


# Reconsidering Deuteronomy 26:5–11 as a ‘small historical creed’: Overtures towards a ‘migrant reading’ within the Persian period

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Against the backdrop of recent scholarship related to Deuteronomy 26:5–11, the influential hypothesis formulated by Gerhard von Rad that this verse entails a ‘small historical creed’ will be re-evaluated. In addition to recent Old Testament scholarship, attention will be paid to migrant theory and a rereading of 26:5–11. It will be suggested that this ‘creed’ addressed the identity concerns of returning migrants or exiles from Babylon, as well as the peasant farmers who remained behind in Palestine. Thus, the creed is not understood as an early cultic starting point of a theological tradition, but as a later synthesising framework that responded to theological challenges and tensions prevalent in Persian Yehud.

## Introduction

This contribution reflects on what it meant ‘to be an Aramean’ in Deuteronomy 26:5–11 and on whether Von Rad ([1938] 2005:1–78) was correct in making his influential claim that it forms part of a ‘small historical creed’ that made a significant impact on subsequent Deuteronomy and Old Testament theology research. Firstly, attention will be paid to the interpretation of the text of Deuteronomy 26:5–11; then the claims by Von Rad for the existence of an old ‘small historical creed’ undergirding later theological traditions in Deuteronomy will be discussed. In conclusion, a ‘migrant reading’ of ‘being an Aramean’ will be suggested that will consider the possibility that 26:5–11 attempted a creative synthesis between old patriarchal traditions and making the returning exiles or migrants compliant to the Persian Empire.<sup>1</sup>

## Notes on Deuteronomy 26:5

### Verses 1–15(16)

Since the influential remark made by Steuernagel (1923:144) that 26:1–15 should be considered as a *Liturgischer Anhang* that prescribed specific but additional prayers (for the bringing of the first fruits in the first 11 verses, as well as the bringing of the tithes every three years in Verses 12–15); the integral embeddedness and framing function of the concluding section of the so-called Deuteronomistic Code have been much more appreciated by subsequent generations of Old Testament scholars (Wilson 2008:323–340). One must also take note that the admonition in 26:16 is similar to 12:1, and this forms an *inclusio* for the beginning and the end of the so-called Deuteronomistic Code (Lundbom 2013:722).

Deuteronomy 26:1–15 as a whole seems to relate to several corresponding aspects in Chapter 12 and thus provides a frame for the Deuteronomistic Code or collection of instructions (Block 2012:47): (1) rituals such as the presentation of the first fruits take place in the land that the Lord gave to Israel (12:10 and 26:1, 3, 9, 15); (2) the rituals occur at a *place* that the Lord chose (12:5, 11, 14, 18, 21, 26 and 26:2); (3) all these events occur ‘before the Lord God’ (12:7, 12, 18 and 26:5, 10, 13); and (4) include the *presentation of first fruits* (12:6, 11 and 26:2, 10, 12).<sup>2</sup> It is therefore well warranted that Hwang (2012:61) pointed out that the land promised to the fathers or ancestors in Verses 3 and 15 constituted an *inclusio* comprising of the liturgical references to the presentation of first fruits and tithing every three years. Furthermore, the plural ‘fathers’ probably alludes to ancestors and not to biological fathers as in legal instructions.

1. Besides having an interest in Deuteronomy, Eben Scheffler has always sided with the poor and afflicted. Therefore, I trust that this ‘migrant rereading’ of Deuteronomy 26:5 will resonate with him on different levels.

2. Later Jewish tradition assumed that ‘the law was given to Israel precisely on the date established for first fruits, so it was only natural to link the two occasions together’ (Merrill 1994:331).

**Note:** The collection entitled ‘Eben Scheffler Festschrift’, sub-edited by Jurie H. le Roux (University of Pretoria) and Christo Lombaard (University of South Africa).

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One can clearly discern two different cultic rituals in Deuteronomy 26:1–15, each introduced by *kî*: Verses 1 and 11 describe the presentation of first fruits, while the bringing of the three-year tithe is prescribed in Verses 12–15 (Markl 2012:52). According to Deuteronomy 18:4, grain, oil, wine and wool could be presented; 2 Chronicles 31:5 indicated that the first fruits during the reign of Hezekiah comprised of grain, honey, oil and wine; while in the *Mishna* (*Bik.* 1:3,10) no less than seven kinds of first fruits would qualify for this presentation, namely, barley, dates, figs, grapes, olives, pomegranates and wheat.<sup>3</sup> It is stipulated in Numbers 18:12–13 that the first fruits had to go to the priests, after the presentation, but the main concern of this presentation is the recognition of the Lord as ‘the source of the bounty’ (Lundbom 2013:723–724).

