

SEX, RELIGION, AND POLITICS: THE DEUTERONOMIST ON INTERMARRIAGE

by

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Introduction

The quotation of a legal *traditum* in 1 Kgs 11:1-2 to criticize Solomon is a fascinating but problematic example of inner-biblical exegesis.¹ The author begins his portrayal of Solomon's decline by mentioning Solomon's love for foreign women - Moabites, Ammonites, Edomites, Sidonians, Hittites, and the daughter of Pharaoh - "from the nations of which YHWH said to the Israelites: 'You shall not have sexual relations with them nor shall they have sexual relations with you; truly, they will turn your heart after their gods.'"² The censure seems straightforward: Solomon flounders because of his violation of an established divine command. But, upon close scrutiny, two major exegetical difficulties emerge. First, the text that the author of 1 Kgs 11:2 quotes appears neither in the Pentateuch nor elsewhere in the Former Prophets. Second, only one of the nations appearing in the MT of 1 Kgs 11:1-2 (the Hittites) actually appears in the Pentateuchal passages (Exod 34:11-16 and Deut 7:1-4), which prohibit Israelites from intermarrying with any one of the native Canaanite nations.³ The appearance of the Moabites, Ammonites, Edomites, and Sidonians therefore seems surprising.

1 Kgs 11:1-4 raises both exegetical and thematic issues. Mixed marriages, often considered to be a distinctly postexilic problem, are pivotal to Solomon's demise. To be sure, the Yahwist (Exod 34:11-16) and the

1. In this essay I am basically following Knight's definition of *traditum* and *traditio* (1977, pp. 1-8).

2. In 1 Kgs 11:2, the LXX has μη, the Syriac *'aikān*, and the Tg. אִמְלִי for the MT's אִמֹּר. The rendering of μη is sometimes thought to be a translation of אִמֹּר. However, μη could also represent an interpretation of אִמֹּר. Read with the MT as the *lectio difficilior*.

3. The LXX of 1 Kgs 11:1 mentions another aboriginal people, the Amorites. The Amorites also appear in Deut 7:1 and Exod 34:11.

authors of Deuteronomy (Deut 7:1-4) prohibit exogamy, but solely with the autochthonous Canaanite nations. The composition of these national lists admits to some variation (Ishida 1979, pp. 461-490; Stern 1991, pp. 89-113). The standard list in Exodus comprises six nations: the Hittites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites (Exod 3:8, 17; 33:2; 34:11). In Deuteronomy and the Deuteronomistic History, the list sometimes includes a seventh nation: the Girgashites (Deut 7:1; Josh 3:10; 24:11; Judg 3:5; cf. Deut 20:17). A more expansive list occurs in Gen 15:19-21.

However significant the variations in these rosters may be, only in early Judaism does an absolute condemnation of intermarriage with all non-Jews emerge. The key figures in this transition are, of course, Ezra and Nehemiah. According to the author(s) of the Book of Ezra-Nehemiah, Ezra and Nehemiah's backing of divorce (and dispossession) of Gentile wives (and their children) is pivotal to defining and consolidating the postexilic community in Yehud.⁴ Judging by the setback Nehemiah experiences at the beginning of his second term as governor, Ezra and Nehemiah faced protracted resistance.⁵ But, whatever the measure of success Ezra and Nehemiah face in their own times, they are clearly successful in influencing later generations. The prohibition of intermarriage between Jews and non-Jews becomes a central attribute of post-biblical Judaism (Cohen 1984-85, pp. 23-36). Yet, if mixed marriages are a major concern in early and Classical Judaism, why is the preexilic or exilic writer of 1 Kgs 11:1-4 exhibiting such a keen interest in the relationship between Solomon's connubials, the cult of Jerusalem, and national politics?⁶

Fishbane's penetrating analysis of the exegetical innovations in Ezra 9 promises, at first glance, to resolve the problems in the interpretation of 1 Kgs 11:1-4 (1985, pp. 114-126). Seeing a clear link between the inner-biblical

4. I am distinguishing the author of Ezra-Nehemiah from the author of Chronicles (the Chronicler). For a defense of the distinction and a review of critical positions, see Japhet (1991, pp. 298-313).

5. See Ezra 9:1-10:44; Neh 10:1-31, 13:5-7, 23-27; Josephus (*Ant* XI.302-312); and the comments of de Vaux (1965, p. 31), Eskenazi (1988, pp. 60-77, 122-144), Blenkinsopp (1988, pp. 173-195, 361-66) and Williamson (1985, pp. 125-162, 391-402).

6. I am following Cross (1973, pp. 274-289) and Nelson (1981) in regarding the main redaction of the Deuteronomistic History as a preexilic (Josianic) work. Since I wish to sketch a development from the stance of the Deuteronomist to the postexilic stance of Ezra and Nehemiah, a preexilic date for the Deuteronomist is not essential to my argument. If, as Noth (1981) claims, the Deuteronomist wrote during the exile, his history would still, of course precede the work of Ezra and Nehemiah.

exegeses of 1 Kgs 11:1-4 and Ezra 9:1, 11-12, he advances a distinctive theory about the much-debated composition of 1 Kgs 11:1-8. Some commentators view 1 Kgs 11:1-8 as a unity (Hoffmann 1980, pp. 49-53; Jepsen 1956, pp. 20-23; McKenzie 1991, p. 56; Van Seters 1983, p. 311). Others attempt to isolate an original historical core subsequently expanded by redaction(s), deuteronomistic or otherwise. Such an original historical notice is identified by Jones (1984, pp. 232-233) as 1 Kgs 11:1a, 3a, 7a; by Long (1984, p. 121) as 1 Kgs 11:3, 7; by Montgomery (1951, p. 232) and by Noth (1968, p. 244) as 1 Kgs 11:3a, 7; by O'Brien (1989, p. 161) as 1 Kgs 11:3a, 7; by Spieckermann (1982, pp. 191-195) as 1 Kgs 11:1a*, 3a; by Vanoni (1986, p. 254) as 1 Kgs 11:4ac, 7ac, and by Würthwein (1977, p. 131) as 1 Kgs 11:1a*, 3a, 7a**b**.⁷

Fishbane follows Montgomery in defining vv 6-7 as the original historical notice. But, unlike Montgomery, Fishbane contends that vv 1-2 (and vv 3-4) constitute "an early post-exilic exegetical expansion of the old Canaanite population roster to include the Ammonites, Moabites, Egyptians, and Edomites which interpreted the idiom [of Deut 23:4] in terms of intermarriage!" (1985, pp. 125-126).⁸ According to Fishbane, the postexilic author of 1 Kgs 11:1-4, like the author of Ezra 9:1-2, melds Deut 7:1-6 and Deut 23:4-9. In Ezra this exegetical blend creates both an injunction against mixed marriages with nations not mentioned in Deut 7:1 and a solution to intermarriage: divorce and expulsion (cf. Deut 23:4).⁹ In the book of Kings, Solomon ostensibly becomes an example of the negative repercussions of intermarriage with Yehud's neighbors.

