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Isaiah 56:1–8 and the Redefining of the Restoration Judean Community

Clinton E. Hammock

Abstract

This article argues that the prophetic oracle of Isaiah 56:1–8 was intended to redefine the social boundaries of the Judean community in the early second temple period. This prophecy offers an alternative viewpoint to the nationalist and exclusionist views of Ezra and Nehemiah as to who can be a member of the Judean community. The position taken by this passage utilizes the images of the eunuch and the foreigner to reveal conflicts over land possession and the reproduction and socialization of children. It is argued that the exilic principles of community membership revolve around the issues of “purification” (in the exile) and the exclusion of outsiders who did not share this experience, and “loyalty,” seen as endogamy and the reproduction and socialization of children to preserve the ethnic purity of the exilic community. The cases of the eunuch and the foreigner (convert) challenge both these principles and offer alternative principles of “loyalty” by relocating the markers of community membership into Sabbath observance and ethical behavior, social markers that do not require any ethnic purity or reproductive ability, and which ease the conversion of non-exiles into the community while allowing the community access to additional land resources.

In this paper I argue that Isaiah 56:1–8 is a prophetic attempt to redraw the boundary lines that define the restoration Judean community. Since the establishment of community boundary lines is never made solely on religious grounds, it would be a mistake to think that only religious motives determine who can be considered a valid member of a group. Religious motives can function as an ideology that legitimates the real grounds on which a community's boundaries are formulated, and these real grounds are usually social, economic, and political in nature. It is my opinion that the community boundaries that were established by the opponents of Third Isaiah were drawn with a social concern for the reproduction and socialization of children, and with an economic concern to justify the occupation and exploitation of the land. Also, outside powerful influences on the process of defining the boundaries of the Judean community came from the imperial Persian government in attempts to define economic, and thus ethnic communities.

In an effort to understand the prophetic message of Isaiah 56:1–8, I will consider how the Judean returnees from exile drew their community's boundaries, as illuminated by social, economic, and political conditions of the time. This paper will then consider how Isaiah 56:1–8 attempts to redefine the community's boundaries, by redefining who can be a member of the Judean community, by looking at the issues of possession of the land and the reproduction and socialization of children, particularly in relation to the

foreigner and the eunuch of Isaiah 56:1–8. By examining the social, economic, and political grounds that form the basis of community membership, the purpose of the religious restrictions against group membership for the eunuch and the foreigner will be revealed.

To aid in this discussion, I will be making reference to Figure 1 (following page), a diagram fashioned after those used by Lincoln (131–41), which graphically represents the principles on which community membership is based. As this diagram indicates, membership is based on the principles of “purification” and “loyalty.” These two principles were developed by the exilic community in Babylon, and carried by the returnees to the homeland in Palestine. This diagram thus reproduces the perspective of the Judean returnees concerning who was a member of the Judean community. Membership is indicated by a plus (+) sign, non-membership is indicated by a minus (–) sign.

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To understand who can be designated as a member of the Judean community, it is necessary to understand the Judean identity movement. A Judean identity movement, summarized by Matthews and Moyer (213–14) developed among the deportees from Judah. The basic elements of this Judean identity movement include the following: (1) the development of scripture that encompassed the ideas of monotheism and Israel as a chosen people with covenant duties and a special status in their homeland; (2) Hebrew as a liturgical language; (3) emphasis on the Sabbath that commemorated God's acts of creation, and that justified the requirements of ritual purity; (4) circumcision as a sign of Judean identity; (5) intensification and expansion of ritual purity; and (6) endogamy for the purpose of cultural and ethnic purity and the socialization of children. All of these things served to mark the boundary between who was and who was not a Judean. The first basic element takes on specific religious force in the context of the traditional covenant ideology that included the promise of land and children made to Abraham by Yahweh in exchange for the sole allegiance and obedience of Abraham and his descendants to Yahweh (Matthews & Moyer: 3). This I see as the primary guiding ideological force in drawing the boundaries of the Judean community. The pairing of land and children in the promise to Abraham, I think, underlies the pairing of the eunuch and the foreigner in Isaiah 56:1–8. This pairing links social, economic and political motives surrounding land and children to Judean identity and group membership.

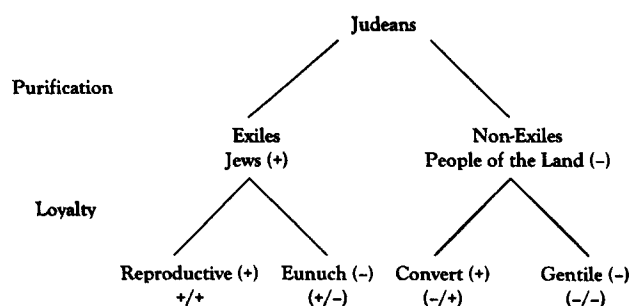


Figure 1

With the return of the exiles to their homeland, and their encounter with the people of the land, particularly ethnic Israelites and Yahwists who were not exiled, the issues of group membership and concerns over land and children became problematic. The returnees, led by the priests, represented exilic values and ideologies (i. e., the compo-

nents of the Judean identity movement), which they brought home with them. The returnees, upon their arrival, proceeded to reestablish their land rights, restore the temple for their religious observances (completed in 515 BCE), and exclude the people of the land from their community. In drawing boundaries between themselves (as Judeans) and their unexiled ethnic kin (the "people of the land"), they (the Judeans) lumped the "people of the land" together with other ethnic groups of the region into the undifferentiated category of foreigner, i.e., illegitimate occupiers of the land. Although the Samaritans can be considered "people of the land," I am not specifically including them when I use the term. The people I have in mind are primarily the ethnic Judeans living in the area of Judah.