The following discussion will focus on Verses 5–11, because of the close link with the ‘small historical creed’ in Verse 5.

### Verses 5–11

There are three examples in Deuteronomy where non-priests are instructed to recite a creed of liturgical formulation to God – two of them in Chapter 26 (vss. 1–11 and vss. 12–15), and the third example where this type of communication takes place is in Deuteronomy 21:7–9 (Tigay 1996:237). Lundbom (2013:725) considers this section to be ‘a tightly-knit creed’ that to some extent summarised ‘Israel’s salvation history’ – a good example of how a few recent commentaries on Deuteronomy still concur with Von Rad’s claim that this ‘creed’ is a condensed version of the Old Testament’s *Heilsgeschichte*.

### Verse 5

ʾārammî ʾōbêd ʾābî: There seems to be an ambiguous syntactical relationship between the three words of this alliterative phrase and the ambiguity has been reflected in different translations: the Septuagint translated it as ‘My father abandoned / cast off Syria’ (taking into consideration the next clause that refers to the ancestor going down to Egypt); the Vulgate has ‘the Syrian persecuted / pursued (after) my father’ (might be influenced by a Targumic tradition [*Tg.Onqelos* & *Tg.Jonathan*] that identified Laban as the Aramean who intended to destroy the fleeing Jacob as described in Gn 31:20–23), and the Syriac Peshitta rendered it ‘my father was taken to Aram’ (Lundbom 2013:725–726).

ʾārammî: Hwang (2012:63) pointed out that translators and exegetes have been uncertain whether this noun must be understood as a geographical reference (Aram or Syria) or a person (one or all of the patriarchs mentioned in Gn 12–50). Within the book of Deuteronomy this is the only attestation of an Aramean, while neither Aram nor Damascus are mentioned at all in the book as a whole (Berlejung 2014:363).

<sup>3</sup>It is possible that the increase of what first fruits could be presented is a result of the fact that Jews living in the post-exilic diaspora were able to produce a greater number of first fruits than they initially could in Palestine.

The recent rekindling of interest in the Elephantine texts of the 5th century has brought to the attention of scholars that the Jewish garrison had a dual identity because they were often referred to as ‘Arameans’ (Vd Toorn 2016:161). Even when Herodotus visited the Jews on Elephantine Island, he referred to them as ‘Syrians of Palestine’ (*Histories* II 104).

ʾōbêd: It is difficult to decide whether this Qal active participle should be translated with ‘wandering’ or ‘perishing’, and it is possible that the ambiguity was intentional (Block 2012:602). Given the nomadic lifestyle of the presumed patriarchal ancestors (especially Abraham and Jacob) in Genesis 12–50, many translations prefer ‘wandering’ (JB; NIV; NRSV; RSV, etc.). However, both Brown-Driver-Briggs (1968:1–2) and Köhler and Baumgartner (1958:2–3) concur that the Qal of ʾbd usually means ‘lost’ or ‘straying’ (1 Sm 9:3, 20; Ps 119:176; Jr 50:6; Ezk 34:4,16). In a similar vein, Janzen (1994:360) prefers the translation ‘starving’ because of ‘the portrayals in Genesis of Jacob’s situation and status in Canaan’ – this seems to be juxtaposed with Israel’s situation and status entering or returning to this same land according to Deuteronomy. In his recent monumental commentary on Deuteronomy, Otto (2017:1875) draws attention to the fact that ʾbd is predominantly used in Deuteronomy (4:26; 7:20; 8:19; 28:20, 22; 30:19) to denote *zugrunde gehen/auslöschen* and in 32:28 *scheitern*. This explains the translation suggested by Otto (2017:1893), *ein untergegangenener Aramäer war mein Vater*, which does not presume any reference to a ‘wandering’ patriarch in Genesis.

ʾābî: It is important to take note that elsewhere in Deuteronomy the singular ‘father’ is used to denote a biological ‘father’ in legal instructions (21:19; 22:15, etc.) and covenantal provisions (5:16; 27:16, etc.). Younger (2016a:101) identified four possible interpretations of ‘my father’ in Verse 5: (1) Jacob; (2) Abraham; (3) collectively to Jacob’s family; (4) all ancestors.

