

Cover page

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Title:

Yahwistic appropriation of Achaemenid ideology and the function of Nehemiah 9 in Ezra-Nehemiah

Abstract:

The prayer of Nehemiah 9:6-37, and particularly its final two verses, presents the imperial monarchy in a very negative light, a much different portrayal of the Achaemenids than that found everywhere else in Ezra-Nehemiah, where the Persian kings are great benefactors of the Judean assembly. The presence of this anti-imperial language points to the existence of a group within the community who hoped that God would grant them independence from Persia. In Nehemiah 8-13 as a whole, however, the inclusion of the prayer does not function to promote this view but to present it as terribly misguided. The prayer includes a description of the people that is drawn from Achaemenid ideology, one used by the Persian kings to implicitly contrast the beneficence bestowed upon loyal subjects and the tortures leveled upon the disloyal. Nehemiah 8-13 demonstrates that independence from the Achaemenid king, the figure responsible for sending proper leadership to Judah in order to keep the people faithful to the law, would lead to divine destruction of the community. Here as elsewhere in Ezra-Nehemiah, God permits the continued existence of the assembly only because the figures sent by the king force the people to remain loyal to the law. The best possible life is one under Achaemenid rule, and life without it would be a disaster, which is precisely the claim of Achaemenid imperial ideology.

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Yahwistic appropriation of Achaemenid ideology and the function of Nehemiah 9 in Ezra-Nehemiah

I. Nehemiah 9 and Ezra-Nehemiah

One of the most puzzling aspects of the prayer of Neh 9:6-37 is how uncomfortably it seems to fit in Ezra-Nehemiah as a whole. Commentators often refer to the final section of the prayer, and especially its final two verses, when making this point, noting particularly that the negative portrayal of the imperial monarchy here contrasts markedly with the positive portrait of the Persian kings everywhere else in the book. It is the kind of picture that would seem to fit more easily in the context of early Persian period works that include prophecies announcing a great divine overthrow of the existing imperial order, such as Hag 2:21-23 and Zech 2:1-4 [1:18-21], 10-17 [2:6-13]. We know, of course, that not everyone within the Persian period assembly was content with the community's colonized status; certainly the early post-exilic prophecies mentioned above attest to that fact, and it is hardly outside the realm of possibility that anti-imperial sentiment continued to live on, even if there was almost no clear representation of this kind of view in later extant Persian period literature. The anti-imperial language of Nehemiah 9 suggests that such sentiment was still present in the community when Ezra-Nehemiah was put together, at least a century after the time of Haggai and Zechariah. In the context of Ezra-Nehemiah as a whole, however, the prayer functions not to encourage this pro-independence attitude but to explain why it is terribly misguided. As we shall see, the final verses of the prayer use language Persian period readers would recognize as reflecting Achaemenid imperial ideology, language that both points to Judah's status as a colonized people and that contains an implicit warning of grievous punishment for those subjects of the empire who choose rebellion. Moreover, while the final verses of Nehemiah 9 acknowledge the presence of pro-independence sentiment within the community, Nehemiah 8-13 as a whole demonstrates that freedom from

Persian rule would result in the utter destruction of the community by divine order. In Ezra-Nehemiah's Yahwistic appropriation of Achaemenid ideology, the community will survive only under Persian rule, and the prayer of Nehemiah 9, even with its anti-imperial sentiment, functions as part of an argument in Nehemiah 8-13 against precisely such an attitude. 9:36-37 may acknowledge the existence of such sentiment, but Nehemiah 8-13 argues that only Achaemenid leadership stands between the community and its destruction.

We begin here by summarizing the tensions that exist between Nehemiah 9 and the rest of Ezra-Nehemiah in regard to their views of the Persians and the Persians' relationship to the Judean assembly. The first section of the prayer, 9:6-31, refers to God's interactions with the ancestors in the past, a negative portrayal of the earlier generations that consistently uses the third person plural to refer to their sins and apostasies, to the gifts of law and land they receive, and to their punishments at the hands of foreign peoples for their sins. 9:32-37, the second section of the prayer, turns to the present situation with the word *ועתה* "and now," and uses the first person plural to refer to the sins of the current generation,¹ sins that have resulted, as 9:36-

¹ For further discussion of this point, see Waldermar Chrostowski, "An Examination of Conscience by God's People as Exemplified in Neh 9,6-37," *BZ* 34 (1990): 253-61 (253-55); Samuel E. Balentine, *Prayer in the Hebrew Bible: The Drama of Divine-Human Dialogue*, OBT (Minneapolis: Fortress Press, 1993), 114; Rolf Rendtorff, "Nehemiah 9: An Important Theological Witness of Theological Reflection" in *Tehillah le-Moshe: Biblical and Judaic Studies in Honor of Moshe Greenberg*, ed. Mordechai Cogan, Barry L. Eichler, and Jeffrey H. Tigay (Winona Lake, IN: Eisenbrauns, 1997), 111-17 (114); Tamara Cohn Eskenazi, "Nehemiah 9-10: Structure and Significance" in *Perspectives on Biblical Hebrew: Comprising the Contents of Journal of Hebrew Scriptures Volumes 1-4*, ed. Ehud Ben Zvi (Piscataway, NJ: Gorgias Press,

37 says, in the community's status as עבדים "slaves" in the very land given to the ancestors, "and its great wealth belongs to kings whom you set over us because of our sins, and they rule over our bodies and our livestock as they wish, and we are in great distress." The final verses make perfect sense in the prayer as a whole, for 9:26-31 imitates the Deuteronomistic cycle of rebellion² and says that "many times" Israel's unfaithfulness in regard to the law was met with divine punishment manifested by foreign enemies, punishments always followed by divine rescue. In this context, 9:36-37 points out that sin has once again been followed by punishment, although it says nothing in any explicit way about a divine intervention to follow.

What makes the second section of the prayer, and especially its final two verses, seem so odd in the context of Ezra-Nehemiah is its portrayal of the foreign kings and their relationship to the current community. 9:36-37 says that these kings rule over the land, its people, and their livestock, and that the community serves them as "slaves"; the kings are thus responsible, at least in part, for the "great distress" the assembly now experiences, and the prayer asks that God not look upon this "hardship" as "insignificant" (9:32). In the context of Ezra-Nehemiah as a whole, these kings are, of course, the Achaemenids, but such a seemingly negative portrayal of them in Nehemiah 9 contrasts markedly with their role as benefactors of the post-exilic assembly

2006), 365-78 (371-72).

² As H.G.M. Williamson points out, this cycle appears in its full form in 9:26-27 and again in 9:28. 9:29-31 begins a third turn of the cycle, but it is not completed. See his "The Torah and History in Presentations of Restoration in Ezra-Nehemiah" in *Reading the Law: Studies in Honour of Gordon J. Wenham*, ed. J.G. McConville and Karl Möller, LHBOTS 461 (New York: T. & T. Clark International, 2007), 156-70 (168).

everywhere else in the work.³ In Ezra-Nehemiah's narrative, Yhwh "roused" Cyrus, who claims Yhwh "has given to me all the kingdoms of the earth," and "charged me to build for him a house in Jerusalem" (Ezra 1:1-2). Cyrus asks Judeans in Babylonia to go and build the temple, gives them the temple vessels Nebuchadnezzar brought to Babylon (1:3, 7-11; 6:5), and has the crown pay for the construction (6:4). Darius enforces Cyrus's orders in regard to the temple and has the Persian government pay for the sacrifices there as well (6:6-12). Artaxerxes donates money and cultic vessels to the temple and continues Darius's policy of paying for the sacrifices in Jerusalem, and even remits the tax the temple personnel owe (7:15-24). He orders Ezra to teach "the laws of your God" throughout the satrapy of Across-the-River, and is clear that he will enforce this law (7:25-26). And although the assembly's adversaries bribe officials to lie to

³ Reference to this stark contrast is, as noted above, a point commonly made by commentators. See, e.g., Chrostowski, "An Examination of Conscience," 261; Rodney Alan Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution*, SBLEJL 13 (Atlanta: Scholars Press, 1998), 58; Michael W. Duggan, *The Covenant Renewal in Ezra-Nehemiah (Neh 7:72B-10:40): An Exegetical, Literary, and Theological Study*, SBLDS 164 (Atlanta: Society of Biblical Literature, 2001), 231-32; H.G.M. Williamson, "Structure and Historiography in Nehemiah 9" in *Studies in Persian Period History and Historiography*, FAT 38 (Tübingen: Mohr Siebeck, 2004), 282-93 (289-90); Lena-Sofia Tiemeyer, "Abraham—A Judahite Prerogative," *ZAW* 120 (2008): 49-66 (61); 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), 61-72 (71-72).