We can now begin to understand Figure 1. It is important to recall that this diagram is representative of the perceptions of the returning exiles, designated here as Judeans. The plus sign (+) indicates those who could be a full standing member of the Judean community. The minus sign (-) designates those who were not acceptable. The top level of the diagram indicates how the Judeans defined themselves over and against the "people of the land." Although both the Judeans and the "people of the land" were ethnically descended from pre-exilic Judeans, the Judeans experienced the exile, and the "people of the land" did not. From the perspective of the Judeans, their community had been purified by the exilic experience, whereas the "people of the land" had not. As a consequence, a first level binary pair can be established between the Judeans and the "people of the land" based on the taxonomizer "purification." The first section of this article will consider the historical background of the restoration in which these two groups become fully polarized, and culminated in the complete exclusion of the "people of the land" from the Judean community at the time of Ezra's marriage reform.

As the second level of this diagram shows, these two main communities can be further subdivided based on the taxonomizer "loyalty." Bearing in mind that this diagram represents the viewpoint of the Judeans, the people who are considered loyal to the Judean community are those who can reproduce and socialize offspring for the Judean community who are not tainted by outside or syncretistic practices. In the second subdivision of the diagram we can see that the "people of the land," who convert to the Judean community, can be absorbed into the community. In converting they provide access to land for the growing returnee community. This absorption of converts can continue until the Judean community is self-sustaining. Then the less wholehearted converts will come to be excluded also. Early

in the restoration the converts made suitable marriage partners and good economic contacts, because, unlike the gentiles, they did not threaten the community by introducing syncretistic cult practices into the community. It should be pointed out that the gentiles are not necessarily non-Israelites, but included “people of the land” who practiced syncretistic worship practices, and posed a risk to the uncontaminated socialization of Judean children.

These two subdivisions are the topics of latter sections of this paper on the eunuch and on the foreigner. Throughout these sections we will see how the pairing of the eunuch with the foreigner reveals tension in the Judean community between the socialization of children and the control of the land. Before discussing these I will give a brief description of the contents of Isaiah 56:1–8.

In the final section of this paper I consider how Isaiah 56:1–8 attempted to redefine the community’s boundaries by redefining the definition of the Judean upon more expansive and egalitarian grounds. This was to be done by reorienting the boundaries of the community based on Sabbath observance and ethical behavior. I also discuss how Isaiah 56:1–8 resolves the land/children tension in the Judean community. In the conclusion I suggest that the boundary lines of the Judean community proposed in Isaiah 56:1–8 were eventually rejected by the restoration community, and how the promise to Abraham of land and children was finally settled.

History of the Restoration and the Defining of the Judean and the “People of the Land”

Major issues are behind the polarization of the Judeans and the “people of the land.” The first migration of the Judeans back to Palestine was probably quite limited in numbers. There were several migrations of Judeans from Babylon from 538 BCE through the time of Ezra (Miller & Hayes: 447). The first people who returned probably included political appointees who were to restore the land to a tax-paying province, priests who would restore the cult, speculators looking for available land, and pious Judeans who saw their return as a religious duty (Matthews & Moyer: 210–11). They were confronted by several problems with the population that was not exiled, such as Judeans and non-Judeans who practiced Canaanite and other foreign cults along with their Yahwism, and disputes arose with them over the rebuilding of the temple (Whybray: 40–41). This is because the reconstruction of the temple would give control of the temple cult to the priests and Levites returning from exile (Watts: 200). They were opposed

by the “people of the land,” who were not taken into exile, who claimed political control over the land, and who had taken over residences in the land (Matthews & Moyer: 211). Thus conflicts between the Judeans and the “people of the land” also reflect economic conflicts over property rights that were taken over by those not exiled (Miller & Hayes: 458–59).

Religiously, most of the returnees were probably strict Yahwists who adhered to the exclusive nationalism of Deuteronomy and the Deuteronomistic law. This would have translated into a strict separation between the Judeans and the “people of the land” (Miller & Hayes: 458). Strict rituals, and ritual purity as developed in the Holiness code (Lev 17–26), guided the worship of the restoration period, and allowed the priests to consolidate their religious control over the people (Matthews: 183–85). Furthermore, the priests and priestly groups may have wanted to identify themselves with ancient and important priestly families in order to legitimize their standing in restoration society. They adopted genealogical traditions, modified them, and used them to legitimize their organization of the cult and the cult’s personnel (Laato: 77–78). For a person to participate in the religious life of the returnee community, that person had to demonstrate a pure Judean lineage (Matthews: 188). The Judeans were in a better position to construct a lineage, because most of the returnees were descendants of priestly families and the Judean aristocracy.

