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*Ezra Was Right:  
A Defence of The Mass Divorce in Ezra 9-10*

Submitted to Dr. William Ross  
Ezra-Nehemiah

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## Introduction

A “witch-hunt”,<sup>1</sup> “cruel”,<sup>2</sup> “distasteful”,<sup>3</sup> told from a “one-sided male perspective”,<sup>4</sup> “among the least attractive parts of Ezra-Nehemiah, if not the whole OT”:<sup>5</sup> the sending away of wives and children in Ezra 9-10 has attracted a fair amount of criticism. As Schnittjer wryly observes, the dominant view is that “Ezra is a bad guy with bad theology and bad exegesis and that the narrative is about bad things.”<sup>6</sup> In this paper, we will argue that all this criticism is misplaced. Ezra was right.

We will not structure this defence by replying to the various accusations against Ezra piecemeal. Rather, we will construct a positive reading of the narrative, pausing occasionally to note where our construction answers a particular criticism. Our approach will fall into three parts. First, we will consider the relevant prolegomena, asking what our assumptions should be before we approach this narrative. Second, we will consider the narrative in the context of OT law. And third, we will consider the narrative in the light of NT ethical teaching.

## Prolegomena

In this section, we shall ask the question: what presuppositions should inform our reading of a text like this? When evaluating the actions of a Biblical character, what principles should guide our thinking? The importance of this question can hardly be overstated. It would be a terrible folly to spend years on learning Biblical languages, on studying grammar and history and archaeology, only to assume that in the matter of ethics we need no special training.

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<sup>1</sup> David Janzen, *Witch-Hunts, Purity, and Social Boundaries: The Expulsion of the Foreign Women in Ezra 9-10* (London ; New York: Bloomsbury, 2002).

<sup>2</sup> Lester L. Grabbe, *Ezra-Nehemiah* (London, UK: Taylor & Francis Group, 1998), 33.

<sup>3</sup> Mark A. Throntveit, *Ezra-Nehemiah*, Interpretation (Louisville, KY: Westminster John Knox, 1992), *ad loc.*

<sup>4</sup> B. Becking, *Ezra-Nehemiah*, Historical Commentary on the Old Testament (Leuven: Peeters Publishers, 2018), 134.

<sup>5</sup> H. G. M. Williamson, *Ezra, Nehemiah*, WBC 16 (Waco, TX: Word Books, 1985), 159.

<sup>6</sup> Gary Edward Schnittjer, *Old Testament Use of Old Testament: A Book-by-Book Guide* (Grand Rapids: Zondervan Academic, 2021), 655.

To discern between evil and good is a matter for the mature (Heb 5:14), but those who are wise in their own eyes are worse off than the fool (Prov 26:12).

There is, of course, far too much to say on such a topic. In the interests of brevity, we will centre our discussion on a single passage, Mark 2:25-26. Given the importance of this text, it is worth quoting in full:<sup>7</sup>

And he said to them, “Have you never read what David did, when he was in need and was hungry, he and those who were with him: how he entered the house of God, in the time of Abiathar the high priest, and ate the bread of the Presence, which it is not lawful for any but the priests to eat, and also gave it to those who were with him?”

The context is a discussion of the Sabbath law, and the Pharisees’ criticism of Jesus’ disciples. Jesus responds by referring to David’s eating the temple showbread in 1 Sam 21; the showbread itself is first mentioned in Exod 25:30 and set forth in more detail in Lev 24:5-9.

Inevitably, there are debates around the precise details of Jesus’ argument in this passage, and its relationship to the proper interpretation of 1 Samuel and Leviticus. Some consider Jesus’ analogy “neat”;<sup>8</sup> others find it puzzlingly obscure.<sup>9</sup> Some think the point is Christ’s authority, as the one greater than David;<sup>10</sup> others see the argument as more focussed on proper interpretation of the law.<sup>11</sup> There are various issues involved in harmonising Jesus’ account with that of 1 Samuel.<sup>12</sup> Fortunately, for our purposes, we can largely bypass these questions, focussing instead on the lessons to be drawn from the overall structure of Jesus’ argument.

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<sup>7</sup> All Scripture quotations are from the ESV. Parallels to Mark 2:25-26 can be found in Matt 12:3-4 and Luke 6:3-4.

<sup>8</sup> Darrell L. Bock, *Luke* (Downers Grove, Ill: IVP, 1994), 113.

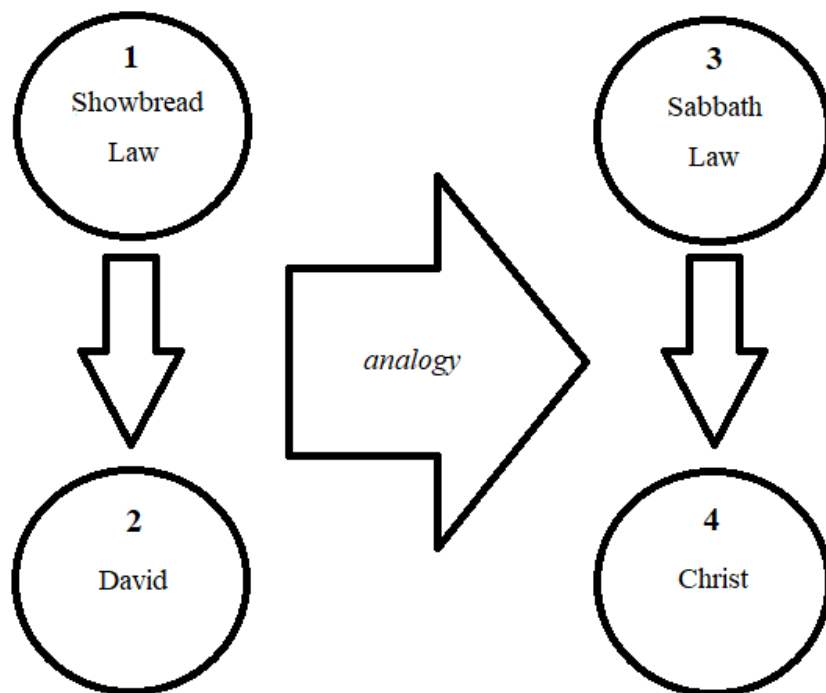
<sup>9</sup> R. T. France, *The Gospel of Mark* (Eerdmans, 2002), 145.

