles”? (Isa 45:8–9)

The righteousness (*tsedeqah*) referred to here can be equated with what modern discourse usually denotes as “morality.” It is not specific to ritualistic behaviors but, like morality, is concerned with the status of the relationship between individuals and groups. One could say, then, that the biblical emphasis upon righteousness, and morality, is for the purpose of maintaining stability, or equilibrium. While the law provides an external framework through which the actions of individuals may be regulated, *tsedeqah* demands consistency of action within that framework. The parallel with morality can be drawn further, especially as Žižek defines “morality.” Morality at its root refers to the basic principle, the intent of which is to “hold back death,” “don’t do to me what you don’t want me to do to you.”⁴⁶ When we speak of *tsedeqah*, then, we mean the quality of one’s actions in relation to God or to others within the framework of law, as it serves the purpose of preserving stability.

46. Žižek, *Less Than Nothing*, location 440.

Apart from the law and righteousness, both of which define and regulate the necessary parameters of intersubjective relations for the monotheistic community, the focus of Isa 45:1–7 is upon Israel. God acts, including through his use of Cyrus, for the stated purpose of, “so that you may know that it is I, the LORD, the God of Israel, who call you by your name. For the sake of my servant Jacob, and Israel my chosen...”⁴⁷ Knowledge of God and God’s power necessitate intimate knowledge of the “chosen” community. God is not seen but presumed by the subject who draws on the distinction between insider and outsider. Is this not the monotheistic ideal at its purest? That the very fabric of social reality necessitates the distinction of the monotheistic community from the profane world? That the community exists for the sake of the knowledge of God and his power? That the community must exist, must be distinct, for the sake of an ordered world, the core of which is expressed in its own value system? That the value system of this community must be closed so that its stability cannot be interrupted, that its image remains unchanged, so that the absolute authority of God remains uncontested? That would mean that the real identity of this God is not some otherworldly being but the idealized stability of the community. It would mean that at heart, biblical, monotheistic values and ethics are more about self-preservation than any pure, genuine altruism. That like morality, they are motivated foremost by anxieties over “death” articulated best in the collective desire for social-political boundaries.

The Necessity of Exile for Restoration Betrays Utopian Desire

The basic supposition of this section is that the biblical concept of restoration—a desire for which is a primary drive in monotheism—cannot exist without the exile because the exile, to use Žižek’s terminology, is the radical event that destroys the existing social and political structures to make space for new ones (along the lines of what Dtr. and others envision as a theocracy). This is the meaning behind Jeremiah’s letter to the exiles:

For surely I know the plans I have for you, says the LORD, plans for your welfare and not for harm, to give you a future with hope. Then when you call upon me and come and pray to me, I will hear you. When you search for me, you will find me; if you seek me with all your heart, I will let you find

47. Note that Isaiah assumes the historical background of Cyrus’s consolidation of the Medes and Persians in 550 BCE, the defeat of Croesus in 546, and the defeat of the Babylonian Empire in 539. For further discussion, see for example, Hanson, *Isaiah 40–66*, 3.

me, says the LORD, and I will restore your fortunes and gather you from all the nations and all the places where I have driven you, says the LORD, and I will bring you back to the place from which I sent you into exile. (Jer 29:11–14)

And that followed by:

Thus says the LORD concerning the king who sits on the throne of David, and concerning all the people who live in this city, your kinsfolk who did not go out with you into exile: Thus says the LORD of hosts, I am going to let loose on them sword, famine, and pestilence, and I will make them like rotten figs that are so bad they cannot be eaten. (29:16–17)

Jeremiah stresses that the exile was Yahweh's plan to desolate the land and rebuild a nation upon it. That he will let loose on the people who remained in the land implies that true change must be preceded by a complete destruction. The implication is that so long as the prevailing social-political structures exist, they stand in the way of a realized Utopia (cf. Jer 30:1–3). The parallel with Žižek's point seems to lend credence to our interpretation of both passages from Jeremiah. The restoration of "Israel" envisioned by biblical texts such as Ezra–Nehemiah, Haggai–Zechariah, Isaiah, and Jeremiah, cannot occur in the midst of an already established society. That is the real intent behind the biblical paranoia over the distinction between the remnant and the profane and foreign: the possible unattainability and loss of control or authority.⁴⁸ To embrace the "foreigner" increases the risk of assimilating his culture. And for an immigrating community who was for all intents and purposes "foreign" vis-à-vis the people already in the land, the risk of assimilation was even greater. When that ideology of foreign is accepted without question, it presents a problematic academic position regarding "what went on" on a social-political level in Yehud. For a moment, Liverani, who we've cited favorably before, buys into the authenticity of the portrayal of the social-political context of Yehud given by the biblical texts:

48. Consequently, R. Gibbs's description of the role of the remnant fits within a modern religio-philosophical context but does not accurately describe the social-political context of Yehud: "The role of remnant is central to Jewish existence since the time of the prophets. It performs the responsibility of remembering and hoping in a way that can model the social form of remembrance. The remnant makes the one who remembers herself into a sign of loss, a sign of suffering for others to interpret... The remnant waits and promises to remain. Or perhaps it is promised to remain—it is assigned a post it cannot renounce: it must remain until the redemption" (*Why Ethics?* [Princeton, NJ: Princeton University Press, 2000], 375).

But in assessing the triumph of the returnees and the marginalization of the remainees we should above all bear in mind the social status and cultural influence of each group. The deportees all belonged to the palace milieu (i.e. to the “political” class), or had worked in the Jerusalem temple (priests and scribes), or were landowners. The remainees were members of village communities, poor peasants and serfs, left by the Babylonians to work the land.⁴⁹

While Liverani grossly simplifies the distinction between the groups by reducing the basis of identity to a simplified binary opposition, his description of the distinction between the groups, while perhaps exaggerated in its emphasis upon the returnees as authoritative versus the unbridgeable divide between them and the “paupers” who remained in the land, portrays the exclusivistic ideological attitude of the immigrating community as it is represented in the biblical texts.⁵⁰ This attitude is seductive in its prevalence. It is easy to buy into its “propaganda.” As Jeremiah put it, “The people who survived the sword found grace in the wilderness; when Israel sought for rest, the LORD appeared to him from far away. I have loved you with an everlasting love; therefore I have continued my faithfulness to you” (Jer 31:2–3). But that gesture fell short

49. Liverani, *Israel's History*, 256. He writes further, “The returnees, during their exile, had built up a ‘strong’ ideology, based on the new covenant, on Yahweh’s exclusiveness, on the ‘remnant that shall return’ (*shear-jashub* is the name given by Isaiah to his son: Isa 7.3; see 10.21). They had fanatical determination, leaders and a paramilitary structure; they had an educated class (the scribes who returned introduced the Aramaic script into Palestine; replacing the Phoenician one previously in use), economic resources and the support of the imperial court. The remainees were illiterate and ignorant, scattered, with no leaders, poor and without hope, with any strategy and without a god” (256). Liverani is certainly incorrect in his overly reductive description of those who remained in the land. It is correct that the Babylonians exiled members of the aristocracy, but those who remained in the province were likely no more scattered than before the loss of the aristocracy. The Babylonians appointed political leaders, and it is the nature of every social group to develop its own internal hierarchy. It is also likely that we would see the rise of a new landed aristocracy, which would explain the common tendency of the returnees to intermarry with people already in the land.

50. Liverani’s position here is not unique. Bedford, for example, writes, “It is only being in the exiled remnant of Judah, or among the descendants thereof, whether living in the homeland or the Babylonian diaspora, that accords legitimacy... With the homeland devoid of Judeans, the first generation of repatriates is sent as a colony of Judeans from the Babylonian diaspora to re-inhabit the homeland (Ezr. ii)” (“Diaspora: Homeland Relations in Ezra–Nehemiah,” *VT* 52 [2001]: 153).

of the “peasant” who remained to maintain the land for the “aristocratic” returnees.