The returning Zadokite priests may have demanded the immediate rebuilding of the temple and the conformity of all of the returnee community to their agenda. They advocated a hierarchically structured community that gave them the preeminent positions of power (Hanson 1988: 96). The Jerusalem priests and nobles who married out of the Judean community were criticized and eventually forced by Ezra to divorce their wives. These exogamous marriages introduced the possibility of idolatry and syncretistic practices into the community (Rofe: 213). Many of the returning exiles had intermarried with local people to establish social and economic relationships with prominent families. This allowed them to gain access to the land (Matthews: 174). Both Ezra and Nehemiah tried to put a stop to these intermarriages by requiring marriage only to other Judeans. This was a problem because the children of these marriages were losing their Judean identity, including their ability to speak Hebrew. Nehemiah made the men swear off any future intermarriage for themselves and their children, but the current mixed marriages were not broken up (McCullough: 42).

With the arrival of Ezra the balance of power between

the Judeans and the “people of the land” shifted decidedly in the direction of the separatists. With Ezra came a large influx of new returnees. Ezra had the backing of the Persian court behind him, and he established a legal system. Going even further than Nehemiah, he did more than just prevent intermarriages—he forced the termination of mixed marriages through divorce. Ezra saw intermarriage as a sin against God. On a political level these marriages threatened the political autonomy of Judah; on a social level there was the possibility of the loss of ethnic identity for the Judeans; and on a religious level such intermarriages were considered a pollution of the people (Matthews: 174–76).

The differences between the Judeans and the “people of the land” (keeping in mind that the historical material available, Ezra/Nehemiah, was produced by the Judeans and thus reflects their perspective) are summarized in Table 1.

Judeans	“People of the land”
Outsiders (Returning to the Land)	Insiders (Residing in the Land)
Practiced pure worship and ritual purity	Syncretistic (from the viewpoint of the Judeans)
Focused on separation and endogamy	Were open to intermarriages
Made claims to land rights based on historical family connection to the land of Judah	Occupied and controlled the land
Established a codified system of laws with the backing of the Persian court	
Constructed the temple as a symbol of their return to the land and to power	Were refused when they offered their assistance in helping to rebuild the temple because they were not “Judeans”

Table 1

A Description of Isaiah 56:1–8

It is against this background that this oracle of Third Isaiah was spoken. In this section I wish to review the dating, content of the oracle, and the relationship between the eunuch and the foreigner as expressed in Figure 2.

The dating of Isaiah 56:1–8 varies. Whybray (43) dates Third Isaiah, including 56:1–8, too soon after the return, around 520 BCE. Westermann (307) sees Isaiah 58:1–8 (along with 66:18–24) as a later addition to Third Isaiah. Whybray rejects Westermann’s theory that layers of text

were added symmetrically before and after a central core (chapter 60–62) as being too schematic (Westermann: 307; Whybray: 43). If Westermann is correct, however, Isaiah 56:1–8 and 66:18–24 could be dated to a later time period than the core material. Hanson, giving Isaiah 56:1–8 an eschatological reading, dates it to the mid-fifth century and contemporary with Zechariah 9–14 (Hanson 1975: 388–89; discussed by Williamson: 150–51). Williamson disputes this dating. He sees the eschatological ideas of Zechariah 9–14 as too late for the universalistic ideas expressed in Isaiah 56:1–8, which he feels should not be read eschatologically. Smith places Isaiah 56:1–8 during the time of Nehemiah, soon after 444 BCE, when foreigners could still become converts if they accepted the obligations of the law, received purification, and kept the Sabbath. For him this text refers especially to those who were married to Judeans so their marriages would not have to be terminated (Smith: 180). As this diversity indicates, Isaiah 56:1–8 can be plausibly dated anywhere between the construction of the temple and the time of Nehemiah (approximately an 80 year span). For this reason I will not accept any one particular date, and prefer to read this passage across this time period as part of an ongoing conflict in the restoration community. In terms of content, verses 1–2 are concerned with right action (Hanson 1995: 193–94). Righteous behavior is summed up as Sabbath keeping and obedience to the law. A blessing is bestowed on those who are obedient. The following verses shift the focus to who can be a member of the community.

Verse 3 voices the complaints of two groups of people, the eunuch and the foreigner. Verses 4–7 address these complaints with an oracle for their inclusion into the temple community. These verses are presented as a speech by Yahweh, which is delivered in a messenger-formula of a prophet who comes to a decision of Torah (Westermann: 312). Verses 4–7 give the Torah decision. This Torah decision is a new legal decision that alters the Law regarding the foreigner and the eunuch in Deuteronomy 23:1–8. This passage is thus a challenge to the codification of the books of Moses and the developing normative status of those works for the Judean community (Hanson 1995: 194). Verses 4–5, read symbolically, stipulate that the eunuch will be given a place in the temple if he keeps the covenant and observes the Sabbath (Japhet: 78–79). (Compare this interpretation to Whybray: 198). A eunuch was a man who was castrated as a condition of entering into Babylonian and Persian official service (Frost: 445; see also Yamauchi: 132–42). A man could also become a eunuch through disease or an accident, and the same restrictions would apply—but I am not considering these cases. Deuteronomy

23:1 completely excludes the eunuch from religious participation. This decision of Torah overrides his exclusion that was based on ritual restrictions concerning bodily defects.