<sup>10</sup> James R. Edwards Jr, *The Gospel According to Mark* (Eerdmans, 2001), 96.

<sup>11</sup> John Calvin, *A Harmony of the Gospels: Matthew, Mark and Luke*, ed. David W. Torrance and Thomas F. Torrance, trans. T. H. L. Parker, vol. 2, Calvin’s New Testament Commentaries (Edinburgh: Saint Andrew Press, 1972), 29.

<sup>12</sup> Rikk E. Watts, ‘Mark’, in *Commentary on the New Testament Use of the Old Testament*, ed. D. A. Carson and G. K. Beale (Grand Rapids, Mich: Nottingham, England: Baker Academic, 2007), 139–40.

The shape of his argument, it is widely agreed, is as follows. There are four basic elements in play: (1) the laws of the showbread, (2) David’s actions, (3) the Sabbath law, and (4) the actions of Jesus’ disciples. Jesus’ basic argument is that the relationship between (1) and (2) is analogous to the relationship between (3) and (4). If the Pharisees had rightly understood David’s actions (2) in relation to the law (1), they would have rightly understood Christ (4) in relation to the law (3). We can represent this structure in the following diagram:



Perceiving this structure clarifies the nature of the questions involved (what exactly is the analogy Christ draws?). But it also performs for us a valuable service, in that it highlights for us a basic presupposition of Christ’s argument: that *David was justified*. Calvin puts it succinctly: “Christ takes for granted that David is guiltless.”<sup>13</sup> Indeed, not only Christ but the Pharisees must take this for granted for his argument to have any weight. If the Pharisees had merely replied that David had in fact been sinning in 1 Sam 21, then the argument would have

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<sup>13</sup> Calvin, *A Harmony of the Gospels*, 2:29.

rebounded on Jesus. It is an argument that can only work in a context in which such an accusation is implausible.<sup>14</sup>

Such an argument should prompt us to reflection. Do we share this crucial presupposition? It seems to me that most evangelicals, at any rate, do not. We delight in the fact that the Old Testament portrays its heroes “warts and all”, and lose few opportunities to find error in their actions. Just a few chapters after this event, for example, we have David fleeing to Gath (1 Sam 27), a story that is not mentioned in the NT; evangelical commentators generally feel free to criticise him for his behaviour.<sup>15</sup> One suspects that, if we did not have Christ’s authoritative interpretation of 1 Samuel 21, evangelical commentators would not be slow to find fault there as well. This suggests that our instincts and presuppositions are not well aligned with those of Christ; they appear to fall short even of the Pharisees’ standard.

In fact, as far as I can tell, the NT contains no criticisms of OT saints that are not already explicit in the OT. It rarely criticises OT believers at all (David, perhaps, in Matt 1:6; the sons of Jacob in Acts 7:9; Adam in Rom 5:12-21); when it does so, the criticisms have already been explicit in the narrative. On the contrary, the NT more often speaks positively of individuals or events that we are tempted to criticise. In addition to Mark 2, Stephen appears to endorse Moses’ extrajudicial killing in Acts 7:24-25; Lot is praised in 2 Peter 2:7-8; Sarah is held up as an example of faith in Heb 11:11 and 1 Peter 3:5-6; even Jephthah and Samson make the roll-call of faith in Heb 11:32.

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<sup>14</sup> Most commentators take this for granted. The only one I have found who does not is left sounding rather plaintive in his confusion: “a previous breach of the law... is hardly in itself justification for a further infringement!” France, *The Gospel of Mark*, 145.

<sup>15</sup> Dale Ralph Davis, *1 Samuel: Looking on the Heart* (Fearn, Ross-shire: Christian Focus, 2000), 227; John Woodhouse, *1 Samuel: Looking for a Leader*, Preaching the Word (Wheaton, Ill: Crossway, 2008), 506; David G. Firth, *1 & 2 Samuel: An Introduction And Survey*, AOTC 8 (Nottingham, England: Apollos, 2009), 287. For a more positive take, see Francesca Aran Murphy, *1 Samuel*, Brazos Theological Commentary on the Bible (Grand Rapids, Mich: Brazos Press, 2010), 249–51. Perhaps it is unsurprising that Murphy teaches at Notre Dame.

To bring all this to a point, I suggest the following (fairly modest) principle: our default assumption should be that OT believers, in particular the believing protagonists of our narratives, act well. The burden of proof is on those who would criticise OT believers.

Note that this principle does *not* claim that OT believers are always innocent or even that the text must explicitly criticise them for us to do so. That would be untenable. To take just a couple of examples, Scripture nowhere explicitly criticises Abram and Sarai for their behaviour in Gen 16, and yet it seems very clear that they are not guiltless. Samson is not explicitly criticised for any of his behaviour, yet we are not meant to read his visit to a prostitute as a positive moral example.

Nor, again, does this principle make any claim to provide the means by which specific cases may be adjudicated. There is, I suggest, no simple acid test to determine whether a narrative implicitly criticises its believing protagonist; as we have already observed, distinguishing between good and evil is a matter of long practice and wisdom (Heb 5:14).<sup>16</sup>

Rather, my suggestion here is one of basic posture: we should expect to find godliness in the godly. Given a tricky text without explicit evaluation, we should at the very least wrestle thoroughly with the possibility that the godly are in the right, attempting to tease out what lessons might be drawn from such an interpretation and how it might harmonise with other passages we are tempted to set against it.