Artaxerxes in order to have him prevent the building of Jerusalem's wall (4:1-23),⁴ after Nehemiah's intervention he not only permits this construction but even provides wood for it (Neh 2:1-8). There is not the slightest hint in these or other passages in the work—Nehemiah 9 excepted—that Persian rule is some sort of evil from which Judeans should long to be free. Neh 9:32-37 does not explicitly ask God for this freedom, although commentators widely conclude that these verses imply this kind of plea, and so see here a radical break with the rest of the work, which is satisfied with the political status quo.⁵

⁴ Specifically, Artaxerxes is told that Jerusalem was destroyed because it rebelled against previous imperial sovereigns (4:15), and that if the walls are completed the king can expect an end to the tax paid from the region (4:13). Neither of these things is true according to the narrative. Jerusalem was destroyed because its people angered their God (5:12), not because it revolted against its suzerains. And even when, as the city walls near completion, the people complain of the financial hardships caused by “the tax of the king” (Neh 5:4), Nehemiah claims the difficulty lies with wealthy community members who loan money at interest (5:6-13), not with the royal tax, and payment of it is not diminished.

⁵ So, e.g., Blenkinsopp, *Ezra-Nehemiah*, 307-308; Mark A. Throntveit, *Ezra-Nehemiah*, IBC (Louisville: John Knox Press, 1992), 106; Balentine, *Prayer in the Hebrew Bible*, 115; Volker Pröbstl, *Nehemia 9, Psalm 106 und Psalm 136 und die Rezeption des Pentateuchs* (Göttingen: Cuvillier Verlag, 1997), 27-28; Werline, *Penitential Prayer*, 58-59; Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9*, BZAW 277 (Berlin: Walter de Gruyter, 1999), 190; Pablo R. Andiñach, “Nehemías 9,5b-37: Oración y denuncia de la opresión” in *Los caminos inexhaustibles de la Palabra (Las relecturas creativas en la Biblia y de la Biblia)*, ed. Guillermo Hanson (Buenos Aires: Lumen, 2000), 241-53 (252-53); Duggan,

As an instructive example of this conclusion that the negative presentation of foreign kings in Neh 9:32-37 does not appear to neatly suit Ezra-Nehemiah's otherwise very positive portrayal of the Persian monarchy, some point to the differences in this regard between the prayer of Nehemiah 9 and that of Ezra in Ezra 9:6-15. Both are penitential prayers that rehearse the sins of the ancestors and that claim those sins were punished by foreign control of the land. The two prayers contain a great number of expressions in common;⁶ Ezra 9:9 even refers to the current assembly as עֲבָדֵינוּ, just as Neh 9:36 does, but Ezra 9:9 says that God has "extended on us steadfast love before the kings of Persia, to give us life to raise up the house of our God and to build up its ruins." Slavery under the Persian kings appears to be a good thing here, a manifestation of God's mercy toward the people that has resulted in a rebuilt temple, and the

The Covenant Renewal, 231-32; Richard J. Bautch, *Developments in Genre between Post-Exilic Penitential Prayers and the Psalms of Communal Lament*, SBLAB 7 (Atlanta: Society of Biblical Literature, 2003), 135; Williamson, "Structure and Historiography," 289-90.

⁶ Michael Duggan, in fact, identifies thirty two expressions that the two prayers share; see his "Ezra 9:6-15: A Penitential Prayer within its Literary Setting" in *Seeking the Favor of God*, ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline, SBLEJL 21 (Atlanta: Society of Biblical Literature, 2006), 1:165-80 (175-77). He is not the only one to point to similarities between the two passages, however; see also, e.g., Charles C. Torrey, *Ezra Studies*, LBS (New York: Ktav, 1970), 275-76; Harm van Grol, "'Indeed, servants are we': Ezra 9, Nehemiah 9 and 2 Chronicles 12 Compared" in *The Crisis of Israelite Religion: Transformation of Religious Tradition in Exilic and Post-Exilic Times*, ed. Bob Becking and Marjo C.A. Korpel, OTS 42 (Leiden: Brill, 1999), 209-27 (209); Juha Pakkala, *Ezra the Scribe: The Development of Ezra 7-10 and Nehemia 8*, BZAW 347 (Berlin: Walter de Gruyter, 2004), 183-84.

point of this prayer is certainly not to ask for liberation from Persian rule. The danger the assembly faces, Ezra warns in Ezra 9:10-15, is that the community's failure to keep God's law in regard to intermarriage will end the current situation of divine mercy and Persian rule over the assembly as "slaves" and cause God to destroy them utterly, leaving them "without remnant or survivor." The prayer of Ezra 9 demonstrates that "the favour of the Persians is the form in which they [the assembly] experience the favour of their God,"⁷ so it is no wonder that scholars who have concluded that Neh 9:32-37 includes an implicit plea for independence have also concluded that Nehemiah 9 is quite different in its portrayal of imperial rule than Ezra 9.⁸

Only Manfred Oeming argues at any length that Nehemiah 9 is entirely compatible with the view of Persian rule found throughout the rest of Ezra-Nehemiah.⁹ As part of his argument, Oeming touches on a matter that we will explore at more length in the following section: the use of עבֵרִים as a translation of the Old Persian *bandaka-*, a word the Achaemenids used to describe their subjects. As our examination of this Old Persian term will show, he is right to see the Hebrew word as reflecting *bandaka-*, but it will also show that it is not so clear that we should understand עבֵרִים in 9:36 as meaning "well-regarded allies of the Persian Empire," as Oeming

⁷ D.J.A. Clines, *Ezra, Nehemiah, Esther*, NCBC (Grand Rapids, MI: Wm. B. Eerdmans, 1984), 125.

⁸ So, e.g., Williamson, "Structure and Historiography," 282-83; Tiemeyer, "Abraham," 61; Gili Kugler, "Present Affliction Affects the Representation of the Past: An Alternative Dating of the Levitical Prayer of Nehemiah 9," *VT* 63 (2013): 605-26 (616).