Verses 6–7 give the decree regarding the foreigner. For the foreigners the same criteria apply, granting them inclusion, if they keep the covenant and observe the Sabbath. They will not be rejected even though they were not born as Judeans, (that is, as “people of the land”—although this could refer to a gentile convert). The foreigner can become a priest, and the foreigner can join into the community of Israel (Hanson 1995: 195). Verse 8 expresses that Yahweh’s intentions are to gather a worshipping community that extends beyond the Judeans.

This prophecy proclaims that the people who are truly faithful are not the ritually or ethnically pure, but those who observe the Sabbath and adhere to the covenant. These people will be acceptable in the temple (the eunuch) and their sacrifices will be acceptable to God (the foreigner). The issue here is how will Israel be saved, by exclusivity and ritual, or by adhering to a covenant that demands, not ritual, but faithfulness (with Sabbath observance as the defining mark) and just behavior toward others (Achteimer: 35). Finally, Isaiah 56:1–8 does not insist on circumcision.

Watts points out that in Isaiah 56:1–8 the scene is one of return to the original principles and understanding of Israel as a worshipping and covenanting community, which shows allegiance to God in a covenant ceremony. This contrasts with the returnees’ claims of rights to the temple based upon birth and claims to property ownership, which do not involve a prior emotional commitment or acceptance of ethical covenant duties (Watts: 249). In this passage the function of the temple has changed from a place of offering and sacrifice, to a place of prayer (although sacrifices are not ended, they have less importance). This shift in emphasis shows a new understanding of the temple as a place of worship for all people (Watts: 249–50).

As can be seen in these verses, the prophet links the eunuch and the foreigner together. The use of the word *foreigner* may be an example of Third Isaiah’s adoption of the political rhetoric of his opponents, and this person should

be best understood as a convert from the “people of the land.” This link is graphically illustrated in Figure 2.

The eunuch is a Judean being forced out of the community. The convert is a person of the land seeking integration into the Judean community by personal choice. Third Isaiah’s oracle assures that the eunuch shall not be forced out, and that the convert shall be let in. The prophecy of Third Isaiah thus reverses the polarity of the sign assigned to the eunuch from (–) to (+), thus to (+/+). The prophecy also absorbs the convert from the “people of the land” side of the diagram (–) to the “Judean” side of the diagram (+), altering his designation from (–+) to (+/+). This is done on the basis of Sabbath observance as the primary definer of the taxonomizer “loyalty.” It also overturns the taxonomizer “purification” in the classification system of Figure 1 and converts it into the classification system found in Figure 3.

In this revised classification system, the designation of loyalty is reconstructed around Sabbath observance rather than social issues regarding the reproduction of children and economic issues over land ownership. This transformation is discussed in the final section of this paper regarding the Sabbath.

The pairing of the eunuch and the convert (foreigner) suggests that Third Isaiah is attempting to accommodate social/political realities to assure that the reproduction and socialization of children can be continued by absorbing the converts into the community as a source of fertility to supplement the non-reproductivity of non-reproducing members, such as the eunuch. The non-reproducing members do not have to be excluded because of the rigid marker of loyalty designated as reproduction. Also, absorbing converts means that property can be brought into the realm of the community that would not otherwise be accessible. Locating the identifier of loyalty in Sabbath observance protects the continuation and ethnic identity of the community. In the following sections I will discuss these issues in more detail.

Purity, Childlessness and the Exclusion of the Eunuch

In the case of the eunuch we find religious ideologies utilized to remove him as a member of the community. The exclusion of the eunuch is ideologically accomplished by designating him as ritually impure. Purity, in this case, becomes a method of reducing a person’s ritual status. It also brings purity issues under the control of the priests, and gives the priest the power to determine and to remove the pollution. Furthermore, the failure to become purified can

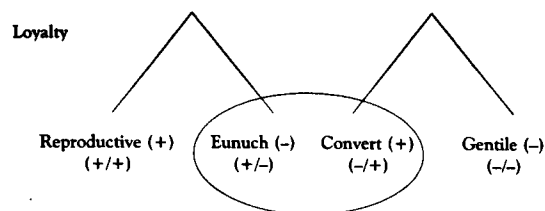


Figure 2

be seen as a rejection of God's commands and as a breach of the covenant (Douglas: 96–99). Thus, the ability to regulate purity is useful in defining community boundaries. It can be used to assign a person to a purity class and to keep that person in his or her place. It also gives people an incentive to define themselves as more pure than others, such as by descent, and so to establish themselves as eligible for marriage or office holding (Douglas: 93). In the ancient Judean purity ranking of individuals, the eunuch ranked near the bottom, above only the non-Judean, below proselytes and lay persons and well below priests and Levites (Matthews: 188). There was no prescribed rite to purify the eunuch of impurity as there was for the leper. For him it was a permanent condition (Wenham: 21). Purity, however, is not the issue being addressed in relation to the eunuch of Isaiah 56:1–8. Purity functions as a religious ideological barrier, but it is not the real reason for his exclusion. What Isaiah 56:1–8 is addressing is the historical prejudice against childlessness and the definition of the childless as disloyal to the community, and one would also suspect the same motive underlying the laws against homosexuality.