Bringing such a posture to Ezra-Nehemiah would, I think, help us in a number of places. Ezra and Nehemiah themselves are presented very positively to the reader: the commendation of Ezra 7:10 is one of the most resounding in the OT, and both Ezra and Nehemiah are authors of first-person Scriptural narratives, placing them in a rare class alongside Isaiah, Ezekiel and

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<sup>16</sup> One principle that I cannot prove but which seems plausible to me is this: if we are meant to react negatively to a believing OT character's action, there will probably be some indication to that effect *in the book itself* – perhaps in its structure, in parallels with other passages, in verbal emphases within the text, and so on. Note how the vocabulary of Gen 16:1-3 recalls that of Gen 3:6. It would be surprising for, say, Numbers to present an incident with Moses entirely neutrally, and for us only to learn from Psalms or Romans that Moses was in the wrong.

Daniel. Their first-person authorship of Scripture (even if the final form of Ezra-Nehemiah is the work of a later editor) means that we can apply 2 Peter 1:21 to them – they are men who spoke from God, carried along by the Holy Spirit. As prophets, they have a place in the heavenly counsel (Jer 23:18, 22). Our general approach to these men and their actions should be one of great respect, and criticisms of them should not be quickly forthcoming.<sup>17</sup>

Returning to Mark 2, we can discern at least one more principle which is relevant to the study of Ezra 9-10: the legitimacy (and indeed necessity) of casuistry. Legal reasoning, which takes ethical principles from God's revelation and applies them to situations not specifically covered in that revelation, is inescapable. Jesus rebukes the Pharisees, not for using casuistry in the first place, but for their failure to use it *rightly*.<sup>18</sup> We will see Ezra and Shecaniah applying just such legal reasoning in our passage, and Mark 2 helps us not to baulk at such a process in principle. The question is whether they got their interpretation right, not whether they should have been interpreting at all.

### Ezra and the Law

Our analysis of Ezra 9-10 will focus on those sections which contain the reasoning which leads to the divorces: 9:1-2, 11-12; 10:2-3, 10-11. The headline is given in 9:1: the

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<sup>17</sup> Personally, I cannot find a single verse in Ezra-Nehemiah in which I am compelled to criticise either figure. Perhaps the closest is Nehemiah's confession that he has made loans to the poor which he now remits (Neh 5:10); but, as Williamson points out, it is clear that his involvement is quantitatively and perhaps qualitatively different from those he is rebuking, and he includes himself at least partly for reasons of persuasion and political unity. It is certainly *possible* to read Neh 5 as not implicating Nehemiah himself in actual sin, and this reading should likely be preferred. Williamson, *Ezra, Nehemiah*, 240.

Other passages which come in for criticism are Nehemiah's imprecatory prayer (Neh 6:14) and fierce reaction to intermarriage (Neh 13:25). To address these in detail is beyond the scope of this paper; the former, however, is adequately addressed by many treatises on the imprecatory psalms, and the latter can be easily explained by the principles we will consider shortly.

<sup>18</sup> This is true regardless of the exact nature of the analogy Jesus is drawing. If, as Edwards argues, his point is that the Messiah stands over the law, then this is still a legal and ethical point that the Pharisees needed to apply to their situation; if, as Calvin suggests, Christ's authority is a separate issue and his argument from 1 Sam 21 is a more narrowly legal one, the point is even stronger. I am inclined to side with Calvin, but the topic is not one we can resolve here. Edwards, *The Gospel According to Mark*, 96; Calvin, *A Harmony of the Gospels*, 2:29.

people have not separated (בדל) themselves from the people of the land, who practice abominations. Ezra responds in a prayer of confession, in which he specifically describes this behaviour as a transgression of the law (9:11-12). Shecaniah, one of the leaders of the people, proposes that they should respond by dealing with the situation “according to the Law” (10:3). When the people are gathered, Ezra calls on them to demonstrate their repentance by separating (בדל) from the peoples in general and the foreign wives in particular (10:11), and this they proceed to do.

We can structure our discussion under the two headings of diagnosis and treatment (or “counsel”, 10:3): what exactly did Ezra think was their crime, and why did he and Shecaniah settle on that particular course of action in response? It will be key in both sections to note the dependence on the law: Ezra and Shecaniah explicitly cast both their diagnosis and response in terms of the law, and it will consequently be impossible to understand their actions without considering their exegesis.

### *Ezra’s Diagnosis*

What, then, was the nature of the people’s crime? Clearly the basic sin is that of intermarriage (9:2). Ezra in 9:12 refers to both giving daughters to sons and taking daughters for sons, even though only the latter is in view in his context, which ties the reasoning very closely to Deut 7:3. The reference to seeking the peace and prosperity of the peoples in 9:12 comes from Deut 23:6. In fact, Deut 7:1-6 and Deut 23:1-8 are crucial to the whole passage: the list of nations in Ezra 9:1 is a composite from the nations mentioned in the two passages,<sup>19</sup> while the reference to the “holy seed” in Ezra 9:2 picks up on the reasoning of Deut 7:6.<sup>20</sup>

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<sup>19</sup> Schnittjer, *Old Testament Use of Old Testament*, 657.

<sup>20</sup> Schnittjer, 655.



