‘What is this Evil Thing … Profaning the Sabbath?’ A New-Historicist Look at the Sabbath Restrictions in Nehemiah 13:15–22

Dominic S. Irudayaraj S.J.[1]

Abstract

As one of the three ‘reforms’ that Nehemiah undertakes, Nehemiah 13:15–22 narrates his Sabbath ‘reforms’. In this action-filled self-portrait, Nehemiah paints himself as the safeguarder of the sanctity of the Sabbath (cf. v.22). A New Historical scrutiny of the portrait, however, reveals a twin *excess* therein: (i) in Nehemiah’s power; (ii) in his novel interpretation of the ‘book of Moses’ (cf. 13:1). Whereas the former provides a reading strategy (interpretive significance), the latter bears witness to the adaptability and survival of texts—both biblical and ours (pastoral significance).

[1] The views expressed herein are those of the author and do not necessarily represent the beliefs of the South African Theological Seminary.

1. Introduction

Knowledge and meaning are agglutinative (Sherwood 2000:5)

As meaning-making beings, we humans approach, apprehend, appropriate what we newly encounter in terms of what we already know. The object of such encounters can be a person or a thing. Among the latter, texts constitute a subcategory. Of these, texts that are deemed sacred and normative, such as the biblical texts, elicit an urgent need for appropriating their meaning(s). Biblical interpretation has been engaged in such meaning-making process. In fact, biblical interpretation is as old as the Bible itself, as the abounding instances of inner-biblical interpretation attest.[2]

Even a cursory glance at the history of biblical interpretation would reveal that its task has been anything but uniform, both in terms of methodology and perspective. For instance, during the heydays of modernism, when reason was reified by the onrush of Enlightenment air, biblical interpretation predominantly tended towards Historical Critical Method (HCM). HCM operated under a number of presuppositions: it (i) paid particular attention to the aspect of 'history' (so, *historical*),[3] (ii) claimed for itself a dispassionate disposition (hence, *critical*), and (iii) laid out a systematic set of steps to be followed (therefore, *method*). Later, as the confident claims of modernism began to wane, it ushered

[2] Inner-biblical interpretations appear in varying lengths. For example, among the large ones, the books of Chronicles retell, rather re-interpret, the books of Genesis through 2 Kings. Among the less lengthy ones, Jer 26:12 quotes and interprets Mic 3:12; Neh 13:1–2 repeats almost verbatim Deut 23:3–4.

[3] However, 'history' was understood differently by various HCM practitioners. For some, it meant the 'history' of Israel that was presumed to lie 'behind' the text. But for most others, it meant the 'history' of the text, namely, how the text grew into its final form.

in an awareness that the aspect of 'history' is often on a slippery slope. In response, Literary Critical Methods (LCM) chose to prioritise the aesthetic dimension of texts (as opposed to 'history'). Despite their diverse foci, HCM and LCM operated under a common assumption: if an exegete meticulously follows the rigorous details of a chosen method and remains neutral, the exegete is guaranteed to arrive at *the* meaning of the text. Such a methodological confidence contributed to the blossoming of exegetical literature. But, as history would have it, even this confidence received a deep dent when postmodern thought began to appear on the interpretive horizon.

Postmodern perspective, in Leotardian phrase, is an 'incredulity towards metanarrative' (Lyotard 1984:xxiv). As such, it casts its sceptical gaze upon (i) any system that promises to explain everything, (ii) any claim to neutrality, and (iii) any idea or institution which projects itself as foundational.[4] Extending its critical awareness to the interpretation of texts, postmodern perspective averred that no reading can be neutral, nor any interpretation disinterested. On the contrary, every reading is a re-reading, an add up, or an agglutination. In every act of reading, the interpreter brings to the process as much, if not more, of his background and assumptions as the author(s) who composed the text do(es). Its implications are enormous. If every reading is but an 'add up', then any claim to be arriving at *the* meaning is an impossibility, if not a total fantasy. Then, one might quiz, have we arrived at the crossroads of interpretive impasse? On the contrary!

Inasmuch as a text is credited to the creativity of its author(s), so are to be construed its readers in their acts of reading and meaning-making. The awareness that authors and interpreters bring their 'baggage' to the

[4] Following the work of Cornel West, Adam aptly summarises the postmodern gaze as: 'antifoundational, antitotalizing, and demystifying', cf. Adam (1995:5).

text and its interpretation has relevant ramifications—including, interpretive and pastoral. New Historicism, an offshoot of postmodern perspective, offers the promise of harnessing these ramifications. The present paper, therefore, begins with (i) an overview of New Historicism (NH) and (ii) re-reads Nehemiah 13:15–22 in the light of NH sensibilities in order to (iii) delineate some interpretive and pastoral significances. Before the discussion turns to NH proper, an overview of the chosen text is in order.