Even though Fishbane does not draw any broad conclusions about the history of marital law, his explanation and dating of 1 Kgs 11:1-4 confirm what many modern scholars believe about the issue of intermarriage in ancient Israel. Mixed marriages are supposedly not an issue of real consequence until postexilic times, the era in which Israelite religion becomes Judaism.¹⁰ In this

7. Many of these scholars also see two or more stages of deuteronomistic or post-deuteronomistic composition. But I am skeptical that the text underwent so many systematic reworkings (Knoppers, 1993, pp. 139-145).

8. Blenkinsopp (1988, p. 175) makes the same inference about the date and setting of 1 Kgs 11:1-2, but does not refer to Fishbane's treatment.

9. In Ezra 9:1 Fishbane (1985, p. 116) reads the Edomites (instead of the MT's Amorites) on the basis of the LXX and 1 Esdr 8:68. This is in keeping with his view that Ezra 9:1-2, 12 draws on both Deut 7:1-4 and 23:4-9. Williamson (1985, p. 131), however, defends the MT's reading of Amorites and attributes the appearance of the Egyptians in Ezra 9:1-2 to the author's interpretation of Lev 18:3.

10. Weber (1952, pp. 346-351); Morgenstern (1957, p. 21); Bright (1981, pp. 385-390). The

study, I take issue with Fishbane's proposed function and dating of 1 Kgs 11:1-4 and indirectly with the broader paradigm his interpretation sustains. The problems in Fishbane's interpretation of 1 Kgs 11:1-4 call into question the general historical reconstruction which the particular exegesis supports. After critiquing the view of 1 Kgs 11:1-4 as a postexilic creation and defending the view that these verses were authored by the Deuteronomist, I will reexamine a selection of passages dealing with mixed marriages in Deuteronomy and the Deuteronomistic History. Extending and expanding the deuteronomistic interdiction against mixed marriages with native Canaanite peoples, the Deuteronomist employs mixed marriages as a *topos* to explain two major regressions in Israelite history: the era of judges and the divided monarchy. Close analysis of select passages in the Deuteronomistic History therefore suggests that the development of the prohibition of intermarriage with all Gentiles is more complex than has been previously recognized.

1. The Authorship of 1 Kgs 11:1-4

There are a number of problems in positing a postexilic *Sitz im Leben* for 1 Kgs 11:1-4. First, there are text-critical variants to and syntactical difficulties in the MT's roster of nations (1 Kgs 11:1-2), which Fishbane does not engage. The LXX (*Codex Vaticanus*) exhibits a generally briefer and different arrangement than the MT in vv 1-8.¹¹ Given the text-critical principle *Lectio brevior potior est*, one should not minimize the significance of the LXX (*contra* Gooding 1965, pp. 325-335). Text-critical variants suggest that the proposed symmetry between the tallies in Ezra 9:1

treatments of Smith (1987, pp. 12-13, 64-66, 91-95) and Cohen (1983, pp. 23-26) are more nuanced. Glazier-McDonald takes issue with the position of Morgenstern *et al.* in her extensive study of Mal 2:10-16 (1987, pp. 81-120).

11. After the first four words of v 1, the LXX follows with v 3a, καὶ ἦσαν αὐτῶ ἄρχουσαι ἑπτακόσσιαι καὶ παλλακαὶ τριακόσσιαι (= חורשׁים לוֹ-היה שבׁע מאׁת ופלגישׁים שלׁש מאׁת) and then the remainder of v 1 (...נכריות רבות...) preceded by the additional words, καὶ ἔλαβεν γυναῖκας ἀλλοτριας. Both the LXX and the MT then have v 2, but the LXX continues with v 4aα, καὶ ἐγενήθη ἐν καιρῶ γήρους Σαλωμων (= חמׁשׁים ושלׁשׁ מאׁת שׁנים), followed by v 4b, καὶ οὐκ ἦν ἡ καρδια αὐτοῦ τελεια μετὰ Κυρίου θεοῦ αὐτοῦ καθὼς ἦ καρδια Δαυιδ τοῦ πατρὸς αὐτοῦ (=...לׁבבׁו היה רׁחב), and v 4aβ represented by καὶ ἐξέκλιναν αἱ γυναῖκες αἱ ἀλλοτριαὶ τὴν καρδιάν αὐτοῦ ὀπίσω θεῶν αὐτῶν (= וישׁו הנכריות את-לׁבבׁו אלהיהן). The LXX omits v 5, continues with vv 7-8, and concludes with v 6. The LXX is therefore less subject to repetition than the MT.

(Canaanites, Hittites, Perizzites, Jebusites, Ammonites, Moabites, Egyptians, and Amorites [MT] or Edomites [LXX]), Deut 23:4-9 (Ammonites, Moabites, Egyptians, and Edomites), and 1 Kgs 11:1-2 (the daughter of Pharaoh, Moabites, Ammonites, Arameans [LXX],¹² Edomites, Sidonians [MT],¹³ Hittites, and Amorites [LXX]¹⁴) is not as complete as Fishbane maintains. Neither of the two major textual witnesses to 1 Kgs 11:1-2 (the MT and the LXX) mentions the Canaanites, Perizzites, and Jebusites, each of whom appears in both Deut 7:1 and Ezra 9:1. Moreover, the inclusion of the daughter of Pharaoh in 1 Kgs 11:2 is suspect. The phrase **ובת פרעה** is syntactically awkward and many commentators delete it as a gloss (e.g., Stade and Schwally 1904, p. 121; Burney 1920, p. 154; and Würthwein 1977, p. 131). The phrase likely represents a correction by a later scribe to include Pharaoh's daughter among Solomon's foreign wives (1 Kgs 3:1; 9:24). In subsequent discussions of Solomon's perfidy the daughter of Pharaoh plays no role (1 Kgs 11:5 [MT], 7-8, 33). Hence, there is only a partial overlap between the lists in Deut 7:1, Deut 23:4-9, Ezra 9:1, and 1 Kgs 11:1-2.