One nation in the list is particularly worth our attention. “Canaanites, the Hittites, the Perizzites, the Jebusites, ... and the Amorites” come from Deut 7:1, and marriage with them is explicitly forbidden in Deut 7:3. “Ammonites and Moabites” are the subject of Deut 23:3, and while marriage with them is not explicitly forbidden in the law, the fact that their offspring are permanently barred from the temple implies such a prohibition. But “Egyptians” are a special case, because Deut 23:7-8 carefully distinguishes them and forbids Israel from “abhorring” them. The third generation of their descendants are allowed in the assembly. Why are these Egyptians, who are treated at least somewhat favourably by the law, then lumped in with the others in Ezra 9:2? This question helps focus our attention on a repeated note in Ezra’s analysis, the *abominations* of the peoples (9:1, 11, 14).<sup>21</sup> Schnittjer points out that, quite possibly, 9:1 is not saying that the wives are literally descended from the peoples listed, but that they practice abominations *like* those peoples. The point is not ethnicity but practice.<sup>22</sup>

It is also more than likely (especially in light of Neh 13:26) that 1 Kings 11:1 is a mediating text, in which Solomon’s Egyptian wife is a snare to him along with wives of other nationalities.<sup>23</sup> If so, this reinforces the point, for the issue with Solomon’s bride is not that he married her in 1 Kings 3 but that he is led astray by her in 1 Kings 11. As has been frequently pointed out from the example of Ruth, there is no barrier to even Moabites if they wholeheartedly convert to the worship of Yahweh, and there is evidence of this same perspective in Ezra 6:21. Again, the issue is not that of bare ethnicity but of behaviour.

At stake, for Ezra, is the very survival of the remnant. The abominations and uncleanness of the surrounding peoples echoes Lev 18:27;<sup>24</sup> it is because of these abominations

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<sup>21</sup> Andrew E. Steinmann, *Ezra and Nehemiah*, Concordia Commentary (Saint Louis, MO: Concordia Publishing House, 2010), 326.

<sup>22</sup> Schnittjer, *Old Testament Use of Old Testament*, 658.

<sup>23</sup> Note that the phrase נָשִׁים נִכְרִיִּית, which occurs 7 times in Ezra 10, only occurs outside Ezra-Nehemiah in 1 Kings 11:1. Dean R. Ulrich, *Now and Not Yet: Theology and Mission in Ezra-Nehemiah* (London: Apollos, 2021), 91.

<sup>24</sup> Schnittjer, *Old Testament Use of Old Testament*, 655.

that the peoples were originally driven out of the land, and because of their turning to them that Israel eventually joined them in exile (Ezra 9:10, 13); now the remnant is in danger of returning to the very same sins, with the same result (9:14). It is in this context that we are to understand the mixing of the holy seed (9:2); the “holy seed,” the remnant (Isa 6:13),<sup>25</sup> are not merely Israelites by genealogy but those Israelites who have learned pure worship and been preserved from the destruction of their compatriots. They have learned the hard way – or should have learned – not to religiously “mix” (ערב – cf. Ps 106:35), but to keep the seed separate (Lev 19:19).<sup>26</sup> And we should note here the use of “unfaithfulness” (מַעַל) to describe the intermarriages in Ezra 9:2, a word that draws together the areas of marriage (e.g. Num 5:12) and worship (e.g. Num 5:6). As so often in Scripture, the sexual behaviour of the people is closely tied to their spiritual marriage to Yahweh.

Before drawing these threads together, it is worth addressing the status of the marriages involved. Several authors argue that these relationships should not be considered genuine marriage but concubinage, and argue this based on the verbs for taking wives (יָשַׁב in the Hiphil) and for sending away (יָצַא in the Hiphil) in this passage, verbs that are unusual in the context of marriage and divorce.<sup>27</sup> To this argument we might add that the verb נָשַׂא, used to introduce the sin in 9:2, is elsewhere used of marriage in unusual contexts: marriage to foreigners in Ruth 1:4, polygamous marriage in 2 Chr 11:21, 13:21, 24:3, and marriage to kinsmen for the sake

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<sup>25</sup> With Steinmann, and *contra* Schnittjer, I think that the use of “holy seed” here is a fairly explicit reference to Isaiah 6:13, the only other occasion on which the exact phrase appears; later in the chapter, the fact of the people being a remnant who have survived wrath is significant. Steinmann, *Ezra and Nehemiah*, 328; Schnittjer, *Old Testament Use of Old Testament*, 655.

<sup>26</sup> *Contra* Williamson, who puts these references together to criticise Ezra for misapplying Lev 19:19 and failing to see the religious angle of Ps 106:35. Bizarrely, Williamson has already noted that the complaint in Ezra 9:1 is religious and not racial; why exactly he insists on seeing a decline into racism in v2, when it is so easy to provide a harmonisation, is a mystery to me. Williamson, *Ezra, Nehemiah*, 130–32.

<sup>27</sup> Donald P. Moffat, *Ezra's Social Drama : Identity Formation, Marriage and Social Conflict in Ezra 9 and 10*, T & T Clark Library of Biblical Studies (New York: T&T Clark, 2013), 109; Donna Laird, *Negotiating Power in Ezra-Nehemiah*, Ancient Israel and Its Literature (Atlanta: SBL Press, 2016), 313.

of inheritance in 1 Chr 23:22.<sup>28</sup> But Brown argues against this conclusion: if יָשַׁב and יָצַא are unusual in the context of marriage, the verb for “intermarry” (חָתַן) in Ezra 9:14 would be unheard of *out* of the context of marriage.<sup>29</sup> To this, again, we can add that, while נָשָׂא in 9:2 is generally used in the context of undesirable or unusual marriages, that is not the same as saying they are not *true* marriages; that would make a confusing mess of the book of Ruth, for example. Further, given that one major motivation proposed for the intermarriages is the social and economic fragility of the remnant,<sup>30</sup> the prospect of pseudo-marriages seems unlikely: for an Israelite man to actually benefit from intermarriage, one imagines the fathers would insist on the real deal! Although it would provide a convenient ethical shortcut, then, it seems better to regard the marriages as genuine – undesirable, certainly, and despised by the author, but not null.