2. Nehemiah, the Governor: A Portrait

2.1. Historical prelude

The Babylonian onslaught on Judah in 587/586 BCE and the subsequent exile of the upper echelons of the Judean populace left the city of Jerusalem in ruins and 'desolate' (cf. Lam 1:1, 13).[5] The impact of this traumatizing event is strongly etched in the painful memories of Israel (cf. Ps 137). About 70 years later, a sign of respite and relief appeared when the Persian king Cyrus the Great declared that the exiles could go back to their land (cf. Ezra 1:1–4; see also 2 Chr 36:22–23).[6] In response, some of the Judean exiles began to return from Babylon from around 539 BCE. The books of Ezra-Nehemiah purport to narrate the events associated with the returns and the rebuilding of the community.[7] Within this context, the book of Nehemiah traces his two

[5] All biblical quotes are from NRSV, unless otherwise stated.

[6] Archaeologically, the Cyrus Cylinder attests to the Persian king's policy of letting the people to go back to their homelands, cf. Rogers (1990:190–191).

[7] On Ezra-Nehemiah, cf. Kalimi (2012). In early Jewish traditions, Ezra-Nehemiah formed a single book, until Origen separated them into two books in the 3rd century CE, cf. Glatt-Gilad (2011:265).

tenures (Pfeiffer 1973:485) as the 'governor in the land of Judah'.[8] While the first lasted for 12 years (cf. Neh 5:14), the length of the second is not specified. The Sabbath 'reforms', spelt out in Nehemiah 13:15–22, take place during his second tenure (cf. Neh 13:6).

2.2. Literary genre and setting

Within the Old Testament, Ezra-Nehemiah are noted for their unique literary genre. Both contain lengthy memoirs. Nehemiah 1:1–7:73a and chapters 11–13 constitute the Nehemiah Memoir (NM). Narrated in the first person, NM is a 'forceful account of Nehemiah's career from his own point of view' (Collins 2004:437). Chapter 13, as a part of NM, narrates his three 'reforms': (i) cleansing the Temple of foreign elements (vv. 4–14); (2) Sabbath restrictions (vv. 15–22); (iii) condemnation of mixed marriages (vv. 23–31).

2.3. The Sabbath 'reform' proper

On a Sabbath day, Nehemiah observes people at various works (treading, carrying, bringing, and so on). So, he warns them from selling food. Even foreigners (Tyrians) bring fish and merchandise and are selling them. Nehemiah then remonstrates with the nobles of Judah. He asserts that it was because of their ancestors' profaning of the Sabbath that God brought disaster upon the city. Nehemiah then commands the gates of the city to be shut, and sets his servants on guard. However, some merchants spend the night in front of the city wall. So, he warns them that he would lay hands on them, should they do it again. From then on, they do not come back. Finally, Nehemiah commands the Levites to purify themselves and guard the gates. Then, a short prayer by the governor concludes the entire Sabbath episode.

[8] Judah (*Yehud*) was then part of a Persian province, cf. Berquist (2007).

2.4. Literary structure

Nehemiah 13:15–22 constitute a well-defined literary unit as (i) the pericope begins with an explicit temporal marker (‘In those days …’ v. 15); (ii) closes with a prayer (‘remember me’ v. 22); and (iii) the theme ‘Sabbath’ (*šabbāṯ*) dominates the entire passage.[9] Based on the content, the text divides into three subunits:

i) Nehemiah’s dealings with diverse people (vv. 15–18)

a) Warning the merchandise carriers (v. 1)
b) Tyrians selling fish and other merchandise (v. 16)
c) Remonstration with the nobles (vv. 17–18)

ii) Nehemiah’s many measures (vv. 19–22a)

a) Command to shut the gates and setting his servants (v.19)
b) Warning the sellers who wait outside the city (vv. 20–21)
c) Command to the Levites to purify themselves and guard the city (v. 22a)

iii) Concluding entreaty to God: ‘remember me’ (*zokrâhlî*[10] v. 22b)

A number of verbs within this short pericope present Nehemiah in the thick of action: he warns (v. 15), remonstrates (v. 17), commands, gives orders, and sets servants (cf. v.19), warns again (v.21), and commands again (v. 22). Such an action-filled portrayal reiterates that Nehemiah would go to any length to ‘keep the Sabbath day holy’. For some

[9] ‘Sabbath’ occurs in every verse except v. 20. Out of the 13 occurrences of ‘Sabbath’ in the book of Nehemiah, ten instances are found here.

[10] On ‘remember me’ motif, cf. Wijk-Bos (1998:98).

scholars, this Nehemian passion appears appropriate because 'Sabbath was and continues to be immensely important in Jewish religious practice' (Stuhlmueller and Bergant 1996:851). And it became all the more important after the loss of two centralizing and identity-affirming institutions: the monarchy and the Temple. The action-filled involvement of Nehemiah thus presents him as 'the safeguarder of the sanctity of the Sabbath'.

Despite Nehemiah's self-portrait (cf. NM) of passionate involvement, it is odd that none of the other characters speak. But their actions do! Should they be given voice and heard in tandem with the persuading voice of the governor, they craft a story that is different from the dominant storyline. New Historicism offers the tools to tune our ears to these interacting voices. An overview of NH will help pave the way for appropriating its tools.