⁹ Manfred Oeming, "'See, we are serving today' (Nehemiah 9:36): Nehemiah 9 as a Theological Interpretation of the Persian Period" in *Judah and the Judeans in the Persian Period*, ed. Oded Lipschits and Manfred Oeming (Winona Lake, IN: Eisenbrauns, 2006), 571-88.

believes.¹⁰ He argues as well that the use of עבד'ים in 9:36 is meant to portray the current assembly positively in comparison to their ancestors, who, according to the previous verse, לא עבדוך “did not serve you [God].” Assembly readers, he says, would conclude that they are עבד'ים in the sense that they are properly serving God, unlike their ancestors.¹¹ For Oeming, 9:32-37 portrays the community as righteous servants of God, whose status as “well-regarded allies of the Persian Empire” is their reward for their righteousness. This, however, is not a conclusion that really works in the context of the prayer’s final verses. The prayer does not say the community is in great distress because they are “about to” abandon Torah, which is how Oeming puts it;¹² 9:37 refers to “our sins” that have resulted in the great distress, and so the prayer does not imply that the assembly is now rightly serving God, it says they are already sinning. For the prayer, the community’s status as עבד'ים is the result of their sin, not a reward for their righteousness. Just as the ancestors “did not serve you,” the current community is not rightly serving God either, which is why they confess their sin,¹³ and it is because of their sin that

¹⁰ Oeming, ““See, we are serving,”” 579. For an analysis of the word that supports Oeming’s conclusion, see Christine Mitchell, “Achaemenid Persian Concepts Pertaining to Covenant and Haggai, Zechariah, and Malachi” in *Covenant in the Persian Period: From Genesis to Chronicles*, ed. Richard J. Bautch and Gary N. Knoppers (Winona Lake, IN: Eisenbrauns, 2015), 291-306.

¹¹ Oeming, ““See, we are serving,”” 579-80.

¹² Oeming, ““See, we are serving,”” 582.

¹³ For more discussion of this point, see Williamson, “Structure and Historiography,” 290.

they are now עבד'ים to the Persians. Given the prayer's insistence in its final verse that the land's yield now goes to foreign kings "because of our sin," Oeming's reading of the end of Nehemiah 9 as reflecting positively upon the Achaemenids, the community, and their relationship, does not really seem to fit. As the immediate agents of the community's "great distress," the prayer does not cast the Persians in a positive light, even if the assembly's sin is ultimately responsible for the distress they suffer. The negative portrayal of imperial rule that virtually all other scholars see in 9:32-37 would seem to reflect the view of pro-independence members of the assembly, or, at the very least, members unhappy with Persian rule, and particularly those who still held to the earlier messages of Haggai and Zechariah of a coming divine geopolitical action, a view politically out of step with the rest of Ezra-Nehemiah. Oeming is correct, though, that the prayer reflects Achaemenid imperial ideology, and it is to that issue we now turn, since the prayer's use of imperial language will likely tell us something important as to how the empire is being portrayed.

II. The slave in Achaemenid imperial ideology

We are aware of Achaemenid imperial ideology primarily from stelae carved in Iran, but we know that the Achaemenids' view of the legitimacy of their kingship and their relationship to the colonized was broadcast widely throughout their empire. Inscriptions of Darius have also been found in Suez (DZa; DZb; DZc), and the statue of Darius in the Egyptian style discovered in Susa and inscribed in Egyptian, Elamite, Akkadian, and Old Persian (DSab) was carved in Egypt and likely stood originally in the temple of Atum in Heliopolis,¹⁴ while Herodotus describes

¹⁴ For this as the scholarly consensus as to the statue's original location, see Shahrokh Razmjou, "Assessing the Damage: Notes on the Life and Demise of the Statue of Darius from

Darius as erecting inscriptions on his campaign to Greece (4.87-88, 91). Darius writes in the Bisitun Inscription of his interest in widely broadcasting the inscription's message, for he says there that he had it translated and distributed throughout the empire on clay and parchment (DB 4.88-92), a claim borne out in the discovery of an Aramaic copy in Elephantine (*TAD C2.1*) and fragmentary Akkadian copies in Babylon.¹⁵ Indeed, the text Darius had carved at Bisitun is so high that it cannot be read from the mountain's base, and the only way to make the specifics of its message known was to have the text circulate in readable form; it is thus quite possible that the text existed first on clay and parchment, circulating throughout the empire, and only later as an inscription carved into the stone at Bisitun.¹⁶ And since the Aramaic copy of Bisitun also includes some lines from Darius's burial inscription,¹⁷ the Bisitun Inscription was clearly not the only one that circulated throughout the empire.¹⁸ Before the Achaemenids, multilingual royal

Susa," *ArsOr* 32 (2002): 81-104 (86-87).

¹⁵ For the Babylonian text, see Elizabeth N. von Voightlander, *The Bisitun Inscription of Darius the Great: Babylonian Version*, CII 1/2/1 (London: Lund Humphries, 1978).

¹⁶ For a discussion of the placement of the text at Bisitun, see Donald C. Polaski, "What Mean These Stones? Inscriptions, Textuality and Power in Persia and Yehud" in *Approaching Yehud: New Approaches to the Study of the Persian Period*, ed. Jon L. Berquist, SBLSS 50 (Atlanta: Society of Biblical Literature, 2007), 37-48 (37-40). For the claim that the Bisitun Inscription first existed in documents that circulated throughout the empire, see Josef Wiesehöfer, *Ancient Persia from 550 BC to 650 AD*, trans. Azizeh Azodi (London: I.B. Tauris, 2001), 18-19.

¹⁷ *TAD C2.1.66-70* parallels *DNb 50-60*.

¹⁸ See Jonas C. Greenfield and Bezael Porten, *The Bisitun Inscription of Darius the*

inscriptions were rare in the Near East, but the Persian kings made them the norm, apparently so that their ideology could be more widely understood;¹⁹ Darius claims at various points that writing is an important way to convey the truth that the king wants to communicate (DB 4.41-43, 45-50, 54-59; DNb 50-57), and so we should not be surprised that an Aramaic copy of Bisitun was circulating a century after the inscription was first carved. The kings obviously wanted the colonized to be aware of the reasons why the Achaemenids should rule them, and so they made these reasons widely available. As a result, we find Greek writers who were clearly aware of claims made on these inscriptions; Herodotus, for example, knew of at least parts of the narrative from Bisitun,²⁰ telling us that its basic story was well-known a century after Darius's time. Numerous Classical authors, to take one more example, seem to be well informed of the physical and moral virtues with which Darius and Xerxes claim to be endowed and that they say make them good rulers.²¹

Great: Aramaic Version, CII 1/5/1 (London: Lund Humphries, 1982), 3-4 and Amélie Kuhrt, "Achaemenid Images of Royalty and Empire" in *Concepts of Kingship in Antiquity: Proceedings of the European Science Foundation Exploratory Workshop*, ed. Giovanni B. Lanfranchi and Robert Rollings, HANEM 11 (Padua: S.A.R.G.O.N., 2010), 87-105 (98-99).

¹⁹ Hannes D. Galter, "Cuneiform Bilingual Royal Inscriptions," *IOS* 15 (1995): 25-50 (41).

²⁰ See Maria Brosius, "Greek Sources on Achaemenid Iran" in *The Oxford Handbook of Ancient Iran*, ed. D.T. Potts (Oxford: Oxford University Press, 2013), 658-68 (662).

²¹ Compare DNb 5-49 and XPl 5-50 with Herodotus 1.36; Xenophon, *Cyr.* 1.2.6-8; *Anab.* 1.9.2-19; Strabo 15.3.8, and see Bruce Lincoln, "On Persian Pedagogy and Greek Machismo" in "*Happiness for mankind*": *Achaemenian Religion and the Imperial Project*, *Acta Iranica* 53

There were other media besides inscriptions through which the Persian kings broadcasted their justifications for ruling and their virtues as rulers, such as coins, bullae, and palace reliefs,²² but the larger point is that we have no reason to believe that the Judean elite who could read Ezra-Nehemiah would not have been aware of this ideology; it was widespread, there was a Persian palace at Ramat Rahel,²³ close to Jerusalem, which would have contained officials and

(Leuven: Peeters, 2012), 335-54 (335-45).