The use of יָשַׁב and יָצַא is nevertheless instructive. יָשַׁב in the Hiphil is used of both the original entry of Israel into the land (1 Sam 12:8) and of the return from exile (Jer 32:37, Ezek 36:33, Hos 11:11; cf Isa 54:3, Ps 107:36). Meanwhile, יָצַא in the Hiphil is an extremely common verb, closely associated with the Exodus (Exod 3:10, Lev 25:38, Jer 31:32, and *many* others), but, perhaps more pertinently for this context, often used in the law of bringing out the guilty to their punishment (Lev 24:14; Num 15:36; Deut 17:5; 21:19; 22:21, 24; cf. Josh 10:22, Jer 38:23). Rather than implying that the marriages are not genuine, then, it seems better to see the unusual choice of words as a deliberate reminder of the context: the Israelites have despised

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<sup>28</sup> David J. A. Clines, ed., *The Dictionary of Classical Hebrew* (Sheffield, England: Sheffield Academic Press; Sheffield Phoenix Press, 1993–2011), 767.

<sup>29</sup> A Philip II Brown, ‘The Problem of Mixed Marriages in Ezra 9-10’, *Bibliotheca Sacra* 162, no. 648 (October 2005): 455–56.

<sup>30</sup> Ulrich, *Now and Not Yet*, 84.

the Lord's resettlement (יָשַׁב) by bringing in (יָבִי) foreign wives; the wives must be sent out (יָצַא) lest the unfaithful people be led out (יָצַא) to their punishment.

Let us attempt a summary. The intermarriages between the remnant and the surrounding peoples are analogous to the banned intermarriages in Deut 7; they constitute an unacceptable faithlessness (מַעַל) and mixing (עָרַב) of what should be holy. The issue with these marriages is only secondarily ethnic, if at all (and hardly racist in the modern sense!), for foreigners are allowed to convert; rather, the issue is the abominations of the peoples, abominations that defile the land and threaten to lead to a renewed and final exile.

With this analysis in place, we can move from Ezra's diagnosis to Ezra's counsel.

### *Ezra's Counsel*

The first detail to note about Shecaniah's proposed solution is the authority he ascribes to it: it is "according to the counsel of my lord and of those who tremble at the commandment of our God, and ... according to the Law" (10:3). The Masoretic pointing suggests that "my lord" is really "my Lord", i.e. God, ascribing divine authority to the plan.<sup>31</sup> Whether or not this is the correct reading,<sup>32</sup> the verse as a whole clearly claims both human instruction ("the counsel... of those who tremble" – doubtless led by Ezra himself) and divine authority, for the plan is the result of the fear of the LORD and is "according to the Law". Thus we are not faced with a difficult situation which the Law condemns but for which it provides no remedy; in

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<sup>31</sup> Steinmann, *Ezra and Nehemiah*, 346.

<sup>32</sup> Williamson, for example, agrees that this is the Masoretic interpretation but thinks the Masoretes got it wrong, since (a) the Lord "does not advise in such matters, but commands", (b) it is hard to tell where in Scripture such "counsel" is to be found, (c) God is mentioned later in the verse, and (d) Shecaniah usually calls him "our God." None of these reasons seems persuasive to me. The first, (a), seems to posit a hard disjunction between command and advice that does not reflect Scripture's own categories (cf. Ps 119:24). As for (b), the people consider their interpretation of the Torah to be the Torah's own teaching. I find (c) a little misleading, since the parallel is between "my lord's counsel" and "*those who tremble* at the commandment of our God": there is no unnecessary repetition in referring both to God and to God's people. And we have so little speech from Shecaniah that (d) is an argument from radically insufficient data. So on the whole I am inclined to dismiss Williamson's arguments and accept the Masoretic reading. Williamson, *Ezra, Nehemiah*, 143.

Shecaniah's eyes, not only the diagnosis but the treatment is prescribed by Torah. Given the sequel, Ezra seems to agree.

This presents the interpreter with something of a challenge: divorce is never explicitly enjoined in the Law, in any situation. Where then are Shecaniah and Ezra finding such "counsel"? I suggest that they are finding it not primarily in a specific proof-text but in the whole structure of the legal cult.

As we have seen, the intermarriages are diagnosed as a religious issue: a sin against holiness, a piece of faithlessness that defiles. And the response is likewise cultic. When Ezra addresses the people, he is "Ezra the priest" (10:10, 16; only elsewhere in 7:11), speaking the priestly language of unfaithfulness (מַעַל, 10:10), guilt (אָשָׁם, 10:10) and separation (בָּדֵל, 10:11).

Although the narrative's emphasis is on the divorce, it should not be missed that the response also includes guilt offerings (10:19). We are firmly in the world of the temple; cultic concerns are driving the narrative.

In the context of the cult, the matter becomes a little clearer. It is, after all, central to the task of the priest that they separate (בָּדֵל) holy from common, clean from unclean (Lev 10:10). Given the presence of defiling abominations amongst the holy seed, mere sorrow is radically insufficient: there must be a separation of some kind. In particular, for God's holy people, there must be a separation from the surrounding peoples – a principle which is embedded in their lives through the food laws (Lev 20:24-26). Even merely ritual uncleanness can never be simply tolerated; it must always be either cleansed or removed (Lev 11-15), and the principle surely applies to moral uncleanness as well.

Indeed, although the Law never explicitly addresses what to do with those who break Deut 7:3's injunction, a parallel command can provide some clarity. The issue with such marriages is that they produce unfaithfulness, the foreign daughters leading Israelite sons to worship other gods (Deut 7:4). Well, this precise issue is addressed (though not in the context

of intermarriage) in Deut 13:6-11. If a man's own wife should entice him to foreign gods, she is to be stoned to death. There is to be a separation, and it is a *more* radical separation than Ezra's, not a milder one.