3. New Historicism (NH): An Overview

Stephen Greenblatt is credited with having coined the term: 'New Historicism'.[11] It is 'new' because, unlike HCM, NH is not interested in the 'history' *per se*—be it the 'history' as portrayed in the text or the 'history' of the text. All the same, NH is still 'historical' in asserting that 'words can be understood only against the background of their own times' (Barton 2013:121) because texts 'are caught up in the *social processes* and *contexts* out of which they emerge'.[12] As a result, NH does not expend its energy in searching for nonbiased data in the texts,

[11] Cf. Thomas (1989:182). For an introduction to New Historicism, cf. Hens-Piazza (2002). On NH's assumptions, strategies, and techniques, cf. Erisman (2014). And for a case study, cf. Sherwood (1997).

[12] cf. Hens-Piazza (2002:6; emphasis added).

which are nonexistent, but pays particular attention to the purpose or the 'interest' that a text is produced to serve (Carvalho 2006:197).

'Past' as a continued construction: Due to the 'interested' nature of texts, the 'past' as portrayed in them can hardly be read as neutral data. Similarly, reading the texts is also motivated by 'interests'. NH therefore asserts that, despite a text's claim to 'pastness,' the years of reading and rereading, interpreting and reinterpreting, and appropriating and opposing come to form an entire world of the text, a world which no reader can ignore (Hens-Piazza 2002:67). As a result, the 'past' in the text can hardly be treated as fixed. If so, as noted earlier, 'history' comes to stand on a slippery slope. In short, if 'old historicisms seem to divide history into periods … New Historicism pluralizes history'.[13]

So, Multiplicity of Voices: Within texts, pluralized 'history' and slippery 'past' show forth in the presence of multiple and divergent voices. To state this differently, every piece of literature has an agenda which its author would pursue to assert overtly or covertly. Even while doing so, the author leaves behind other minor voices—voices that oppose and critique the dominant one. As a result, 'mainstream ideologies are formed by dominant and emergent forces, but mixing with, and possibly subverting them, are residual elements' (Sherwood 1997:368). These residual elements appear on 'the margins of dominant hegemonic discourse'.[14] Due to such coalescence of various voices, textual characters turn out to be complex. If earlier methods granted standalone existence to textual characters, NH lays them bare 'as decentred, fashioned, compromised in a complex of relation to social forces' (Sherwood 1997:368–69).

[13] Sherwood here draws from the idea of F. Lentricchia. For details, cf. Sherwood (1997:368).

[14] For an illustrative case from the Talmud, cf. Hens-Piazza (2002:57–60).

With characters being complex and compromised, the notion of power can hardly be tied to a single character. New Historicism, therefore, trains its eyes to observe how power is dispersed within a text. Power, in this sense, does not flow as in a 'linear structure, with influence flowing in one direction, but as an intricate web or network or cycle of exchange … All power relations [therefore] are complex and are reciprocal' (Sherwood 1997:370–71).

Adaptability and Survival of Text: The complex and reciprocal power relation, in turn, informs the way texts themselves assume their authority. 'Texts do not "reflect" worlds in simple mimetic relationships, but rather their power is derived from their intimate connections to social structures and their capacity to transform and embody social anxiety and desire' (Sherwood 1997:372–73). Successful replication of any text requires that it is at once faithfully copied and also exhibits 'an extraordinary capacity to produce variations when variation is required'.[15] The Bible presents an excellent illustration. It has remained a successful replicator of itself because, quite often, 'the Bible is employed to address concerns, desires, and anxieties of various societies and time periods. At the same time … the Bible "negotiates its position in society by internalizing and transforming anxieties, and giving back to society an idealized picture of itself."'[16]

NH Reading Strategy: Guided by the awareness of the multiplicity of voices, the notion of dispersed power, and adaptability and survival of the text, NH invites its adherents to look at any text—biblical ones including—as 'ideologically plotted, crafted, and designed, and how the

[15] Based on the insights of Hugh Pyper, Sherwood makes this observation, cf. Sherwood (2000:197); Pyper (1998:70–90).

[16] For example, various commentaries on the book of Jonah show how they are informed by the social situations of the commentators, cf. Hens-Piazza (2002:66).

"confidently plotted storyline" inevitably represents a "sentimentality, an excess, an exaggeration."' [17] To unearth the *excess*, a 'New Historicist hunts for the marginal, the curious and bizarre' (Sherwood 1997:367). So, NH reading strategy involves:

1. Reading the text

Paying attention to the text and the plotted storyline therein.

2. Re-reading the text for any 'excess'

Hearing the dominant voice for any *excess* or *exaggeration.*

3. Hearing other 'voices'

'Voices' that have been hitherto unheard or treated as unimportant.

4. Perceiving the Power Dispersion

Listening to the dominant voice's claim to power *vis-à-vis* other subverting 'voices'.

5. Interpretive and Pastoral Significances

On how we read texts and how texts, in turn, adapt and survive.

Earlier, subsection 2 dwelt on the historical and literary details of the chosen text in order to listen to the plotted storyline (cf. step 1). The present subsection has outlined the NH reading strategy and thus sets the stage for step 2: re-reading the text for any *excess*.

[17] Even while quoting this idea of Hoffman, Sherwood is quick to acknowledge that not all biblical texts fall into this naïve outline. cf. Sherwood (1997:374); Hoffman (1998).