Isaiah 56:1–8 makes purity irrelevant. By declaring the observance of Sabbath and ethical behavior as the only requirements to be a Judean, this passage nullifies purity as a marker of community membership. It allows the willing eunuch to be absorbed into the cult and the community. Isaiah 56:1–8's emphasis on Sabbath observance is a way of showing loyalty to Yahweh that is not dependent on purity. This affirmation of the eunuch would give him good standing in the community, determine his acceptable cult status, and give him access to property ownership (Blenkinsopp 1988: 95). Even so, this does not resolve the problem of his childlessness.

The boundary between the eunuch and the community is an internal line drawn between the faithful and the traitor. There is no good reason to consider the eunuch to be a foreigner. As Isaiah 56:1–8 indicates, it is his lack of reproductive ability that is the reason for his exclusion. The eunuch is an outcast from the Judeans, and seen as a traitor to the future of his own people because of his inability to reproduce. He is a "dry tree," and for all practical purposes an infertile woman. The eunuch is thus barred from wife and family. According to Westermann (313), God reversed his own decision by a divine oracle, bestowed a blessing so that the eunuch received a name, and canceled the old regulation. The promise made to the eunuch is cast in the framework of the traditional hope for children with the assumption that a person's name will survive in the community through offspring (Wells: 148–49). The name that the

eunuch receives will function in the same way as children. For the eunuch a life without offspring is a life without blessing (this is the same issue for Abraham in Genesis 15:2). God's blessing cannot be given to a man who cannot have children, and who is thus barred from worship as well. Japhet (78) argues that God's promise is that the eunuch will receive a share in the community and the right to belong. He is included by name regardless of whether or not he has children. The eunuch, who was unable to reproduce, and thus was not able to guarantee the continuation of his name through his children, could be joined to God and allowed as a worshiper in the temple through his obedience, regardless of his state of purity. In the temple his name could be continually remembered as one of the faithful.

We can perceive behind this promise to the eunuch arguments over the traditional belief that children were one of God's blessings, along with access to the land. God's promise to Abraham included both a multitude of children and land for these offspring to occupy. A eunuch, with no children to inherit property, would not be allowed access to property ownership, because he could not be the head of a household. By being admitted as a full member of the community he can then be legally allowed to hold property (Blenkinsopp 1983: 3). I am not aware of any legal solution to this problem of inheritance. It hardly matters anyway, since in the end the eunuch was not admitted to full standing in the temple community.

The taxonomizing of reproductivity as a marker of "loyalty" to the community can be summarized in Table 2, which illustrates the distinctions drawn between the reproductive and the non-reproductive.

Reproductive—Judean	Non-Reproductive—Eunuch
Loyal	Disloyal
Provides for the continued maintenance of the community through offspring	Removes fertility from community
Maintains ethnic identity against outside influences	Compromises with the political powers of Babylon and Persia
Given access to property ownership (as male heads of households)	Excluded from property ownership

Table 2

What is interesting about Isaiah 56:1–8 is the pairing of the eunuch and the foreigner (convert). The eunuch is a man who cannot have children. The foreigner is probably a marriage partner of a Judean spouse, and this relationship

would produce less than ethnically pure children for the community. The foreigner may also be perceived as a danger to the intensive socialization of the community's children. The pairing of the eunuch and the foreigner almost seems to imply a collective adoption situation in which the offspring that the eunuch will not produce are contributed to the community by foreigners ("people of the land") who join the Judean community as converts.

Isaiah 56:1–8 redefines "loyalty" away from reproduction and toward Sabbath observance.

The eunuch and the foreigner can be seen as having paired infirmities in which one is able to overcome the disability of the other. This could happen only in a situation in which the boundaries of the community are defined neither on the grounds of preserving ethnicity from outside contamination (either in the form of biological miscegenation or from outside cultural and religious influence) nor by requiring that all members reproduce. In some ways the convert can become a replacement for the eunuch. In this circumstance Isaiah 56:1–8 argues against the ethnic orientation of the community in favor of redrawing the boundaries that circumscribe the community. The prophecy of Isaiah 56:1–8 undermines the classification systems of Figure 2 by redefining the taxonomizer of "loyalty" away from reproduction and toward Sabbath observance.

Ethnicity, Land and the Exclusion of the Foreigner

The foreigner of Isaiah 56:1–8 is best understood as a convert. Converts may have been desirable to the early restoration community for their fertility and their access to land that could be brought into the community. However, because they were not purified by the exile, they posed a threat of introducing syncretism into the returnee's Yahweh cult and a threat of disrupting the socialization of children. This all may have been true in the early restoration, but by the time of Ezra the Judean community had probably become self-sustaining in fertility, more appropriate marriage partners were available, and the community controlled enough land to support the Judean community as a social and legal entity. Additional sources of marriage partners could have been other groups of returnees, but marriage

partners also may have been sought by single men returning to Mesopotamia for a bride following the pattern set by Jacob in Genesis 24. At this time the "people of the land" of both sub-classes in Figure 1 could be expelled from the community.