Meanwhile, the event in the Torah which bears most similarity to Ezra 9-10 is the unfaithfulness (לְעַבְדָּם) of Peor (cf. Num 31:16), in which Israel are led to false worship through foreign women. Here, again, the solution is drastic: Phinehas kills Zimri and Cozbi with a single spear thrust (Num 25:7-8, 14). As much as our modern sensibilities may revolt, there can be no question in this case that the text intends us to approve, for Phinehas is praised to the skies by the Lord himself (Num 25:10-13, Ps 106:30-31); he has acted as a true priest.

Thus Throntveit's claim that the divorce in Ezra is "extreme by the standards of both testaments"<sup>33</sup> is seen to be a trick of perspective. The situation seems extreme because divorce is quite unusual in the OT, and perhaps because we are more inclined to feel sympathy for ongoing exile than for swift death, and perhaps even (perish the thought) because the lack of supernatural intervention in this narrative makes it feel more believable and immediate. But if we step back from the details and simply ask ourselves what would have happened if Moses rather than Ezra had faced the situation, there can be little question that large numbers of people would have died. If we then persist in finding Ezra too harsh, our issue is revealed to be not with this passage alone but with the ethic of the entire OT.

Given this analysis, the question which seems more pressing is not Ezra's harshness but his mildness: if Torah both by principle and example enjoins the death penalty, what right does he have to impose mere exile? If both Zimri and Cozbi die, why are only the wives and not the husbands exiled? This is in fact Vance's critique; noting the curse on the men who

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<sup>33</sup> Throntveit, *Ezra-Nehemiah*. ad loc.

marry unfaithfully in Mal 2:12, he argues that Ezra should at least have exiled the whole families; instead he failed to address the root of the problem.<sup>34</sup>

In answer to this objection, we can appeal in part to the principles we established in our prolegomena: we should be deeply reluctant to posit any contradiction between Malachi and Ezra unless forced to do so. But closer observation of the text will also help us. It is worth noting that neither Ezra or Nehemiah execute *anyone* in the whole course of the narrative, despite Ezra being formally invested with the authority to do so (Ezra 7:26), and despite several capital crimes being committed (Neh 6:12, cf. Deut 18:20; Neh 13:15, cf. Exod 31:14). Rather than accusing them of a general laxity (note Nehemiah's inspired self-assessment in Neh 13:22), it is better to see here the loss of Israel's sovereignty. Under pagan authority, however much the emperor might give the right to punish in theory, they did not in practice have the power to execute anyone for cultic reasons.<sup>35</sup>

As for why the men are not sent away with the women, the answer is relatively straightforward. Sending the wives away is an act of repentance, coming back into conformity with God's will (Ezra 10:11); exile is in fact the punishment for those who do not repent (Ezra 10:8). In light of Ezra 6:21 and the careful examination of the committee (Ezra 10:16-17), we may assume that if there were found any Ruths or Rahabs among the wives, they too would be allowed to remain.<sup>36</sup>

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<sup>34</sup> Donald R. Vance, 'Ezra, Nehemiah, and the Taliban: What the Modern Imposition of Sharia Law Might Tell Us About Ezra's Imposition of Torah Law and Nehemiah's Reforms', in *Men in the Bible and Related Literature: In the Grip of Specific Males*, ed. John T. Greene (Newcastle-upon-Tyne: Cambridge Scholars, 2015), 160.

<sup>35</sup> Recall David's inability to deal with Joab in 2 Sam 3:26-39, an inability that the narrator seems to accept. And yet David was the sovereign, and Ezra is merely the pagan king's emissary.

<sup>36</sup> An issue that we have not addressed is the sending away of children along with the wives, a detail that is particularly distressing to modern readers. Here, again, all our previous observations come into play: the issue of Israel's holiness is one that necessarily involves separation, and God has shown himself more than capable of killing the children of unfaithfulness (Num 16:27-32, Josh 7:24-25). In particular, although the responsibility for discipline rests with the father (Deut 8:5, 1 Kings 1:6), this in practice tends to be mediated through the mother (who is after all her husband's responsibility) – mediated for good or ill. In both testaments we find faithful children born to wise mothers with foolish or unbelieving husbands (e.g. Samuel in the OT, Timothy in the NT). Even for those with two believing parents, the influence of the mother is notable (Ps 116:16). The history of Kings frequently mentions the king's mother, and almost always (though not quite always) Israelite mothers bear good kings and foreign mothers bear bad kings. Very occasionally you get an Asa, a good man born to a bad mother,

In summary, like Ezra's diagnosis, his counsel is firmly rooted in the Law. It embodies one of the core principles of the cult, that there must be a separation between holy and common, clean and unclean; it finds justification in the parallel law of Deut 13 and the parallel narrative of Num 25. Far from acting with unethical harshness, Ezra is finally doing a priest's duty, a duty so often neglected; if anything, his application of the law errs on the side of mercy.

There remains the question of how Ezra's behaviour fits with the ethical teaching of the NT, and we will devote our remaining space to this question.

### Ezra and NT ethics

Of all the objections to the divorces in Ezra 9-10, perhaps the sharpest are those which observe the apparent disjunct between this passage and the ethics of the NT. Two NT passages in particular are prominent here: on the one hand, Jesus' edict in Mark 10:9 that nobody should separate "those God has joined together", and on the other hand Paul's command in 1 Cor 7:10-16 that believers in mixed marriages should not initiate divorces. The latter, being more specifically parallel to Ezra's situation, is raised more frequently by critics, even though as an objection it is perhaps easier to answer. We will start there.<sup>37</sup>

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but the exception is so rare as to be striking; on the whole, the link is far stronger between mother and son than between father and son. In Ezra and Nehemiah's day, this is illustrated in Neh 13:24 by the children of foreign mothers who cannot even speak the language of Israel; little hope in such a situation that they will learn to worship Israel's god.