This powerful distinction is also behind Dtr.’s position that complete destruction was necessary before restoration, and that restoration was possible only under the regulation of a divine law:

When all these things have happened to you, the blessings and the curses that I have set before you if you call them to mind among all the nations where the LORD your God has driven you, and return to the LORD your God, and you and your children obey him with all your heart and with all your soul, just as I am commanding you today, then the LORD your God will restore your fortunes and have compassion on you, gathering you again from all the peoples among whom the LORD your God has scattered you... The LORD your God will bring you back into the land that your ancestors possessed, and you will possess it; he will make you more prosperous and numerous than your ancestors. (Deut 30:1–3, 5)

Thus, the fidelity of Yahweh was to a select group of people and not to the land (a position that Ezekiel shares). What this means is that the concept of Yahweh within the text is the particular ideological product of the author and the community he represents. *Yahweh has been freed from the land. He is anchored to the community.* What the exile symbolizes in the biblical texts, what gives it its preeminence in terms of value of meaning, therefore, is not really the historical events of dislocation. It is a symbolic reference to the radical rupture that breaks down the power distribution and institutions of authority of the old society and creates space for the creation of a new, utopian one—the state of restoration. Consequently, one can always say there exist two forms of exile for Israelites and Judeans: the biblical one and the historical series of (forced) relocations. In light of this distinction, which is traditionally conflated in typical discussions between biblical interpreters, Erhard Gerstenberger’s admonition rings out resoundingly:

The following at least should be clear: the biblical patterns of explanation were born out of situations of the time, presuppose the interpretation of faith of the time, and in all probability appear differently for Israel’s ancient neighbor nations, the Persian authorities, and us in the twenty-first century C.E.⁵¹

The “exile” is an ideological strategy supporting the claim of the “returnees” to the land and authority within the province—both of

51. Gerstenberger, *Israel in the Persian Period*, 30.

which are absolutely necessary before restoration can occur. As we have mentioned repeatedly, we are not saying that historical events associated with the exiles never happened—there is evidence ample enough to suggest events of forcible relocation *did* happen. But the exile described in the biblical texts is not intended as a historiographic account. It is an ideologically laden account and speaks less to the suffering of people and more to its utopian aspirations, justification even, for “restoration.” “Exile” is the gap that stands between insider and outsider. It is, in Žižekian terms, the radical rupture that creates space for restoration. Restoration as an ideological motivation is the response to the “problem” of the loss of land and nationhood. As Ackroyd writes:

The problem for the exilic thinkers, in the light of failure, was to find a means by which the future people should really embody the divine will... In the first place there is the response of piety, which we have already linked with the idea of the Temple. The maintenance of worship, the development of the synagogue, the marked emphasis on prayer which becomes increasingly clear in the later post-exilic years, all indicate a deep concern with the inner life of both individual and community to ensure the rightness of condition in which the blessings of God can be appropriately received. In the second place, the evolution of law—already a dominant element in earlier thinking, but coming to occupy an increasingly important place in the later period and especially in the post-biblical writings—is marked by a concern both for the purity of the people’s life—so especially in the mass of ritual law—and also for the covering of every aspect of life—and so by an inevitable development of casuistry.⁵²

The cult inserted into that space was meant to become the institutional response or mechanism that both preserved the distinction of the community and ensured its divine blessing—blessing that took the form of land and nationhood.

52. Ackroyd, *Exile and Restoration*, 254–55.

Chapter 7

RETURNING TO THE CENTRALITY OF RELIGION

The question of the origins of any ethnic group and, by extension, any nation is rarely if ever susceptible of a straightforward answer. Once they have achieved a degree of collective identity most social groups, including nation-states, generate their own myths of origin which offer one kind of straightforward answer.¹

The scholarly emphasis upon the centrality of religion (and the religious importance of the Jerusalem temple) ignores the more likely role that religion played in Yehud during the Persian period: providing a mechanism for paranoid self-preservation. *And isn't that in all religions a reflection of the conservative tendency?* Too often one finds in biblical interpretations and academic reconstructions an assumption that religion was the savior, that it reached victoriously into the heart of chaos and pulled from its clutches a remnant. That it alone withstood the throes of history by creating a bulwark, a defensive institutional structure capable of universal appeal and application. Put bluntly, this perception and its overly eager employment within academic and popular discourse is certainly a Western guilt, as much of postcolonial biblical criticism has already pointed out. It falls in that imperialist vein of, *You must change, become like me, to receive salvation*. Religion as the “savior” from without is nearly wholesale an idea from colonial discourse.² And all too often, it is posited as the institutional axis connecting the historical pathways of Israel, Judah, and Yehud. *One culture! One people! One God!* There is often a secret presupposition here, of course, that there exists a divine “big Other” capable of working through and within history. Or even more simply that the Bible innately holds unique historical value that transcends those historical and cultural values upon which it was created. One may see evidence of this not always

1. Blenkinsopp, *Judaism: The First Phase*, 12.

2. Cf. Sugirtharajah, *Exploring Postcolonial Biblical Criticism*, 41–47.

in a positive manner but at times in a negative one wherein monotheism is proclaimed a successful product of higher-order thinking or rationalism. Even academic histories of Persian-period Yehud all too often construct their arguments based upon a positivistic view of the biblical texts and the cult they portray. Perhaps in this there is an (un)conscious attempt to cover over monotheism's more disreputable past, where monotheism was not the savant of the religious world but its bully.

What if, on the other hand, one looked at the religious posturings portrayed in the biblical texts as those motivated by deeply held anxieties? That is certainly what this present work has done. What would that mean for our understanding of the historical social-political context of Yehud during the Persian and later historical periods? What would that mean for modern biblical interpretation? This chapter will provide some answers to those necessary questions.

The Problematic Dichotomization of Religion and Society in Ancient Israel

Here is an assertion that may find agreement with some readers: If we reject as irrefutable the proposed dichotomy between religion and society—such a dichotomy is the product of the modern, Western mind—then we must also reject the idea that the biblical texts were primarily concerned about a divine-human relationship. The Bible is not a story about God but a story about a people held together by a desire for “restoration” in the form of land and authority over it. In that sense, the texts that constitute the Bible are cultural artifacts. But let's be clear about our purpose here, this isn't an argument for the non-/existence of God; in fact, it can remain gleefully agnostic about the whole affair. *Let God exist; that's fine.* It does, however, assume that underlying assumptions about the social (and universal) distinction of religion unfairly isolate, to varying degrees, religious developments out of social-political changes—institutional, ideological, and otherwise—historical particularities upon which it desperately depends. In other words, religious beliefs and behaviors are not autonomous of the society that they benefit. What this means for us here is that we cannot talk about religion in Yehud without trying to account for the dominant social-political institutions and issues that drove the culture of the province and its material production. We cannot talk about religion without talking about the society that it benefits, and monotheism *always* depends upon the society it rejects.

An additional point must be addressed. Take an example from the late Robert Bellah, who wrote in his *magnum opus*,

Many scholars ask whether the very word “religion” is too culture-bound to be used in historical and cross-cultural comparison today. I cannot avoid the question, but for practical purposes I will use the term, because for the philosophical and sociological traditions upon which this book draws, the idea of religion has been central. The justification for its use will depend more on the persuasiveness of the argument of the book as a whole than on a definition; nonetheless definitions help to get things started... I will begin with a simplified Durkheimian definition...: Religion is a system of beliefs and practices relative to the sacred that unite those who adhere to them in a moral community. Even this simple definition raises immediately a second definitional issue: What is the sacred?³

Our answer to Bellah’s last question—What is the sacred?—has served as a motivation throughout this work. “Sacred” preserves the stability of the normative order. In other words, the productive desire behind definitions of “sacred,” if we are capable of finding any reason consistent across cultures and their religious expressions, is the desire for equilibrium or, more explicitly, a confident bulwark against anomy. Within that is found the preservation of legitimated morals and ethics that are consistent with the collective view of an orderly world. Support for that sentiment is found in sociologist Jeffrey Alexander’s work: “Norms provide standards for moral judgment. What is defined as evil in any historical period provides the most transcendental content for such judgments. What Kant called radical evil, and what I would call here, drawing on Durkheim, sacred-evil, refers to something considered absolutely essential to defining the good ‘in our time.’”⁴ Likewise, that something is found even in Mary Douglas’s summary of Durkheim:

