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The Tribes of Israel in Ezekiel and Chronicles

1 Introduction

If one wants to understand Persian Period Israel – or, how Israel understood itself in the Persian Period – segmental structures, genealogies, or questions of descent come up frequently in one’s investigations, and in quite a number of texts that are usually connected with this period. Among them are some obvious and expected examples:¹

- The Book of Chronicles opens with extensive genealogical lists in 1 Chronicles 1–9, some aspects of which will be discussed in this paper.
- The so-called lists of returnees in Nehemiah 7 and Ezra 2 try to present all Israel as a returnees’ Israel, and at the same time apply the criterion of lineage or descent when it comes to the question ‘who is an Israelite’ and who is not.² Nehemiah 7:61–63 lists families whose status was doubted, because “they were not able to tell their fathers’ houses and their descent, whether they belonged to Israel” (לֹא יָכְלוּ לְהַגִּיד בֵּית אֲבוֹתָם וְזֶרַעֲם אִם מִיִּשְׂרָאֵל הֵם). Nehemiah 7:64 seems to imply that there was a register of all Israel by means of which one could proof one’s affiliation to Israel³ or – for that matter – one’s right to the priesthood. The parallel in Ezra 2 does not differ in this regard.⁴

1 How to relate constructions of collective, cultural identity or ethnicity to archaeological finds or material culture is a notoriously difficult issue and as such subject of ongoing debates (see e. g. the wide range of problems presented in Stephen Shennan, ed., *Archaeological Approaches to Cultural Identity* (London: Unwin Hyman LTD, 1989), or – directly relating to the Levant – Israel Finkelstein, “Pots and People Revisited: Ethnic Boundaries in the Iron Age I,” in *Archaeology of Israel: Constructing the Past Interpreting the Present*, eds. Neil A. Silberman and David B. Small (Sheffield: Sheffield Academic Press, 2010): 216–37.

2 The lists which are presented as returnees’ lists in the narrative (esp. so in Ezr 2) are in fact lists of inhabitants (see e. g. Hugh G. M. Williamson, *Ezra, Nehemiah*, WBC 16 [Dallas, Tex.: Word Books, 1985], 30–1). They reflect settlement structures in the late Persian or early Hellenistic periods; cf. Israel Finkelstein, “Archaeology and the List of Returnees in the Books of Ezra and Nehemiah,” *PEQ* 140 (2008): 7–16.

3 For a discussion of the understanding of Israel reflected in the lists see Kristin Weingart, *Stämmevolk – Staatsvolk – Gottesvolk?: Studien zur Verwendung des Israel-Namens im Alten Testament*, FAT II 68 (Tübingen: Mohr Siebeck, 2014), 81–3.

4 The list was probably introduced in Neh 7 and later transferred to Ezr 2 (cf. Williamson, *Ezra*,

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- Undoubtedly, another strong indicator is the priestly literature in the Pentateuch with its characteristic interest in genealogies and lineages.⁵

Besides these obvious and well-known cases, there are also some more surprising finds, e. g. in the book of Ezra: While Ezra does not seem to attach any special importance to the notion of a twelve-tribe nation, the tribal system suddenly pops up in cultic matters: texts like Ezra 6:16–17; 8:24–35, or 8:35 presuppose the tribal system and Israel's kinship identity as a basic characteristic of Israel.

The undisputable prominence of genealogies and the tribal system in Persian Period texts has led a number of scholars to assume that the whole idea of Israel's kinship identity, of Israel's being a nation of twelve tribes, is a Persian Period invention⁶ – a novel construction fabricated to provide the community within the Persian province of Yehud with some sense of belonging.

The pre-exilic history of the tribal system is not the issue here, neither is Israel's kinship identity as a whole.⁷ Instead, the following remarks focus on the system of the twelve tribes and the way it is used in two different contexts, namely Ezekiel 47–48 and 1 Chronicles 1–9, in order to address the following questions: How is the tribal system presented in these texts? What aim does it serve? And, do these texts which both feature the tribal system talk about the same Israel? In doing so, the paper will illustrate how Ezekiel 47–48 as well as 1 Chronicles 1–9 both utilize a basic understanding of Israel as a twelve-tribe nation in order to communicate their specific perspective on Israel's definition and identity.

29–30), but it is a secondary insertion in its Nehemiah context as well (see Weingart, *Stämmevolk*, 81).

5 A discussion of P lies outside the scope of this paper but see the contribution by Joachim Schaper in this volume.

6 Two names must suffice to represent a broader phalanx of researchers: Christoph Levin argued on the basis of a redaction critical discussion of Genesis 29–30 that there is no literary trace of the system of the twelve tribes in any pre-exilic text. The system must therefore be a post-exilic construction (Christoph Levin, "Das System der zwölf Stämme Israels," in *Congress Volume, Paris 1992*, VTS 61, ed. J.A. Emerton [Leiden: Brill, 1995], 163–78.). Philip Davies sees the whole idea of a greater Israel and with it the notion of a twelve-tribe Israel as an invention of post-exilic Judean scribes in their striving for indigenization and authority over the *gola* community (Philip R. Davies, *In Search of "Ancient Israel"*, JSOT.S 148 [Sheffield: Sheffield Academic Press 1992], or – more recently – *The Origins of Biblical Israel*, LHBOTS 485 [New York / London: T & T Clark, 2007]). For an overview of the current debates see Weingart, *Stämmevolk*, 8–37.

