

EZRA, THE FIRST RABBI

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LEADERSHIP IN THE BIBLE

Leadership in the Bible is generally represented by one of two models, the king or the prophet. The king is a primarily a political leader who rules over the Israelites and leads them in battle against their enemies, or is responsible for the generals who do so. The leaders described in the Book of Judges, though not actual kings, fall into this category. They lead smaller groups of Israelites, but they essentially function as small-scale kings. One judge, Gideon, was asked by the people to be king (Judg. 8:22). Although he refused, we see from here that there was a natural progression from judge to king. The other kind of leader was the prophet, someone who communicated with God. His authority stemmed from these communications. The classic examples are Moses and Samuel.

The religious leader presented in the Mishnah and Talmud is a rabbi, someone whose function is to teach Torah and to derive the *halakhah* from the Torah. The authority of the rabbi comes not from political or military leadership or direct communication with God, but from his expertise in understanding the Torah. Although it is customary to refer to Moses as *Moshe Rabbenu*, "Moses our rabbi/teacher," he derives his authority from his position as a prophet rather than from his scholarship. He speaks to God and God speaks to him – this is the basis for his authority. His understanding of the Law is greater than that of others due to this prophetic communication. Note also that the term *Moshe Rabbenu* only appears in post-Mishnaic literature, once the rabbinic class was already established. Moses was then retroactively cast in this mold. In the Bible itself, it is Moses' prophecy that is emphasized (Num. 12:8).

THE FIRST "RABBI"

The first leader in the Bible who can be viewed as a "rabbi" is Ezra. Ezra was not a military leader; he did not help the Israelites against their enemies,

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something that Nehemiah would do at about the same time period (Neh. 4). Although he was appointed by Artaxerxes, Ezra is not depicted as the Jewish community's political leader but as its religious leader. He was commissioned by the Persian king *to regulate Judah and Jerusalem according to the law of your God* (Ezra 7:14) and to *appoint magistrates and judges to judge all the people in the province...who know the laws of your God, and to teach those who do not know them* (7:25). His role is to establish religious law in Israel. Furthermore, since Ezra was not a prophet, there is no mention of God speaking to him.¹ He is described as *a scribe expert in the Teaching of Moses which the Lord God of Israel had given* (7:6) and as *a scholar in matters concerning the commandments of the Lord and His laws to Israel* (7:11). Although Ezra is described as a *sofer*, translated as a "scribe," in the Bible we do not find any mention of him writing anything. He is not portrayed working in the role of a court scribe, as in the case of Shebna (II Kgs. 18:18). However, we do find him described as a teacher of Torah to the masses, *for Ezra had dedicated himself to study the Teaching of the Lord so as to observe it, and to teach laws and rules to Israel* (Ezra 7:10). Ezra is portrayed doing exactly that in a public gathering (Neh. 8:1-8).

Based on the biblical portrayal of Ezra as a teacher of Torah, the term *sofer* in Ezra 7:6 was understood by Ibn Ezra to refer to a teacher (*maggid*), the word *sofer* there being derived from *le-sapper*, "to tell." Ralbag explains that the word *sofer* is connected with *mispar* "number," the sense being that Ezra would "count the proofs" for different positions and determine what was the just course of action, and he would "expertly count the intentions of the Torah." Malbim (on Ezra 7:11) specifically states that Ezra is not called a *sofer* because he was a professional scribe, but rather because he "counted the commandments of God." In a similar vein, *Metzudat Zion* (on Ezra 7:6) explains that the term *expert* here means someone with intelligence and understanding.

The term *sofer* is also used in rabbinic literature to denote a teacher of Torah. For example, TJ *Hagigah* 1:7 uses *soferim* and *mishnim* to indicate teachers of Torah and Mishnah. Famously, TB *Kiddushin* 30a gives *soferim* as the term for the early Sages.

It is thus Ezra who serves as the archetype for what would later become known as "rabbinic leadership." This is reflected in talmudic statements that

"when the Torah was forgotten among Israel, Ezra came from Babylonia and established it" (TB *Sukkah* 20a), and that "Ezra would have been worthy of giving the Torah, had not Moses preceded him" (TB *Sanhedrin* 21b).