Second, this overlap is susceptible to a number of different explanations.¹⁵ If, for example, the author of 1 Kgs 11:1-2 was expanding the list of Deut 7:1

12. The most primitive reading is difficult to reconstruct. The inclusion of the Arameans (Σύραξ) in the LXX could result from a dittography (אֲרַמִּיִּם אֲרַמִּיִּים). Conversely, the MT could have omitted אֲרַמִּיִּים by haplography before אֲרַמִּיִּים.

13. The LXX omits צַדִּיִּים, but the reading of the MT is supported by Josephus (*Ant* VIII i.191).

14. Even though the MT lacks the LXX's καὶ Ἀμορραῖα (אֲמֹרִיִּים), Burney (1920, p. 154) includes it.

15. The issue is complicated by inconsistency of the lists within Judges, Samuel, and Kings. The Deuteronomistic History repeatedly asserts that Israel did not annihilate all of the pre-Israelite peoples (Josh 23:4, 12, 13; Judg 2:3, 21; 3:5-6), but does not speak with one voice about which nations survived (Judg 1:19-36; 3:3, 5-6; 10:11-12; 2 Sam 24:6-7; 1 Kgs 9:20-21; 11:2; 2 Kgs 7:6). The Sidonians can serve as an example. Gen 10:15-18 lists Sidon as the son of Canaan, along with Heth, the Jebusites, the Amorites, the Girgashites, the Hivites, the Arkites, the Sinites, the Arvadites, the Zemarites, and the Hamathites. But the Sidonians neither appear in the Yahwistic native population registers nor in the population repertoires of Deuteronomy (7:1; 20:17) and Joshua (3:10; 9:1; 11:3; 12:8; 24:11). The Sidonians do appear, however, in both a list of unconquered nations (Judg 3:3) and in a list of defeated nations (Judg 10:12). David's census mentions the area of Sidon (2 Sam 24:6), but the date of this notice is disputed (Donner 1982, pp. 209-214). Ahab marries a Sidonian, Jezebel (1 Kgs 16:31). In brief, following the description of the conquest, the stereotypical registers of the anterior residents of Palestine break down, but do not totally disappear. Two tallies even incorporate new peoples into the list of pre-Israelite peoples (Judg 3:3; 1 Kgs 11:2). One could say that within Judges, Samuel, and Kings, the list of 1 Kgs 11:2 is typically atypical.

to include the nations listed in Deut 23:4-9, why does he include only one (MT) or two (LXX) nations from Deuteronomy's standard repertoire of autochthonous peoples? I would suggest that the author of 1 Kgs 11:1-4 is simply giving a sample of the nations with whom Solomon had become related, naming those peoples of particular interest to him. The writer is establishing an elaborate coherence between the sins of Solomon in the tenth century and the reforms of Josiah in the seventh century (2 Kgs 23:13-14). Such selectivity is also consistent with the presentation of Solomon's apostasy elsewhere in 1 Kings 11. Solomon allegedly had seven hundred wives and three hundred concubines (1 Kgs 11:3), but the MT of 1 Kgs 11:5 speaks only of Solomon's following after Astarte, the god of the Sidonians, and Milcom, the god of the Ammonites.¹⁶ 1 Kgs 11:7 describes how Solomon built a high place for Chemosh, the god of Moab, and for Milcom,¹⁷ the god of Ammon.¹⁸ 1 Kgs 11:8 elaborates, declaring that Solomon did this for all of his wives. Finally, Ahijah's royal oracle to Jeroboam in 1 Kgs 11:33 avows that Solomon worshiped Astarte, the deity of the Sidonians, Chemosh, the deity of Moab, and Milcom, the deity of the Ammonites.¹⁹

The author of these verses claims that Solomon built high places for all of his wives and even presents some fluctuation in the deities Solomon worships and enfranchises with sanctuaries. Yet, 1 Kings 11 also manifests a particular interest in Solomon's devotion to the gods of the Ammonites, Sidonians, and Moabites. The text is clearly written from a southern standpoint, but this need not point toward the postexilic period. Relations

16. The MT reads Ashtoreth. There is a tendency in both the MT and the LXX of 1 Kgs 11 to replace אלהים as a term for foreign deities with dysphemisms: εἰδώλω, "idol" and יקש "abomination" (cf. vv 8 and 33 with vv 5 and 7). See also Num 25:1, 3 and 2 Kgs 23:13. I am following a number of commentators, who emend these dysphemisms to אלהים.

17. Reading with the LXX⁴ (cf. 2 Kgs 23:13). The MT reads מִלְכָּם. As Stade and Schwally (1904, p. 125) point out, the reading of the LXX καὶ τῶ βασιλεῖ αὐτῶν interprets an original מלכם. See also v 5 (מלכם), the various witnesses to the MT's מלכם in 2 Sam 12:30, Jer 49:1, 3 and Zeph 1:5. This verse therefore provides little support for seeing a reference to a chthonic deity.

18. Reading with the MT (*lectio brevior*). The LXX adds καὶ τῇ Ἀστάρτη Βεελύγματι Σιδωνίων (דדמ צדמ אלה ורלעשחח), which assimilates to יקש חחחח לעצדמ in 2 Kgs 23:13. See also 1 Kgs 11:33.

19. The LXX, the Syriac, and certain manuscripts of the Vg all read the 3 masc sing with the 1 masc sing suffix. The pl of the MT is grammatically inconsistent (compare the beginning of v 33 with כדוד אביר at the end of v 33). The reading of the versions also agrees with the antecedent (שלמה of v 31 and מדרו of v 34). The MT probably represents an attempt to soften Solomon's culpability by making the Israelites themselves responsible for his misdeeds.

with Ammon, Moab, and Edom were obviously preexilic as well as postexilic issues. The mention of Solomon's Moabite, Ammonite, and Sidonian wives in 1 Kgs 11:2 is therefore entirely consonant with the general presentation of Solomon's apostasy. If one wishes to excise 1 Kgs 11:1-4 because it, like Ezra 9:1, mentions certain peoples who also appear in Deut 23:4-9, then one should also excise much of the rest of 1 Kings 11.