## Arguments for a ‘Small Historical Creed’ by Gerhard von Rad

In contrast to the existing commentaries of Driver (1896), Bertholet (1899), Marti (1909) and Steuernagel (1923), Von Rad ([1938] 1966) was interested in the position of the book of Deuteronomy in the Hexateuch as ‘an organic whole’ (Mayes 1979:30).

According to Von Rad (1966:1–78), four sections can be discerned in Deuteronomy with the ‘creed’ forming part of the first: (1) 1–11: Historical and parenetic introduction; (2) 12:1–26:15: Presentation of *torah*; (3) 26:16–19: Sealing of the covenant; (4) 27–32: Blessings and curses related to the keeping and breaking of the covenant.

Although there is no mention made in Deuteronomy as to what sanctuary functioned as the place where such a covenant renewal ceremony took place, Shechem seems to be the most likely cultic locality (Dt 11:29ff.; 27 in conjunction with Jos 8:30 ff.; 24). In view of perceived structural similarities

between Deuteronomy and Exodus 19–25, as well as Psalms 50 and 81, Von Rad postulated the existence of a covenant renewal cultic ceremony.<sup>4</sup>

Von Rad ([1938] 2005:1) started his discussion of ‘The Form-Critical Problem of the Hexateuch’ with the frank but frustrated opinion that a stalemate had been reached ‘in the theological study of the Hexateuch’ and that as ‘far as the analysis of source documents is concerned, there are signs that the road has come to a dead end’. Amidst all this uncertainty he makes the following suggestion: ‘The constant element is that of the historical creed as such. It occurs from the earliest times onwards, and its basic constituents are not subject to change’ (Von Rad 2005:2).

Von Rad’s discussion of the ‘Short Historical Creed’ starts with the identification of two ‘cultic prayers’ in Deuteronomy 26 that eventually became known as ‘liturgical formularies’, and he rejects the possibility outright that these prayers are ‘late embellishments’ (2005:3). He is concerned with the first ‘cultic prayer’ (26:5b–9), ‘which was spoken as the first fruits are handed over at the sanctuary’. Although the deuteronomistic phraseology of the latter half of the prayer is unmistakable, ‘there can be no doubt that it is a liturgical formula’. In an unqualified manner he asserts:

All the evidence points to the fact that this prayer is very much older, both in form and in content, than the literary context into which it has since been inserted.<sup>5</sup>

Von Rad (2005:3–4) summarised the content of the prayer as a quite brief recapitulation of the principal ‘facts’ (not ‘acts’) of God’s redemptive activity (i.e. patriarchal age as the humble beginnings of Israel; oppression in Egypt; divine deliverance and the journey to the promised land): ‘the whole might be called a confession of faith, or rather an enumeration of the saving facts that were the constitutive element of the religious community’. In the very next paragraph Von Rad seems to be making up his mind and states without qualification: ‘Deuteronomy 26:5ff. is a creed with all the characteristics and attributes of a creed, and is probably the earliest recognizable example’. Without skipping a beat, he continues: ‘There must therefore have been a cultic occasion for the recital by the individual of this short confessional statement of God’s redemptive activity’.

Other passages are identified as being ‘creeds’ by Von Rad (2005:4–6): (1) Deuteronomy 6:20–24 consists of a ‘similar account of the facts of Israel’s redemption, also after the style of a confession of faith’. As in 26:5 ‘the silence concerning the events of Mount Sinai is even more striking ...’; (2) Joshua 24: 2b–13 describes ‘Joshua’s oration to the congregation at Shechem’, in which the historical overview starts with ‘Your fathers lived of old beyond the Euphrates ...’

4.Von Rad ([1938] 2005:1–2) described this cultic ceremony as ‘a great cultic drama, the distinctive features of which are undoubtedly the divine self-revelation and the subsequent communication of God’s purpose in the form of apodeictic commandments’.

5.To be fair, Von Rad (2005:3) acknowledges that Jirku argued for a much later association of the prayer with the presentation of the first fruits; but concludes: ‘his [Jirku’s] scepticism was not wholly justified’.