THE FIRST RABBINIC EXEGESIS

The Talmud ascribes numerous communal rulings (*takkanot*) to Ezra, such as the basis for the one-year Torah reading cycle employed to this day (TB *Megillah* 31b) and for reading the Torah on Mondays, Thursdays, and Shabbat afternoon (TB *Bava Kamma* 72a). These ideas are based on the biblical narrative of Ezra reading the Torah to the masses in Nehemiah 8:1-8, making him the archetype of everything to do with public Torah reading. While these can be seen as later enactments retrofitted and ascribed to Ezra, the Bible itself contains hints of some of Ezra's "rabbinic" rulings.

The first challenge that Ezra faced after arriving in Israel was rampant intermarriage. *The people of Israel and the priests and Levites have not separated themselves from the peoples of the land whose abhorrent practices are like those of the Canaanites, the Hittites, the Perizzites, the Jebusites, the Ammonites, the Moabites, the Egyptians, and the Amorites* (Ezra 9:1). Note that the verse does not say that the Israelites actually married Canaanites et al, but rather people *whose abhorrent practices are like those of Canaanites*. This is because, at this point in history, there were no remnants of those nations in the Land of Israel. They had been wiped out in the course of time, from the days of Joshua through the period of Judges and Kings.² This idea is reflected in rabbinic literature as well. The Mishnah (*Yadayim* 4:4) rules that Ammonites may now convert and join the Jewish people because "Sennacherib came and mixed up all the nations," i.e., from the period concluding the Book of Kings, nations in the area cannot be identified with those mentioned in the Torah.

When Ezra identifies his contemporary *peoples of the land* with those nations whose offspring the Torah prohibits marrying (Deut. 7:1-4, Deut. 23:4), the implicit idea is that the Torah can be interpreted to mean that all intermarriage is forbidden. This is mentioned explicitly in TB *Kiddushin* 68b as the opinion of R. Shim'on, who understood that all nations are prohibited *for they will turn your children away* (Deut. 7:4). It is this kind of exegesis that is implied in Ezra 9:1.

It should be noted that in pre-rabbinic Jewish writings, the prohibition of intermarriage sometimes appears to be Canaanite specific. Jubilees 20:4 states, "Let them not take wives from the girls of Canaan because the seed of Canaan will be rooted out of the land." This same idea is expressed in Jubilees 22:20: "Do not take a wife from any of the seed of the daughters of Canaan because all of his seed is destined for uprooting from the earth, because through the sin of Ham, Canaan sinned and all of his seed will be blotted out from the earth."³ On the other hand, Philo writes that "Moses commands: do not form a connection of marriage with one of another nation," extending the prohibition to all other nations.⁴ This matter continued to be a subject of debate among medieval rabbinic authorities, Maimonides ruling that it is a biblical prohibition to marry any foreigner, while the *Tur* rules that only those nations explicitly mentioned in the Torah are biblically forbidden; others are only rabbinically proscribed.⁵ In light of this, Ezra 9:1 can be seen as the earliest recorded example of interpreting the Torah in a way that extends a law beyond what is explicitly stated in the verse, what would later be known as rabbinic exegesis.

MORE RABBINIC RULINGS FROM THE TIME OF EZRA

As a result of Ezra's public reading of the Torah and teaching the laws to the Jewish community, a religious revival took place and the people made a formal undertaking *to follow the Teaching of God, given through Moses the servant of God, and to observe carefully all the commandments of the LORD our Lord, His rules and laws* (Neh. 10:30). There was apparently no need to accept once again the Torah which had been received generations earlier at Mount Sinai. One can perhaps understand that this was just a ceremonial event reinvigorating Torah observance in general⁶ or a list of the particular Torah laws that the people had neglected,⁷ but a careful reading of what they were swearing to abide by reveals that this event was the acceptance of a whole new category of laws.