²² There is a large amount of material that discusses the ways in which Persian imperial ideology was communicated through these different media. Helpful studies include Margaret Cool Root, *The King and Kingship in Achaemenid Art: Essays on the Creation of an Iconography of Empire*, Acta Iranica 19 (Leiden: E.J. Brill, 1979); Peter Vargyas, “Darius I and the Daric Reconsidered,” *IrAnt* 35 (2000): 33-46; Mark B. Garrison and Margaret Cool Root, *Seals on the Persepolis Fortification Tablets*, UCOIP 117 (Chicago: University of Chicago Oriental Institute Publications, 2001); Cindy L. Nimchuk, “The ‘Archers’ of Darius: Coinage or Tokens of Royal Esteem?” *ArsOr* 32 (2002): 55-79; Mark B. Garrison, “Royal Achaemenid Iconography” in *The Oxford Handbook of Ancient Iran*, ed. D.T. Potts (Oxford: Oxford University Press, 2013), 566-95.

²³ On the palace, see Oded Lipschits, “Shedding New Light on the Dark Years of the ‘Exilic Period’: New Studies, Further Elucidation, and Some Questions Regarding the Archaeology of Judah as an ‘Empty Land’” in *Interpreting Exile: Displacement and Deportation in Biblical and Modern Contexts*, ed. Brad E. Kelle, Frank Ritzel Ames, and Jacob L. Wright, SBLAIL 10 (Atlanta: Society of Biblical Literature, 2011), 57-90 (57-61); Oded Lipschits et al., “Palace and Village, Paradise and Oblivion: Unraveling the Riddles of Ramat Rahel,” *NEA* 74 (2011): 2-49 (31-37); O. Lipschits, Y. Gadot, and D. Langgut, “The Riddle of Ramat Raḥel: The

iconography to articulate it, and leaders of the assembly and province like Ezra and Nehemiah came to Judah from the center of the empire. It is reasonable to assume that assembly readers of the work would have been aware, for example, of the strict hierarchy in Achaemenid ideology that separated the Great King from all of his subjects. As Oeming notes, Darius uses the Old Persian word *bandaka-* to refer to his generals,²⁴ a word Oeming understands to be “a title of honor for vassals.”²⁵ Clearly, Darius does use it to refer to high ranking individuals, but the term applies to any and all of the Achaemenid’s subjects,²⁶ as is the case when Darius uses it in the plural to refer to all of the peoples whom he rules (DB 1.19). Oeming is correct when he writes that עבד'ים in Neh 9:36 is an attempt to reflect the Old Persian word, since the Akkadian version of Bisitun consistently uses *qallu* “slave” in its translation of the word (ll. 44, 48, 53, 62, 73, 79, 86), and the Aramaic version uses *'ylm* “servant” (*TAD* C2.1.19). So the term is not really one that indicates any kind of honor so much as it is a basic way to refer to all subjects of the Great King. They are all *bandakā*, as DB 1.19 tells readers, even the satraps at the very highest rung (but one) of the political ladder, as DB 3.56, which uses the term in reference to a satrap, demonstrates. The word itself is related to the Old Persian verb *band-* “to bind,” and derives from the Indo-European **bhendh-*, and so is cognate with words like Avestan *banda-* “bond,

Archaeology of a Royal Persian Period Edifice,” *Transeu* 41 (2012): 57-79.

²⁴ In the Achaemenid inscriptions, the word only appears in the Bisitun Inscription. See DB 1.19; 2.20, 30, 49-50, 82; 3.13, 31, 56, 85; 5.8.

²⁵ Oeming, ““See, we are serving,”” 579.

²⁶ See Christopher Tuplin, “All the King’s Men” in *The World of Achaemenid Persia: History, Art and Society in Iran and the Ancient Near East*, ed. John Curtis and St John Simpson (London: I.B. Tauris, 2010), 51-61 (54-55).

fetter,” Greek πείσμα “rope, cable,” and Latin *dēfendō* “to free from entanglement,” not to mention English “bond.”²⁷ Everyone within the empire, then, is “bound” to the Achaemenid,²⁸ and given that *bandaka-* was translated in official documents by words that referred to servitude it is not surprising that the Greeks concluded the Great King considered all of his subjects, even the high ranking ones, to be δούλοι “slaves” bound in subjection to the royal will.²⁹

Persian imperial ideology, however, worked to validate the Achaemenids’ rule, and even if the Great King’s subjects are “slaves,” this is still greatly to their advantage. Imperial power is good power and far better than an absence of empire, according to the inscriptions. For example, as Darius explains on his burial inscription, the world was “in turmoil (*yaudantim*)” before Auramazda made him king (DNa 31-32), but, by Auramazda’s will, he acted to restore order (33-38). In an inscription from Susa, he writes again that “the lands were in turmoil (*ayaudan*), one fought another” (DSe 32-34), but, by Auramazda’s will, Darius put an end to this violence (34-41). Achaemenid inscriptions frequently open by referring to Auramazda as creator of the world

²⁷ Julius Pokorny, *Indogermanisches etymologisches Wörterbuch* (Bern: Francke Verlag, 1959-1969), 1:127.

²⁸ The *-ka-* suffix of the word indicates it is an adjective with substantive meaning; see Roland Kent, *Old Persian: Grammar, Texts, Lexicon*, 2nd ed., AOS 32 (New Haven, CT: American Oriental Society, 1953), 51. Given its relationship to the verb “to bind,” *bandaka-* reflects the “bound-ness” of all of the Achaemenid’s subjects.

²⁹ See the discussion in Anna Missiou, “Δούλος τοῦ βασιλέως: The Politics of Translation,” *CIQ* 43 (1993): 377-91. Missiou argues that *bandaka-* was not meant in a pejorative sense, but that it was understood as such by the Greeks.

and its *šiyāti*-,³⁰ a word that derives from the Indo-European root **kweyǵ-*, which has the general sense of “to rest comfortably,” and is cognate not only with words like Latin *quiēs* and English “quiet” but with Avestan *šaiti-š* “joy” and *šyāta-* “pleased.”³¹ By banishing turmoil and violence from the world, the Achaemenid restores the *šiyāti*- Auramazda intended humanity to enjoy at creation;³² the king brings not just quiet and an absence of the warfare that had earlier plagued the peoples, he brings joy and pleasure, general well-being, and so the colonized are fortunate to live under his rule. While his subjects are to bring him *bāji-* “tribute,” a word that includes the

³⁰ This line became the standard opening to many Achaemenid inscriptions: “A great god is Auramazda, who created this earth, who created that sky, who created humanity, who created *šiyātim* for humanity, who made Darius king, one king of many, one lord of many.” It appears in DNa 1-8; DPg 1-5; DSe 1-7; DSf 1-8; DSab 1-8; DZc 1-4; DE 1-11; XPa 1-6; XPb 1-11; XPe 1-5; XPd 1-8; XPf 1-8; XPh 1-6; A¹Pa 1-8; A³Pa 1-8. Xerxes, Artaxerxes I, and Artaxerxes III only alter the wording in order to replace Darius’s name with their own. For the last inscription and its attribution to Artaxerxes III, see Rüdiger Schmitt, *The Old Persian Inscriptions of Naqsh-e Rostam and Persepolis*, CII 1/1/2 (London: School of Oriental and African Studies, 2000), 119.