Von Rad (2005) then comes to a provisional conclusion:

In none of the three cases were we dealing with a casual recollection of historical events, but rather with a recital in exalted, pregnant form, pronounced in a situation of lofty significance, in the setting of a cultic ceremony. All three texts were evidently compiled according to the same plan, a fact that is made clear by the absence of a reference to the events of Mt Sinai (an example of *argumentum ex silentio*?). (p. 6)

In the final section of his 1938 essay on the Hexateuch, Von Rad (2005:42) becomes more circumspect about Deuteronomy 26:5:

There are of course no fixed points of reference which would enable us to say with certainty that this text is prior to all other examples of its genre; but both its concise, simple form and its intimate connection with a cultic act of great antiquity justify our belief that it is among the examples of the genre which approximates most closely to the original.

Many years later Von Rad (1973:121–121) again attends to 26:5 in the first volume of his excellent *Old Testament Theology: The Theology of Israel’s Historical Traditions*. Under the heading ‘Oldest Pictures of the Saving History’ he discussed ‘confessional summaries of saving history ... the most important is the Credo in Deut. xxxvi. 5–9, which bears all the marks of great antiquity ...’ In contrast to his 1938 essay, he is now adamant that 26:5–9 is not a prayer because there is no invocation or petition and therefore, according to Von Rad, it is without a doubt a confession of faith. They recapitulate the main events in ‘the saving history from the time of the patriarchs (by the Aramean, Jacob is meant) down to the conquest ...’ Tucked away in a footnote, Von Rad (1973:122) acknowledges the composite nature of 26:5–9: ‘there is much to be said for the assumption that the Credo itself presupposes the combination of an originally independent set of traditions with the central Exodus tradition’.

## Reconsidering the ‘SMALL HISTORICAL CREED’

### Scholarship leading up to Gerhard von Rad

Prior to Von Rad’s ([1938] 2005) influential suggestion that one can identify an ancient and seminal ‘creed’ in Deuteronomy 26:5–11, several interpretations were advanced that accepted this section as part of an early pre-exilic deuteronomistic text.

Close to the end of the 20th century Dillmann (1886:359) and Wellhausen (1889:203) agreed that Deuteronomy 26 constituted a type of ‘liturgical addendum’ for the Deuteronomistic Code, but in different ways: For Dillmann (1886:359–363) Deuteronomy 26 was still *einheitlich deuteronomisch*, while for Wellhausen (1889:361) Chapter 26 was a composite text. Although Driver (1896:xliv–xlvi) expressed high regard for Dillmann and less appreciation for Wellhausen, he argued that the composition of Deuteronomy must be placed long after ‘the age of Moses’ and he opts for a

*terminus ad quem* during the time of Josiah when the so-called book of the law was supposed to be found (621 BCE).

One of the most influential Deuteronomy scholars, Steuernagel (1923:144–146), argued that the Covenant Code (Ex 20:24–23:12) had significant influence on the form and content of Deuteronomy – including Chapter 26. In Chapter 26 he distinguished between an older section (Verses 1–2, 5–11, 16) and a younger section (Verses 3–4, 17–19). A similar older dating of what eventually came to be known as the ‘small historical creed’ was made by Hölscher (1922:255) when he attributed Chapter 26:1–2, 5, 14a, b, 15a to an early post-exilic *Urdeuteronomium*.

It is therefore clear that the early, even ancient, dating of the ‘small historical creed’ by Von Rad had several antecedents in predominantly German Old Testament scholarship.

### Scholarship responding to Gerhard von Rad

Despite the ongoing high esteem with which Von Rad is held amongst German Old Testament scholars, several critical voices were raised during the past 50 years that challenged his presupposition of an ancient historical creed in 26:5–11. This was a gradual process. At first, Rost (1965:11–25) decided, after a philological investigation of the ‘small creed’ in Deuteronomy 26:5–11, that the only old material in the creed was the reference to an ancestral Aramaean in Verse 5. In a similar vein, Richter (1967:125–212) went further and argued that 26:5–9 as a whole was not older than the book of Deuteronomy, denying Von Rad’s assumption of the ancient cultic origins of the credo. Eventually Lohfink (1971:19–39) compiled a more elaborate argument in favour of a later dating of the creed by pointing out that numerous Deuteronomistic references and allusions in 26:1–11, Verses 5–9 in particular, were based on the older Numbers 20:15–16.