Third, to link the pseudo-citation of older tradition in 1 Kgs 11:2 with Deut 23:4 misconstrues the meaning of the *traditum* cited in 1 Kgs 11:2. The idiom **בא אל-ב** with the object of person(s) consistently refers to sexual relations (e.g., Gen 6:4; 16:2, 4; Deut 22:13; Josh 23:12; Judg 16:1; Ezek 23:44), while in biblical usage the idiom **בא בקהל יהודה/אלהים** (e.g., Deut 23:2, 3, 4; Lam 1:10; Neh 13:1) consistently refers to inclusion within the community (Preuss 1975, pp. 22-25; Cohen 1983, pp. 31-34). Given the different connotations of the two expressions, it is highly unlikely that the author of 1 Kgs 11:1-2 interprets Deut 23:4 (**לא-יבא עמוני ומואבי בקהל יהודה**) as referring to intermarriage.

Finally, a postexilic date for 1 Kgs 11:1-4 does not easily mesh with Nehemiah's reference to Solomon's foreign wives in Neh 13:23-26. Nehemiah recalls Solomon's liaisons with foreign women as grounds for prohibiting such unions in his own time (Neh 13:23-27). Nehemiah's rhetorical question, "Was it not on account of such things that Solomon king of Israel sinned?" (Neh 13:26), would only have force if the account of Solomon's paramours was already well-known. If the story of Solomon's mixed marriages (1 Kgs 11:1-4) was itself an early postexilic expansion of an older account of Solomonic apostasy, dealing with Solomon's construction of high places for various deities (1 Kgs 11:6-7), how would Nehemiah know of the new tradition? Even supposing, for the sake of argument, that Nehemiah had become acquainted with it, would it be wise for him, in the context of a public debate, to pick this desultory anecdote about one of Israel's fabled kings as the linchpin in his argument against mixed marriages?²⁰

In my judgment, 1 Kgs 11:1-4 is best understood as stemming from the Deuteronomist. Structurally, thematically, and stylistically these verses betray the Deuteronomist's hand. Standard deuteronomistic clichés occur in both 1 Kgs 11:2 (**לב נגרים**) and 1 Kgs 11:14 (**לב שלם**). 1 Kgs 11:14 also plays an important structural

20. Another postexilic author, the Chronicler, omits any mention of Solomon's perfidy whatsoever, thereby greatly enhancing Solomon's reputation (Braun 1973, pp. 503-516; Williamson 1977, pp. 60-61; Knoppers 1990, pp. 425-432).

21. On the deuteronomistic nature and use of these expressions, see Weinfeld, (1972, p. 341

role in narrating the transition from the first glorious period to the second inglorious period of Solomonic rule. To call attention to Solomon's involution, the author draws a series of contrasts with the first period he posits in Solomon's reign. In the first part of his tenure, Solomon followed the practices of David his father (1 Kgs 3:3); but, in the second part of his tenure, Solomon "did not follow YHWH completely as did David his father" (1 Kgs 11:6).²² Prior to building the temple, Solomon sacrificed and burned incense at the high places (רק בבמות הוא מזבח ומקטיר; 1 Kgs 3:3). When the temple was completed, Solomon regularly sacrificed to YHWH there (1 Kgs 8:5, 62-64; 9:25; 10:5). Yet, in the second part of his tenure, Solomon burned incense and sacrificed (מקטיר ומזבח) to foreign gods at the high places he built for his foreign wives (1 Kgs 11:8).²³ Solomon's misconduct infuriated YHWH, the deity who "appeared to him twice" (1 Kgs 11:9; cf. 1 Kgs 3:4-14; 9:1-9).

1 Kgs 11:1-4 is therefore critical to orchestrating the Deuteronomist's periodization of Solomon's rule. Considering both the deuteronomistic phraseology within 1 Kgs 11:1-4 and the role 1 Kgs 11:1-4 plays in structuring Solomon's rule, these verses are most easily understood as the Deuteronomist's own composition. Recognizing the deuteronomistic authorship of 1 Kgs 11:1-4 is, however, not tantamount to explaining why the Deuteronomist associates foreign wives with Solomon's apostasy. Nor does it address whether the concern with influence from foreign wives is an isolated incident or recurs elsewhere in the Deuteronomist's reconstruction of Israelite history. To address these issues, we will turn to the deuteronomic ban on mixed marriages with pre-Israelite peoples and how Israel's failure to observe this ban leads to regression in the period of judges. As we shall see, the Deuteronomist employs similar terminology and themes in constructing the transition from conquest to judges to those he uses in constructing the transition from the united kingdom to the divided kingdom.

[#11], p. 321 [#7a], and p. 335 [#10]). The opposite of רבך בנייה is רבך בנייה (Weinfeld 1972, p. 333 [#5]).

22. As we shall see, this typology of Solomon's reign bears a number of resemblances to the fundamental choice between loyalty to YHWH and loyalty to the nations in the deuteronomistic farewell address of Joshua (23:2-16).

23. Reading with the LXX^L the masc sing מקטיר ומזבח. The MT and the LXX^B read the fem pl מקטירות ומזבחות. Cohen (1991, pp.332-341) argues that the terms in the MT should be reprinted as substantives (מקטירות and מזבחות). But it seems more likely that the MT and the LXX^B attempt to soften Solomon's culpability. See also the differences between the MT (pl.) and the LXX (sing) in 1 Kgs 11:33.