³¹ Pokorny, *Indogermanisches etymologisches Wörterbuch*, 1:638; Thomas V. Gamkrelidze and Vjačeslav V. Ivanov, *Indo-European and the Indo-Europeans: A Reconstruction and Historical Analysis of a Proto-Language and a Proto-Culture*, trans. Johanna Nichols, Trends in Linguistics Studies and Monographs 80 (Berlin: Walter de Gruyter, 1995), 1:205.

³² See Bruce Lincoln, “À la recherche du paradis perdu” in “*Happiness for mankind*”: *Achaemenian Religion and the Imperial Project*, Acta Iranica 53 (Leuven: Peeters, 2012), 3-19.

sense of something owed to the king,³³ Persian iconography always portrays the colonized support of the Achaemenid as done with dignity and little exertion.³⁴ Those who are bound to (or below) him are much better off than they would be otherwise, a view that Ezra-Nehemiah's portrayal of the beneficent Persian kings endorses.

Since *bandaka-* can be applied to all of the Great King's subjects, it is not precisely a term of honor, although one certainly understand it as referring to a close relationship between king and subject, who might be said to be bound together.³⁵ Oeming is correct to conclude that it was used only in reference to loyal vassals,³⁶ since Darius uses it in no other context. Achaemenid imperial ideology almost never overtly refers to the fate of disloyal subjects, and the Bisitun Inscription, a narrative of Darius's defeat of various rebellions, is the obvious example that proves this rule. Here, Darius uses the word *basta*, a participial form of the verb *band-*, in order to explain what he did to those who rebelled against his power. His enemies are *basta* "bound" so that he can kill them (DB 1.82-83; 5.25-27), impale them (3.88-92), or publicly display them as tortured and mutilated before he puts them to death (2.73-76, 86-91). It is this

³³ See Heleen Sancisi-Weerdenburg, "Bāji" in *Studies in Persian History: Essays in Memory of David M. Lewis*, ed. Maria Brosius and Amélie Kuhrt, AchHist 11 (Leiden: Nederlands Instituut voor het Nabije Oosten, 1998), 23-34.

³⁴ For studies of this aspect of Achaemenid iconography, see Root, *The King and Kingship*, 131-61.

³⁵ So, e.g., Pierre Briant, *From Cyrus to Alexander: A History of the Persian Empire*, trans. Peter T. Daniels (Winona Lake, IN: Eisenbrauns, 2002), 65 and Wiesehöfer, *Ancient Persia*, 31.

³⁶ Oeming, "'See, we are serving,'" 579.

contrast between being bound in servitude to the Achaemenid or bound in preparation for death—or worse—that we see in Ezra’s prayer, when he claims that the community’s very state of slavery—the people’s status as *bandakā*, in other words—is the manifestation of God’s “steadfast love before the kings of Persia,” but that the community’s current failure to act rightly would end in destruction “without remnant or survivor.” In this prayer it is God rather than the Achaemenid who ultimately controls the people’s fate, but this kind of Yahwism is really just an appropriation of Achaemenid ideology: life under Persian rule is the best possible life available, and the alternative is destruction. Certainly even the non-elite among the colonized peoples of the Achaemenids would have been well aware that being slaves of the Great King was not the worst fate that could befall them. When Darius writes that he kept leaders of rebellions “bound” at the entrance of his palace after cutting off noses and ears and putting out eyes (DB 2.73-75, 88-90), part of the point of this is so that “all the people” could witness the fate of the rebels (2.75-76, 90). While Bisitun is the only Achaemenid inscription to refer to such torture,³⁷ it was hardly necessary for the Great Kings to use their inscriptions to advertize the dire consequences of failing to be loyally bound to the king; Xenophon writes that it was common in the Persian Empire to see convicted criminals without feet, hands, or eyes (*Anab.* 1.9.13), and so the

³⁷ On the general Achaemenid disinclination to refer to violence in their iconography, especially in comparison with their Neo-Assyrian predecessors, see Margaret Cool Root, “Imperial Ideology in Achaemenid Persian Art: Transforming the Mesopotamian Legacy,” *BCSMS* 35 (2000): 19-27. And, as Bruce Lincoln points out, there are fifty three known Achaemenid inscriptions that postdate Bisitun, and not one of them refers to any specific armed struggle; see his *Religion, Empire, and Torture: The Case of Achaemenian Persia with a Postscript on Abu Ghraib* (Chicago: University of Chicago Press, 2007), 12.

consequences were written on the bodies of disloyal subjects. When Darius claims that he punishes those who cause injury (DB 4.66-67; DNb 17-21) and that the colonized peoples are afraid of him (DPe 9) and of his law (DSe 37-39), we have no particular reason to believe he is lying. If the Classical sources are any indication, the kinds of tortures to which the Achaemenids subjected the disloyal were gruesome and well known.³⁸

As Oeming has pointed out, then, it is true that referring to the Judean assembly as “slaves” does not in and of itself reflect negatively on the Persians nor necessarily contradict Ezra-Nehemiah’s positive portrayal of the relationship between the assembly and the empire, even though, in the context of 9:32-37, one could read עבדִים in this contradictory manner. Insofar as the word reflects the Old Persian *bandaka-*, it may not be a term of honor, but it is a concept at home both in Achaemenid royal ideology and Ezra-Nehemiah’s understanding of the nature of the relationship between the assembly and the Great King. They are his subjects, as everyone else in the empire is, Persian rule has brought well-being (*šiyāti-*) to Judah, and the assembly’s fate could clearly be worse, as Ezra says in his prayer. But the word עבדִים does not appear by itself in 9:32-37, and the prayer’s conclusion also refers to the “hardship” and “great distress” for which the foreign kings who rule the assembly are at least partly responsible. If *bandaka-* can be understood as referring to a king and subject bound together in harmony, it can also be understood as referring to a subject bound in servitude to the king, as the use of words like the Akkadian *qallu* and Aramaic *ʿylm* in official translations of the Bisitun Inscription

³⁸ See, e.g., Herodotus 3.119, 130; 5.25; Diodorus 17.30.4; Plutarch, *Art.* 14.5; 16.2-4; Strabo 15.3.17, and see also Bruce Lincoln, “Happiness, Law, and Fear” in *“Happiness for mankind”*: *Achaemenian Religion and the Imperial Project*, *Acta Iranica* 53 (Leuven: Peeters, 2012), 406-24 (420-22).

clearly show. Insofar as עבד'ים in Neh 9:36-37 appears to reflect *bandaka-*, it reflects the latter understanding of the word, as the broader context of 9:32-37 demonstrates.

The question before us is why Ezra-Nehemiah includes 9:32-37 and its negative sense of *bandaka-*, since this is hardly the picture of imperial rule in the rest of the book. As we shall see in the next section, these verses seem to reflect an anti-Persian sentiment, the same kind of attitude toward Persia that we find in Haggai and First Zechariah, one that coexisted in the Judean assembly alongside the pro-Achaemenid stance displayed in a passage like Ezra 9, where עבד'ים manifests the more positive interpretation of *bandaka-*. As we turn to read Nehemiah 9 in the context of the concluding section of Ezra-Nehemiah, we see a picture of Judah faced with the choice of being “bound” in subjection to the Achaemenid or “bound” in preparation for torture and death at God’s hand. In this appropriation of Achaemenid ideology into Yahwism, Nehemiah 8-13 works to convince readers that the Persians are indeed responsible for their well-being, and that the disappearance of Achaemenid rule would lead to God’s destruction of the people. We see in Ezra-Nehemiah’s conclusion one side of a debate in the Persian period assembly, and if it is the side that dominates everywhere else in the book, it at least acknowledges in Nehemiah 9 the existence of a different view in regard to the colonized status of Judah. But, in the end, Nehemiah 8-13, like Ezra 9, is a Yahwistic appropriation of Achaemenid imperial ideology, which asserts that the best possible life is one under Persian rule, and that the alternative is one of complete disaster.