In short, if the wives being sent away are unbelieving pagans who would rather leave than convert, it is hard to imagine that keeping the children was really a live possibility. The account of the children being separated should certainly move us, but in our sympathy we must condemn not Ezra's remedial action but the unfaithfulness that produced such a dire situation in the first place.

<sup>37</sup> The following discussion of 1 Cor 7 draws heavily on a paper I wrote for Covenant Theology class, *Sanctified Spouses: 1 Cor 7:14 and the Newness of the New Covenant*. The argument is there developed in much greater detail, although with less attention to Ezra 9-10 in particular.



### *First Corinthians 7*

Amongst evangelicals, it is generally accepted that there is a tension between Ezra and 1 Cor 7, a tension that generates “unease” without much by way of actual resolution.<sup>38</sup> Schnittjer, for example, hedges that Paul’s commands in 1 Cor 7 “help identify prescriptive norms versus the descriptive narration within Ezra-Nehemiah.”<sup>39</sup> While this makes clear Schnittjer’s desire to prioritise Paul’s teaching, to leave Ezra 9-10 as “descriptive narration” rather dodges the issue. Is Ezra contravening the principles Paul lays down? If so, he is condemned. If not, why not?

The answer was given long ago, almost as an aside, by the great Matthew Henry. After enthusiastically praising Shecaniah’s “good motion”, he remarks that “Shechaniah’s counsel, which he was then so clear in, will not hold now”, and cites 1 Cor 7 in proof.<sup>40</sup> Henry’s insight is contained in the little words “then” and “now”, small words rich with insight. In short, there is a *change of covenant* between Ezra’s day and Paul’s. Under the old covenant, Ezra’s action was righteous and good and Paul’s instructions would have been wildly misjudged; under the New Covenant, Ezra’s actions would be inappropriate and Paul speaks with all his apostolic authority.

Traces of this are all over both passages. We have already noted how thoroughly Ezra 9-10 considers the mixed marriages to be a cult issue; we should add that it is also a *land* issue, inextricably linked to Israel as the holy seed living precariously in the promised land. But of course the cult is completely transformed by the new covenant, and so are issues of race and land. The church now has a different worship, is comprised of all peoples, and scattered over the earth.

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<sup>38</sup> Robert S. Fyall, *The Message of Ezra & Haggai: Building For God*, BST (Nottingham: IVP, 2010), 135.

<sup>39</sup> Schnittjer, *Old Testament Use of Old Testament*, 660.

<sup>40</sup> Matthew Henry, *Matthew Henry’s Commentary on the Whole Bible*, vol. 1 (Grand Rapids, Mich: Guardian Press, 1976), 1133–34.

Meanwhile, Paul's claim that the believing spouse sanctifies the children and therefore even the unbelieving spouse (1 Cor 7:14) not only cuts against the general grain of OT marriages<sup>41</sup> but also against the specific teaching of Haggai 2:11-14 that uncleanness spreads more easily than holiness.<sup>42</sup> Again, the best explanation for this is the Paul's teaching represents a new dispensation: thanks to the gift of the Holy Spirit, God's people are now infectiously holy. They can live scattered among the nations and, rather than being overwhelmed by their uncleanness, their holiness will spread like leaven through the whole lump. God's people should still not willingly enter into mixed marriages; but if they find themselves in such marriages, either through sin or conversion, the outlook under the New Covenant is far better than it was under the Old. This should not surprise us; it is a better covenant. The surprise would be if the Christ's Incarnation, his Resurrection, and his gift of the Holy Spirit produced no such ontological shift.

Although much more could be said, indicating the general outlines of a resolution will have to suffice for now. We still need to consider Mark 10.

### *Mark 10*

Our analysis of 1 Cor 7 rested on the dynamics of salvation history, but the problem posed by Mark 10 is not amenable to the same solution. The reason is simple: Jesus roots his prohibition of divorce in God's creation design. While allowances were made in the OT for hardness of heart (Mark 10:5), the strong implication is that the basic principle has been

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<sup>41</sup> In the OT, no spouse ever renders their unclean partner holy; rather, defilement spreads to the believing spouse. The only possible exception is Ruth, but there is no suggestion in the story that Ruth is converted by the erring Mahlon; the human agent, if there is such, appears to be her mother-in-law Naomi. Likewise, there is no clear instance of a mixed marriage producing believing offspring; the only possible exception I have found is Hiram of Tyre in 1 Kings 7:13ff, the child of an Israelite widow and Gentile father, and the text does not speak of his character but only his skill. These two potential exceptions, if they are such, stand against a vast sea of mixed marriages which lead to disaster.

<sup>42</sup> David R Hildebrand, 'Temple Ritual: A Paradigm for Moral Holiness in Haggai 2:10-19', *Vetus Testamentum* 39, no. 2 (April 1989): 161.

unchanged since the creation of Eve: marriage once contracted is for life, and God hates divorce. The conclusion Jesus draws, that what “God has joined together, let not man separate” must therefore be valid in Ezra’s day.

There is more than one way of interpreting this without criticising Ezra, but all of them come down some form of ethical triage. The holiness of the people is sufficiently important that it trumps the marriage bond in this context. Steinmann, for example, argues that the situation in Ezra was such that the people could not simultaneously honour both the First and the Sixth Commandments,<sup>43</sup> and so have to “choose which sin to commit”; because the First Commandment is supreme they (rightly) choose to violate the Sixth.<sup>44</sup> Not being a Lutheran, I am not at all happy with this language, but I think the basic principle of triage is correct. Moreover, I think it is possible to express it without suggesting that Ezra is faced with a choice between two sins! An analogy may be helpful: taking the life of another human is an evil in and of itself; but the presence of prior sin may make that evil the right and sinless course of action (Gen 9:6). Here, divorce is an evil considered of itself; but the presence of prior and ongoing sin make it the right course of action for the remnant community.