II. Conquest and Failure

The laws of Deut 7:1-6 exhibit some curious features. Israel is told to annihilate (**הַיְיִדִּים תְּהוֹרִים אִתָּם**) the autochthonous Canaanite nations, leaving no survivors (Deut 7:1-2a). Israel is also instructed neither to ratify a covenant nor to intermarry with any of the autochthonous Canaanite nations (Deut 7:2b-3). Presumably, the latter instructions would not be necessary or even possible if the former was accomplished. The apparent incongruity can be partially explained by recognizing that Deut 7:1-6 draws upon and reformulates two different older lemmata (Exod 23:20-33; 34:11-16).²⁴ Moreover, the laws evince connections. The laws of **תּוֹרָה**, covenant, and matrimony all express a passionate interest in Israel's unique character and, concomitantly, its separation from other nations. Similarly, the authors of Deuteronomy construe the mandate for abolishing those cult symbols which they associate with pre-Israelite nations - altars, asherahs, standing stones, and images - as critical to preserving Israel's special character, "because you are a consecrated people to YHWH your God. Of all the peoples of the land YHWH your God chose you to be for him a treasured people" (Deut 7:5-6).

The proscription of spousal relationships with select peoples is therefore consistent with Deuteronomy's concern with preserving Israel's distinctive identity (Epstein 1942; Bossman 1979, pp. 33-35). When one considers that both Deuteronomy and the Deuteronomistic History were authored at a time when Israel had already experienced centuries of life in the land, this interdiction becomes all the more intriguing. As commentators point out, the juxtaposition of laws in Deut 7:1-6 is tantamount to an admission by the authors of Deuteronomy that the **תּוֹרָה** was an ideal and, as such, never fully realized. By renewing the Yahwist's prohibition against intermarriage (Exod 34:16), the authors of Deuteronomy not only accord intermarriage with

24. Lohfink (1986, pp. 196-198) and Weinfeld (1991, pp. 377-384) discuss how the author(s) of Deut 7:1-6 transform the earlier legal provisions in Exodus. I view the Exodus passages as antedating Deut 7:1-6, which I regard as deuteronomistic. But, for the purposes of this study, it is not essential to debate whether Exod 34:11-16 has been influenced by a "dissident" deuteronomistic writer (Ginsberg 1982, pp. 62-66) or whether Deut 7:3ff. is deuteronomistic (Lohfink) or deuteronomistic (Weinfeld). Deuteronomy also contains a law regulating the treatment of female captives by Israelite warriors (Deut 21:10-14). In adjudicating the conditions under which the female captive must be released (and not sold), the law affirms the legality of spousal relationships between Israelite males and female captives (Mayes 1979, pp. 300-304). It is unclear whether this law is to be read in the context of the laws regulating the treatment of non-Palestinian peoples (Deut 20:10-15).

explanatory value for understanding the past, but also structural importance for confronting the present.²⁵

The Deuteronomist also considers intermarriage to be an important issue, although it is not a matter of overriding concern to him.²⁶ Like the authors of Deuteronomy, he associates mixed marriages with Israelite decadence. Such regression is, of course, not characteristic of the conquest. With few exceptions (e.g., Achan in Joshua 7), Israel under Joshua follows the deuteronomic mandate, conquers the land (Josh 11:23; 21:41-43), and annihilates its pre-Israelite inhabitants (Josh 12:8; 24:11). Having depicted how successful Israel was when it obeyed divine stipulations, the Deuteronomist is faced with a problem. How will he explain the metamorphosis from the triumphant Israel of Joshua to the disorganized and troubled Israel he knows preceded the rise of the united monarchy of David and Solomon? How will he explain the survival of peoples Israel was to have eliminated? The Deuteronomist prepares his readers for a change of venue in Joshua's farewell speech (Josh 23:2-16).²⁷ Joshua celebrates the *Magnalia Dei*, yet admonishes the Israelites about the challenges they face in finishing the conquest. His speech recalls the prescriptions of Deut 7:1-6 and adapts them to the circumstances of Israel's life in the land. Joshua implores his audience not to engage in sexual relations with the remaining nations, nor to invoke the name of their gods, swear by them, serve them, or worship them (Josh 23:7). Instead, Israel should continue to cling to YHWH (כִּי אִם-בְּיְהוָה אֱלֹהֵיכֶם תִּדְבְּקוּ);

25. My colleague B. Halpern (1987, pp. 88-107) associates the development of xenophobia in ancient Israel with the development of monotheism. The results of this study generally comport with his findings.

26. If intermarriage were a paramount concern for the Deuteronomist, one might expect him to exercise greater control over those traditions he includes within his history. Some critics argue that the Samson stories militate against intermarriage, but it is clear that the Deuteronomist incorporates at least a few notices about foreign marriages without comment (e.g., 2 Sam 3:3; 1 Kgs 7:13-14; 14:21). This should not surprise us. As Noth *et al.* have demonstrated, the Deuteronomist does not rewrite or comment upon all of the sources and information he includes within his history. The relatively unintrusive manner in which the Deuteronomist handles disparate materials is a trademark of his editorial technique.

27. Following Noth (1981, p. 5), I am considering this speech to be one of the Deuteronomist's major compositions. For Noth and Soggin (1972, pp. 217-219), this means that the oration stems from the exile. Boling and Wright (1982, pp. 44, 522-526) attribute Joshua 23:2-16 to Dtr¹, although they believe that Dtr² overwrote the material. I assign the speech to Dtr¹. The strongest objection to a preexilic date is the reference to Israel's perishing from the land in v 16. Yet, as Boling and Wright observe (1982, p. 526), by the last decades of Judah's existence in the land (the time of Dtr¹), exile was a "sign of the times."

Josh 23:8). The oscillation between the great things YHWH has done (and still can do) and the dire consequences of Israel's failure to remain obedient orchestrates the deuteronomistic transition to the period of judges. The contrast between blessing and curse is also, of course, consistent with the Deuteronomist's covenantal theology (McCarthy 1978, pp. 202-205). As part of his parenthesis, Joshua renews the deuteronomic ban on mixed marriages.

Watch your lives carefully to love YHWH your God (לאהבה את-יהוה), because if you turn away and cling to the remainder of these nations with you,²⁸ and you intermarry with them and have intercourse with them and they with you, surely know that YHWH your God will not continue to dispossess these nations from before you and they will become to you as a snare and as a trap, and as a whip to your sides and thorns in your eyes until you perish from this good land which YHWH your God is giving you. (Josh 23:11-13).