So we find Durkheim insisting that rules of separation are the distinguishing marks of the sacred, the polar opposite of the profane. He then is led by his argument into asking why the sacred should be contagious. This he answers by reference to the fictive, abstract nature of religious entities. They are merely ideas awakened by the experience of society, merely collective ideas projected outwards, mere expressions of morality. Even the graven images of gods are only the material emblems of immaterial forces generated by the social process. Therefore they are ultimately rootless, fluid, liable to become unfocused and to flow into other experiences. It is their nature always to be in danger of losing their distinctive and necessary character. The sacred needs to be continually hedged in with prohibitions. The sacred must always be treated as contagious because relations with it are bound to be expressed

3. Bellah, *Religion in Human Evolution*, 1.

4. Jeffrey C. Alexander, *The Meanings of Social Life: A Cultural Sociology* (Oxford: Oxford University Press, 2003), 67.

by rituals of separation and demarcation and by beliefs in danger of crossing forbidden boundaries.⁵

The fundamental motivation behind projection as an act of defining the collective self is the fear of an ideological death, or the loss of collective identity.⁶ *I project upon an external object my bad experiences*. There is a similar motivation behind, for comparative example, more modern forms of nationalism and, in the case of the United States, the corresponding form(s) of civil religion that developed in its wake.⁷ Shared motivation led to a blending of ideological conviction, such as of “religious nationalism,” of which Roger Friedland wrote:

Religious nationalism is about both values and things, the one through the other. It is about both recognition of a new collective subjectivity and the redistribution of sources. Religious nationalisms are maintained by a family drama: they all center their fierce energies on the family, its erotic energies, its gendered order. This is because the institutional logic of religion centers on the order of creation, locating humanness in the cosmos, replicating cosmology through ritual, a practical metaphysics that necessarily points before life and after death.⁸

5. Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*, Routledge Classics (New York: Routledge, 2006), 26–27. One might also see the work of M. Eliade, who maintains a similar understanding of “sacred” in *The Sacred and the Profane*.

6. J. Shields cites Gabriel Almond as describing the nature of fundamentalist religious groups, whose concerns are often primarily the preservation of stability, this way: “[Fundamentalism is] a discernible pattern of religious militancy by which self-styled ‘true believers’ attempt to arrest the erosion of religious identity, fortify the borders of religious community, and create viable alternatives to secular institutions and behaviors” (*Democratic Virtues*, 12).

7. R. Beiner defines “civil religion” as, “a theme in the history of political thought that concerns the political unity of religion. Religion, from this view, is seen as supplying an essential basis for civic ties and obligations” (“Religion, Civil,” in *Political Philosophy: Theories, Thinkers, and Concepts*, ed. Seymour Martin Lipset [Washington, DC: CQ Press, 2001], 157). The strong link between national identity and religious identity in the United States was summarized thus by Hargis in 1960: “America is a Christian country. The men and women who braved an uncharted wilderness to carve out this Republic, were rich in faith. With a Bible under one arm, and a musket under the other, they were willing to fight for their faith and their freedom” (cited in Daniel K. Williams, *God’s Own Party: The Making of the Christian Right*, Digital [Oxford: Oxford University Press, 2010], 41).

8. Roger Friedland, “Religious Nationalism and the Problem of Collective Representation,” *Annual Review of Sociology* 27, no. 1 (2001): 134.

Note his observation that the institutional logic of religion centers on the order of creation and categorical actions, such as ritual and replication, that support that order. His use of “replication” of cosmology can be better clarified via Deleuze, who writes, “Repetition changes nothing in the object repeated, but does change something in the mind which contemplates it.”⁹ The reality of the object, in this case the order of creation as object, must be internalized within the mind of the individual for the sake of a stable social-political world. This is what Berger meant when he wrote, “Internalization, then, implies that the objective facticity of the social world becomes a subjective facticity as well. The individual encounters the institutions as *data* of the objective world outside himself, but they are now *data* of his own consciousness as well.”¹⁰

What we might take from this illustrative tangent is that when one says that the biblical texts preserve the cultural world, that statement is true to an extent. But what one should really say is that the biblical texts, especially those of the Persian and later periods, reflect an attempt to *create* an ordered world. This world is summarized in one word, “restoration.” The world that Ezra–Nehemiah, for example, envisions, where a radical distinction exists between insider and outsider and the Mosaic law is the primary system for governance, *is not one that existed*. It was a utopian ideal.¹¹ It is easy enough to accept that conclusion. It is more difficult to understand the impact of the surrounding social-political world upon the ideological formation portrayed in the biblical texts. The textual attempt to convince us that the land was empty, and to obscure the fact that the identities of the returnees were shaped by their interpersonal engagements with the people already in the land, is not convincing to the discerning mind.

But let us return to the problematic dichotomization of religion and society within the ancient world. Perhaps this has been due in part to the colonial and some postcolonial discourse on the dichotomization of core and periphery. As Jon Berquist noted, that dichotomization has been useful and I would add will still be useful.¹² But we are reminded of Donati’s point regarding the simplest form of relation, the binary relation, discussed in the previous chapter. Gross reduction of relations into overly simplistic dichotomized categories sweeps the inherent complexities of any social

9. Deleuze, *Difference and Repetition*, 70.

10. Berger, *The Sacred Canopy*, 17.

11. See also my “Whispered Utopia: Dreams, Agendas, and Theocratic Aspirations in Persian-Period Yehud,” *SJOT* 24, no. 1 (2010): 53–70.

12. Berquist, “Constructions of Identity,” 61.

relation “under the rug,” so to speak. Reductions of this nature in biblical studies have resulted in scholarly analyses reconstructing the identity of those immigrating into Yehud (Ezra–Nehemiah’s *golah* community, for example) as primarily a religious community whose foremost desire, though with distractions (note Haggai), was reconstructing the religious cult and the Jerusalem temple as the central core of a restored nation. Thus, many have taken as a given that the primary concern of the biblical texts was, and is, about the divine–human relationship.

This explains, for instance, Morris Jastrow et al.’s position that “Deuteronomy marks the beginning of canon; religion becomes a book religion, an object of study, a theology. The people know what they may expect if they keep the Law. Religion assumes the nature of a covenant, a contract, and the doctrine of retribution becomes paramount.”¹³ The problem is with the centralization of the biblical text in the formation of religious identity. It did not, could not, become central *without* influence from without the community. Theology, whose object is the categorization of the abstract, has no inherent magnetism and no essential *raison d’être* in and of itself. The essential nature of theology is a response to uncertainties relative to the group or individual—that is why God and gods are so intimately linked with order and disorder, and why theology seeks to expose divine mechanisms for preserving social-political order. Deuteronomy does not represent the beginning of canon, as Jastrow et al. put it, as though it marked the basis of a theological enterprise as a fulfilling endeavor. The biblical texts became central because they offered a mechanism for alleviating anxieties. Along these lines, Blenkinsopp’s proposal, to which we will turn in a later section, was closer to the actual state of affairs in its argument that sectarianism was the driving force behind the prioritization of certain biblical texts and their ideals. Nevertheless, he too depends too much on the centrality of religion as something distinct and isolatable from more general social-political practice and behavior.¹⁴

13. Morris Jastrow Jr., et al., “Deuteronomy,” 2002. N.p. Online: http://www.jewishencyclopedia.com/view_friendly.jsp?articd=292&letter=D.

14. A similar issue can be seen in J. Berquist’s argument: “This immigrant class eventually became the group that defined nascent Judaism and shaped its substance and practice over the next centuries. Because of this group’s political loyalty to and dependence upon Persia, it increasingly defined Yehud’s distinctiveness as a religious function; politically, Yehud was a colony within someone else’s empire; religiously, however, Yehud was separate and autonomous, connected in a special way to its God and through God to each other” (*Judaism in Persia’s Shadow*, 140).