The first law in the itemized list is: *We will not give our daughters in marriage to the peoples of the land, or take their daughters for our sons* (Neh. 10:31). Malbim, commenting on this verse, writes that what is understood and being accepted here is not only the prohibition of intermarriage with the nations mentioned in the Torah, but also with any non-Israelite. The next law

reads: *The peoples of the land who bring their wares and all sorts of foodstuff for sale on the Sabbath day – we will not buy from them on the Sabbath or a holy day* (Neh. 10:32). This injunction, forbidding trade on the Sabbath, is also not laid down explicitly in the Torah. Although Isaiah states, *If you refrain from trampling the Sabbath, from pursuing your affairs on My holy day . . . And if you honor it and go not in your ways, nor look to your affairs and speak of them* (Isa. 58:13), which implies that business should not be conducted on the Sabbath, there is no specific legislation regarding this prior to Ezra. What the people are now accepting are extra-Torah enactments that would come to be known as Rabbinic Law, but here these rules are set forth in the Bible. This mass acceptance of the law, at the very end of the Bible, does in fact mark the beginning of the rabbinic era. Ezra the scholar is the religious leader, and the laws in this chapter are the very first "rabbinic decrees" that we have recorded.

Many of the laws accepted in this chapter are clearly additions to the rules in the Torah. One exemplary innovation is casting lots *to bring the wood offering to the House of our God by clans annually at set times* (Neh. 10:35). There is no concept of a wood offering in the Torah itself. TB *Ta'anit* 28a describes the minor holidays that families instituted to commemorate the days when they would bring this offering, but specifically indicates that this was a rabbinic idea. In its account of this offering, the verse concludes: *in order to provide fuel for the altar of the Lord our God, as is written in the Teaching*. The verse thereby links this innovation with what is *written in the Teaching* so as to connect the "rabbinic" rule to what is set forth in the Torah.

Another innovation listed here is the systematic collection of gifts for the priests and Levites – *the first part of our dough, and our gifts [of grain], and of the fruit of every tree, wine and oil for the priests, and the tithes of our land for the Levites* (Neh. 10:38). These will no longer be collected personally by the Levites, going from door to door and field to field. Henceforth, *it is to the storerooms that the Israelites and the Levites must bring the gifts of grain, wine, and oil* (Neh. 10:40). The gifts will be brought to the Temple and officially redistributed there to the priests. This sounds like what in later times would be called a *takkanah*, a rabbinic "fix" to a pre-existing rule to make it operate properly.

Similarly, we find acceptance of the obligation *to charge ourselves one-third of a shekel yearly for the service of the House of our God* (Neh. 10:33). This is a new obligation, a variant of what is found in the Torah. Exodus 30:13 speaks of *a half-shekel as an offering to the LORD*, not one-third as in Nehemiah. This change is understood to reflect a change in currency since the era of the Torah. Either a third of a shekel now had the same value as the ancient half-shekel,⁸ or else an additional third had to be added to the half-shekel because a shekel was now worth less than in ancient times.⁹ Either way, it represents a means of interpreting the half-shekel of the Torah, not as a fixed amount based on coinage but as a certain value. Based on this understanding of Nehemiah 10:33, the exact fraction of a shekel needed to make up this value will change throughout history, which is exactly the approach adopted by R. Yehudah in the Mishnah (*Shekalim* 2:4).

The laws we have itemized so far are clearly non-Torah rules. However, there are others in the list of those accepted which seem identical with the ones in the Torah. Nehemiah 10:32 states that the Judeans undertook *to forgo [the produce of] the seventh year, and every outstanding debt*. This refers to the Sabbatical year (*shenat shemittah*), which is mentioned in the Torah (e.g., Ex. 23:11, Deut. 15:1). Similarly, there is an undertaking *to bring to the House of the Lord annually the first fruits of our soil, and of every fruit tree, also the firstborn of our sons and our beasts, as is written in the Teaching* (Neh. 10:36-37). These are all Torah laws (e.g., Ex. 13:2, Num. 18:15-18, Deut. 26:2). It is possible that they were included here because they needed to be emphasized at the time for various reasons, something not unusual in the Bible. For example, chapter 5 of Nehemiah tells of the many poor people who needed to have their debts cancelled, thereby emphasizing that this aspect of the Sabbatical year was of major importance.¹⁰