7 For a more comprehensive discussion of the pre-exilic origins of the tribal system as well as the recent debates regarding the alleged appropriation of the name of Israel and self-understanding as Israel in Judah, see Weingart, *Stämmevolk*.

2 Tribes and Territories – Ezekiel 47–48

Ezekiel 47–48 are the final chapters of the last section of the book of Ezekiel, which is introduced as a new prophetic vision of the temple in the beginning of chapter 40. It contains a detailed description of the new temple (40–42), various laws and regulations concerning the temple, its cult as well as the organization of the people (43–46) and ends with a great vision of the new land and its distribution to the tribes of Israel.⁸ The whole section has been labelled “Verfassungsentwurf Ezechiels” by Hartmut Gese, in his seminal study from 1957.⁹ It has long been recognized that Ezekiel 40–48 is a composition of its own, distinct and in all likelihood later than the main part of the book in 1–39.¹⁰

2.1 Putting the Land on the Map

Ezekiel 47–48 deal with the subject of the land. Ezekiel 47:1–12 envision its wonderful transformation into a well irrigated and fertile ground. Against this background, Ezekiel 47:13–48:29 develop a detailed program for the distribution of the now transformed land to the tribes of Israel. Ezekiel 48:30–34 finally turn to the city of Jerusalem and list its twelve gates named after the twelve tribes. Verse 48:35 concludes the section, providing the city with a new name: יהוה שמה.

The main section is marked by an inclusion: 48:29 reiterates and refers back to 47:13–14. Verses 13–14¹¹ function as a heading; the keywords גבול and נחלה point to the two segments of the paragraph: the borders of the land in 47:15–20, and the distribution of the land as hereditary property of the individual tribes in 47:21–48:29. Both segments form distinct units, but they are clearly coordinated

⁸ For compositional structures within Ezek 40–48, see Michael Konkel, *Architektur des Heiligen*, BBB 129 (Berlin / Wien: Philo, 2001), 23–7.

⁹ Hartmut Gese, *Der Verfassungsentwurf des Ezechiel (Kap. 40–48): Traditionsgeschichtlich untersucht*, BHT 25 (Tübingen: Mohr, 1957).

¹⁰ So already Gese, *Verfassungsentwurf*, 1–2. See also Walther Zimmerli, *Ezechiel: 2. Teilband Ezechiel 25–48*, BK XIII/2 (Neukirchen-Vluyn: Neukirchner Verlag 1969), 977–9; as well as the presentations of the history of research in Thilo A. Rudnig, *Heilig und Profan: Redaktionskritische Studien zu Ez 40–48*, BZAW 287 (Berlin / New York: de Gruyter, 2000), 5–28, or Konkel, *Architektur*, 8–22. Against the broad consensus, Rudnig proposes a redaction critical model that sees at least one continuous redactional layer between Ezek 1–39 and 40–48 (for a critical appraisal of Rudnig’s model, cf. Michael Konkel, “Die Gola von 597 und die Priester: Zu einem Buch von Thilo Alexander Rudnig,” *ZAR* 8 [2008]: 357–83).

¹¹ Read גבול זה in 47:13; cf. App. BHS.

and interlocked:¹² 48:1 and 28 utilize places named in 47:15–16 (חתלן לבוא חמת) and 19 (מצר עינן) (מתמר עד מי מריבות קדש נחלה אל הים הגדול) in order to locate the regions given to the northern-most and southern-most tribes Dan and Gad.

2.2 Equality as the Principle?

Ezekiel 47:14 names the principle applied in the distribution of the land: ונחלתם. אותה איש כאחיו. The aim seems to be a division of the land in which each tribe receives an equal share: The geographical region specified in 47:15–20 is to be divided into thirteen east-west “strips” of land. Twelve shares go to the twelve tribes, the central section south of Judah and north of Benjamin is set apart as תרומת הקדש (vv. 10, 20). It includes the city of Jerusalem and the land assigned to the priests, the Levites and the גשיא. Seven tribes receive territories north of the תרומה; these are – from north to south – Dan, Asher, Naphtali, Manasseh, Ephraim, Reuben, and Judah. Five tribes are situated south of the תרומה: Benjamin, Simeon, Issachar, Zebulun, and Gad (again from north to south).

A distribution like this is of course highly artificial, and the principle of equality is applied schematically regardless of the fact that the tribes might differ in size or the geographical conditions within the specific regions of the land might vary.¹³ Although the text does not explain the rationale of the envisioned distribution, the identical size of the sections seems to be the sole criterium. All considerations of practicability or real-world conditions are set aside.