III. The slaves’ failure in Nehemiah 8-13

It is hardly a surprise that scholarly consensus sees 9:32-37 as containing an implicit request for divine liberation from Persia. After the prayer surveys God’s gifts to the people’s ancestors from

the time of Abraham to the period of wilderness wanderings in 9:7-15, it moves on to refer to the ancestors' rebellion in the wilderness (9:16-17), an ethical failure met with divine mercy and the gift of the land (9:17-25). But a Deuteronomistic cycle of rebellion appears in 9:26-31, as continual rebellion is now met not with mercy but with punishment of foreign oppression, even though divine mercy consistently follows and the people are saved, and this cycle happens "many times" according to 9:28. In 9:29-31 we read that this consistent failure in the face of repeated prophetic warnings over "many years" caused God to give the ancestors into "the hand of the peoples of the lands," with divine mercy now functioning only to ensure the people were not completely destroyed. As a result, 9:29-31 can seem like the beginning of another cycle of rebellion, one that is not yet complete. 9:32-37 refers to the sins of the current community (9:33-34, 37), but asks God not to treat their situation lightly. We can certainly see how readers of the prayer, both ancient and modern, might conclude that God's grace and mercy, mentioned frequently earlier in the prayer (9:17, 19, 27, 28, 31), would manifest themselves in the future in response to the community's admission of sin and their "great distress" under foreign rule, so that a righteous God (9:8, 33) who keeps covenant (9:8, 32) would take the control of the land away from the foreign kings and return it to the people once they demonstrated themselves to be righteous, something they swear to do in the following chapter.³⁹

³⁹ For arguments like this, see, e.g., Frederick C. Holmgren, "Faithful Abraham and the ^a*mānā* Covenant: Nehemiah 9,6-10,1," *ZAW* 104 (1992): 249-54; Throntveit, *Ezra-Nehemiah*, 106; Pröbstl, *Nehemia 9, 27-28*; Werline, *Penitential Prayer*, 58-59; Eskenazi, "Nehemiah 9-10," 377; Williamson, "The Torah and History," 168-69; Katherine E. Southwood, "'But now...do not let all this hardship seem insignificant before you': Ethnic History and Nehemiah 9," *SEÅ* 79 (2014): 1-23 (20-21).

It is certainly possible that 9:6-37 was developed for use in a covenant renewal ceremony,⁴⁰ and in this original context the understanding might have been that renewed

⁴⁰ So, e.g., Ulrich Kellermann, *Nehemia: Quellen, Überlieferung und Geschichte*, BZAW 102 (Berlin: Töpelmann, 1967), 90-92; H.G.M. Williamson, *Ezra, Nehemiah*, WBC 16 (Waco, TX: Word Books, 1985), 275-76; Boda, *Praying the Tradition*, 32-34. The date of the prayer is widely discussed. Some see it as pre-exilic—see A.C. Welch, “The Source of Nehemiah ix,” *ZAW* 47 (1929): 130-37; Martin Rehm, “Nehemias 9,” *BZ* 1 (1957): 59-69; Kugler, “Present Affliction”—but it is mainly dated to the Persian period or the exile—see, e.g., Chrostowski, “An Examination of Conscience,” 258; Gary A. Rendsburg, “The Northern Origin of Nehemiah 9,” *Bib* 72 (1991): 348-66 (364-66); Hans-Peter Mathys, *Dichter und Beter: Theologen aus spätalttestamentlicher Zeit*, OBO 132 (Göttingen: Vandenhoeck & Ruprecht, 1994), 19; Pröbstl, *Nehemia 9*, 103-104; Boda, *Praying the Tradition*, 189-95; Tiemeyer, “Abraham,” 62-63; Richard J. Bautch, “An Appraisal of Abraham’s Role in Postexilic Covenants,” *CBQ* 71 (2009): 42-63 (53 n. 44); Mark Leuchter, “Inter-Levitical Polemics in the Late 6th Century BCE: The Evidence from Nehemiah 9,” *Bib* 95 (2014): 269-79 (272). There are some who argue for at least the possibility of a post-Persian period date; see Antonius H.J. Gunneweg, *Nehemia*, KAT 19/2 (Gütersloh: G. Mohn, 1987), 129; Blenkinsopp, *Ezra-Nehemiah*, 302-303; Andiñach, “Nehemías 9:5b-37,” 253; Jacques Vermeulen, “The Gracious God, Sinners and Forgiveness: How Nehemiah 9 Interprets the History of Israel,” in *History and Identity: How Israel’s Later Authors Viewed its Earlier History*, ed. Núria Calduch-Benages and Jan Liesen, DCLY 2006 (Berlin: Walter de Gruyter, 2006), 77-114 (105-11). One often encounters in arguments for a Hellenistic dating the presupposition that the entire Judean elite saw the Persians as benevolent rulers, and that it is out of the question that a negative portrayal of them could come from the Persian

attention to covenant, law, and commandments would lead God to respond to an implicit plea for independence. And although our interest lies in how this prayer functions in Ezra-Nehemiah, consideration of the context provided by Nehemiah 10 might suggest a conclusion about an implicit plea for independence that is no different than one based on a consideration of the prayer in an original context of a covenant renewal ceremony. 10:1 [9:38], the verse that immediately follows the prayer, refers to an אָמַן “agreement” the community makes. Led by Nehemiah and the heads of the priests, Levites, and people (10:2-28 [1-27]), the rest of the people and the temple personnel join this agreement (10:29-30 [28-29]), the details of which the rest of the chapter spells out: they will keep law, commandments, judgments, and statutes (10:30 [29]); specifically, they will not marry outside of the community (10:31 [30]) or engage in commerce with “the peoples of the land” on the Sabbath (10:32 [31]), and they will fully fund the temple cult and financially support the priests and Levites (10:33-40 [32-39]).

So once we have expanded the context of 9:6-37 somewhat to include Nehemiah 10 we might conclude these two chapters signal that a faithful community who sedulously follows the law, especially the aspects highlighted in Nehemiah 10, will win from God the reward of independence from Persia. Adding Nehemiah 8 into our consideration of context—or really 7:73b-9:5, the section that provides the opening context for the prayer—does not clearly support or undermine this conclusion. Here, when Ezra and the Levites teach the people the law, the people respond by weeping (8:1-9). While the narrative does not explicitly explain this response, 9:1-2 says they fasted, wore sackcloth, put dust on their heads, and confessed their sins and those

period. It is certainly true that Ezra-Nehemiah portrays the Persians positively, but we need not assume that everyone in the assembly viewed the Achaemenids this way. There is nothing in the prayer that demands an original date of composition later than the Persian period.

of their ancestors, and so a reasonable conclusion in regard to explaining their grief upon hearing the law would be that they realize that they and their ancestors have sinned, precisely the claim of 9:6-37. Readers of the text, who have already encountered Ezra's prayer in Ezra 9:6-15, might conclude that the people have learned that the law teaches the same lesson Ezra communicated in his prayer, that further violations of the commandments will result in complete destruction. Of course, as readers reach Nehemiah 9 and 10, they might also conclude that a community that confesses its sin and works to faithfully keep the law might win political independence as a divine gift.