4. New Historical (Re)-Reading of Nehemian Sabbath 'Reforms'

4.1. The excess

On observing various activities on a Sabbath day, Nehemiah declares that profanation of the Sabbath is an 'evil thing' and it was the reason for God to bring 'disaster' (v. 17). Any further violation, Nehemiah continues, would bring 'more wrath on Israel' (v. 18). On close scrutiny, this Nehemian reasoning raises a number of questions: do the activities that Nehemiah observes violate Sabbath stipulations? Is profanation of the Sabbath the cause of disaster on the city? Do Sabbath violations bring God's wrath at all?

Violated Sabbath? Nehemiah 13:1 situates Nehemiah's three 'reforms'—Sabbath including—in the context of what was 'read from the book of Moses'. Then, Nehemiah 13:1b–3 repeats, almost verbatim, Deuteronomy 23:3–4. Thus, the Torah, or more specifically the book of Deuteronomy, is portrayed as the foundation for the 'reforms'. Given these details, it pays to compare the Nehemian restrictions with the Sabbath stipulations in Deuteronomy, or more broadly, the Torah.

Elusiveness characterizes Sabbath-related information in the Torah![18] Although work (*m^{e}lā'kâ*) is forbidden (Exod 20, 31, and elsewhere), there is hardly any further elaboration on it. The only explicitly prohibited act is the lighting of fire (Exod 35:3).[19] Further, although

[18] Elusiveness characterises both the origin and the fixity of the Sabbath, cf. Blenkinsopp (1988:360); Stuhlmueller and Bergant (1996:851); Kaiser (1991:76); Sarna (1970:19); Pfeiffer (1973:168).

[19] Exod 16 however extends it to both the gathering of wood and the preparation of food, cf. Kramer (2012:204).

'the command to keep seventh day of the week holy is found in the Ten Commandments (Exod 20:1–4; Deut 5:6–18), Sabbath breaking is not usually one of the sins preached against by the prophets or condemned in the Deuteronomistic History (Joshua to 2 Kings)' (Grabbe 2003:325). Against this background, Nehemian remonstration with the nobles that their Sabbath negligence amounts to an 'evil' thing (*rā'āh* v. 17) and the cause for God's wrath is in *excess* of what is given in the Torah.

In addition, the activities that Nehemiah observes are not the ones prohibited in the Torah. He sees selling and so, by implication, buying. However, 'none of the Mosaic Sabbath laws prohibit the right to make purchase on the Sabbath day'.[20] In fact, the Sabbath is an ideal day for market activities. If so, Nehemiah's warning against selling (vv. 1, 21) would amount to 'the abolition of the Sabbath market' (Blenkinsopp 1988:360), which is in *excess* of what the Torah stipulated.

Other than selling, verse 15 describes a series of agricultural activities: wine pressing, loading of grains, wine, grapes, and figs. Wine pressing is a time-critical job. Any delay in the process can adversely affect the quality and the quantity of the outcome (wine). Similarly, harvesting, packing, and selling of delicate fruits such as grapes are time-sensitive. But the governor's command to shut the gates 'when it began to be dark' would have meant a shutdown from Friday sundown to Sunday sunrise: approximately 36 hours! Can these peasants afford to wait until the Sabbath is over to resume the wine pressing or handling the delicate fruits? If this itself is an *excess*, then prohibiting the sale of food for the same duration is an equally—if not more—*exaggerated* restriction.

[20] Exod 20:8–11; 23:12; 31:13–17; 34:21; 35:2–3; Lev 23:3; Deut 5:12; cf Exod 16:22–30; Num 15:32–35, cf. LeFebvre (2006:117).

The Sabbath observance, which began as a welfare measure (rest and relief for people, animals, slaves, and resident aliens, cf. Exod 23:12), thus turns into an act of unprecedented control over even the basic commodities such as food and agricultural produce. Interestingly, this control mechanism is projected to be in conformity with 'the words of Moses'. The observation of Andrew Steinmann aptly underscores the Nehemian *excess* here: 'when making his reforms in Nehemiah 13, Nehemiah does not make explicit appeal to Israel's most important written text, the Torah. While his memoir may allude to Pentateuchal legislation, he accomplishes his reforms mainly on the basis of his personal authority' (Steinmann 2013). Even this, his personal authority, bears perceptible traces of *excess*.

4.2. Power dispersion and other 'voices'

During his first tenure, the task of Nehemiah was to mend the 'broken walls' (Neh 2:11–16). But 'a broken community' becomes his challenge during his second tenure. Perhaps exasperated, he responds through a series of emotional outbursts:

> When Nehemiah discovers what has gone on behind his back, he has a temper tantrum… Each time Nehemiah finds a flaw in the conduct of the people he becomes involved physically or threatens to do so. He 'throws' the furniture of Tobias out of the temple room [cf. 13:8], threatens to 'lay hands' on the merchants outside the city gates [cf. v.21], and on the third occasion he does lay hands on the perpetrators of the offense [cf. v.25] (Wijk-Bos 1998:95–97).