What are the reasons for the specific allocations to the tribes? Once again, there is no explanation, the criteria can only be deduced:

- The traditional settlement areas seem to play a role; Dan is located in the far north, Ephraim and Manasseh receive their territories in the area of the former Northern Kingdom, Simeon receives a share in the south. But there are also obvious deviations from the traditional territories. Why place Judah north of Jerusalem or Reuben south of Ephraim?
- In addition to traditional geography, also genealogical considerations seem to matter: The first-born Reuben is placed in greater proximity to Jerusalem, the sons of Bilhah (Dan and Naphtali) and the sons of Zilpah (Asher and Gad) are moved to the margins.¹⁴

¹² Cf. Zimmerli, *Ezekiel*, 1220.

¹³ The problem is also pointed out by Thilo A. Rudnig in Karl-Friedrich Pohlmann, *Das Buch des Propheten Hesekiel (Ezekiel)*, ATD 22,2 (Göttingen: Vandenhoeck & Ruprecht, 2001), 623.

¹⁴ So also Zimmerli, *Ezekiel*, 1231; Konkel, *Architektonik*, 219, 283–4.

- Neither genealogical nor geographical considerations can account for the central positions of Judah and Benjamin. Walter Zimmerli proposed that the two tribes gain their centrality as “die eigentlichen Trägerstämme des vorexilischen Juda”¹⁵. But one does not have to go back to pre-exilic Judah in order to account for the significance of these two tribes; the Persian period provides an equally or even more apt background: Judah and Benjamin (as well as Levi, who is of course situated within the תרומה) are the primary tribes within Persian period Yehud.¹⁶ While real-world conditions are widely neglected in other facets of the vision, they seem to enter the picture when it comes to the hierarchy of the tribes.
- That hierarchy is an issue is confirmed by the probably most curious aspect of the allocation scheme, the positioning of Benjamin to the south and of Judah to the north of Jerusalem. The rationale of the setting has been intensely discussed. Zimmerli proposed that the name ‘Benjamin’ suggested a southern territory for the tribe, or that the territories of the Leah-sons Reuben, Levi and Judah should be kept in geographical proximity.¹⁷ Moshe Greenberg introduced the aspect of hierarchy into the discussion; he read the placement of Judah on the site of Benjamin as the smallest tribe as an intentional humiliation of Judah.¹⁸ Greenberg’s idea highlights a decisive point, but the pragmatics have to be turned around: If hierarchy is of importance here, it is instructive that Judah is moved to an area bordering directly on the holy area of the תרומה district, therefore the tribe’s territory has the closest proximity

¹⁵ Zimmerli, *Ezekiel*, 170.

¹⁶ While the precise territorial extent of Yehud remains a notorious question (cf. Charles E. Carter, *The Emergence of Yehud in the Persian Period. A Social and Demographic Study*, JSOT. SS 294 [Sheffield: Sheffield University Press, 1999], 75–113), there is no doubt that it comprised mainly the territory associated with the tribes Judah and Benjamin. See also Gary N. Knoppers, *I Chronicles 1–9. A New Translation with Introduction and Commentary*, AB 12, (New York et al.: Doubleday, 2003), 260–264.

¹⁷ So Zimmerli, *Ezekiel*, 1231–2. But why is Simeon set apart and placed in the south? He is also a son of Leah. Jon D. Levenson, *Theology of the Program of Restoration of Ezekiel 40–48*, HSM 10 (Missoula, Mont.: Scholars Press, 1976), 117–20, sees the whole design as an attempt to replace Judean hegemony: “[W]e suggest, that the hitherto unexplained reversal of Judah and Benjamin is owing to a concern that the royal tribe not oppress the North, that the North have a share in the House of David, and the House of David a share in the North. There was no better way to insure this than to move Judah above the ‘Mason-Dixon line’.”

¹⁸ Moshe Greenberg, “The Design and Themes of Ezekiel’s program of Restoration,” *Interpretation* 38 (1984): 181–208, here 200: “The most striking departure from preexilic order is the transposition of Judah and Benjamin, as though the royal tribe (Judah) were purposely removed to the place of the smallest (to humble it?).”

to the temple. Between the holy area and the area of Benjamin in the south lies the profane “cross bar” (48:15: חֹל הוּא), which is designated as the living and working area for the city.¹⁹ Placing Judah to the north of the תְּרוּמָה is not a humiliation: Judah comes closest to the temple which illustrates its prominent status and special role among the tribes of Israel.

The whole idea of placing the tribes around the sanctuary has of course its closest parallel in Numbers 2. Here the tribes are all placed around the tabernacle: The Levites form an inner circle; all the other tribes are located around it, three on each side – Dan, Asher, and Naphtali in the north; Judah, Issachar, and Zebulon to the east; Reuben, Simeon, and Gad to the south; and Ephraim, Manasseh, and Benjamin to the west. A similar idea seems to have inspired the naming of the twelve gates of the city after the twelve tribes in Ezekiel 48:30–34, but once again, the allocation does not resemble the one of Numbers 2.

While the idea of placing the tribes around the sanctuary has its forerunners, Ezekiel 47–48 develop an own and innovative idea in implementing it. Geographical, genealogical and hierarchical considerations are combined in order to envision a new settlement pattern and to highlight the special importance of three tribes: Judah, Benjamin, and Levi.