It is generally agreed that the possession of the land after the exiled Judeans returned became a matter of dispute between them and the "people of the land" who occupied it, and that the Judeans attempted to recreate a political and economic Judah. The actions of Ezra and Nehemiah can be seen as an attempt to more closely define the boundaries of the Judean community so it could be recognized as a separate legal entity in the Persian Empire (Ackroyd: 146). Thus the ethnic definition of who was a Judean can be seen in the political motives of the leaders of the restoration community. The pairing of children and land in the promise to Abraham shows how important children and land were for the reestablishment of a political and economic Judah within the Persian Empire.

Kenneth Hoglund has argued that the Persians established ethnic communities, which were dependent on the imperial court for access to the land, as long as the community remained loyal. These communities were structured as collective entities, and regulated and taxed as collectives. Membership depended on ethnic identity, and the loss of ethnic identity carried with it the loss of privileges to collective property and the banishment from the collective (Hoglund 1991: 65–66). The returning Judeans were one of these groups. They were given legal status as long as they remained in their resettlement area, and this legal status was corporately based. The Judean community was given control over the land as a group, not as individuals. Those who did not act in the best interest of the group could be punished with the forfeiture of moveable property, and expulsion with the loss of legal rights (Hoglund 1992: 237–38). Thus the exilic community members, when they returned to the land, were not reclaiming land rights based on their possession of the land in the past, but were allowed to live there by imperial permission.

This argument runs counter to most scholarly assumptions that the returning exiles ran into opposition from the "people of the land" who occupied the territory. Under Hoglund's proposal, no historical land claim could have been made on the basis of past family or tribal possession, and thus there was no struggle for land rights (Hoglund 1991: 57). This would not necessarily invalidate my contention that converts were desirable because they brought with them greater access to the land. Such conflicts could still take place; we need only to expand our perception from in-

dividual to corporate land claims. Hoglund's proofs are drawn primarily from the period of Ezra and Nehemiah, and so do not speak to the early period of restoration history. Also, at the time of Nehemiah the text implies that individual families held property rights and titles to property (Halligan: 149).

Intermarriage, especially with the gentile class of the "people of the land," would blur the boundaries between groups and affect the ability to determine who had legal permission to occupy the land. By banning intermarriage Ezra and Nehemiah were able to draw communal boundary lines that kept all property and kinship related rights within the community. There would be legal and economic motives to keep the ethnicity of the group sharply defined (Hoglund 1993: 237–39). The missions of Ezra and Nehemiah may have been imperially sponsored and part of a Persian policy to define group membership, and subsequently the legal and economic rights of the people (Hoglund 1993: 239). The marriage prohibition consequently played into the concern over intermarriage as a source of religious syncretism and idolatry (Hoglund 1993: 244). From Ezra's marriage reform it is quite apparent that, leaving Hoglund's argument aside, the returnees did engage in mixed marriages, a fact which might reflect the returnees' desire to marry into families who controlled property and to gain a greater hold on territory that they would not otherwise possess. The marriage reform then is also an act of boundary maintenance.

Another reason for keeping the community ethnically pure might be found in the desire of the priests to exercise political control over the community. For the priests the reconstruction of the temple would bring God back to the land. This reconstruction also would give the priests control over the interpretation of law, put them in power, and allow them to dictate who could marry whom. As far as marriage to foreigners was concerned, the ban of Deuteronomy 23: 3–9 fell on only a few groups of foreigners (Ammonites and Moabites). It was not a total ban on all gentiles. Isaiah 56:1–8 emphasizes the absence of a total ban, but the priests emphasize the ban itself and generalize it to all non-Judeans. Those opposed to the inclusion of foreigners would have held that by allowing them to enter the temple, they would pollute the sacred temple grounds. These opponents would have held the view that such foreign and polluting (syncretistic) elements must be excluded from the temple so that God would restore his favor to the Judean community. This could happen only if the Judeans separated themselves from the outsiders (Achtmeier 1982: 18–19). It was upon these grounds, at least on the religious ideological level, that the exclusionists, led by Nehemiah

and Ezra, based their attack on mixed marriages. For them purification was a legal privilege that only a Judean could enjoy. A mixed marriage, from this perspective, would pass on impurity to the Judean partner. Life under the Deuteronomistic law was a lifetime commitment, and only a Judean could make it (Smith: 178–80).

Here too we can discern the issues of land and children behind these viewpoints. None of the intermarriages that took place in the early restoration could have occurred if the priests were firmly in control. With this control the priests could establish religious rules to regulate the reproduction of Judean offspring to whom family property could be passed, or to keep the community ethnically pure so as not to weaken ethnic claims to communal territories. It is likely that Third Isaiah supported the rights of Judeans to intermarry (in the hope that the foreign spouse would become a convert and adhere to the practices of the community). Third Isaiah did not support the exclusivistic policies of Ezra and Nehemiah and their party, who attempted to solve the problem of idolatry and syncretism by way of divorce and expulsion (Rofe: 214).

These various positions are summarized on Table 3.