Joshua's admonition is remarkable for a number of reasons. First, he alludes to the prohibition of Deut 7:3 (ולא תתחתן בהם), but embellishes it by explicitly referring to both marriage (והתחתנתם) and sexual intercourse (ובאתם בהם והם בככם; Josh 23:12). Second, Joshua extends the original interdiction against marital unions of the invading Israelites with the native residents of Palestine indefinitely. That Israel's conquest has not been total is all the more reason for the original interdiction to remain in force. As long as Israel exists, it is to observe the divine command. Third, the author does not specify the nations with whom Israel is not to intermarry. Joshua's speech is ambiguous. He speaks of "the remainder of these nations" (ביתר הגרים האלה), but never identifies them (Josh 23:4, 7, 12, 13).

Fourth, as in Deut 7:5 and 1 Kgs 11:9, the prospect of Israelite disobedience is linked to the incitement of divine wrath and an ensuing penalty (Josh 23:16). As McCarthy (1974, pp. 97-110) shows, the Deuteronomist employs the phrase, "YHWH became incensed" (התאנף יהוה ב-) and its alloform (תורה אף יהוה ב-), to structure major transitions within his history. The anger formulae climax stylized descriptions of popular or royal desertion of the deity. The revelation of divine anger is, in turn, always tied to a proclamation of divine judgment announcing punishment. In Joshua's

28. Reading the LXX^B (*lectio brevior*). The MT adds הנשארים האלה.

farewell oration the Deuteronomist alerts his readers to the prospect of a new period in Israelite history, a period of turmoil and regression.

The text of Josh 23:11-13 exhibits considerable freedom in its reuse of Deut 7:1-6. Given the cautionary tone of Joshua's address, it is not altogether surprising that the Israelites fail to heed his words. The survival of some members of the indigenous Canaanite nations serves to test the Israelites' devotion to the commands of YHWH (Judg 2:22-23; 3:4), a test which Israel fails dismally (Judg 2:2, 11-13, 17, 20-21).²⁹ Yet, neither the speech by the messenger of YHWH (Judg 2:1-5) nor the elaborate introduction to the judges cycle (Judg 2:11-23) explains the ominous new development - how the Israelites came to embrace the (defeated) gods of the nations. This the Deuteronomist imputes to intermarriage.

Near the end of his introduction to Judges, the Deuteronomist includes a notice of Israel's failure to annihilate the indigenous nations of Palestine (Judg 3:5-6). The setback recalls the warnings in Joshua's farewell speech (Josh 23:11-13) and replicates in history what Deut 7:3-4 forbids. Judg 3:5-6 mirrors Deut 7:1-4 in its register of nations, its description of marital unions between the Israelites and the aboriginal Canaanite nations, and its depiction of the consequences of these actions.³⁰ Intermarriage has social, political, and religious consequences. According to the Deuteronomist, mixed marriages were the means by which the Israelites forgot their god and began worshiping other gods (Judg 3:6-7). As in the case of Solomon, Israel's actions infuriate YHWH, who delivers Israel to Cushan-rishathaim, the first of many oppressors in the epoch of judges (Judg 3:8-11). In deuteronomistic perspective, Israel's apostasy verifies Moses' interdiction against mixed marriages by demonstrating the negative consequences of Israel's conjugals with Canaan's indigenous inhabitants.

29. The redactional history of Judg 1:1-2:5 is much-debated. The issue is complicated by the differences between the MT and the LXX* to Joshua 24 (Rofé 1982, pp. 17-36). Noth sees Judg 2:6ff. as the logical sequel to Joshua 23 (1981, pp. 8, 42). Soggin (1981, pp. 20, 41-42) believes that the sequel to Joshua 23 begins in Judg 2:20. Most commentators see Judg 2:6-3:6 (*) as the deuteronomistic introduction to the period of the judges. O'Brien's work (1989, pp. 80-87) is an exception. He contends both that Judg 2:10b, 11-19* continues Josh 24:29-30 and that Judg 2:20-3:6 comprise later additions. I find O'Brien's distinctions in separating strata (e.g., disassociating Judg 3:5-6 from Judg 3:3-4 and attributing both passages to later stages of redaction) to be overly fine. To address all of the issues raised by these scholars would, however, take us too far afield. If, for example, Judg 1:1-36 or 2:1-5 were later additions, this would not materially affect my argument.

30. Judg 3:5-6 does not mention the Gergashites of Deut 7:1, but otherwise it follows closely the language and sequence of Deut 7:3-4.

The explanation of Israelite infidelity in Judg 3:5-6 is brief, but important to the Deuteronomist's larger narrative designs. Both Joshua's extension of Deuteronomy's taboo on intermarriage and the rationale that Israel's failure to observe this taboo eventuated in Israel's worship of foreign gods show that intermarriage was a matter of considerable concern to the Deuteronomist. To be sure, the Deuteronomist blames Israel itself, and not these nations, for Israel's troubles during the period of the judges. Yet, in deuteronomistic perspective, mixed marriages functioned as a conduit for the introduction of Canaanite heteropraxis into Israelite national life. Drawing upon the ideology of Deuteronomy, the Deuteronomist employs mixed marriages as a *topos* to explain a marked reversal in Israelite life. In the transition from the golden era of conquest to the regression of the judges, intermarriage plays an instrumental role.

III. Solomon and the Nations

The Deuteronomist uses the *topos* of intermarriage to explain another critical juncture in Israelite history: the downfall of the united monarchy under Solomon. In fact, the deuteronomistic presentation of Israel's metamorphosis from a victorious people to a harassed one in Joshua-Judges illumines the role of Solomon's foreign wives in his demise. The challenge the Deuteronomist faces with David and Solomon is similar to, if not greater than, the challenge he faced in narrating the conquest. The Deuteronomist celebrates David's conquests and the divine promises to David of rest for Israel, a temple, and a dynasty (2 Sam 7:5-16; McCarthy 1965, pp. 131-138; Cross 1973, pp. 241-265; Jones 1990, pp. 59-92). In the time of Solomon, Israel experiences peace and rest (1 Kgs 5:17-18), Solomon receives wealth and wisdom (1 Kgs 3:4-14), and, to the delight of all Israel, Solomon builds the long-awaited central sanctuary (1 Kings 6:1-9:3). Given this unmitigated string of achievements, how does heteropraxis reappear in Israelite life? Solomon departs from the policies he himself followed with great success by embracing the gods of his foreign wives.