Nehemiah 10, however, is not the conclusion of the work, Nehemiah 13 is, and here, after the lists and the story of the wall dedication in Nehemiah 11-12, Nehemiah returns to Judah after meeting Artaxerxes in Babylon to find that the community has violated all of the specific aspects of the agreement it vowed to keep in Nehemiah 10. Financial support has not been brought to the temple personnel, and the Levites and musicians have had to go their fields to support themselves, with the result that the temple cult has been abandoned (13:10-11). Foreigners are also trading in Jerusalem on the Sabbath (13:15-16), and Judeans, and even a son of the high priest, have been intermarrying with foreigners (13:23, 28). By the time readers reach the end of Nehemiah 13, they have been presented with a picture of a community that has been exposed to the law in Nehemiah 8, reminded of the awful consequences of violating that law in Nehemiah 9, sworn to uphold it in Nehemiah 10, and immediately returned to its sinful ways. And if we think back to the Deuteronomistic cycle of rebellion in the prayer of Nehemiah 9, while 9:26-28 says that "many times" divine mercy saved the ancestors from the merited punishment they suffered at the hands of foreigners, in 9:29-31 the divine mercy functioned not to restore the people's earlier independence, but merely to avoid a complete annihilation of them. One could look at

9:32-37 as placing the community at the nadir of a cycle that began in 9:29, a cycle that will continue on to divine deliverance from foreign rule, but the text does not actually say that this is what will happen. There is no explicit expectation that God's mercy will now operate precisely the way it did many times before; by 9:29-31 God's mercy is limited merely to maintaining the existence of the community, precisely Ezra's message in the prayer of Ezra 9, where divine mercy extends only to ensuring the survival of the community as "slaves" to the Achaemenids. The very fact that Ezra-Nehemiah includes Nehemiah 9, which can be read as an implicit plea for independence, suggests there were some in the Judean assembly who hoped God would act to effect precisely such a political change if the community faithfully followed the law. But since the prayer is followed with the assembly's agreement to keep the law and then their failure to observe each specific part of that agreement sends a message that the community's merited punishment of servitude to the Persians does not appear to be something they can change, since they are portrayed as utterly unable to keep from sinning, just as their ancestors were. It is no wonder the people of Nehemiah 8 are grieved when they hear the law, for, as the prayer suggests, they deserve a fate no better than that of their ancestors, and they are potentially faced with a God who is now less inclined to show mercy than in the time of their ancestors. If they are "bound" as "slaves" now, perhaps God will arrange events so that they will be "bound" for torture and death soon.

Nehemiah 8-13 portrays a community congenitally unable to keep God's law, and in Nehemiah 13, just as in Ezra 9, the community's native leadership is as involved in sin as the rest of the people. When Ezra is told of the intermarriages that he sees as an existential threat to the community, he is informed that "the hand of the leaders and the officials (הַשָּׂרִים וְהַסִּגְנִים)⁴¹

⁴¹ H.G.M. Williamson points out in "The Family in Persian Period Judah: Some Textual

was first in this rebellion” (Ezra 9:2); while Nehemiah is in Babylon, the high priest has permitted one of his sons to marry a foreigner (Neh 13:28), and the **חַרְיָה** “nobles”⁴² of the

Reflections” in *Symbiosis, Symbolism and the Power of the Past: Canaan, Ancient Israel and their Neighbors from the Late Bronze Age through Roman Palaestina*, ed. William G. Dever and Seymour Gitin (Winona Lake, IN: Eisenbrauns, 2003), 469-85 (475) that **חַרְיָה** is used as a synonym for the “elders” and “heads,” the leadership of the post-exilic community. The term **סַגְנִי** is a loanword from Akkadian *šaknu*, a word that could be used for someone who oversaw professional groups dependent on the state, or even someone serving as governor; see Israel Eph‘al, “Changes in Palestine during the Persian Period in Light of Epigraphic Sources,” *IEJ* 48 (1998): 106-19 (117); M.A. Dandamaev, “Neo-Babylonian and Achaemenid State Administration in Mesopotamia” in *Judah and the Judeans in the Persian Period*, ed. Oded Lipschits and Manfred Oeming (Winona Lake, IN: Eisenbrauns, 2006), 373-98 (375-76). The Nehemiah Memoir uses the word to refer to leaders within the assembly itself; in addressing them in Nehemiah 5, he refers to the Judeans as their “kin” (5:1, 7, 8). They appear in the same context as the community’s **חַרְיָה** “nobles” (see below) in 2:16; 4:8, 13 [14, 19]; 5:7; 7:5. The **סַגְנִי** were recognized as Persian officials in some fashion, perhaps because they held leadership positions within the assembly.

⁴² The Judean community at Elephantine writes that they had sent a letter addressed to the high priest in Judah and to *hry yhwdy*’ to ask for support in rebuilding their temple (*TAD* A4.7.19), which suggests that they identified this group as the leadership within the Judean assembly, along with the priests. The Nehemiah Memoir also uses the term **חַרְיָה** to refer to the leadership within the community. The **חַרְיָה** appear together with the priests and/or other

people have permitted trading with foreigners in Jerusalem on the Sabbath (13:17). As a result of the failure of the assembly's native leadership, it is up to leaders sent by the Achaemenid to impose order and rein in the community's self-destructive impulses. Just as Ezra leads the fight to impose the law in Ezra 9-10, Nehemiah brings the Levites back to the temple and remonstrates with the community's leadership until tithes are again brought to support the cultic personnel (13:11-14), has the gates of Jerusalem guarded on the Sabbath so foreign merchants are unable to bring in their products (13:17-22), and has the people swear not to continue to marry foreigners (13:25-27). In the last two cases, he warns the people that their ancestors acted in the same ways (13:18, 26), making the point, as 9:32-37 does, that the current community is no different than the ancestors in their continual predilection to sin. "Did not your ancestors act this way," Nehemiah asks the community after they have profaned the Sabbath, "and did not our God bring upon us and upon this city all this evil?" (13:18). The community is sinful, the assembly leadership from Judah itself is sinful, and readers get the sense that were it not for the leadership the Achaemenids send from the center of the empire God would already have destroyed the assembly "without remnant or survivor." The final picture of the assembly with which Ezra-Nehemiah leaves readers is one of a community that is unable to gain political independence through adherence to the law; readers see instead an assembly confronted by a choice between continuing to be bound in slavery to Persia or being bound for torture and utter annihilation.

officials as an important group within the people as a whole in Neh 2:16; 4:8, 13 [14, 19]; 5:7; 7:5. In 6:17, like 13:17, Nehemiah depicts the סֵרָפִים as leaders among the people, and figures who appear to wield local power in the province; in 5:7 Nehemiah portrays them as wealthy figures, for he blames them for taking interest from the Judeans—whom he describes as their "kin" (5:1, 7, 8)—and driving them into poverty.

Yhwh and not the king of Persia is the ultimate actor here, and adherence to God's law and not the king's command is what defines Judah's loyalty, but Achaemenid ideology has clearly been appropriated into this version of Yahwism.