3 Tribes and Genealogies – 1 Chronicles 1–9

While Ezekiel’s account of the resettlement of the land by the tribes of Israel is highly visionary, the Chronicler’s handling of the tribal system is rather down to earth, but not less ambitious. The Chronicler opens his book with the so-called “genealogische Vorhalle”²⁰, but other than this traditional designation might

¹⁹ For the inner structure of the תְּרוּמָה-district see Gese, *Verfassungsentwurf*, 101–2, or Konkel, *Architektonik*, 219–21. The interdependency between the allocation of the tribes and the inner structure of the תְּרוּמָה-district casts doubt on Rudnig’s redaction-critical hypothesis that attributes 48:8–22 to a different layer than the distribution of the land to the tribes (*Heilig*, 181).

²⁰ The designation seems to have been coined by J. Wilhelm Rothstein and Johannes Hänel, *Kommentar zum ersten Buch der Chronik*, KAT (Leipzig: Deichert, 1927), 2: “Den ersten Abschnitt ... habe ich als ‘Vorhalle’ des chronist. Werkes bezeichnet. Daß das eigentliche Geschichtswerk mit c. 10 beginnt, kann ja nicht zweifelhaft sein; aber bedeutungslos sind darum c. 1–9 doch nicht, aber sie lagern sich vor das eigentliche Werk eben wie die Vorhalle vor das Heiligtum.” A number of other designations have since been suggested, they are collected in Manfred Oeming, *Das wahre Israel: Die “genealogische Vorhalle” 1 Chronik 1–9*, BWANT 128 (Stuttgart / Berlin / Köln: Kohlhammer, 1990), 9–10.

suggest, the registers form an essential part of the book.²¹ In literary terms, the opening chapters provide the framework and the stage on which only one act from the longer and wider history of Israel is played out: the history of the Davidic kingdom.²²

1 Chronicles 1:1–2:2 place Israel within the greater world – or better: family – of nations. Very concise linear genealogies and more detailed segmental genealogies alternate. The secondary lines are placed before the main line: at first, the descendants of Japheth and Ham, then the descendants of Shem, up to the sons of Abraham and so on. In this way 1 Chronicles 1:1–2:2 narrows down on Israel. From the broader stock of all the descendants of Adam the focus finally reaches the sons of Israel. According to 1 Chronicles 1–9, the history of humankind thus genealogically leads up to Israel.²³

1 Chronicles 2:1–2 name the twelve sons of Israel in a sequence that has no parallel in the Hebrew Bible. The closest proximity is to Genesis 35:22b–26 or Exodus 1:2–4, but Dan comes before Joseph and Benjamin. However, all twelve sons are there, and 2:1–2 serve as the conclusion of the genealogies of the nations and at the same time introduce the following lists, which are dedicated to the inner division of Israel.

3.1 The Arrangement of the Tribes

Accordingly, 1 Chronicles 2:3–9:2 provide segmental genealogies for the tribes of Israel. But the order does not correspond to 2:1–2. The Chronicler rather follows an independent ordering principle. The genealogies for Judah (2:3–4:23), Levi (5:27–6:66) and Benjamin (especially 8:1–40) are the most important blocks, set out by their sheer extent. They are also placed in prominent positions within the composition: beginning – Judah, center – Levi, and end – Benjamin.

The arrangement of the tribes within this basic framework is not as obvious. It is best explained – as Thomas Willi has done²⁴ – by applying a combination of kinship ties and settlement geography. At the beginning, the tribes of Judah (2:3–4:23) and Simeon (4:24–43) settling south are dealt with. This is followed by an eastern block of Reuben (5:1–10), Gad (5:11–22) and eastern Manasseh (5:23–26).

²¹ So very persuasively Thomas Willi, *Chronik: 1. Teilband 1. Chronik 1,1 – 10,14*, BK XXIV/1 (Neukirchen-Vluyn: Neukirchner, 2009), 7–9. For an introduction into the Chronicler's genealogies cf. the excursus in Knoppers, *1 Chronicles 1–9*, 245–264.

²² Cf. Ralph W. Klein, *1 Chronicles*, Hermeneia (Minneapolis: Fortress, 2006), 46.

²³ Cf. Weingart, *Stämmevolk*, 117–21 with further references.

²⁴ Willi, *Chronik*, 55 f.

Levi (5:27–6:66) and Lea's son Issachar (7:1–5) are at the center. The geographical aspect fades somewhat into the background. The Levites settled in various tribal areas according to 6:39–66. The conclusion is formed by the Rachel-Bilhah sons Benjamin (7:6–11; 8:1–40), possibly Dan (7:12),²⁵ Naphtali (7:13), West-Manasseh (7:14–19) and Ephraim (7:20–29), as well as the Zilpah son Asher (7:30–40), who is probably moved to this place because of the geographical proximity to the great northern tribes Ephraim and Manasseh. Zebulon is missing.²⁶ Whether 7:12 really contains a genealogy of Dan or some remnant of it, remains doubtful. However, according to 1 Chronicles 9:1a, the listed tribes and clans constitute “all Israel.”