What then of the development of the idea of canon? The primary motivation was not theological.¹⁵ Scribes did not create a Bible because they shared strong strictly theological motivations. The overwhelming emphasis upon divine selection of a particular ethnic group, which is increasingly refined throughout the text, betrays a more socially selfish intent of self-preservation.¹⁶ It reflected a fear of the loss of the distinctiveness of the community's collective identity. *If we cannot identify ourselves as the "remnant," then who are we?*

There is *always* an underlying motivation behind religious behavior—a point that is clearly seen in “fundamentalist” individuals and groups. Lisa van Houten of the American Decency Association, for modern example, decried President Obama's July 21, 2014 executive order barring federal contractors from discriminating against LGBT+ individuals by comparing Obama to Nebuchadnezzar, the Babylonian king who took Judeans into exile. “There is no good news in our government affirming a lifestyle that leads to destruction. As greater discrimination and even persecution comes, may you and I not bow to Nebuchadnezzar, but stand for what is faithful and true.”¹⁷ The underlying fear is the erosion of society through

15. C. Meyers, for example, writes regarding matters of gender outside theology, “It should not surprise us that the known female roles in Israelite religious life are the public ones, because the canonical source is largely concerned with public and institutional matters” (*Discovering Eve: Ancient Israelite Women in Context* [New York: Oxford University Press, 1988], 160).

16. J. Neusner and T. Sonn point out that in contrast to Christianity Judaism and Islam are both primarily concerned with social-political existence: “But Judaism and Islam tell themselves the story of origins within the framework of the godly state, the Israel called into being by God at Sinai through the prophet Moses, for example, being instructed about constructing courts and settling claims of damages for the goring ox, not only building a tabernacle and setting up an altar for offerings to God. Islam from the beginning understood itself as a political entity, with realization of the divine will through revealed law as its reason for existence. For its part, Christianity spent three centuries without thinking a great deal about law beyond the realm of Church order, paying slight attention, except as victim, to matters of public policy and politics. Then, from the time of Constantine, while aspiring to infuse politics with its vision, Christianity recognized a distinction between the state and the church that Judaism and Islam never contemplated and could never have conceived. That is why the halakhah for Judaism and Shari'a for Islam find no counterpart in a uniform legal code joining civil to canon law in Christianity” (*Comparing Religions Through Law: Judaism and Islam* [London: Routledge, 1999], 5).

17. In her online article, “An ENDA to Religious Liberty,” American Decency Association, July 25, 2014. Online: http://americandecency.org/full_article.php?article_no=2890, viewed 8/7/2014.

the breakdown of normative order and a corresponding threat to the Christian identity and way of life. It was a similar type of fear, though under different historical circumstances, that motivated the authors and editors of the biblical texts. Our point is this: the Bible was not written solely for the sake of the betterment of human beings. The discriminating reader will recognize how this conclusion will be different from those who hold a more conservative attitude regarding the Bible. It was a product of its cultures, groups that feared for the loss of cultural identity absent any control over the social-political context. Our approach to the relationship between the Bible and the social-political context of Yehud cannot treat the Bible as a central “pillar” of its historical social-political context. It is a cultural artifact that portrays a unique perspective on that context: a perspective of a minority driven by the concerns of a minority, which include overturning the dominant structures that define the minority as one marginalized (and not one in a position of authority). *We shall overcome.*

Problematic Reconstructions

[T]here has never been a single, unitary and linear Judaism.¹⁸

Likewise, there has been a number, and it continues to grow, of attempted sociological reconstructions of Yehud that have used some variation of a colonization model.¹⁹ It is an unburdened approach; it nods at a deeper sociological understanding but doesn’t commit. But arguments that the *golah* community colonized Yehud make problematic the assumption that the province was ripe for colonization—a fertile womb yearning for impregnation. One can’t help but be reminded of the old adage, if it seems too good to be true... Instead, it makes better sense to read the biblical texts as reflections of a collective anxiety—the reaction of an immigrating community despairing in its sense of place. Scholarly arguments that assume the existence of a colony established by the returnees must typically depend upon two presuppositions: (1) that the land was either empty, or devoid of any real unique social-political organization; (2) that the colonizers maintained direct relations and correspondences with the Judeans who remained in Babylonia, the latter who functioned as communal authorities.

18. Jacob Neusner, “Exile and Return as the History of Judaism,” in *Exile: Old Testament, Jewish, and Christian Conceptions* (Leiden: Brill, 1997), 223.

19. Cf. Berquist, *Judaism in Persia’s Shadow*, 140; Bedford, “Diaspora,” 158. See also Kessler (“Persia’s Loyal Yahwists,” 99), who argues that the Judeans returning from Babylonia constituted a charter group.

Take, for example, Peter Bedford's statement: "[T]he community of repatriates is not in a position to develop an identity independent of its parent diaspora community. The repatriates do not operate independently of the Babylonian-Persian diaspora for the two form a single people, albeit in an unequal relationship of parent community and colony."²⁰ Even John Kessler's argument for a "charter group" is at heart no different from what many scholars consider the function of a colony. He builds off the work of John Porter while classifying the immigrant community as a "non-indigenous, enfranchised elite."²¹ "[John Porter] defines a 'Charter Group' as an ethnic elite which moves into a geographical region, establishes its power base, and creates a sociological and cultural structure distinct from that which already exists in that region."²²

This emphasis upon a charter group necessitates the possibility of what might be termed "free creation" within the social-political context. In other words, it assumes that within Yehud already existing social-political power structures were not integrated into the life of the province well enough to prevent being replaced easily by new ones. It assumes also that the social-political vision of the community could be imagined without having to develop strategies (revolutionary or otherwise) of restructuring the dominant normative order and its concomitant sphere of social-political institutions. This is precisely the point where many academic arguments ensnare themselves: the assumption that even if people were already in the land that the removal of past members of the aristocracy with the Babylonian exiles crippled the land, leaving it panting for the glorious return of its "real" aristocracy.²³ Even those scholars who use the

20. Bedford, "Diaspora," 158. Berquist argued earlier than Bedford that the colonial relationship shaped the urban and power landscape of Yehud: "The reorganization of Yehud shifted the bases of political power as well as the culture of the colony, producing a predominance of influence among those with experiences in Babylonian and Persia. These new occupants of Yehud possessed a larger worldview and perhaps shared their cultural assumptions and attitudes more with the non-Yehudites of their regions of origin than with the inhabitants of Yehud where they now lived" (*Judaism in Persia's Shadow*, 140). But note that Berquist has since reevaluated his original argument in "Constructions of Identity," 61.

21. Kessler, "Persia's Loyal Yahwists," 105.

22. *Ibid.*, 99.

23. See H. Barstad, who wrote, "By bringing the aristocracy of Judah into exile, Nebuchadnezzar in fact removed its statehood, which was identical with the royal family and the upper classes... The Judean state was then replaced with a Neo-Babylonian state. This would have but little effect on national production in Judah, where life soon would have 'returned to normal'" ("After the 'Myth of the Empty Land,'" 3–4).

patriarchal family as the sociological model for the state are guilty. It is as though, to put it metaphorically, the loss of the patriarch leaves the family wistful and aimless, hoping to scrape by on the materials the patriarch left behind. A naïve sociological understanding, indeed! One need only look at the family, to continue the metaphor, to see that if the patriarch is absent, another from within will take his place—often the eldest son. *Wasn't that the tortured truth at the heart of Shakespeare's plays?* Even in the ancient world, the systems of production were not directly dependent upon the individual or class. If one king died, for example, another could easily take his place. It is likely that the majority wouldn't even feel an interruption in the overall production of the community. With the removal of the aristocracy, or only members of it, by the Babylonians, we can be fairly confident that a new one took its place and preserved the general pattern of production. Or one might even see a more modern metaphor in the conflict between Israel and Palestine: Israel's week-long shelling in August 2014 was part of a several-month conflict that resulted in over 1800 people being killed and destroyed a number of economic centers.²⁴ Despite the event, the people of Gaza, while recovering from the shock, are still participating within the systems and processes of production that define their territory. If a new group were to immigrate into Gaza, it would have to combat the extant systems of production, even if they are tattered, in order to construct a new distributed system of relations and a dominant power hierarchy. Likewise, scholars who see an ease with which Judeans from Babylonia could establish or restructure the operative systems of (desire) production are guilty of buying into the biblical portrayal of the world: there exists the remnant and a grossly reduced, simplified, inept, minion-esque “other.”