Motives for Keeping the Judean Community Ethnically Pure	Motives for More Relaxed Ethnic Boundaries of the Judean Community
To maintain economic control of land that was granted to an ethnic collective	To gain access to properties controlled by non-Judeans
To prevent syncretistic contamination of the purified Yahweh cult	To find suitable marriage partners
To maintain priestly domination of the community	
To protect intensive Judean socialization of children	To increase the fertility of the population
To create and maintain an ethnically pure nationalist community	To gain social standing and acceptability in the Palestinian community
Ideological religious belief that God would restore the community only if it was ritually pure and separated from the surrounding nations	

Table 3

It is my contention that those whom Ezra shut out of the community with his marriage reform were not the con-

verts of Figure 1, but the “people of the land” of the class of gentiles with whom some Judeans had intermarried. These gentiles were probably syncretistic worshipers of Judean descent, but they were eligible marriage partners early in the restoration. They were shut out because they did not fully convert and thus represented a contaminating influence to the socialization of children. If Hoglund is correct, they also represented a blurring of the ethnic boundaries of the community, and therefore threatened the economic integrity of

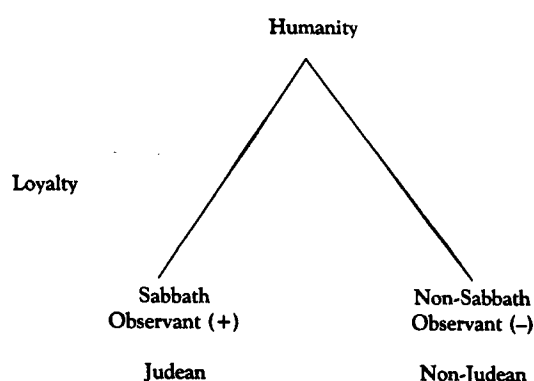


Figure 3

the community. Ezra moved to have them expelled because the Judean community at this time had developed a level of self-sufficiency and a sufficiently large population base to be reproductively self-sustaining. The extra fertility of the gentile class (who did not become converts) of the “people of the land” was no longer necessary.

Isaiah 56:1–8 may not be substantially concerned with this class of the “people of the land” except to the extent that they converted. Although Isaiah 56:1–8 was probably written before the time of Ezra, it may reflect part of a long standing controversy that came to a conclusion at that time. Isaiah 56:1–8 may, then, be read as an argument on the behalf of the gentiles, to make it easier for them to convert, against the more stringent restriction of the priests, especially those in the priestly community that required ethnic descent from an exile, a criterion that these gentiles as potential converts could not meet.

Isaiah 56:1–8 responded to the exclusionist by redefining the definition of the Judean. The exclusive behavior of his opponents involved acts to preserve their social standing in the community (and property holdings) at the expense of other people (See Isaiah 58:1–12). The observance of Sabbath replaces the obligation for holiness (i.e., separation) based on the requirements of ritual purity and ethnicity by subordinating them to ethics. Sabbath observance

itself is an act of separation on different grounds. The presence of intermarriage in the early restoration community, along with this text and its favorable attitude toward foreigners (i.e., the converts), indicates that there was an attempt to bring marriage partners into the Yahweh cult. This could only happen with a new definition of who was a Judean.

Sabbath Observance and the Deconstructing and Reconstructing of the Boundaries of the Judean Community

As we have seen, the returnees emphasized policies of separation. Their views on who was a Judean was restrictive. The “people of the land” sought to break down these separatist barriers, specifically in the position put forth by Isaiah 56:1–8. The “people of the land” also saw themselves as worshipers of Yahweh, but not captives. This group had more liberal policies about who could be a Yahwehist. This group advocated a less restrictive set of community boundaries. The ways in which community boundaries were alternatively formulated by the Judeans and the “people of the land” are summarized in Table 4 (see Blenkinsopp 1988: 94–95 and Bossman: 32–38, for a discussion of some of these elements).

Judeans	“people of the land”
Ethnic purity (and thus the importance of endogamy)	Endogamy was not required
Sabbath observance in addition to the observance of ritual purity and dietary restrictions	Observance of the Sabbath and ethical behavior should be the defining marks of the Judean
Practice of circumcision and other ritual practices such as fasting	Circumcision was not required
Land ownership and thus admission to the temple	Open temple policy
Be a member of the exile or a descendant of a member of the exile	Worship Yahweh
Pure temple worship and sacrificial practices, and thus the avoidance of syncretism	Sabbath observance was the guard against syncretistic practices, not ritual and cultic strictness

Table 4

For Third Isaiah, who was an advocate of the converts from the “people of the land,” God comes to the people who

fulfill the covenant relationship, and the content of this relationship is based on acting justly toward others, in accordance with the revealed laws (Achteimeier: 34). Faithfulness is demonstrated in the observance of the Sabbath.