Such a passionate involvement may bespeak the governor's unrestrained authority over all kinds of people. Other voices, however, narrate a different story. These 'voices' belong to those at the winepress, the Levites, Tyrians selling fish, other sellers, the buyers, those who

carry burdens, the nobles, and his servants. True, none of them respond in words. But their (re)actions interrupt and even subvert the dominant voice of Nehemiah in a number of ways:

a) Nehemiah reprimands the nobles by appealing to a theological motivation: God's wrath (cf. v. 17). But the nobles respond neither in words nor in deeds.
b) Nehemiah gets the gates shut for the entire duration of—and also after—the Sabbath; places his own servants to prevent any burden being brought in (cf. v. 19), which indicates that his command to shut the gates has hardly served the purpose.
c) Some merchants, as though defying Nehemiah's warning, continue to come and spend the night near the gate (cf. v. 20).
d) Nehemiah warns them that he would lay his hands if they come again. Only then do they stop coming (cf. v. 21).
e) Despite the observation that the merchants have stopped coming, Nehemiah appoints the Levites to guard the gates (cf. v. 22). And, whatever happened to his servants is left only to the imagination of the reader.

Though all the 'voices' deserve a full treatment, given the limited scope of this paper, the discussion here focuses on three 'voices', those of the nobles, the people, and the foreigners.

The Nobles: On observing various activities, Nehemiah initially warns the sellers (vv. 15–16). Apparently, his warnings are not taken seriously. So, he 'remonstrates' (literally, *rîb* or court case) with the nobles (Fensham 1982:264). Nehemiah even charges them that *they* are doing the profanation of the Sabbath. The nobles neither carry corn nor sell fish. How can the governor be justified in his scathing accusation of the

nobles?[21] Scathing though it is, the response from the nobles was merely *silence*.

Such a silence is all the more telling, when it is situated within the larger context of the book of Nehemiah. The book recounts various interactions between Nehemiah and the nobles (*hôrim*).[22] In almost all of these occasions, the nobles are presented as silent spectators. Chapter 5, for example, narrates how Nehemiah brought charges against them because of their economic dealings, which resulted in the oppression and therefore the outcry of the people. Even as Nehemiah charges, the nobles remain 'silent' (5:8). Only with further admonition and by his appeal to the 'fear of God', do the nobles respond: 'We will restore … we will do as you say' (v. 12). But Nehemiah is hardly satisfied. He calls the priests and makes the nobles take an oath. And in a dramatic gesture, he shakes off the fold of his garments in order to hurl yet another warning. Despite his arresting actions, no further response comes forth from the nobles. Only the people respond, 'Amen'. The episode then ends on a telling note: 'And the people did as they had promised' (v. 13). On the part of the nobles, however, no response gets reported!

As noted, the nobles are mere recipients of Nehemiah's warnings on most occasions. However, one episode narrates their active role. It occurs in the context of rebuilding the walls (cf. chapter 6). Having

[21] Some scholars opine that the nobles 'connived at those that did [the profanation], and did not use their power to restrain them, and so made themselves guilty', cf. Henry et al. (1985:854). Others go further and state that the nobles benefitted from the Sabbath trading, cf. Grabbe (1998:169). But the text itself does not explicitly state such reasons.

[22] The words 'noble' and 'nobles' (*hôr* or *hôrim*) occur seven times (2:16; 4:14; 4:19; 5:7; 6:17; 7:5; 13:17), not counting the word *addîr* (3:5; 10:29) which is also translated as 'nobles' in NRSV.

completed the walls, Nehemiah makes a passing remark: 'in those days the nobles of Judah sent many letters to Tobiah, and Tobiah's letters came to them' (cf. 6:17). As regards the content, Nehemiah narrates, the nobles 'reported my words to him [Tobiah]. And Tobiah sent letters to intimidate me' (6:19). These correspondences indicate that the relation between the nobles and Nehemiah was anything but cordial. Against this backdrop, the Nehemian 'remonstration' serves a purpose that seems to go beyond his passion for the Sabbath observance. On this, Anne Fitzpatrick-McKinley's observation is spot on: Nehemiah was 'sent to limit the power of elites in the region of Jerusalem who appear to have been under the patronage of Sanballat of Samaria' (Fitzpatrick-McKinley 2015:252). In short, his religious passion notwithstanding, Nehemian confrontation with the nobles bears witness to a power struggle. In such a charged context, the silence from the nobles undermines the governor's claim to his arbitrating prerogative. Thus, silent subversion typifies the nobles. But they are not alone in this.

The People: Like the nobles, 'the people' occur frequently in the book and almost always as mute recipients of Nehemian admonition. Yet, there is one notable exception that deserves attention. Verse 15 narrates that Nehemiah sees 'the people' in activities. The identity of 'the people', however, is not specified. Since the Sabbath stipulations are binding only on the people who entered into the covenant (cf. 10:28ff), it can be assumed that Nehemiah is dealing with the covenanted people.[23] Granting this scenario, it is worth comparing these two chapters (10, 13)—the only two places where 'Sabbath' is treated in the book.

[23] This view can further be substantiated by the next verse. Tyrians, the foreigners, bring fish and other merchandise to the market and sell them. However, Nehemiah takes no issue with them.