3.2 Justifying the New Order

The arrangement and extent of the individual genealogies clearly show where the Chronicler sees the priorities: the most important tribes are Judah, Levi, and Benjamin. Judah gains the most prominent position. There is no other genealogical list of tribes in the Hebrew Bible which starts with Judah.²⁷ It is not surprising, that the arrangement of the tribes in 1 Chronicles 2–9 was by no means self-evident; it had to be justified, and the Chronicler does so in 1 Chronicles 5:1–2.²⁸

The note is placed at the beginning of the genealogy of Reuben. The *Wiederaufnahme* of *ישראל בכור ראובן ובני* from v. 1 in v. 3 marks it as a digression inter-

²⁵ The conclusion *בני בלהה* in 7:13 seems to suggest that besides Naphtali also the other Bilhah son Dan is included in the list. Since 7:13 is clearly devoted to Naphtali, 7:12 remains the only likely place to look for a Danite genealogy (Oeming, *Israel*, 163–164, offers an overview over the discussion). The older proposal by August Klostermann to emend עיר into דן was recently taken up by Sara Japhet, *1 Chronik*, HThKAT, Freiburg / Basel / Wien: Herder, 2002), 188, and Willi, *Chronik*, 253.

²⁶ There have been attempts to reconstruct a genealogy of Zebulon (see e. g. Georg Richter, “Zu den Geschlechtsregistern I Chronik 2–9,” *ZAW* 50 [1932]: 130–40, here 133–134; Edward L. Curtis and Albert A. Madsen, *A Critical and Exegetical Commentary on the Books of Chronicles*, ICC [Edinburgh: Clark, 1952], 145–9).

²⁷ In Numb 2 (the camp order) as well as Numb 7 (a list of offerings connected to the dedication of the tabernacle) Judah is mentioned first. But in both cases the order does not follow genealogical considerations. Cf. already Martin Noth, *Das vierte Buch Mose: Numeri*, ATD 7 (Göttingen: Vandenhoeck & Ruprecht, 1966), 24–5, 59.

²⁸ The short note has been intensely discussed, for the more recent debates see e. g. Piet B. Dirksen, “1 Chronicles 5:1–2,” *JNSL* 25 (1999): 17–23; Michelangelo Tabet, “La preminenza a Giuda, la primogenitura a Giuseppe (1Chr 5,1b–2),” *RivBib* 55 (2007): 273–96, both with further references.

rupting the genealogical lists and offering some additional information.²⁹ Not in the beginning, where the genealogy of Judah starts the lists, but only when he reaches Reuben, the Chronicler takes the readers to a meta level in order to explain and defend his arrangement of the genealogical register. He offers an argument in two steps which builds and expands upon Genesis 49. In using the phrase חלל יצוע for Reuben's offence, 1 Chronicles 5 adopts not only the concept but also the wording from Genesis 49. Genesis 49:3–4 in turn, refer to Genesis 35:22 and explain Reuben's loss of his birthright with reference to the latter's sexual intercourse with Bilhah.

According to Genesis 49, Reuben remains the first-born and is also the first to receive a "blessing"³⁰, but he loses the rights associated with his primogeniture. The two tribes or sons receiving the most important blessings in Genesis 49 are Joseph and Judah. They are thus distinguished from all the other brothers and find their role precisely in opposition to them. Judah (Gen 49:8–12) is promised dominion among the sons of Jacob (v. 8b: ישתחוּ לך בני אביך). Accordingly, in the imagery of his blessing, he is presented as a lion and endowed with scepter and staff (v. 10a: לא יסור שבט מיהודה ומחקה מבין רגליו). Joseph is considered to be blessed in a special way by Jacob (Gen 49:25–26: ... מאל אביך ויעזרך ואת שדי ויברכך), which sets him apart from his brothers.

But which of the two receives the right of the first-born taken away from Reuben? Genesis 49 does not answer the question, while both Judah and Joseph remain likely candidates. From a compositional point of view, Judah could be seen as the recipient. After Reuben's degradation and the curses on Simeon and Levi, Judah is the first son of Jacob to receive a positive evaluation. But other indicators point to Joseph: The blessing of Jacob lies stronger on him than on all the other brothers (cf. v. 26: ברכת אביך גברו). Primogeniture and paternal blessing usually belong together, at least according to Genesis 27:³¹ Is the one who is

²⁹ There is no need to assume a secondary expansion (against Martin Noth, *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament* [Tübingen: Niemeyer, 1957], 120; Magnar Kartveit, *Motive und Schichten der Landtheologie in I Chronik 1–9*, CB OT 28 [Stockholm: Almqvist och Wiksell, 1989], 65–6).

³⁰ The blessing is actually a reversal of Reuben's status. See the wordplay with the root יתר (cf. Jürgen Ebach, *Genesis 37–50*, HThKAT [Freiburg / Basel / Wien: Herder, 2007], 585). Reuben was יתר שאת (or שאת, cf. app. BHS) and יתר עז (49:3) among his brothers; now, Jacob decrees that he will lose his preeminence אל תותר (49:4).

³¹ It is almost a stock motif of the ancestral narratives that the firstborn does not receive the paternal blessing (so besides Reuben also Ishmael, Esau, and Manasseh). For discussions of the phenomenon cf. Roger Syrén, *The Forsaken First-Born: A Study of a Recurrent Motif in the Patriarchal Narratives*, JSOT.S 133 (Sheffield: Sheffield Academic Press, 1993); Benedikt Hensel, *Die Vertauschung des Erstgeburtssegens in der Genesis: Eine Analyse der narrativ-theologischen*

blessed in a special way by the father not also the recipient of the birthright?³² The Chronicler fills the gap left open by Genesis 49 and explicitly assigns the בכורה to Joseph (5:2b).