More recent scholarship paid more attention to compositional arguments. For example: Braulik (1985:252–272) emphasised that Deuteronomy 12–26 constituted a Deuteronomistic Law Code and that Chapter 26 functioned as a paradigmatic conclusion of this code by referring to the first fruits as an indication of the settlement in the Promised Land and as the conclusion of the Exodus. Furthermore, Otto (1999:351–360; 2017:1880), after many years of intensive research on Deuteronomy, considers the following argument to establish a *Paradigmenwechsel* in the history of the interpretation of Chapter 26 that highlights the impact of the Covenant Code on the Deuteronomistic Code:

dass im Deuteronomium das Bundesbuch in Ex 20,24-23,10-12 nicht nur in Gestalt einzelner Rechssätze rezipiert und reformuliert, sondern auch die literarische Struktur des Deuteronomiums durch des Bundesbuches geprägt wurde.

Against this background, Otto (1999:317) identifies ‘the confessions’ (*den Bekenntnissen*) in 26:5ab, 10a and 13ab as the theological centre for 26:2–13, with as point of departure 14:23 (‘so that you learn to fear God’). Both 14:22–15:23 and 26:2–13 constitute:

das theologische Fundament für die material Rechtsordnung einschliesslich des Sozialprogramms gelegt: Der Segen Gottes, der sich in den Erträgen des Landes ausdrückt, ermöglicht überhaupt erst das Leben der Gemeinschaft, die sich kultisch am Zentralheiligtum konstituiert.

Within English-speaking scholarship, Cody (2006:1–10) picks up a new strand of criticism and asks whether 26:1–11 can be considered to be a ‘*credo*’ (a short statement of belief) or an ‘*anamnesis*’ (an event that is recalled from the past)? His summary conclusion amounts to:

In its present ritual context then, Deut 26:5–9 is an anamnesis. Its recitation makes the offering a ... memorial of past divine acts, elicits gratitude to God for them, and leads to identification with them. A creed does not do that.

In the same year Kelle (2006:222) still considers 26:5 as one ‘of the OT’s clearest, and perhaps most ancient confessions of Israelite faith’ that ‘explicitly presents a historic connection between Israelites and Arameans’.

A scholar who in the past has not shied away from making strong statements, Knauf (2007), explains the possible Aramean origin for the Israelites in 26:5 in a cautious and circumspect manner:

... it may be rooted in the memory of the roughly contemporaneous ethnogenesis and state formation of the Arameans and the Israelites (cf. Amos 9:7) ... Linguistically and geographically, the proto-Israelites were not Aramean. (p. 353)

The eminent Jewish scholar Greenstein (2009:630) persists in relating the ‘wandering Aramean’ (26:5) with the patriarch Jacob, ‘who is said to have lived in Aram-Naharaim for 20 years ... and his father-in-law Laban is quoted as speaking Aramaic (*yegar sahaduta* “mound of testimony”, Gn 31:47 ...)’. He makes an interesting observation about the difference between the Hebrew Bible’s selective use of Aramaic in pre- and post-exilic times:

The difference is not in the Aramaism itself but in its linguistic status: it may be employed deliberately for literary and rhetorical purposes, or it may reflect the permanent incorporation of Aramaic words or features within Hebrew. (Greenstein 2009:631)

In an extensive commentary, Lundbom (2013:721–736) takes particular note of the rhetoric of the text in Deuteronomy and points out that 26:5–10 can be described as a ‘tightly-knit creed’ in ‘rhythmic prose’ that summarised ‘Israel’s salvation history’. This creed ‘shows signs of being old’ and one of these ‘signs’ is the reference to an ancestor of Israel being a ‘wandering Aramean’.

More recently, Berlejung (2014:363–364) interprets 26:5 in terms of its combination of ‘the genealogy of the patriarchs with the Exodus tradition and (from v.9f. on) with the gift of the land’. This young text (concurring with Gertz 2000:285) therefore presupposes and summarises the narrative line from Genesis 10 and 11 to the book of Joshua. From the historical perspective 26:5 is wrong, because it is likely that the tribes of Palestine emerged from earlier local Palestinian

population groups and not from outside. Even if some relationship with kinship is acknowledged, it is not generally agreed what type of kinship is at stake. It does not refer to 'ethnic', 'genetic' or 'biological' kinship 'but to a purposely established kinship ... that is purely fictional ... they [*Israelites*] claimed to be more closely related to the Arameans than to the Canaanites ...' (Berlejung 2014:364). It is not entirely clear why this anti-Canaanite stance became relevant in the post-exilic Yehud.