In Nehemiah 10, the people enter voluntarily into 'an oath to walk in God's law' (v. 29). Elaborating on their oath, the people promise, 'If the peoples of the land bring in *merchandise* or any *grain* on the *Sabbath* … we will not buy' (v.31; emphasis added). The repeated occurrence of 'we' in this episode reiterates that the initiative and execution of the Sabbath obligations comes from the people; not from any leader's power (Wijk-Bos 1998:86). But, Nehemiah 13 narrates an unambiguous contrast: the 'heaps of *grain*' are brought into the city (cf. v. 15); Tyrians bring *merchandise* and sell on a *Sabbath* day (v. 16). In short, if Nehemiah 10 outlines the obligations covenanted by the people, Nehemiah 13 describes those obligations neglected by them. On both occasions, the power to choose is in the hands of the people. And v.20 accentuates this observation. Even when the gates are shut, the sellers spend the night outside Jerusalem. Their willingness to spend the night (cf. v. 20) signfies their hope to sell wares at the first possible opportunity. If the people had insisted on observing their oath, the sellers' waiting would have been hopeless. However, their repeated wait (until threatened with physical chastisement) indicates the possibility that there would be some ready buyers. Thus, the voluntary oath of the people on the one hand and the blatant disregard of the same by them on the other hand make a further dent in the *Yehud* governor's self-claimed power to oversee the Sabbath observance.

The Foreigners: The third group that sheds light on the negotiated power of Nehemiah is the Tyrians. Reading v.15 and v.16 in parallel presents a perceptible contrast. Both the verses begin with what Nehemiah observes: things being brought into the city for sale. However, the comparison stops there. Whereas verse 15b specifies how the governor deals with the sellers (by warning them), no comparable action is found in verse 16: 'Foreigners are not rebuked or addressed by

Nehemiah' (Pakkala 2004:217). Nehemiah rather turns his attention to the nobles.

Since the observance of Sabbath is mandated for the Israelites, it might be argued that the foreigners (Tyrians) are not under the purview of Sabbath restrictions. However, there is one detail that does not quite square well with this. Nehemiah's passionate actions in verses 15, 21 indicate that he is going after the sellers (rather than the buyers), perhaps to curb the issue (selling) at its root. If so, the Tyrians' presence deals a double blow to his efforts. One, Nehemiah sees them selling but he does deal with them. Two, they are living *within* the city. Thus, all his other actions (shutting the gates, guarding them, and threatening the merchants outside the wall) would amount to nothing if Tyrians are left to stay within the city. Thus, the presence of and the uninterrupted selling by the Tyrians make further inroads into the power that Nehemiah claims for himself.

Another event, narrated just prior to the Sabbath episode, argues further for the diminished power of Nehemiah vis-à-vis various foreigners. Nehemiah 13:4–14 narrates that the priest Eliashib granted accommodation to Tobiah, an Ammonite, in a large room, which served as the storage space for the Temple provisions and offerings! Because such a foreign presence is in direct violation of Deuteronomical stipulation (cf. Deut 23:3), Nehemiah becomes 'angry' and throws 'all the household furniture of Tobiah out of the room' (v. 8). In all likelihood, that emotional display could not have taken place in the presence of the priest and/or Tobiah as no direct confrontation gets reported. Despite the authorisation from the king of Persia, Nehemiah's anger could only be directed at the mute furniture that gets thrown out. Thus, the Tyrian and the Tobiah episodes together point to the

diminished power that the governor seems to have wielded, as his own memoir attests.

The discussion thus far has endeavoured to listen to the power dispersion within the text: the power that is claimed and yet contested, negotiated, and even subverted. These contesting 'voices,' in effect, considerably downsize the text's dominant voice that depicts Nehemiah as 'the safeguarder of the sanctity of the Sabbath'. A New Historical sensitivity thus helps to re-appropriate the dominant storyline of the text together with the 'interest' that the text is created to serve. There is a further value in reading NM through NH lens. That value lies in Nehemian novelty in re-appropriating an earlier text in response to the existing situation which, in turn, bears witness to the adaptability and survival of texts.

4.3. Adaptability of texts

Earlier in the discussion, the Nehemian interpretation of Deuteronomical Sabbath stipulations was shown as an *excess* or *exaggeration*. But, Nehemiah is not alone in fashioning such interpretive innovations. As Henry et al (1985:854) observe, Jeremiah has stated that bearing burdens and bringing them by the gates of Jerusalem are in violation of Sabbath stipulations (Jer 17:21). Jeremiah even expands his explanation by linking the 'nation's fidelity to Sabbath observance (Jer 17:19–27)' (Stuhlmueller and Bergant 1996:853). Thus, the prophet connects the disaster that befell Israel with the failure in Sabbath observance. Michael Fishbane traces how Jeremiah achieved such an interpretive innovation: (1) the prophet placed his 'expansion on the Sabbath law on the lips of the Lord: "thus says the Yahweh" (17:21); and (2) he claimed that this new provision was *actually part of* the Sinai declaration "commanded [to] your forefathers" (17:22–23)'. Fishbane comments:

> In sum, such a revelation … which presumptively cites regulations hitherto unrecorded as known and ancient is most remarkable… Indeed, inner-biblical legal exegesis contains many other instances whereby the old revelation is misrepresented to one degree or another; but there is none like Jer. 17:21–2 where exegetical innovations are so brazenly represented as a citation of the old revelation by YHWH himself.[24]