The actual objective of the argument is not 5:2b, but 5:2a; the Chronicler is not so much concerned with Joseph but with Judah. It is not Reuben who lost his right as a first-born and also not Joseph who is now considered to be the first-born who gains the first place in the genealogical register: להתייחס לבכרה. The Chronicler differentiates between the birthright of the firstborn, the paternal blessing associated with it and the supremacy or preeminence among the brothers, which is expressed by a prominent place within the registers. In doing so, the Chronicler once again expands on Genesis 49: Joseph is the blessed one, but Judah takes the lead. And – comparable to Ezekiel 47–48 – the inner hierarchy of the tribes is once again an issue.

Which register does 5:1b refer to? It can only be an auto-reflective reference to the lists in 1 Chronicles 2–9, the only register featuring Judah at the head.³³ The Chronicler thus explains the most conspicuous point in his arrangement of the Israelite tribes, namely the top position of Judah. The latter is a result of the Chronicler's perspective on the historical development of the tribes (Reuben had long since become meaningless; Judah became a decisive factor of Israel's continued existence) and probably at the same time a reflection of the historical circumstances in the province of Yehud.³⁴ In addition, 5:1b provides a link to 9:1a, 2, the conclusion of the genealogical lists, which characterizes them as a register of all Israel (וכל ישראל התייחסו).³⁵

Grundstruktur des ersten Buches der Tora, BZAW 423 (Berlin / New York: de Gruyter, 2011). However, all these stories create their narrative suspense by deviating from the rule they presuppose: the firstborn son is usually the receiver of the paternal blessing.

32 1Chr 5:1–2 is the only text in the Hebrew Bible which addresses the question whether Reuben's בכורה is reassigned or not. The answer frequently found in the rabbinical literature is that the primogeniture was reassigned and given to Joseph. See e. g. the discussion in *bBaba Batra* 123a,b.

33 Cf. Willi, *Chronik*, 164.

34 The same holds true for the lists themselves which not only collect data from older texts, but also incorporate settlement and segmental structures of the Chronicler's own time, especially in the genealogy of Judah. See Yigal Levin, "Who was the Chronicler's Audience?: A Hint from His Genealogies," *JBL* 122 (2003): 220–45.

35 1Chr 9:1–2 display a number of difficulties, most of them created by the secondary insertion of 9:1b into an older context; cf. the discussion of the literary history and understanding of 9:1–2 in Weingart, *Stämmevolk*, 132–5.

4 What and Who is Israel?

The two texts and their literary contexts are obviously only samples and they do not offer an exhaustive picture of everything that either Ezekiel or Chronicles had to say about the tribes of Israel. They belong to different genres and each has its specific pragmatics. But their similarities and differences illustrate interesting points and allow a glimpse into Israel's self-understanding and the discourses pertaining to it in the Persian period.

4.1 The Lasting Significance of the Tribal System

Both texts attest to the fact that the tribal system was and remained a decisive factor in Israelite collective identity. Both of them presuppose the same basic criterion for belonging to Israel, namely being a member – or more precisely – being born into one of the tribes of Israel. This means: the underlying construction of Israelite collective identity is an ethnic one, based on a putative common descent.³⁶

Using the terms 'construction' and 'putative' in this regard hints to an understanding which does not see the genealogical system as a genetic description, but rather as a means of structuring social reality. Ethnological research has shown that genealogical systems are social constructions with a great deal of fluidity. They are able to incorporate changes of relation or alliances between communities or groups within a community into new genealogical systems. These are however perceived within the community as unchanged and persisting from the beginning of the genealogical line. They are considered as given and essential traits of the social world.³⁷

The genealogies of the Chronicler are almost a textbook example of the mechanisms at play in such primordial genealogical codes. Once one leaves the top-level structure of the twelve tribes, there is a considerable amount of fluidity. The

³⁶ For a methodological overview of ethnic theory and its discussion pertaining to biblical texts, see Mark G. Brett, "Interpreting Ethnicity: Method, Hermeneutics, Ethics," in *Ethnicity and the Bible*, ed. M.g. Brett (Leiden: Brill, 1996), 3–22. The lasting significance of the tribal system as a basic trait of Israel's self-understanding in post-exilic times, is discussed in Weingart, *Stämmevolk*, 288–340.