The Deuteronomist justifies upbraiding Solomon for this major shift in religious policy by citing Solomon's violation of a divine command. In my judgment, the most likely referents for the citation in 1 Kgs 11:1-2 are Josh 23:11-13 and Deut 7:1-4. Solomon's relations to foreign women are described employing the terminology of Josh 23:12 and the consequences of his actions recall the terminology of Deut 7:4. In his quotation (אמר-יהוה) of YHWH's prohibition of intermarriage (לא-תבאו בדם ודם לא-יבאו בכם), the

Deuteronomist ironically engages not the divine voice of Deuteronomy 7 or 23, but the admonition of Joshua (והתחתנתם בהם ובאתם בהם והם בכם); Josh 23:12).³¹ Even then, the Deuteronomist's quote is selective, citing only that portion of Joshua's warning which deals with sexual intercourse.

The author's allusions to Joshua's oration go beyond the lemma proscribing coitus with Palestine's indigenous inhabitants. We have seen that the Deuteronomist draws a number of contrasts between the two periods he posits in Solomon's reign. I would argue that this bifurcation is informed by the fundamental decision the Deuteronomist champions in Joshua's speech: love either YHWH or the nations. Solomon attempts both, but not simultaneously. Solomon's amour for foreign women catalyzes a reversal of his erstwhile love for YHWH. The appeal to cling to YHWH is found many times in the Deuteronomistic history (e.g., Deut 4:4; 10:20; 11:22; 13:5; 30:20; Josh 22:5; 2 Kgs 18:6), but the alternation between clinging to YHWH and clinging to the nations is characteristic of only two parts of this extensive work: Joshua's farewell speech and Solomon's reign. Joshua summons Israel to cling to YHWH (בִּיהוָה אֱלֹהֵיכֶם תִּדְבְּקוּ) and love (לְאַהֲבָה) him and not to cling (וּדְבַקְתֶּם) to the nations (Josh 23:8, 12). Having earlier loved YHWH (רִיאהֵב שְׁלֵמָה אֶת-יְהוָה; 1 Kgs 3:3), Solomon later clings (דְּבַק) to his foreign wives and concubines in love (לְאַהֲנָה; 1 Kgs 11:2). Finally, 1 Kgs 11:2, like Josh 23:11, does not delimit the peoples with whom the Israelites are not to intermarry. The Moabites, the Ammonites, the Edomites, the Sidonians, and the Hittites (1 Kgs 11:1) are presented as a sub-group of those nations (מִן-הַגֵּוִים) with whom YHWH forbids conjugation (1 Kgs 11:2).

But, if the Deuteronomist had access to Deut 7:1-6 (see below), why does he cite the *traditio* of Josh 23:11-13, and not the *traditum* of Deut 7:1-6, to condemn Solomon? Joshua's farewell speech offers two advantages. By citing only the general command against sexual relations with members of "the nations," 1 Kgs 11:2 exploits the ambiguity inherent in Josh 23:11, facilitating an adjustment in the original repertoire of autochthonous nations to include others not previously listed. Conversely, if the author of 1 Kgs 11:1 were directly quoting Deut 7:1, one might expect him to make an effort to include more peoples from Deuteronomy's standard register of nations. Second, the Deuteronomist knows that Solomon had both hundreds of wives and hundreds

31. The Deuteronomist's citation of Josh 23:12 in 1 Kgs 11:1-2 raises some interesting questions. What is legal exegesis for the Deuteronomist? What is a *traditum*?

of concubines (1 Kgs 11:3). The selective citation (לא-תבאו בהם והם לא-יבאו) of Joshua's parenthesis covers both types of paramours.

The Deuteronomist depicts the consequences of Solomon's actions in language that resonates with the terminology of Deut 7:4. Josh 23:13 speaks of the remaining nations as a snare and a trap, but Deut 7:4 forbids intermarriage, "because he will turn (כי-יסיר) your son away from me and they will serve³² other gods (אלהים אחרים)."³³ In 1 Kgs 11:4 Solomon's wives turn (הטו) his heart after other gods (אלהים אחרים).³⁴ In 1 Kgs 11:1-4 the Deuteronomist does more than draw upon and develop deuteronomistic tradition. His exegetical blend of Josh 23:11-13 and Deut 7:4 modifies both *traditum* and *traditio*, creating a *tertium quid*. The prohibition in 1 Kgs 11:1-2 carries a force which is independent from either Josh 23:11-13 or Deut 7:1-6. Yet, as Fishbane observes, the use of a citation formula (אמר-יהוה) bestows legitimacy to a *traditio*, making the innovation contextual with the *traditum* itself (1985, pp. 267-268).

As with Israel in the time of the judges, the Deuteronomist blames Solomon, and not his wives, for perfidy. The *topos* of mixed marriages explains a reversal in the course of Solomonic rule, but does not excuse it. Solomon's foreign wives catalyze his decline, but YHWH becomes enraged with Solomon, and not his wives, "because he turned (נטה) his heart from YHWH, the God of Israel."³⁵ Similarly, the judgment oracle of 1 Kgs 11:11-13 accuses Solomon, and not his wives, of malfeasance.³⁶ The refusal to excuse

32. Reading with the MT (*lectio difficilior*). The sing appears in both the LXX and the Samaritan Pentateuch.

33. The law of the king in Deut 17:17 prohibits the multiplication of wives (ולא ירבה-לו נשים) (ולא יסור לבנו). The Deuteronomist, however, lambasts Solomon for worshiping the gods of his foreign wives and not for multiplying the number of his wives (1 Kgs 11:1-10).

34. The similar statement in 1 Kgs 11:3, that these women perverted Solomon's heart (נטו את-לבו), is not found in the LXX and is likely an addition.

35. 1 Kgs 11:9. Consistent with this pattern, the Deuteronomist condemns Ahab, and not Jezebel, for introducing worse cultic transgressions into Israel's state cult than those introduced by Jeroboam (1 Kgs 16:31-33). Alluding to the prohibition of mixed marriages in Deut 7:3-4 (כי-יסור את-בנות האלילים ובעדו אלילים אחרים), the Deuteronomist describes how Ahab marries the Sidonian Jezebel and then serves and worships Ba¹ (וילך אהבד את-הבעל וישתחו לו; 1 Kgs 16:31). Because of intermarriage between the Omrides and the Davidides, Ahab's apostasy even affects Judah (2 Kgs 8:18, 27 [MT]).