Take Carol Meyers and Eric Meyers' statement, for example:

For the Yehudites, the Persian decrees assured that God's house in Jerusalem would be functional once again. This meant the return of civil government and economic development to the priestly sphere, for the permitted restoration of the temple and its organization was not accompanied by permission to reinstitute the monarchic government that had been the integral accompaniment of the central Israelite shrine since the days of David and Solomon.²⁵

24. Cf. <http://www.cnn.com/2014/08/03/world/meast/mideast-crisis/>.

25. Meyers and Meyers, *Haggai, Zechariah 1–8*, 335. This position was also articulated earlier by Roland de Vaux and John McHugh, *Ancient Israel: Its Life and Institutions* (New York: McGraw–Hill, 1961), 98.

The underlying assumptions there, which are still shared by many scholars, are that the remnant represented the social context of Yehud, that Yehud was knowable through the remnant's identity,²⁶ that the Persian decrees which prioritize the *golah* community, as Ezra–Nehemiah designates it, were historically real, and that the symmetry between social-political relations was not between the aspirations of the immigrant group and the extant social-political context but between the immigrant group and the “pre-exilic” social-political context—as though the time in between left Yehud unproductive, like the general Protestant view of the “intertestamental period.” Yet this last was also ideal. The exact relation of the Jerusalem cult to the political authority has been largely obscured by the idealistic interpretations of the biblical authors. *Did the cult have political authority? Well, the Jerusalem temple was rebuilt.* As one writer remarked about such idealistic tendencies, “[T]he transition from chiefdom to a monarchy with a strong central government, such as the mighty kingdom and the intensive building activity attributed to Solomon in the biblical account, does not find expression in the material record at Jerusalem, and limited expression in the outlying areas.”²⁷

Let's return to the original point of this section: How should we understand the attitude of the immigrant community if it itself was not a colonizer? Or perhaps that question is phrased poorly. One could very effectively and rightly argue that the biblical texts reflect a colonizing attitude. But one could not argue well due to the lack of sufficient evidence that the group was an *effective* colonizer. The point is that we must understand how the attitudes and beliefs of the group were developed within the multivalent cultural context of Yehud. George Mendenhall put it this way:

Over the next century, other Judaeen traditionalists would seek to establish additional formal criteria to define social and cultural boundaries increasingly considered sacrosanct. Among these were commitments to temple ritual and the Jerusalem priesthood, to dietary laws, to circumcision, to Hebrew names and language, to Sabbath observance and other sacred holidays, to the avoidance of pronouncing the name of “Yahweh,” and to

26. In this case, note also the term “Yehudites,” used frequently to denote the inhabiting “remnant” community, as a gentile adjective that borders on political identification.

27. Margaret M. Gelinis, *United Monarchy—Divided Monarchy: Fact or Fiction?*, ed. Steven W. Holloway and Lowell K. Handy (Sheffield: Sheffield Academic, 1995), 228–29.

the social application of the Torah as enforced law. They were so successful in this endeavor that by the first century A.D. these traits had become part of the distinctive hallmark of Judaeae religion (i.e., Judaism) and among the most tangible emblems of Judaeae identity.²⁸

The question is, Why? What was the motivation behind the series of events that led to the centralization of monotheistic behavior, ritualistic and other, and attitudes? Our argument has been that that question is best answered in the social-political insecurities—the threat of irrelevance—of the “returnees,” which became shared more largely along with the continual shift in power from the Persians to the Greeks to the Romans. Theories that preserve the centrality of religion as an institution within the social-political context of Yehud grossly reduce the real diversity and complexity of the environment into the ideological wish—restoration—of a minority struggling to find its place. This work has pulled back the scab to reveal the underlying complexity of life trying to save itself.

Joseph Blenkinsopp’s “Sectarian Phase”

Despite its shortcomings, Blenkinsopp’s proposal that sectarianism shaped the biblical texts and their accompanying religious ideologies was erudite:

My...proposition is that in this conflict over continuity and discontinuity with the past the strongest impulse came at that time, and continued to come, from the Babylonian diaspora, and that its principle embodiment was the group whose ideology is presented in the canonical book Ezra–Nehemiah. This impulse was explicitly religious, generated in the first place by an interpretation of the disaster as the climax of a history of religious infidelity. One of the most important aspects of the ideology was a strong ritualization of social interaction, not only between Jewish communities and the external environment but among the communities themselves.²⁹

Blenkinsopp is after the origin of the sectarian thinking that shaped the Hasmonean and later periods, which was characteristic of the multifaceted religious-social context in Palestine during the first century CE.³⁰ Put more baldly, his objective is an exposé on the origin of Judaism, which he situates within the Persian period in contrast to others who link

28. Mendenhall, *Ancient Israel’s Faith and History*, 195–96.

29. Blenkinsopp, *Judaism: The First Phase*, 229.

30. Cf. *ibid.*, 11.

it to the Hellenistic or Hasmonean periods.³¹ And within that, he seeks out the general formation of Jewish collective identity. “The liquidation of the nation-state and the beginning of the homeland-diaspora polarity created a new situation which problematized the status of those who had, up until then, defined themselves with reference to the kingdom of Judah.”³² He finds within the biblical texts an increasing amount of polarity at the base of the distinction between member and nonmember in Persian-period Yehud. This polarity, especially in light of the continuing lack of a “restored” nation-state, increased in terms of parties, politics, and religious polemics under the successive empires, Persian, Ptolemaic, and Seleucid.³³ Thus, a sectarian approach accounts for the plurality of ideologies while emphasizing the victory of one over the others:

The problems facing us in attempting to say anything about Jewish origins will be apparent when we take into account the proliferation of movements, parties, and ideologies and the different ways of periodizing the past in recent scholarship on ancient Israel and Second Temple Judaism, a confusing situation exacerbated by the discovery and publication of the Qumran texts. One attempt at alleviating or circumventing the problem which has become quite popular in recent years is to postulate a plurality of Judaisms.³⁴

Conflict brought on by continuity and discontinuity provided the impulse for sectarian thinking, the strongest impulse for which came during the Babylonian exiles.³⁵ “The most distinctive form assumed by this ritual ethnicity is associated with the persons Ezra and Nehemiah as presented in the canonical book. Both attempted, each in his own sphere of activity, to translate their religious convictions into social and political reality.”³⁶ For Blenkinsopp, in other words, religion was the driving force behind the production of the exclusive collective identity of the remnant community. He maintains that that clarifies the rationale behind the purpose of the canonized form of Ezra–Nehemiah: “to promote a particular understanding of Israel, the agenda of a particular party, and an ideology imported from the Babylonian diaspora which drew its

31. Cf. Garbini, *Myth and History*, 100; Israel Eph'al, “Syria-Palestine Under Achaemenid Rule,” in *Cambridge Ancient History*, Vol. 4, *Persia, Greece and the Western Mediterranean, c. 525 to 479 B.C.*, ed. John Boardman, et al., 2nd ed. (Cambridge: Cambridge University Press, 1988), 158.

32. Blenkinsopp, *Judaism: The First Phase*, 22.

33. *Ibid.*, 42.

34. *Ibid.*, 13.

35. *Ibid.*, 229.

36. *Ibid.*

inspiration primarily from certain aspects of Deuteronomic theology and the ‘law of the temple’ (*tôrat habbayit*) in Ezekiel 40–48.”³⁷

This view is not without its cognates. Like Berquist, who we discussed previously, Blenkinsopp views the returnees as a colonizing group linked to the Judeans who remained in Babylon.