How does Isaiah 56:1–8 use Sabbath to redefine the boundaries of the Judean community? Patrick Miller points out some of the essential aspects of Sabbath drawn from the Deuteronomistic tradition. The primary social characteristics of the Sabbath relate to social justice and equality, particularly the Sabbath's emphasis on the concept of "rest," which is to bring an end to exploitation (Miller: 88). As a marker of social justice, Sabbath is grounded in the principle of release (alluding to the release of the Hebrew slaves from Egyptian bondage). This principle is carried over into Israelite life in the form of laws requiring the periodical release of people from debt and slavery, and the release of the land from cultivation in the Sabbatical and Jubilee years (Miller: 94). Thus embedded in the ideology of Sabbath is a set of ethical and legal principles that call for the ethical treatment of the land, animals, and people. Although Sabbath observance does not invalidate the observance of purity, it does establish alternative principles for perceiving others, and when raised to a dominant ideological position it can act to subordinate other principles to it.

On a religious level, Sabbath is an opportunity to be open to God's presence. It is the mark of a people committed to God, and a sign of their covenant relationship to God (Miller: 89). Placing Sabbath in a privileged theological position enables us to stress other aspects of the relationship with God, aspects such as community and worship within the bounds of personal commitment, rather than in the bounds of ritual (see also Amos 5:21–24 and Micah 6:6–8, which offer similar perspectives).

It was during the time of the exile that the Sabbath stopped being understood as a day of rest, but came to be understood as a day hallowed by God to be observed religiously (Westermann: 341). This new conception must have come about in the exile to serve as a marker of Judean identity. This conception is reflected in the priestly writings, particularly in the first chapter of Genesis (Whybray: 218). For the priests, Sabbath became a way of emphasizing the concept of separation, because God created the universe by the process of separating night from day, land from sea, and so forth, and then rested. Isaiah 56:1–8, on the other hand, emphasized the Deuteronomistic intentions of the Sabbath as an ethical demand laid down for the protection (i.e., rest) of the land, and its animal and human inhabitants, while still seeing the Sabbath as a day hallowed by God to be observed as the priests did. The difference is that

the priests and Third Isaiah emphasized different historical and theological meanings of the Sabbath to support their respective positions. The priests stressed separation; Third Isaiah stressed the ethical aspects. By grounding his theological focus in the Sabbath, Third Isaiah was able to expand the boundaries of the community and the definition of the Judean, all the while remaining within the sphere of tradition and history. Isaiah 56:1–8's redefinition of the community's boundaries is graphically illustrated in Figure 3.

Figure 3 illustrates that Isaiah 56:1–8 redefines the taxonomizer "loyalty" on the basis of Sabbath observance. The division between who is a Judean and who is not a Judean, is based on the division between who is observant and who is non-observant. The drawing of the boundaries between the Judean and the non-Judean makes for a more flexible community that can absorb more members to produce offspring for the community and bring greater land resources into the community. Yet it still protects the socialization of children into their Judean identity as Sabbath observers, not as a ritually pure and exclusivist group. This redefinition, because it is based on personal commitment rather than the experience of the exile, can reorient the Judean community toward a worshipping, rather than a nationalistic, community. And lastly, it curbs the power of the priests and the priest's ability to impose purity restrictions on members of the community, in order to gain power over the community. This redefinition of the Judean community's boundaries undermines the definition of the Judean community presented in Figure 1, and in doing so creates a new vision for a new kind of Judean community.

Conclusion

In the end, Third Isaiah's proposed redefinition of the Judean community was rejected. Why was this redefinition of the Judean rejected, with its proposed boundaries of the community? I suggest that the basic reasons can be found in the exilic experience itself and the theology that this experience engendered. This theology, as we have seen, is a religious ideology that masks social, political, and economic motives. Throughout the Hebrew Bible we encounter the theme of possessing God's favor associated with the control of the land, but only as long as the descendents of Abraham continue to be obedient to the covenant. This theme stretches from the promise of God to Abraham, to the Israelite conquest of Canaan, to the expansionist policies of the monarchy, particularly under David, Solomon, and Josiah. As modern scholarship has shown, many of the Biblical texts either were written or received final form during the

time of the exile and restoration. It is no wonder that much of this material reflects concern over the land. The actions of the returnees can be found in a desire, rooted in both history and theology, to regain control. But this control is contingent on the obedience of the people, their avoidance of idolatry and any syncretistic cultic practices, the need for intensive socialization of children, and the avoidance of any kind of outside influence on the community that might disrupt this process. This is reflected in the purity regulations. The control that the Judeans sought over the land was then extended politically and socially (in theory) to the “people of the land,” who were to be subjected just as the Canaanites were during the conquest of Joshua in the mythic history of Israel. Greater importance was placed on their own values and the subjection of all others to their value system.

This is why the land and children were so important. Land plays into the ideology of the covenant and into God’s promise that the people will be allowed to possess the land as long as they are obedient. Ritual and cultic observance took primacy in the restoration, because this is what the priests believed God desired for their continued habitation of the land and the ownership of the choice pieces of real estate, Judah and Jerusalem. This viewpoint translated into the foreigner’s subservient status to the Judean.

The primary reason for the rejection of the redefinition can be found in the fact that the Judeans became, over the course of time, and with the support of the Persian court, stronger than the “people of the land,” and they were able eventually to impose their vision on the people they came to control. With this control the “people of the land” eventually became excluded from the community, the marriages that the Judeans had made with them were terminated by Ezra, and the Judaism of the future became an ethnic and nationalist based religious, social, and political entity. We can see why the redefinition was rejected.

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