36. This point is underscored by Cohen (1984-85, pp. 30-37). The criticism of Solomon clearly cites exogamy as a sin (*pace* Cohen). Solomon's decline confirms the interdiction against intermarriage.

Solomon therefore serves to underscore the prohibition of intermarriage. YHWH holds even one of Israel's most distinguished kings accountable for his actions. The resulting punishment affects both foreign and domestic affairs. The revolts of foreign monarchs formerly under the hegemony of David and Solomon end the *Pax Solomona* (1 Kgs 11:14-25), while the revolt of one of Solomon's servants ends the united monarchy. The Deuteronomist sanctions the secession of ten tribes under Jeroboam (1 Kgs 11:11, 26-39). One tribe remains under the domain of Solomon's son, not for the sake of Solomon, but for the sake of the Davidic promises (1 Kgs 11:13, 32, 34-36; 12:15).

Conclusions

Consistent with deuteronomic ideology, the Deuteronomist employs the *topos* of mixed marriages to explain two major regressions in Israelite history: the period of the judges and the period of the divided monarchy. The author of 2 Kings 24-25 (the exilic Deuteronomist) does not, however, engage this *topos* to expound the significance of the Babylonian exiles of 598 and 586 BCE.³⁷ But he could have.³⁸ In Joshua's speech the upshot of intermarriage is twofold: YHWH will halt his campaign to dispossess the nations, and these nations, in turn, will prove so successful in ensaring the Israelites that the Israelites will eventually perish from the land (Josh 23:14-16). The consequences of mixed marriages are not as vividly depicted in Deuteronomy as they are in Joshua, but Deuteronomy is just as final. The penalty for worship of other deities is quick annihilation (Deut 7:4).

In the postexilic age, Ezra and Nehemiah undoubtedly interpreted what texts were available to them in light of their own experiences and commitments. In this respect, the exile became an interpretive key to understanding the past. Ezra's prayer reveals, in fact, that he did not consider the exile to be completely over (Ezra 9:6-9; Williamson 1985, pp. 134-135). That Israel survived its own history of rebelliousness was due to divine mercy. That "the children of the exile" were able to return was also due to divine mercy, forbearance which made the returnees even more culpable than their

37. I regard Dtr²'s work as essentially comprising 2 Kgs 23:26-25:30 (Knoppers, 1994; cf. Cross 1973, pp. 285-287 and McKenzie 1991, pp. 135-150).

38. In my judgment, the stress of Dtr² is on a succession of deportations, which leaves the land denuded of Jerusalemites and Judahites. Rather than massive numbers of deaths or extermination (cf. Deut 8:19-20) the exiles of 598/7, 587/6, and 582 BCE constitute the deity's principal punishment. In this presentation the exilic Deuteronomist achieves two ends. He establishes YHWH's judgment upon Judah as well as continuity between exiles and their preexilic ancestors in the land. I plan to develop this thesis in a future study.

preexilic ancestors. Whatever the political, racial, and economic dimensions to the decision for divorce and expulsion (Hoglund 1992, pp. 208-240), one cannot ignore how the author of Ezra-Nehemiah understood the link in deuteronomic law and deuteronomistic history between intermarriage and idolatry.

Both Ezra and Nehemiah grasped the force of the deuteronomistic *topos*. The failure to abstain from mixed marriages was, according to Ezra, pivotal to Israel's demise (Ezra 9:11-13). If the remnant - those shown divine forbearance in spite of their iniquities - also chose to engage in intermarriage, this could result in an expression of divine wrath that would leave neither remnant nor survivor (Ezra 9:14). Nehemiah's case against intermarriage is predicated upon the example of Solomon and not upon the history of Israel. Yet, his point is similar to that of Ezra. Nehemiah finds Solomon's regression striking, precisely because of Solomon's enormous prestige. "There was not a king like him among the many nations. He was loved by his God and God made him king over all of Israel. Yet, foreign wives made even him sin" (Neh 13:26-27; cf. 1 Kgs 3:4-14, 10:23-24). In each case, Ezra and Nehemiah use a recurring pattern in the Deuteronomistic History to argue that mixed marriages induce transgression.³⁹

As important as the legal precedent and the history of its violation were, the Deuteronomistic History also provided Ezra and Nehemiah with a hermeneutical precedent, a pattern of exegesis on intermarriage which included selection, adaptation to new circumstances, and synthesis of older lemmata to achieve new ends. When the officers (**סָרִיסִים**) complained that the holy seed had not separated themselves from the peoples of the land, they were heirs to a history of interpretation, a history which included the reworking of legal texts (Exod 23:20-33; 34:11-16) in a new legal corpus (Deut 7:1-6), the recasting, reapplication, and extension of legal texts in a hortatory context (Josh 23:11-13), and the synthesis of law and hortatory proclamation (Deut 7:1-4 and Josh 23:11-13) in narrative (1 Kgs 11:1-4). Before Ezra ever considered the problem of mixed marriages, the ban on intermarriage with aboriginal Canaanite nations had already been extended and expanded, at least in deuteronomistic circles, to include nations not originally appearing in the older lists of aboriginal peoples.

Given this process of adaptation and extension of tradition, the exegetical maneuvers of Ezra and Nehemiah do not appear as entirely innovative. To be

39. Nehemiah lays more blame on Solomon's foreign wives (**הַנְּשִׂאִים הַכּוֹרִיתוֹת**) than the Deuteronomist did (Cohen 1983, pp. 31-32).

sure, Ezra and Nehemiah evince a preoccupation with intermarriage, which is not characteristic of the Deuteronomist. The mandate for dissolution and dispossession is a new development. Nevertheless, the exegesis upon which the new development was based had clear antecedents. In the coupling of Deut 7:1-4 and Deut 23:4-9, the author of Ezra-Nehemiah extended, rather than created, an interpretive trope. The author of Ezra-Nehemiah simply exploited older patterns of exegesis to new advantage.⁴⁰

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40. It is with pleasure that I dedicate this essay to Reuben Ahroni, a congenial scholar whose work adeptly traverses a variety of fields. I would like to thank the Institute for the Arts and Humanistic Studies at Penn State University for a grant which supported the research of this article.

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