The analogy with capital punishment suggests another detail which may be helpful, which is that of vested divine authority. Even in the case of murder, the murderer is not subject to random vigilantes but to the sword of the recognised authorities (Rom 13:4), authorities who have the sword delegated by God. In Ezra we also have divinely delegated authority – the authority of “Ezra the priest” to separate the holy from the unclean. This is not a divorce by man for man’s own sinful ends; God is separating by his minister, and so the injunction of Mark 10:9 does not apply.

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<sup>43</sup> The First and Seventh in Reformed numbering.

<sup>44</sup> Steinmann, *Ezra and Nehemiah*, 96–97.

## Conclusion

Despite the predominantly negative attitude to Ezra's actions in Ezra 9-10, I have argued that a positive reading is more than justified. The general principles of Biblical interpretation and the specific details of Ezra's legal interpretation both point us in the same direction: Ezra is an upright man, rightly interpreting God's word and applying it in his day.

This does not mean, of course, that when we read Ezra 9-10 we should be filled with sunny levity, chortling with unrestrained glee. The breaking of so many families is indeed a great evil: an evil occasioned by the prior evil of unfaithful marriages, and therefore an evil which leaves Ezra guiltless, but an evil nonetheless. While we can rejoice in the costly obedience of the people, the divorces themselves must be a grief.

Our consideration of NT ethics shows how even this grief can help us, however. Ezra is doing the right thing in his day, a reminder of how costly true discipleship can be; but we are no longer in Ezra's day, and we will never be called to the same form of obedience as him. Here we do have a source for joy. Ezra, like the other heroes of OT faith, looked forward to a better day but did not receive what was promised; God has given something better to us, and with us Ezra is perfected (Heb 11:39-40). We should not, then, take our blessings and turn them into cudgels with which to beat Ezra, but rather gratefully receive both his example and our better covenant through a better mediator.

*Soli Deo Gloria.*

## Bibliography

- Becking, B. *Ezra-Nehemiah*. Historical Commentary on the Old Testament. Leuven: Peeters Publishers, 2018.
- Bock, Darrell L. *Luke*. Downers Grove, Ill: IVP, 1994.
- Brown, A Philip II. 'The Problem of Mixed Marriages in Ezra 9-10'. *Bibliotheca Sacra* 162, no. 648 (October 2005): 437–58.
- Calvin, John. *A Harmony of the Gospels: Matthew, Mark and Luke*. Edited by David W. Torrance and Thomas F. Torrance. Translated by T. H. L. Parker. Vol. 2. Calvin's New Testament Commentaries. Edinburgh: Saint Andrew Press, 1972.
- Davis, Dale Ralph. *1 Samuel: Looking on the Heart*. Fearn, Ross-shire: Christian Focus, 2000.
- Donna Laird. *Negotiating Power in Ezra-Nehemiah*. Ancient Israel and Its Literature. Atlanta: SBL Press, 2016.
- Firth, David G. *1 & 2 Samuel: An Introduction And Survey*. AOTC 8. Nottingham, England: Apollos, 2009.
- France, R. T. *The Gospel of Mark*. Eerdmans, 2002.
- Fyall, Robert S. *The Message of Ezra & Haggai: Building For God*. BST. Nottingham: IVP, 2010.
- Grabbe, Lester L. *Ezra-Nehemiah*. London, UK: Taylor & Francis Group, 1998.
- Henry, Matthew. *Matthew Henry's Commentary on the Whole Bible*. Vol. 1. Grand Rapids, Mich: Guardian Press, 1976.
- Hildebrand, David R. 'Temple Ritual: A Paradigm for Moral Holiness in Haggai 2:10-19'. *Vetus Testamentum* 39, no. 2 (April 1989): 154–68.
- Janzen, David. *Witch-Hunts, Purity, and Social Boundaries: The Expulsion of the Foreign Women in Ezra 9-10*. London ; New York: Bloomsbury, 2002.
- Edwards, James R., Jr. *The Gospel According to Mark*. Eerdmans, 2001.
- Moffat, Donald P. *Ezra's Social Drama : Identity Formation, Marriage and Social Conflict in Ezra 9 and 10*. T & T Clark Library of Biblical Studies. New York: T&T Clark, 2013.
- Murphy, Francesca Aran. *1 Samuel*. Brazos Theological Commentary on the Bible. Grand Rapids, Mich: Brazos Press, 2010.
- Schnittjer, Gary Edward. *Old Testament Use of Old Testament: A Book-by-Book Guide*. Grand Rapids: Zondervan Academic, 2021.
- Steinmann, Andrew E. *Ezra and Nehemiah*. Concordia Commentary. Saint Louis, MO: Concordia Publishing House, 2010.
- Throntveit, Mark A. *Ezra-Nehemiah*. Interpretation. Louisville, KY: Westminster John Knox, 1992.
- Ulrich, Dean R. *Now and Not Yet: Theology and Mission in Ezra-Nehemiah*. London: Apollos, 2021.
- Vance, Donald R. 'Ezra, Nehemiah, and the Taliban: What the Modern Imposition of Sharia Law Might Tell Us About Ezra's Imposition of Torah Law and Nehemiah's Reforms'. In *Men in the Bible and Related Literature: In the Grip of Specific Males*, edited by John T. Greene, 154–62. Newcastle-upon-Tyne: Cambridge Scholars, 2015.
- Watts, Rikk E. 'Mark'. In *Commentary on the New Testament Use of the Old Testament*, edited by D. A. Carson and G. K. Beale, 111–249. Grand Rapids, Mich: Nottingham, England: Baker Academic, 2007.
- Williamson, H. G. M. *Ezra, Nehemiah*. WBC 16. Waco, TX: Word Books, 1985.
- Woodhouse, John. *1 Samuel: Looking for a Leader*. Preaching the Word. Wheaton, Ill: Crossway, 2008.