In the most recent extensive commentary on Deuteronomy, Otto (2017:1882) argues that Chapter 26 is interconnected with Chapter 5 to enable dialogue with priestly theological traditions. The origins of Israel are not only to be found in the patriarchal narratives (Abraham, Isaac and Jacob in Gn 12–50) or in the Exodus traditions, but especially in the so-called *Horebredaktion* that described the 'assembly / *qahal*' of Israel at the foot of Mt Sinai or Horeb. Otto (2017:1886) distinguishes a deuteronomic credo in 26:5a plus 10a, later elaborated by means of *Fortschreibung* (the practice whereby a scribe takes an existing text and adds to it, developing it in a new direction without destroying what is already there) by combining it with 26:5b–9 after the Babylonian exile.

In contrast to Von Rad, who argued for 26:5 to be taken as the ancient 'creedal' foundation of subsequent rituals (first fruits and tithing), in particular, and for the Hexateuch as a whole, recent scholarship comes to a different conclusion. Deuteronomy 26:5–11 and Verses 12–16, as part of the concluding section of the Deuteronomic Code, form an *inclusio* with both Chapter 12 and Chapters 4–6. This makes a post-exilic (late 6th or 5th century BCE) dating of the 'creed' and its reference to 'being an Aramean' more likely.

### Overtures towards a 'migrant reading' of the 'small historical creed'

Firstly, some general remarks about migration, which has been a research topic in the social sciences for several decades. More than 30 years ago, Eichenbaum (1975:21–41) attempted to develop a migration matrix that classified different types of migration, from voluntary to forced migration. The two axes of this matrix are the decision to move from origin ('push factors') and the decision to move to destination ('pull factors'), both calibrated by indications whether the decision was made independent of society or influenced or even determined by society in the most general sense of the word – thus establishing a continuum between force ('push') and choice ('pull') that might motivate migration. Unfortunately, migration manifests itself in so many different and complex ways that it is difficult to categorise. Therefore, it comes as no surprise that Massey (1998), an international expert of migration, acknowledged:

At present, there is no single theory widely accepted by social scientists to account for the emergence and the perpetuation of international migration throughout the world, only a fragmented set of theories that have largely developed in isolation from one another, sometimes but not always segmented by disciplinary boundaries. (p. 17)

Few social scientists have bothered to reflect on migration in the Bible, proving the segmentation of scholarship generated by disciplinary boundaries to be very real. For primarily rhetorical purposes, Levitt (2003:847) poses a rhetorical question: 'You know Abraham was really the first migrant', as an example of how religion influences transnational migration. She points out that transnational migrants use religion to delineate 'an alternative cartography of belonging' in which sacred shrines and temples and not national or political borders define their identity (Levitt 2003:861). Levitt (2003:861) also makes the important observation that Cuban and Haitian migrants settling in the US often attempt to 'recover a past' (from where they came) and 'imagine a future' (towards which they want to return). In addition, Levitt (2003:862) points out that through ritual enactments, migrants asserted their enduring membership in their communities of origin.

It seems to me that the social scientific research related to migration as a global phenomenon cautions biblical scholars not to approach all migrations in the Bible (the Exodus, exile and return from exile, etc.) as forced migration. In most of these instances, a balanced approach to describe both 'push' and 'pull factors' involved is well advised. For example: the returning exiles who migrated from Babylonia to Palestine were 'pushed' by the edict of Cyrus and 'pulled' by the longing to resettle in Palestine. One should also consider the possibility that the returning exiles as migrants attempted to 'recover a past' embedded in the memories of an exodus (which they shared with those who remained behind in Palestine during the Babylonian exile). Further consideration must be given to the returning migrants, who probably wanted to 'imagine a future' that would make them a compliant part of the Persian or Achaemenid Empire in a manner that would resonate with their recovery of the past ('being an Aramean' would address both the issues of compliance and recovery). These considerations will open the way for reinterpreting the so-called small historical creed in Deuteronomy 26 from the perspective of migrant theory.

When the discussion now turns to a biblical studies discussion of migration, it must be emphasised that the following discussion is a tentative attempt to describe an emerging trend in biblical scholarship. More attention will be given to the pioneering work conducted by James Hoffmeier in this regard, because there is some repetition in the subsequent body of scholarship.

Hoffmeier (2009:18) sets as his goal for his discussion of immigrants and aliens in the Old Testament 'to take a comprehensive look at the Bible to see how it directly and indirectly tackles the issues surrounding aliens or immigrants'. He has tried 'to understand the biblical passages in their historical and cultural context and to consider them through the lens of Christian ethics and the theological affirmation that immigrants are people made in the image of God'.