³⁷ For a discussion of a primordial code of collective identity, its underlying principles and differentiation from other possible codes, see Bernard Giesen, *Kollektive Identität. Die Intellektuellen und die Nation 2* (Frankfurt a.M.: Suhrkamp, 1999; Jonathan M. Hall, *Ethnic Identity in Greek Antiquity* (Cambridge: Cambridge University Press, 1998), or Weingart, *Stämmevolk*, 38–44.

assignment of certain families and clans to one tribe or the other, can still vary. For example, Caleb belongs to Judah in 1 Chronicles 2 but is a Kenazite in Joshua 14. The inclusion of clans like the Calebites, Kenazites, and Kenites who are seen as non-Israelites in other texts, is accomplished by incorporating them into the genealogical structure.³⁸

The same self-understanding of Israel stands behind Ezekiel's vision of the transformation and re-population of the land. Israel is a segmental society, structured into tribes, each of which receives its share. The Chronicler tries to assemble a register of all Israel, past and present, which is also structured as a family of tribes and embedded into an even greater family of nations. Each in its own way, the two texts attest to the fact, that in their view being an Israelite is a matter of birth and descent, and not of geographical provenance, shared values, or religious affiliation.

4.2 Tradition not Innovation

In addition, both texts clearly show that the tribal system is a tradition that could be used and was indeed used. It was also a tradition that had become fixed to a certain degree; the Chronicler as well as the author of Ezekiel 47–48 could rely on, and at the same time had to take into account their audiences' familiarity with the concept.

In Ezekiel this is apparent from the way the tribal system is presented. The author presupposes that there are twelve tribes. In 47:13, he allots two portions of the land to the tribe of Joseph: *אשר התנחלו את הארץ לשני עשר שבטי* *זה הגבול*³⁹ אשר התנחלו את הארץ לשני עשר שבטי. Accordingly, the list features Ephraim and Manasseh in 48:4 and 5. But there is no explanation why Joseph is treated differently or why his name does not appear in the list. It must have been known by the addressees that Joseph is represented by Ephraim and Manasseh. On the other hand, in naming the gates of the city (48:31–34), the name Joseph appears alongside Levi. Both ver-

³⁸ Cf. Willi, *Chronik*, 88, 105, 130; Japhet, *Chronik*, 136; or Weingart, *Stämmevolk*, 127–31. For the functionality and pragmatics of genealogies (with regard to the study of the Hebrew Bible and ancient Israel), see e. g. Robert R. Wilson, *Genealogy and History in the Biblical World*, Yale Near Eastern Researches 7 (New Haven / London: Yale University Press, 1977). For a recent concrete investigation which brings together textual and epigraphical evidence pertaining to the tribe of Manasseh, see Erhard Blum, "The Israelite Tribal System – Social Reality or Literary Fiction?," in *Saul, Benjamin and the Emergence of Monarchy in Israel: Biblical and Archaeological Perspectives*, AIL, eds. Joachim J. Krause, Omer Sergi and Kristin Weingart (Atlanta: SBL, In press).

³⁹ MT reads *גבול גה* but is apparently corrupted; cf. app. BHS.

sions of the tribal system, which Martin Noth called System I – including Levi and Joseph – and System II – not including Levi but listing the Joseph-sons Ephraim and Manasseh in order to reach the total of twelve, stand side by side.⁴⁰ Both of them must have been commonly known on the side of the addressees so that they could identify and understand them as both representing the same Israel.

Equally, the Chronicler's treatment of the tribal system illustrates a familiarity with, but also an engagement with the received and traditional shape of the system. It could no longer be simply changed or adapted – at least not with regard to its basic structure and design as a genealogical system consisting of twelve specific tribes (see also 1Chr 2:1–2).⁴¹ When the Chronicler adapted the traditional system in his register, he could not simply ignore it, but had to justify the new position of Judah. As Gerhard von Rad already put it, the aim is an “interlocking of the old 12-tribe schema with the actual historical reality” at the time of the Chronicler.⁴² The coordinates within the twelve-tribe system are shifted, but the system is retained as fundamental for Israel.

4.3 Tribal Hierarchy

The attempts to adapt the system, therefore, do not concern its general outline – despite the fact that some tribes were no longer, or have never been a factor in real life. The Chronicler's difficulty to provide genealogies for Dan or Zebulun are telling in this regard. Reuben is another notorious candidate.⁴³ The shifting of the coordinates concerns primarily the inner hierarchy of the tribes.

The Chronicler puts Judah in first place, and Levi and Benjamin gain prominent positions. The traditional ties between Benjamin and Joseph fade away. The

⁴⁰ Martin Noth, *Das System der zwölf Stämme Israels*, BWANT 52 (Stuttgart: Kohlhammer, 1930), 7–23.

⁴¹ The fluidity noted above, is achieved by adjustments on the subsequent levels of clans and families.

⁴² Gerhard von Rad, *Das Geschichtsbild des chronistischen Werkes* (Stuttgart: Kohlhammer, 1930), 73: “In diesen wenig beachteten Sätzen [sc. 1Chr 5:1–2] hat also der Chronist in theoretischer Form sich über die Frage, wie die Hegemonie schließlich an Juda kam, Rechenschaft gegeben, und wir sehen die recht interessante dogmatische Verklammerung des alten 12-Stämmeschemas mit der tatsächlichen geschichtlichen Wirklichkeit, die der Chronist vorfand.”

⁴³ Cf. Ulrike Schorn, *Ruben und das System der zwölf Stämme Israels*, BZAW 248 (Berlin / New York: de Gruyter, 1997), who comes to the conclusion, that all texts dealing with Reuben originate from periods when the territories associated with the tribe no longer belonged to Israel (282).

social reality of Yehud leaves its mark on the way the genealogical system is presented.