[T]he arrival of Ezra and Nehemiah in the province of Judah represented not so much a ‘return to Zion’ but a kind of diaspora in reverse from the parent body in southern Mesopotamia, a religious colonization with a definite religious agenda, namely the creation of a self-segregated, ritually pure society inspired by the new temple and new society profiled in Ezekiel’s vision and elaborated by his disciples in the diaspora. I have argued that this agenda had much in common with the sectarianism of the late Second Temple period.³⁸

But the problem is in the emphasis that Blenkinsopp puts upon religion as the driving factor behind the immigration of the returnees. This “missionary” approach, a type of ideological imperialism, necessitates that the source of social-cultural stability, the “home context,” be found in the Babylonian diaspora communities. To put it differently, religious motivation for structural change is impossible without a stabilized “home” context, the “parent body,” from which the community’s beliefs and rituals were legitimated. The immigrating community must come in with an already fundamentalist, constructivist belief that the values of the group are objectively true. Blenkinsopp expresses the attributes of that type of belief well,

The *golah* therefore corresponds to the introversionist type of sect by virtue of its self-segregation not only from the Gentile world but also from other Jews who did not share its theology and agenda. Its claim to be the exclusive embodiment of the Israel of the predisaster period is exhibited in the language in which it describes itself. It is “the holy seed” (Ezra 9:2), “the seed of Israel” (Neh 9:2), “the remnant of Israel” or “Israel” *tout court*... It is sectarian not in breaking away from the parent body...but in claiming the right to constitute Israel to the exclusion of other claimants.³⁹

Blenkinsopp assumes that the immigrating community came into Yehud with an already developed collective identity, which was based on the stability of the “home” group culture. Consequently, conflict between the people already in the land and the immigrating community was a product

37. *Ibid.*, 160.

38. *Ibid.*, 229.

39. *Ibid.*, 199.

of ideological disagreement, the sort of which, for parallel, European missionaries were guilty. *The blueprint for a stabilized world is ours, everything else is chaos.*

That the envisioned society, the glorious crown of restoration, was still a work in progress is evident in that the community was subject to foreign rule. "Subjection to foreign rule indefinitely postponed the realization of the ideal polity, and was therefore basically unacceptable."⁴⁰ Certainly the biblical texts allow for Yahweh's use of foreign powers—Deutero-Isaiah is a prime example of this—but hope lay in the eventual removal of foreign overlordship. That this ideal society was not yet manifest demands that one question the real impact of the ideological agenda of the community. In other words, it seems more likely that the identity of the community *must* take into account the intra-provincial influences originating with the people already in the land. What was to be *golah* identity in Ezra–Nehemiah, for example, was not a product of any parent–child type of relationship between Babylonian Judeans and the Judean immigrants. "*Golah*" was not an identity whose articulation was to be found in the relationship between a parent community and the immigrating one. It was a product of the social, political, and religious forces that were operative within the province itself. In other words, the identity of the returnee community was one fashioned not in the furnace of Babylon but in the fires of Yehud.

Like others, Blenkinsopp when describing the context of Yehud through Ezra–Nehemiah depends upon the *golah* community's continued relationship to the community in Babylonia. To note:

Nehemiah is presented not only as a member of the upper-class *golah* segment of the population but also as an exponent of the rigorist legalism which characterized Ezra and his associates. This quasi-sectarian orientation, with its roots in the eastern diaspora and its orientation heavily dependent upon Deuteronomistic theology and the teaching of Ezekiel and his school, was a significant factor in Nehemiah's conflictual relations with the lay and especially the priestly aristocracy in the province. His ejection of Tobiah from the temple precincts and ritual purification of the space he had occupied (13:4–9) is one pointer in this direction.⁴¹

Though one might be tempted to take Blenkinsopp's description as strong support for an argument that the *golah* community was the aristocracy in Yehud, one should avoid doing so. It is possible that

40. *Ibid.*, 158.

41. *Ibid.*, 115.

members of those who immigrated, who may also have been members of the laity or the priesthood, integrated themselves into the landed aristocracy. Yet unless we wish to maintain the existence of an “empty land” prior to the arrival of the *golah* community, we cannot assume that the immigrants were the new aristocracy, whether by virtue of their own charisma and claim to Yahweh or through the support of the Persian Empire. Such arguments are highly problematic in that they generate conclusions based on problematic sociological methodological analyses. Unfortunately, Blenkinsopp tends toward this route, especially in his belief that Nehemiah “secured the autonomy of Judah within the Persian Empire.”⁴² Yet to accept that, one must also accept that the imperial government handled Yehud uniquely.⁴³ But the problematic biblical portrayal of the imperial attitude toward Yehud and Jerusalem was driven by an overwhelming emphasis upon restoration. Ezra–Nehemiah’s descriptions, for example, border on the utopian as they present a constructivist narrative, the intent of which was to offer a blueprint for a new social-political order. That utopian agenda offers better social-political explanation for the events under the Maccabees:

The Maccabees, Nehemiah’s heirs, saved Judaism from distinction, at least in Judah; but having achieved independence and territorial integrity, they went on to pursue a policy of territorial expansion at the expense of the Samaritans, Galileans, Idumeans, and others in the endless wars of John Hyrcanus and his son Alexander Jannaeus (135–176 B.C.). To represent the coercive incorporation of neighboring peoples and tribes into the Hasmonean kingdom as conversion to Judaism is, to put it mildly, misleading. Hyrcanus, Josephus tells us (*Ant.* 13.257–58), allowed the Idumeans to remain in their country on the condition of being circumcised and conforming their manner of life to that of the Jews. In this and similar instances, “Judaism” no longer stands for an essentially religious form of life but a facet of a political-ethnic entity, a way of characterizing an aggressive and expansive state claiming religious legitimacy through the usurpation of the high-priestly office and control of the temple while maintaining and expanding its power by military means including use of foreign mercenaries.⁴⁴

42. *Ibid.*, 188.

43. A point that Weinberg (*The Citizen–Temple Community*) also argues. That this was not the case has been effectively argued in several works. For but a few, see Charles E. Carter, *The Emergence of Yehud in the Persian Period: A Social and Demographic Study*, JSOTSup 294 (Sheffield: Sheffield Academic, 1999); Cataldo, *Theocratic Yehud*.

44. Blenkinsopp, *Judaism: The First Phase*, 188.

Despite our frustration with his proposal, we should appreciate Blenkinsopp's exposure of the development of sectarianism in the Hasmonean and later periods. Such sociological formations do not happen overnight! But where his argument remains weak is in his dependence upon the biblical portrayal of Yehud as being motivated by a historical concern. In other words, he seems to accept that the biblical authors described precisely events as they happened. Yet it is more likely that if the biblical texts, such as Ezra–Nehemiah, reflect something about the context of Yehud during the Persian period it is less a historical accounting and more the ideological posturings of a minority group. In other words, the biblical texts dealing with restoration are less concerned about the present and past and more concerned about the future. The past and present are important only as much as they align with what restoration will look like. Perhaps we can say this better. While there remain problems with the specifics of his argument, Blenkinsopp is correct that any macrosociological analysis of Yehud must be able to trace out the pattern of development that leads to the social-political situation and cultural response of the events that occurred under the Hasmoneans.

The crippling flaw in his argument is its emphasis upon the central importance of Jerusalem and of religion. His argument necessitates that Jerusalem is important to the returning community and the “host” community in Babylonia *because* of religious reasons. This fundamental problem as we have shown throughout this work is shared largely across the discipline: a dependence upon religion—institution and ideology—as being the central driving force behind not only collective social identity but the institutional and hierarchical makeup of the social-political context of the province. *A problematic dependence that depends upon an imperialist argument!* An immigrating community enters a “foreign” context and reshapes it to mirror the community. *That is imperialism par excellence!* But such arguments are imperialist without an empire. The community had no power on its own to restructure dominant social-political hierarchies in favor of the cult it imagined. In response to the community's own lack of material power biblical books such as Ezra describe the imperial government opening up imperial coffers as a wellspring of material power (cf. Ezra 1:4; 3:6–7). It was this type of perception of a positivistic relationship between the *golah* community and the imperial government that led Blenkinsopp to conclude:

The Hasmonean leaders achieved what Nehemiah, in the service of the hegemonic power of that time, could not. They achieved the independence of Judah after the measures adopted by Antiochus IV, but their efforts bore

bitter fruit in the endless campaigns of conquest and annexation of the Hasmoneans. This deterritorialization of Judaism, a by no means inevitable turn of events, can be traced back to Nehemiah. It may be said to be one of the most prominent and problematic indications that the past, even the remote past of our origins, remains with us.⁴⁵

As we have shown, however, the onus does not need be lain at the feet of Nehemiah. In fact, reconstruction of that historical, sociological process is highly problematic if attributed to a single individual or to any single theology that assumes a false uniformity within the cultural context. The process begins with the sociological struggles of a community, struggles that manifest themselves in new ways through changing empires. But struggles that have the same core: fear that what is collectively desired, a favorable world and stabilized order, will never come to pass.