So, already in Jeremiah, a 'new legislation is being passed off as though it were old'.[25] And Nehemiah's Sabbath restrictions appear to follow suit. How ought we to respond when we encounter such interpretive novelties? Should they be deplored as instances of inexactitude? It depends on how we view texts. If texts are perceived as 'locked up' finished product, which we take out once in a while, have a look, and lock it back, then the Jeremian and Nehemian novelties *are* instances of inexactitude! But as the Bible itself witnesses, reading a text is tantamount to an encounter which takes place in a real-life context. During these encounters, texts are brought to bear on the contemporary context of its reader and vice versa. To this end, Jeremiah's novelty presents an apt illustration; so is the Nehemian one. In fact, for the later Jewish traditions, Nehemian novelty was 'precedent-setting, for the translation of the prohibition of "doing business" or "treading" into a prohibition of carrying in and out is supported by all later elaborations of Sabbath practice in different Jewish communities' (Kramer 2012:205). Novelties such as these underscore the adaptability of texts in response to their encounter with their readers and the latter's situations. By their adaptability, the texts continue to survive in diverse hues, one such 'hue,' which this author encountered, presents a real-life case of pastoral challenge as well as significance.

---

[24] Fishbane (1985:134); LeFebvre (2006:118).

[25] For relevant resources, cf. LeFebvre (2006:119).

5. Pastoral Case and Significance

Pratyusha[26] was a student of a Masters in Computer Applications (MCA) program. Hailing from a Christian family, she was ever eager to give witness to her Christian identity. During cultural events, study group discussion, class debate, co-curricular activities, and much more vividly during monthly ecumenical prayer services, her Christian identity could hardly be missed. On the other hand, her brilliant academic acumen catapulted her to be the top of her class. This dual prominence—religious and academic—made her the obvious candidate for the *Best Student* award. Thus, Pratyusha was on a dream-run; or, at least she was until an incident that ensued.

It happened during the days that led up to the semester-end practical exams. Due to the unavailability of examiners during the working days, the college administration chose to schedule an exam on a Sunday. Things appeared to be sailing smoothly until Pratyusha's unwillingness to attend the exam was brought to their notice. Even when her academic mentor tried to advise, Pratyusha remained determined in her stance. Her reason was: 'It is the Lord's Day and I will not engage in any academic activity, including exams'.

Two religious priests, who were part of the administration, tried on their part to talk her into attending the exam. The harder they tried to convince her, the firmer she seemed to become in her decision. Even the practical consequences—such as losing her grade, having to repeat the exam with her junior batch, and the eventual impact it would have on her campus placement—did not make her reconsider her decision. The exam did take place on a Sunday and Pratyusha stayed with her decision.

[26] The actual name is changed to protect the privacy of the person.

The incident baffled both the administration and her student companions, who wondered if she had made a disproportionate decision under the guise of her religious commitment. How come a graduate student of Computer Science—where it is often perceived as fashionable to debunk traditions—could give an interpretation of the Lord's Day that sounded quite restrictive even to religious members of the institution? Perhaps NH sensibility, which sheds light on the adaptability of texts may provide a key to deciphering her troubling decision. Growing up in a denominational Christian setup, Pratyusha appropriated an interpretation of the Lord's Day for herself. The same interpretation then became so powerful that it began to wield its grip upon her, so that she was not even willing to dialogue with her interpretation and much less with her subsequent decision!

6. Concluding Comment

Having listed the features of NH, this paper re-read the Nehemian Sabbath restrictions for the twin *excesses* therein. By means of NH strategy, the self-portrayed authority (power *excess*) was shown as contested, compromised, and subverted. The interpretive *excess*, on the other hand, revealed the adaptability and survival of texts. Adaptabilities such as these occur not only in ancient times and in textual witnesses (cf. Nehemiah and Jeremiah) but also in our reading and interpretive contexts, as the case of Pratyusha demonstrates.

Finally, it was reasonably less problematic for me to present the insights of New Historicism, apply it to the passage in question, and then look at the real-life case to understand it from the New Historical angle. But then, where do *I* stand in doing all this? Can my reading be outside the purview of New Historicism? In critiquing Nehemiah's attempt at Sabbath restoration and Pratyusha's 'disproportionate' sacrifice, how

far am I informed by my cultural context? I was born and grew up in a Christian community where the fixity and practice of the Lord's Day was not a burning issue. And it had to do with the practical needs of the place. Our village was one of the many mission stations of a parish that had but two priests ministering. Hence, Sunday liturgy had to be anticipated to Saturday on a few occasions. Also, as part of a teacher's family, for whom the weekend often consisted of only Sundays, the Lord's Day was reserved for completing the household chores that got accumulated through the weekdays. As New Historicists aver, might this socio-religious context of mine make the Nehemian 'reform' as restrictive and the decision of Pratyusha as 'disproportionate'?

After all,
Everyone starts from somewhere; everyone has "an axe to grind.'"
But, how meaningful would our readings be,
when we are New Historically aware of our 'axes'!

Reference List

Adam AKM 1995. *What Is Postmodern Biblical Criticism? Guides to Biblical Scholarship.* Minneapolis: Fortress.