Hoffmeier (2009:56–57) summarises information related to immigration and aliens in the book of Genesis: (1) immigration

was widely practised in the ancient Near East and Genesis reflects this reality (Abraham migrates from Mesopotamia to Syria, Canaan, Egypt and back to Canaan, etc.); (2) national borders and personal property were recognised and respected (Edom denied Israelites access to travel through); (3) the Egyptians and Sumerians constructed forts on the frontiers to control their border and to monitor movements of peoples; (4) immigrants moved considerably but could not just settle wherever they wanted. They would be expelled for violating the laws and mores of a land (both Abraham and Isaac are expelled after lying about the marital status of their spouses); (5) permission was sought by and sometimes granted to immigrants who wanted to settle in another land (Abraham in Hebron, Isaac in Gerar and Jacob's family in Egypt); (6) aliens were not permitted to sponsor other foreigners to receive alien status; however, bringing a spouse from the outside seems to be an exception to the rule (Rachel came from Syria to Canaan to be Isaac's wife); (7) people were given permits to enter a country for seasonal or periodic employment; (8) there was a distinction between a foreigner [*nekhar* or *zar*] and a legal sojourner or resident alien [*ger*] who was taking up more permanent residence; (9) foreigners could assimilate in a foreign country by learning the local language (i.e. Joseph in Egypt and Ruth in Israel).

In the final chapter, Hoffmeier (2009) comes to the following conclusion:

The book obviously is not meant to be the final word from the Bible on the subject of immigration and the plight of illegal aliens ... many of the teachings of the Bible and its principles discussed here could prove to be constructive to the national discourse. (p. 160)

According to Carroll (2013), the Old Testament gives a human face to migrants in a realistic depiction of what took place in everyday life. 'Many migrants seek a "promised land" of a better existence, a "land of milk and honey" ... but Hispanic theologians emphasize the exile as the most appropriate paradigm for understanding the Hispanic situation' (Carroll 2013:73, 74). 'The Word of God' can orient believers of the dominant culture and the immigrant community about the proper attitudes and perspectives with which both sides should engage the national debate (Carroll 2013:74).

Both biblical scholars engaged with the study of migration had a personal experience of being a migrant, either in Egypt (Hoffmeier) or in Guatemala (Carroll). It is clear from both discussions of migration in the Bible by Hoffmeier (2009) and Carroll (2013) that their immediate context of the US plays a significant role in the manner that they engage with scripture. 'Migration' is seen almost exclusively as 'immigration' towards the US and no thought is given to those who might want to emigrate from the US. Very little attention is given to lessons that could be learnt from migration as a global phenomenon that has received growing attention in the social sciences. Despite laudable concerns about the history and cultural contexts of biblical references to migration, there seems to be an urgent concern

to distil from the Bible some theological-ethical model that can be used in addressing the challenges posed by current migrations towards the US.<sup>6</sup>

Three different categories from migration studies are employed by Ahn (2011) to distinguish between different experiences of exile in ancient Israel: (1) *derivative forced migration* is usually the result of geopolitical rearrangement. Good examples would be the exile that took place in 597 BCE after the Babylonian conquest of Judah (2 Ki 24) and the return from Babylonian exile that led to limited autonomy in Yehud as a Persian province (Neh 5); (2) *purposive forced migration* takes place when a population is forced to relocate by the dominant political power; such was the case in 587 BCE when Jerusalem was destroyed by the Babylonians and a number of Judeans were exiled (2 Ki 25); (3) *responsive forced migration* refer to people who flee voluntarily to escape oppression of one sort or another – Jeremiah's flight to Egypt in 582 BCE is but one example (Jr 41–3).

Awabdy (2014) suggests that the book of Deuteronomy develops a complex vision for the *ger* as 'immigrant' that eventually allows the *ger* into the community of YHWH's people. The 'immigrants' or 'resident aliens' become part of Israelite society by being transformed into 'brothers' – in a certain sense, Israelite society becomes a unified extended family. Awabdy (2014:251) concludes that the Deuteronomistic Code 'revised certain *ger* laws from the Covenant Code ... but has diverged both lexically and often conceptually from *ger* laws from the Holiness collection'. He makes an interesting distinction between the verb *gur* and the noun *ger* that is different from the distinction argued by Ramirez (1999:22–26), who 'distinguishes the emigrant character of the verb from the immigrant character of the noun', while Awabdy (2014:3) claims that 'the data indicate' that the verb has a general 'migratory character' that included emigration and immigration, but the noun has 'immigrant character'. According to Awabdy (2014:11,40,136), Deuteronomy 26:5 presents 'Israel's ancestors' as 'agents of *ger* activity in Egypt' and that in the creed only the Levite and the Israelite ancestors are 'subjects of *gur*'.<sup>7</sup>