Fear + Desire = Monotheism

It was that fear that gave birth to a strict form of monotheism that later developed into modern forms of monotheism. Yehud is the critical juncture at which the right historical, social, and political forces met producing a strict form of monotheism. Yet we must also not get ahead of ourselves and speak of monotheism as something distinct from the historically contingent identity of a minority group in conflict.

The remnant community ritualized its identity through the mechanism of divine law. Religion served the constructive role of institutionalizing the parameters of collective identity. And the biblical authors envisioned the law as a primary force driving collective identity. Such was the utopian hope in religion because its community was caught on the margins of authority. This romantic hope, the desire for an improved life, is reminiscent of any number of millenarian-like groups. In Yehud, the anxiety of the *golah* community over acculturation resulted in an increased dependence upon religion for the basis and articulation of collective identity (cf. Ezra 9:9). The need for ritualization expressed in the biblical texts reflects the dominant presence of anxiety, which we have argued resulted from the community's marginal position. As Richard Davis put it, "The stimulus for ritualization of human behavior is...the presence of anxiety of some sort."⁴⁶ And as I wrote elsewhere,

45. *Ibid.*, 230.

46. Davis, "Ritualization of Behaviour," 106.

Ritualized obedience resists the anxiety of instability, but it does not always *alleviate* it. It is, in other words, an ever-present threat. Yet an anxiety caused by disorder is typically a *defensive* mechanism and as such does not fully support the production of desire: “To code desire—and the fear, the anguish of decoded flows—is the business of the socius.” But, by reframing relations of production and distributed power as not naturally social but as religious in nature, that is, as the production of monotheistic desire and not any uniquely social-political desire, the monotheistic community locates its desire, as an object of production, within the divine, who is also the object of ritualized obedience rather than in the material world, for which it must initially compete from the fringes of power. Obedience, therefore, is an act of agency from which expressions of identity are expressed externally. The obvious, heavy emphasis within the Persian-period biblical texts upon religious law confirms this. Ritualized identity is a collective response to other competing, cultural identities; it is a promise of stability. The *golah* community demonstrates its ritualize identity through obedience to the law, including, for example, observance of the Passover festival, which connects the community with the Hebrews of the Exodus tradition (cf. Ezra 6:19–21).⁴⁷

Consequently, the fundamental pillars of monotheism (revelation, law, and restoration) can be explained as attempts to alleviate collective anxieties over “death” (either in the physical sense or the ideological one) *and* to express a desire for authority upon which a new normative order could be based—the fundamental need of authority is to control the social order. But that need also tends to produce gross dichotomizations between insider and outsider, which we often identify with the term prejudice. *My security in power over you is preserved in my ability to define you.* The basic premise is this: prejudices reside at the level of the basic, awkward awareness of identity, you are not me and the differences X mark my identity as better. In that sense, everyone is prejudiced. What marks a difference between overtly prejudiced individuals or groups and those more quietly so is the level of legitimation offered by a surrounding normative order. Oftentimes, those prejudices that are legitimated are justified by those attitudes and actions that preserve the host group or community.⁴⁸

47. Cataldo, *Breaking Monotheism*, 197, citing Deleuze and Guattari, *Anti-Oedipus*, 139–40.

48. Cf. the study of Crandall and Eshleman, “A Justification-Suppression Model,” 414–46.

Therefore one can say that prejudices reflect also a concern for the survival of the community—one that results in an elevation of law over morality. The law provides a legitimating mechanism for prejudices when it supports any action that elevates the collective identity of the community over the “other,” which it designates as “profane,” “foreign,” etc. Its dogged emphasis upon distinction betrays a defensive and paranoid relationship with the “other.” When Ezra–Nehemiah portrays the antagonism of outsiders toward the group, it does so for the purpose of connecting the physical frustrations and anxieties of the group with those identified by the law: *the chosen community must suffer the outsider*. Nehemiah 2:19–20 (and see also 4:1–3, 7–8; 6:1–9), for example, sets up the context by describing the antagonistic position that Sanballat, Tobiah, and Geshem had against what the text describes as the productive activities of the *golah* community. The account is a bit far-fetched in that it seems to assume (1) that these individuals felt strongly enough to create a type of confederacy against Nehemiah, and (2) that a destroyed city and its god held much relevance in the grand scheme of things. It is better that we read this story *not* as historiography but as an attempt to use external threat or antagonism as a way of validating the Returnee group and its larger agenda, which was restoration. In other words, the account is not concerned with describing accurately the actions of Sanballat and companions but with establishing the social-political legitimacy of the *golah* community. Nehemiah 13:23–27 provides a related but inverse example in Nehemiah’s emphatic condemnation of intermarriage. There individuals outside the community are a source of antagonism, but it is not they who actively strive against the community. Instead, the community takes action by ostracizing them to assert its collective boundaries. This act is consistent with newer theories in prejudice studies that maintain that negative evaluations of others reinforce the positive evaluations we have for ourselves.⁴⁹ This reinforcement may be especially true when the expression of prejudice results in conflict. Expressions of prejudice are also about reinforcing the positive evaluations (which may be described as favoritism) of oneself. We may refer again to Ezra 9:1–2 for a biblical example of this. In that passage, the author emphasizes the near loss of the community’s collective identity in that by mixing with the peoples of the land the community neither reinforces the negative evaluations of individuals or groups external to the community or the positive evaluations it maintains of itself. Such evaluations are critical for the preservation of group boundaries in that they reinforce the limits of what or who can constitute the group.

49. *Ibid.*

Consequently, the origins of the biblical concepts of revelation and law must be found in the anxieties of a group appealing to a supernatural “other” for the purpose of constructing a defensive mechanism for self-preservation. They are not products of theology as an autonomous (from social-cultural experiences) mode of thought. In other words, those concepts are not the unique products of an already extant belief in the divine as a benevolent being. They are reactions to a tenuous situation in which an appeal to the divine was the last recourse for the preservation of collective identity and the aspirations of a minority group. Are not the gods of minorities always bigger than those of the majority culture in which minorities live? And does that not reveal something about the desire(s) of the group: that it seeks an inversion of the current distributed relationships and corresponding power? In Yehud, the frustrated attempts at gaining authority were the basis for the collective anxieties preserved in the biblical texts.