Even so, based on all the other rules mentioned in this chapter of Nehemiah which are clearly additions to the Torah, rabbinic commentators understood that these laws also refer to additional, extra-Torah regulations. Malbim explains that the Sabbatical year laws at that time were only rabbinic, since observing *shemittah* is a Torah law that only applies when all the Israelites inhabit the Land of Israel.¹¹ Rashi likewise explains that the first fruits mentioned are those of every tree, whereas the Torah only requires first fruits of the Seven Species with which the Land of Israel is blessedly fertile to be

brought.¹² These interpretations can be seen as problematic, since they are themselves primarily based on rabbinic interpretations of the Torah. The other laws mentioned in this chapter, however, forbidding all intermarriage and trade on the Sabbath, or concerning the wood offering and the third of a shekel donation, are clearly extra-Torah rules.

CONCLUSION

As the Bible draws to a close, a new era is beginning. We no longer read of overt miracles in the last few books of the Bible: Esther, Ezra, and Nehemiah.¹³ Prophecy is coming to an end as well. The world presented in the Bible is shifting toward a much more natural one, where God's presence and involvement is more hidden. It is in this context that a new type of religious leadership arises. Instead of determining God's will through direct communication, it is achieved through careful study and interpretation of the Torah. The earliest example of this new rabbinic leadership is Ezra.

At the end of the "Peace Chapter" of the minor tractate *Derekh Eretz Zuta*, we find this statement: "R. Joshua said: A prophet is called *malakh* [angel/messenger) and a *hakham* [wise man] is called *malakh*. A prophet is called *malakh*, as it is said, *And Haggai, the Lord's messenger [malakh]* (Hag. 1:13). A wise man is called *malakh*, as it is said, *For he is a messenger [malakh] of the Lord of Hosts* (Mal. 2:7)." The original messengers of God were the angels; this role was later assumed by the Prophets and finally by the rabbinic Sages, as detailed in the Books of Ezra and Nehemiah.¹⁴

NOTES

1. Based on this, Radak (to Mal. 1:1) rejects the Talmud's identification of Ezra with the prophet Malachi (TB *Megillah* 15a).
2. M. Zer-Kavod, *Da'at Mikra – Ezra u-Nehemyah* (Jerusalem: Mossad Harav Kook, 1994) p. 58.
3. Citations of the Book of Jubilees are from O. S. Wintermute, *Jubilees: A New Translation and Introduction*, in James H. Charlesworth, ed., *The Old Testament Pseudepigrapha*, vol. 2 (New York: Doubleday, 1985).
4. Philo, *The Special Laws*, 3:29; C. D. Yonge, *The Works of Philo* (Peabody, Mass.: Hendrickson Publishers, 1993) p. 597.
5. See the discussion in *Tur*, *Even ha-Ezer* 16, and *Beit Yosef*, *ibid*.
6. This episode in Nehemiah seems to be the basis for the aggadic re-acceptance of Torah in the days of Mordecai and Esther, mentioned in TB *Shabbat* 88a.
7. See the commentary of Ralbag to Nehemiah 10:31.

8. Jacob M. Meyers, *The Anchor Bible – Ezra Nehemiah* (Garden City, New York: Doubleday and Company, 1965) pp. 178-9; M. Zer-Kavod, op. cit., p. 121. This approach is also found in commentaries of Ralbag and Malbim to this verse.

9. Ramban to Exodus 30:12.

10. Meyers, op. cit., p. 178.

11. Malbim to Nehemiah 10:32. See TB *Mo'ed Katan* 2b.

12. Rashi to Nehemiah 10:37.

13. TB *Yoma* 29a states that "Esther is the end of all miracles."

14. A similar idea is found in TB *Bava Batra* 12a, that "since the day of the destruction of the Temple, prophecy was taken from the Prophets and given to the Sages," meaning that the Sages took over the role of religious leadership from the Prophets.



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