In Ezra-Nehemiah, then, the very existence of the assembly depends on the leaders with whom the Achaemenids supply them. It is Ezra, sent under written orders from Artaxerxes (Ezra 7:11), who brings the law that he enforces in Ezra 9-10 and so steers the community away from destruction "without remnant or survivor," and it is Nehemiah, also under written command from Artaxerxes (Neh 2:7-9), who gains royal support to build the wall and who enforces the law in Nehemiah 13. It appears to be a key tenet of Ezra-Nehemiah that the immigrant community in Judah cannot survive without the leadership the Persian kings send to them from the diaspora;⁴³

⁴³ As is often noted, Ezra-Nehemiah portrays the Judeans as dependent upon the diaspora for their leadership and texts; see, e.g., Peter R. Beford, "Diaspora: Homeland Relations in Ezra-Nehemiah," *VT* 52 (2002): 147-65; Sara Japhet, "'History' and 'Literature' in the Persian Period: The Restoration of the Temple" in *From the Rivers of Babylon to the Highlands of Judah: Collected Studies on the Restoration Period* (Winona Lake, IN: Eisenbrauns, 2006), 152-68 (166-67); John Kessler, "The Diaspora in Zechariah 1-8 and Ezra-Nehemiah: The Role of History, Social Location, and Tradition in the Formulation of Identity" in *Community Identity in Judean Historiography: Biblical and Comparative Perspectives*, ed. Gary N. Knoppers and Kenneth A. Ristau (Winona Lake, IN: Eisenbrauns, 2009), 119-45 (128-34); Gary Knoppers, "Exile, Return and Diaspora: Expatriates and Repatriates in Late Biblical Literature" in *Texts, Contexts and Reading in Postexilic Literature: Explorations into Historiography and Identity Negotiation in Hebrew Bible and Related Texts*, ed. Louis Jonker, FAT 2/53 (Tübingen: Mohr Siebeck, 2011), 29-61 (47-49); Dalit Rom-Shiloni, *Exclusive Inclusivity: Identity Conflicts*

they need Ezra and Nehemiah to lead them in proper observance of the law so they can avoid complete destruction at the hands of the Persians as further divine punishment. Left to their own devices and to the leadership from the province itself, the community cannot survive, and they are fortunate they are slaves to the Persians, who send them leaders who can help them do just that. Nehemiah even claims that he was מִשְׁקֵה “cup-bearer” to Artaxerxes (Neh 1:11), the kind of position at court held only by Persian nobility,⁴⁴ suggesting to readers that he was not merely an emissary of the crown but one with the closest of ties to the Great King. The prayer of Nehemiah 9, and Nehemiah 9-10 as a whole, may well reflect part of a debate in the Persian period assembly concerning the possibility of a divine overthrow of Achaemenid power, but Ezra-Nehemiah as a whole rejects the argument that a Torah-abiding community will win its political freedom with God’s help, portraying instead an assembly that will not keep the law

between the Exiles and the People Who Remained (6th-5th Centuries BCE), LHOTS 543 (New York: Bloomsbury, 2013), 83-92.

⁴⁴ For example, Darius himself was the quiver-bearer to Cyrus (Aelian, *Var. hist.* 12.43), while Herodotus 3.34.1 refers to a Persian aristocrat as the king’s οἰνοχόος “cup-bearer,” exactly the position Nehemiah says that he holds (LXX^A uses the word οἰνοχόος to translate מִשְׁקֵה in Neh. 1.11), and, Herodotus says, “this is no small honor.” DNc and DNd refer to Persians as spear- and clothes-bearers to the king; see Schmitt, *The Old Persian Inscriptions*, 45-46 for short discussions of the inscriptions. Herodotus 7.40.4 refers to a Persian as the king’s chariot-driver, and there are other such examples of Persian nobility serving in such capacities to the king. As mundane as such positions sound, they were filled only by the upper ranks of Persians. 1:11 is, of course, part of the Nehemiah Memoir, which is generally assigned to Nehemiah himself, and Nehemiah was likely just exaggerating his importance at court.

unless it is forced to by leaders sent from the Persians. By including the anti-Achaemenid sentiment of 9:32-37 and juxtaposing it with the community's agreement to keep the law, the narrative seems to adopt the premise of anti-Achaemenid thinking: a righteous assembly can win divinely-provided freedom from Persia. But by showing the community violating in Nehemiah 13 each aspect of the law they vow to keep in Nehemiah 10, and by portraying Nehemiah, the Achaemenid governor, as the one who enforces the law, it is as clear in Nehemiah 8-13 as in Ezra 7-10 that it is the people themselves who are the problem and the Persian administration and its representative who are the solution. Insofar as 9:6-37 portrays a God who becomes less and less merciful, being "bound" in servitude to the Achaemenids is what keeps the assembly from destruction, for the prayer demonstrates that God is willing to "bind" them for punishment and death. In this regard, Nehemiah 8-13 as a whole, just like the rest of Ezra-Nehemiah, appropriates Achaemenid ideology for its version of Yahwism. Whatever *šiyāti*- "well being" the assembly enjoys is due to the fact that the representative sent by the Achaemenid forces them to be faithful to God's laws so that Yhwh does not utterly destroy them.

So as Nehemiah 8-13 presents the issue, the last thing the assembly needs is independence. It needs the Achaemenids to keep sending leaders from the center of the empire, since the native leadership is as sinful as the rest of the people. If the prayer refers to "great distress" in the fact that foreign kings rule the people and take of the produce of the land, the context of Nehemiah 8-13 suggests no real alternative; Nehemiah's warning in 13:18 concerning destruction as punishment for failure to keep even one aspect of the law is precisely the same warning Ezra gives in Ezra 9:6-15. For Nehemiah 8-13, the community can be "bound" in colonized servitude and live or be "bound" in preparation for torture and death. The inclusion of language such as "great distress" in reference to Persian rule hardly fits the beneficent picture of

it everywhere else in Ezra-Nehemiah, and so likely reflects anti-Achaemenid sentiment within the assembly, and perhaps even the existence of a pro-independence party, ideological descendants of the anti-imperial view of Haggai and Zechariah, but in the end imperial rule is conducted “by kings whom you [God] have set over us because of our sins” (9:37). Given the narrative that follows, sin appears to be an activity in which the community excels, unless controlled by a stern hand sent from the Persian king. Nehemiah 8-13 portrays the anti-imperial sentiment as deeply misguided, since the people cannot survive without the leadership the Achaemenids send to them; for Ezra-Nehemiah, this is as much part of Persian beneficence as the imperial contributions to the construction of the temple and its cultic maintenance.

Since the redactor included the reference in 9:36-37 to the foreign kings’ control of the land and its produce, readers who reach the end of the work and who are persuaded by its pro-Achaemenid viewpoint will conclude that this control is the price the community pays for their sin. And for Ezra-Nehemiah as a whole, even this conforms to the presentation in Achaemenid ideology of the ease with which the colonized support the king. By the time readers of the work reach Nehemiah 9, they have encountered the narrative of Nehemiah 5, where the people complain about “the king’s tax,” but that story frames the issue as an intracommunal problem. As 5:1 introduces the issue, the “great outcry of the people and their wives” here is directed not against the king but against “their kin, the Judeans”; the problem in this chapter lies not with the king’s tax *per se* but with the wealthy leadership of the assembly who have been lending money at interest to their kin and impoverishing them (5:1, 6-12). The *bāji*- “tribute” owed to the Achaemenids is something the community can pay, according to this narrative, and they encounter hardship only when “the nobles (הַחֹרִים)” and “the officials (הַסֵּנִיִּים)” take economic advantage of them, causing Nehemiah, the Achaemenid’s representative, to step in and solve the

problem by having the native leadership end the practice of lending at interest, and has them restore the land, produce, and money of the poor they had taken (5:10-13). As far as Ezra-Nehemiah is concerned, if there is “great distress” linked to financial obligations to Persia, it is really the native leadership and not the Great King who has caused the problem; it is the Great King who, through his governor, resolves the problem. The prayer of Nehemiah 9 allows at least a trace of a an anti-Achaemenid argument to enter Ezra-Nehemiah, one voiced by some within the assembly who continued to promote a belief in a great divine geopolitical action of the sort articulated by Haggai and Zechariah at the beginning of the Persian period. In the end, however, readers encounter a narrative that uses Yahwistic language to articulate the Achaemenids’ own claims in regard to the virtues of Persian rule and the disaster of its alternative.