The Impotence and Power of Revelation

Understanding revelation is important for understanding the centrality of law and restoration. As we have argued, revelation is an interruption of the forces of production, or more broadly the more natural order. Yet there is never any material evidence for revelation, which is a product of belief. Moreover, revelation is problematic in that it is “privatized,” but it is powerful in its use in preserving hope in the absence of certainty. The definition of “revelation” I provided elsewhere may be helpful here:

Revelation means divine revelation, the moment, or process, in which the Divine “entered” the social and material world to begin the process of restructuring social-political systems in support of divine authority. The manner in which this occurs differs among the different monotheistic identities. Revelation is a process, an atemporal instance rather, that begins a process. That is, revelation does not secure authority for the religious community but inaugurates the process toward restoration in which divine authority would be absolutely (re)established and in which the religious community would be granted the benefits of divine authority. “The LORD says to my lord,” for biblical example of this, “‘Sit at my right hand until I make your enemies your footstool.’ The LORD sends out from Zion your mighty scepter. Rule in the midst of your foes” (Ps. 110:1–2). The end-result of revelation is restoration, a created or “restored” reality in which all authorities that compete against divine authority have been defeated. Initially, monotheistic restoration was thought by early monotheistic communities to be materially immanent; however, the seemingly failed historical validation

required revised expectations. Restoration took on a more eschatological tone before its previous historical and material expectations and became “unassailable” by empirical invalidation.⁵⁰

Rodney Hutton wrote, “Israel’s belief structures made no fundamental distinction between ‘faith/revelation’ and ‘reason.’ For Israel’s faith, natural knowledge—knowledge gained by a reasonable assessment of nature—is that gained by revelation of the divine will.”⁵¹ And further, “One cannot construe natural reason and historical revelation against each other in a manner that does not do violence to Israel’s faith. Israel understood creation and redemption, nature and history, and now we would add reason and revelation, to be inextricably related.”⁵² His conflation of faith and revelation are problematic and reflect a modern meaning imposed upon the terms. Revelation, as we have defined it, refers to structural change. It is the thunderous roar on Mt. Sinai that left in its wake the law. Faith in the mind of the ancient Israelite lay more in the belief that Yahweh would uphold his part of the covenantal agreement if the community obeyed the law. More modern notions of faith imply a blind trust replete with feelings of adoring dependence upon a God whose only obligation is to divine desire. Moreover, the term “faith,” when applied to ancient contexts, because of the baggage it carries tends to separate religious belief from cultural ideals. To be “Israelite,” “Judean,” “Babylonian,” “Persian,” and so on, was to believe in the gods that symbolized the particular ethnic or political identity. Gods were linked to geographic spaces and political identities. The stories of Ezra and Nehemiah, for example, are not stories of “faith” in the sense that we moderns understand the term. They are not stories about internal and external conflicts of faith as a theological attitude developed in response to some supernatural ideal imposed upon human individuals as motivation. Rather, “faith” for them was a type of cultural attitude and expectation.⁵³ The community with the right cultural attitude, disposition, and social makeup would become the recipient of divine blessing—or of “restoration” in a term perhaps more consistent with the Persian-period and later biblical texts. In a sociological sense,

50. Cataldo, *Breaking Monotheism*, 14–15.

51. Rodney R. Hutton, *Charisma and Authority in Israelite Society* (Minneapolis: Fortress, 1994), 187.

52. *Ibid.*

53. In Ezra 10:2, מעל denotes “to act unfaithfully, treacherously” sometimes against God by dwelling among the נכריות מעמי הארץ. The antithesis of faithlessness was measured by action. אמת denotes “firmness, faithfulness, truth, reliability, stability, continuance.” In its use as “stability,” see also Isa 39:8; 2 Kgs 20:19; Est 9:30; Jer 33:6; 14:13; Zech 8:19.

faith is belief and hope in the certainty of a stabilized normative order.⁵⁴ In fact, it was a two-way street, the heart of which one cannot help but see as a system of reciprocity. The ruled, for example, were considered faithful if they were honest and dependable, following the expectations of the ruler. The ruler was faithful if he likewise was honest and dependable and maintained the normative order (cf. Ps 54:7; Isa 38:18; 61:8).⁵⁵

Revelation is interruption. It is the emphatic articulation of difference as insurmountable. For this reason, God is thought to exist as something inaccessible, as something radically different from the individual and community. Yet revelation occurs because it is meant to change the prevailing order. It is a radical restructuring of preexisting social-political orders for the benefit of the Divine and those whom the Divine favors. Gerstenberger says of the Elijah narratives in 1 Kings, for example,

The brusque, irreconcilable juxtaposition of Yahweh and the “other” gods is characteristic of a developed theology of exclusiveness. The God of the forefathers, as audibly and visibly in the Pentateuch, is the one, exclusive God of the new community. His word and revelation is available as the plumb line. What is demanded is the undivided turning to Yahweh on the part of the community *and* of each individual member.⁵⁶

But the real power in revelation is not in the Divine. Where culture is a social construction, the divine world is an idea, a figment of cultural imagination. One may *believe* in its existence and live accordingly, but it may be no more real than Gilgamesh’s journey to visit Utanapishtim. The power of revelation is in the community’s ability to restructure radically the prevailing normative order. It is seen in the receiving community’s ability to impose its own normative order upon the external world.⁵⁷ Thus,

54. See the discussion of אִמּוּת as denoting “stability” in the previous footnote.

55. Liverani puts it in terms of a contrast: “Pharaoh was in fact a distant god, and Palestinian kings tended to consider him rather inert and silent, and thus hard to understand and not particularly reliable. Palestinian kings were used to a system of political relations based on reciprocity, which had no equivalent in Egyptian ideology. They were used to being faithful servants of their lord, but expected to receive from him protection...” (*Israel’s History*, 15).

56. Gerstenberger, *Israel in the Persian Period*, 300–301.

57. B. Demarest’s description of the incompatibility between naturalism and revelation may be somewhat helpful here: “The biblical world view of natural and supernatural realism assumes a prescientific vision of the universe which process though rejects in the name of scientific modernity... As Griffin affirms, ‘since the scientific revolution in the seventeenth century the conviction has grown that all events have natural causes, and that the natural sequence of cause and effect is never

revelation entails interruptive and prescriptive acts. As Gerstenberger discussing Zoroastrianism in Persian culture put it, “Zoroaster is the only mediator of the divine revelation. He is able to provide the correct instruction that leads to the decision between good and evil (cf. the title: ‘arbiter’; Humbach: the one ‘who knows a judgment,’ stanza 2).”⁵⁸ But revelation rarely occurs without some catalyst, some need for reassurance that a new, better order will replace the old one and prevent any dissolution into chaos. There is a constructivist intent in revelation, a collective need to create a world in support of the collective ideal. We cannot help but be reminded of what we said earlier in the first chapter that revelation, law, and restoration are products of particular, historical sets of social relations. They are the ideational products of a community on the margins of power, which because of its position is consumed with the state of its own relevance. They are—and this is why these concepts function so well in modern forms of monotheistic thinking—aspects of utopian thinking in which the prevailing social-political order is interrupted, changed, and reanimated—in a word, restructured, and often radically so. And in this sense they are also political concepts: the driving motivation behind these pillars is the desire for social-political superiority.

All told, the impotence of revelation is its dependence upon something supernaturally “other.” But the power of revelation is its ability to change social-political structures because of a collective belief in something supernaturally “other.” What is critical for future biblical studies to do is not to take revelation, law, and restoration for granted. Biblical studies must treat such concepts sociologically. It must look for the ideological and material motivations behind their adoption as coping strategies and then be able to explain how the productive activities of a group insecurely battling its own internal anxieties gave us monotheism as a prevailing religious ideal. And this brings us back to our main purpose in this work: exposing the ideological forces that made law and restoration central within the Bible. We must understand how such concepts became central before we build complex arguments about the social-political context based on the biblical texts that assume that law and restoration were already central to Israelite identity. By doing that we might avoid

interrupted.’ Of course if God does not supernaturally intrude from without the natural order, divine revelation by definition is excluded. So Griffin acknowledges that ‘the requirement of rationality seems to imply that theology cannot be based on revelation.’ With the elimination of divine revelation, process theology takes its stand as a natural theology shaped from human materials alone” (“The Process Reduction of Jesus and the Trinity,” in Nash, ed., *Process Theology*, 64).

58. Gerstenberger, *Israel in the Persian Period*, 72.

assuming that concepts of law and restoration shaped the Bible rather than the reverse. *And* we better understand how the concepts themselves were products of the fears and anxieties that shaped the contours of a historical context in flux. Law and restoration became central not because they reflected a pre-existing theological foundation for Jewish (or later Christian) identity. The concepts themselves were fashioned in the same experiences that shaped the writing of the biblical texts, particularly those of the Persian and later periods. Law and restoration became central because before they were known as “law” and “restoration” they were parts of a larger strategy of resistance to foreign imperial powers. The dependence upon the divine by a minority group to legitimate that strategy was but a reflection of its relatively marginal position and its lack of material power within the imperial world. Increasingly that strategy took on overtones of political independence.

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