Barton J 2013. The Legacy of the Literary-Critical School and the Growing Opposition to Historico-Critical Bible Studies: The Concept of 'History' Revisited—Wirkungsgeschichte and Reception History. In M Sæbø (ed.), *Hebrew Bible / Old Testament: The History of Its Interpretation*, III/2:96–124. Göttingen: Vandenhoeck & Ruprecht.

Berquist JL 2007. *Approaching Yehud: New Approaches to the Study of the Persian Period*, SBL Semeia Studies 50. Atlanta: Society of Biblical Literature.

Blenkinsopp J 1988. *Ezra-Nehemiah: A Commentary*. Old Testament Library. Louisville: Westminster John Knox.

Carvalho CL 2006. *Encountering Ancient Voices: A Guide to Reading the Old Testament*. Winona: Saint Mary's.

Collins JJ 2004. *Introduction to the Hebrew Bible*. Minneapolis: Fortress.

Erisman AR 2014. New Historicism, Historical Criticism, and Reading the Pentateuch. *Religion Compass* 8(3):71–80.

Fensham FC 1982. *The Books of Ezra and Nehemiah*. New International Commentary on the Old Testament. Grand Rapids: Wm. B. Eerdmans.

Fishbane M 1985. *Biblical Interpretation in Ancient Israel*. Oxford: Clarendon.

Fitzpatrick-McKinley A 2015. *Empire, Power and Indigenous Elites: A Case Study of the Nehemiah Memoir*. Supplements to the Journal for the Study of Judaism 169. Leiden: Brill.

Glatt-Gilad DA 2011. *Book of Ezra-Nehemiah*. In A Berlin (ed.), *The Oxford Dictionary of the Jewish Religion*, 264–5. New York: Oxford University Press.

Grabbe LL 1998. *Ezra-Nehemiah*, 1st ed. Old Testament Readings. London: Routledge.

Grabbe LL 2003. *Nehemiah*. In JDG Dunn and JW Rogerson (eds.), *Eerdmans Commentary on the Bible*, 320–8. Grand Rapids: Eerdmans.

Henry M et al. 1985. *The Bethany Parallel Commentary on the Old Testament.* R Jamieson (ed.). Minneapolis: Bethany House.

Hens-Piazza G 2002. *New Historicism.* Minneapolis: Fortress.

Hoffman E 1998. *Lost in Translation: A Life in a New Language*. New York: Random House.

Kaiser WC 1991. *Toward an Old Testament Theology*. Grand Rapids: Zondervan.

Kalimi I 2012. *New Perspectives on Ezra-Nehemiah: History and Historiography, Text, Literature, and Interpretation*. Winona Lake: Eisenbrauns, 2012.

Kramer D 2012. Interpreting Rabbinic Religion through the Lens of the Three Eras. In ST Katz and S Bayme (eds.), *Continuity and Change: A Festschrift in Honor of Irving Greenberg's 75th Birthday*, 203–18. Lanham: University Press of America.

LeFebvre M 2006. *Collections, Codes, and Torah: The Re-Characterization of Israel's Written Law*. Library of Hebrew Bible/Old Testament Studies 451. New York: T & T Clark.

Lyotard J-F 1984. *The Postmodern Condition: A Report on Knowledge*. Minneapolis: University of Minnesota Press.

Pakkala J 2004. *Ezra the Scribe: The Development of Ezra 7–10 and Nehemiah 8*. Beihefte zur Zeitschrift für die Alttestamentliche Wissenschaft 347. Berlin: Walter de Gruyter.

Pfeiffer CF 1973. *Old Testament History*. Grand Rapids: Baker.

Pyper HS 1998. The Selfish Text: The Bible and Memetics. In JC Exum and SD Moore (eds.), *The New Historicism*, 70–90. Biblical Studies/ Cultural Studies: The Third Sheffield Colloquium. Sheffield: Sheffield Academic.

Rogers JS 1990. *Cyrus*. In WE Mills (ed.), *Mercer Dictionary of the Bible*, 190–91. Grand Rapids: Eerdmans.

Sarna NM 1970. *Understanding Genesis*. New York: Schocken.

Sherwood Y 1997. Rocking the Boat: Jonah and the New Historicism. *Biblical Interpretation: A Journal of Contemporary Approaches* 5(4):364–402.

Sherwood Y 2000. *A Biblical Text and Its Afterlives: The Survival of Jonah in Western Culture*. Cambridge: Cambridge University Press.

Steinmann AE 2013. Review of I Kalimi (ed.), New Perspectives on Ezra-Nehemiah: History and Historiography, Text, Literature,

and Interpretation. *Review of Biblical Literature* Online article. Accessed from: www.bookreviews.org, 2013/09/01.

Stuhlmueller C and Bergant D 1996. *The Collegeville Pastoral Dictionary of Biblical Theology.* Collegeville: Liturgical.

Thomas B 1989. The New Historicism and Other Old-Fashioned Topics. In HA Veeser (ed.), *The New Historicism*, 182–203. New York: Routledge.

Wijk-Bos JWH 1998. *Ezra, Nehemiah, and Esther*. 1st ed. Westminster Bible Companion. Louisville: Westminster John Knox.