If the analysis outlined above is correct, and the layout of the tribal territories envisioned in Ezekiel 47–48 reflects an inner hierarchy of the tribes, we find a similar picture in the two texts. Levi, Judah, and Benjamin gain the most prominent places around the sanctuary. Besides Levi, it is once again Judah who finds itself in the place of honor. The aim to symbolize Judah's supremacy – also over and against Benjamin – turns the traditional geographic allocation of Judah and Benjamin, quite literally, upside down.

4.4 Conflicting Concepts of Israel

Ezekiel 40–48 develop a vision. It deals with the new temple, the new Jerusalem and of course with Israel. Israel is a people structured into twelve tribes. Therefore, it includes more than the Judeans of the Golah who would have been Ezekiel's primary addressees. And it also includes more than just Judah, Benjamin and Levi as the tribes in Persian Period Yehud. The so-called northern tribes are an essential part of the Israel Ezekiel 47–48 have in mind. All twelve tribes are to come back, to resettle and to repopulate the land of Israel.

Ezekiel's vision has been called a utopia,⁴⁴ but the designation seems problematic. The land of Ezekiel 47–48 is not a “no place” like the Greek οὐ τόπος would imply. It is the land of Israel, which will be transformed and afterwards resettled by the tribes of Israel.⁴⁵ This in turn implies that in this vision, none of the tribes is in the land; all of them have to return and take possession of their new territories once the transformation of the land is completed. Right now, the land is empty,⁴⁶ there are no Israelites in it. All Israelites have to return first.

In Chronicles the situation is somewhat different. If one searches the genealogies for notions of deportation from the land, one learns in 1 Chronicles 5:25–26

⁴⁴ Cf. among others Ruth Poser, *Das Ezechielbuch als Traumatiliteratur*, VT.S 154 (Leiden / New York / Köln, Brill, 2012), 1, or the title of Jürgen Ebach's dissertation: *Kritik und Utopie: Untersuchungen zum Verhältnis von Volk und Herrscher im Verfassungsentwurf des Ezechiel (Kap. 40–48)* (Univ. Diss, Hamburg 1972).

⁴⁵ So already Iain M. Duguid, *Ezekiel and the Leaders of Israel*, VT.S 56 (Leiden / New York / Köln: Brill, 1994), 140: “In another sense, however, Ezekiel's plan is not strictly utopian. His promised land is not located ‘nowhere’ or even ‘somewhere’ but in the land of Israel, which Yahweh swore to the patriarchs.”

⁴⁶ For the concept of the “empty land”, its historical difficulties and possible background, see Weingart, *Stämmevolk*, 307–14, with further references.

about the deportation of Reuben, Gad, and one half of Manasseh, i. e. the tribes whose territories are situated east of the Jordan. One reads in 5:41 about the generation of the Levites in whose period Judah and Jerusalem had been exiled by Nebuchadnezzar, namely in the period of Yozadaq, the son of Seraya. 1 Chronicles 9:1, eventually, talks about the exile of Judah. While 9:1b might be a later gloss, it is consistent with the Chronicler's view of history. 1 Chronicles 5:42 allude to it and 2 Chronicles 36:20–21 express it clearly: Judah and Jerusalem went into exile.

So, while Ezekiel 47–48 and 1 Chronicles 1–9 both refer to the tribal system and both present Israel as a twelve-tribe nation and in doing so, transcend their historic realities, they show a slight albeit decisive difference regarding the shape of their communities or polities. Ezekiel's vision presupposes that there are no Israelites in the land. All of Israel have to come back from the outside. Then and only then, can the land be distributed anew. Because there are no Israelites yet, the territories of the tribes can be rearranged freely. According to the Chronicler, however, the northern tribes – with the exception of the east-Jordanian ones Reuben, Gad, and half of Manasseh – have remained in the land.⁴⁷ In this respect, and with regard to any inhabitants in the area of the former northern kingdom, i. e. the Persian province of Samaria, the Israel of Ezekiel is not the Israel of Chronicles.

5 Conclusion

In conclusion, one might say: what we find in Ezekiel is only a vision and no portrayal of historical circumstances. But also a visionary text has its intended addressees who can share the vision and the hopes it conveys, and who may read it as an ideal worth striving for. For the Chronicler, Israel continues to exist in Samaria; in Ezekiel 47–48, Samaria has nothing to do with the future of Israel. In this regard – although this might not have been the primary pragmatics of the texts – they both represent opposing positions in a question which was a pressing issue in their time: the status, or better, the Israelite-ness of the Samaritans.⁴⁸

⁴⁷ Cf. also the short remarks in Klein, *1 Chronicles*, 46.

⁴⁸ For discussions of the discourse and the texts pertaining to it, see Weingart, *Stämmevolk*, 296–340; Benedikt Hensel, *Juda und Samaria: Zum Verhältnis zweier nach-exilischer Jahwismen*, FAT 110 (Tübingen: Mohr Siebeck, 2016), as well as Kristin Weingart, “What Makes an Israelite an Israelite?: Judean Perspectives on the Samaritans in the Persian Period,” *JSOT* 42 (2017): 155–75.