Only a few commentaries on Deuteronomy refer to migration and migrants when discussing the 'creed' in Deuteronomy 26. In his discussion of Chapter 26, Mann (1995:138) recognises its importance as the conclusion of the second address of Moses that provides 'liturgical recognition of the immigrant status of all Israelites' and 'of the consequent responsibility for others'. Because of the required recital by the worshipper of the 'creed', a process of 'corporate identification' takes place and 'the contemporary worshipper' becomes 'the alien immigrant of the past, rejoicing in the gift of the land as if he or she is one of the first generation'

6. One might well ask if the existence of Egyptian and Sumerian frontier forts have any relevance for current deliberations whether a wall must be built on the border between Mexico and the US? This comes dangerously close to a very literal and even fundamentalist understanding of the Bible.

7. Schol-Wetter (2017:328–342) explores the applicability of nomadic theory to come to a dynamic understanding of identity formation in the Hebrew Bible – an example that human mobility can be explained in other ways than just migration theory.

(Mann 1995:139). In a similar vein, Biddle (2003:388) observes that in our 'modern society people have become increasingly unsettled and disconnected'; in fact very few people 'live in their ancestral homes'. He identifies four classes of people in ancient Israel that were 'particularly disenfranchised': Levites, resident aliens, orphans and widows; and concludes that migrant workers (perceived as a type of 'resident alien') 'do not enjoy the same opportunities as the more fortunate' (Biddle 2003:389).

## Conclusion

It seems as if the majority of recent scholarship agrees that the 'small historical creed' need not be interpreted as the ancient foundation of an Israelite 'salvation history', but rather as post-exilic *Fortschreibung* that framed the Deuteronomic Code with a remarkable combination of *nicht nur die ferne Heilsgeschichte der mosaïsche erzählten Zeit, sondern das Geschick der Erzählzeit von Deportation und Rückkehr* (Otto 2017:1897–1898). I agree with Schmid (2012:122–123) that the 'credo text' in Chapter 26 'is not ancient, either in its formulation or in its substance'. Historical references, such as allusions to the Aramean ancestor or the Exodus events, were formulated and combined with existing traditions in the concluding phase of Pentateuch or Hexateuch development and not necessarily in the beginning.

The rhetoric of Deuteronomy 26:1–15, and especially 26:5, is geared towards convincing its diverse post-exilic audience, consisting of returning exiles or migrants from Babylon and those who remained behind in Palestine, to 'recite this identification [*sc. with Israel*] in words that connect the rescue from Egypt with the obedience to the law' (Watts 1999). This also functions as a theological-ethical frame because of the correspondence between Chapters 6, 12 and 26.

There seems to be a clear and dramatic juxtaposition between the vulnerability suggested by the creed and the celebration of the fruits of harvest – Altmann (2012:561) describes this contrast quite vividly but in a somewhat melodramatic way: 'The contrast highlighted in this section is between the brink of death and life pictured as opulent agricultural fertility'.

My own more muted suggestion is that this juxtaposition also entails an attempt to synthesise the potentially conflicting aspirations of the returning Babylonian exiles or migrants and the peasant farmers who remained behind in Palestine or Yehud. The vulnerable returning exiles or migrants were allowed to resettle in Yehud because of a decree by Cyrus, and the peasant farmers earned their livelihood by producing harvests that were of economic importance for the Persian Empire.

For both parties, peasant farmers and returning exiles or migrants, it was important to embrace an identity that made it possible to maintain common religious roots by associating themselves with the ancestral patriarchs, the Exodus and

Yahweh as the provider of fertility, as well as claiming Aramean associations (ambiguous reference to 'my father / ancestor was a[n] ... Aramean') that resonated with the authorities of the Persian Empire who utilised Aramaic as official *lingua franca*.

Although the Hebrew Bible should never be interpreted and utilised as 'a manual for moral conduct', the 'hermeneutical appropriation of the biblical text in contemporary ethical debates' seems to be well served to take note of recent trends in migration theory (Joubert & Zimmermann 2017:1–5). In subsequent research, Young's (2016b:222) challenge requires a response: 'it is time for scholars to start looking at the evidence differently, developing explanations that incorporate more recent migration theory in their model'.

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