

THE COVENANT FORMULA IN JEREMIAH

The Safeguard of the Identity of YHWH's People

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1. INTRODUCTION

Climate change has been a pervasive topic during the last decade as its negative effects have become increasingly conspicuous. In 2015, Pope Francis published the encyclical *Laudato si'* to address the contemporary ecological concerns from a Roman Catholic ecclesial perspective. In his diagnosis of the environmental crisis, he considers “the effects on people’s lives of environmental deterioration, current models of development and the throwaway culture.”¹ Among the many disturbing effects he points out, he refers to the loss of identity as one of them.² Moreover, Pope Francis makes it his focus when he discusses the link between ecology and culture.³

Beyond common human experiences, one can perceive resonances from the HB when Pope Francis considers the care for indigenous people. He states, “For them, [the] land is not a commodity but rather a gift from God and from their ancestors who rest there, a sacred space with which they need to interact if they are to maintain their identity and values. When they remain on their land, they themselves care for it best.”⁴ Here, Pope Francis’s stance regarding the relationship between indigenous peoples’ identity and their land appears to be informed by the history of Israel/Judah.

Pope Francis further elaborates his reflection on indigenous peoples’ identity when addressing the concerns expressed by the Synod of Bishops for the Pan-Amazon Region (2017-

¹ Francis, “Encyclical on on Care for Our Common Home *Laudato Si'*,” 24 May 2015, §43, The Holy See, https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html.

² Francis, “*Laudato Si'*,” §46.

³ Francis, “*Laudato Si'*,” §§143–146.

⁴ Francis, “*Laudato Si'*,” §146.

2019). A whole section of the Post-Synodal Apostolic Exhortation “Querida Amazonia” is devoted to discussing the challenging situation of the indigenous peoples of the Amazon Forest, the risk it represents for their identity, and the consequences it has already had and could still have.⁵ However, for Pope Francis, it is not enough to provide the phenomenology of the problem but also to call people to face the “growing risk that this cultural richness will be lost.”⁶

Two traits of Pope Francis’s exhortation in this section are especially significant from a Scriptural perspective. First, it deems that the identity roots of the baptized indigenous people “include the history of the people of Israel and the Church up to our own day.”⁷ Second, it uses rhetoric whose vocabulary of agriculture and nature evokes utterances from Jeremiah. Pope Francis says that education for people in the Amazon region means “to cultivate without uprooting, to foster growth without weakening identity.”⁸ Moreover, he quotes verses from modern poetry within the same semantic field.⁹

This essay attempts to contribute to Pope Francis’s intuition implicit in the rhetoric regarding identity in Querida Amazonia. In fact, it is an approach to Jeremiah’s speech regarding the identity of the Israelite/Judean people. The book attributed to this prophet is a collection of texts recording utterances related to a profoundly challenging moment for the identity of Israel and Judah as a people, the Babylonian deportations in the early sixth century BCE.

A comprehensive examination of Jeremiah’s rhetoric on identity is far beyond the scope of this limited research. So is addressing the huge complexity that threatens the identity of the immense numbers of indigenous people that dwell in the Amazon Forest. Hence, among all the

⁵ Francis, “Post-Synodal Apostolic Exhortation *Querida Amazonia*,” 2 February 2020, §§28–40, The Holy See, https://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20200202_querida-amazonia.html.

⁶ Francis, “*Querida Amazonia*,” §35.

⁷ Francis, “*Querida Amazonia*,” §33.

⁸ Francis, “*Querida Amazonia*,” §28. Compare to Jer 24:6.

⁹ Francis, “*Querida Amazonia*,” §31.

prophetic utterances in Jer, this essay focuses on the so-called Covenant Formula (CF) due to its connection to the notion of people. I argue that Jeremiah's use of the CF displays rhetoric that addressed the challenges faced by his people's identity due to the Babylonian deportations, allowing them to safeguard it. Yet, given the positive effects it seems to have had, I propose it could inspire one of the baptized peoples from the Amazon Forest, the Mojeños,¹⁰ to adopt or develop a similar strategy to face their own challenges.

To support my thesis, the following sections of this introductory chapter provide the framework for the discussion. The first section includes a brief discussion about the Mojeños and their comparability with Israel and Judah. The second section introduces the methodology for this biblical study. The third section provides a consideration of the historical background for the book of Jeremiah with a focus on the deportation practice. And the last section of this chapter introduces the Covenant Formula and a recent discussion on it. The second and central chapter of this essay comprises the exegetical analysis of every CF instance in the book of Jeremiah according to the chosen methodology. This chapter dedicates a corresponding section to each passage where the CF appears. The goal is to find out the elements needed for a later global assessment of the intention of the rhetoric that the CF is supporting. The third and final chapter provides a summary of the findings in the analyzed CF passages in Jeremiah, followed by a brief assessment of the effects of Jeremiah's use of the CF and evaluates the lessons that can be learned from it. And in its final section, this chapter discusses why Jeremiah's use of the CF might serve as an inspiration for the Mojeños.

¹⁰ Pronounced *moh-heh-nyos*.

1.1. The Mojeños and Israel/Judah

The Mojeños are people from the Amazon Forest, initially known as Mojos by the Jesuits, that did their work of evangelization among them back in the seventeenth and fourteenth century CE. Block reports that according to linguistic studies on the Arawak language — the stem from which the Mojeño language derives — the first ancestors of the Mojeños “certainly reached the Amazon savanna by 500 B.C.”¹¹ Yet, the presence of pre-Hispanic Mojeños, much closer to contemporary ones, is linked to traces of hydraulic works whose dating has still no consensus.¹²

As somewhat implied above, the entrance of the Mojeños into the Western world historiography is mainly related to the Jesuit work of foundation of missionary towns among them. A Jesuit priest by the name of Geronimo Andion made the first attempt to enter the land of the Mojeños in 1595 but failed.¹³ Only eighty-seven years later, and after a couple more failed attempts, the Jesuits could finally start their permanent evangelization presence among them by founding *Nuestra Señora de Loreto*, the first of several missionary towns, in 1682.¹⁴

The relationship between the Mojeños and the Jesuits came abruptly to an end in 1768 when the papal suppression of the Society of Jesus and its royal expulsion from the territories of the Spanish colonies was enforced by the jurisdictional authorities. However, the time the Mojeños shared with the Jesuits left a happy memory profoundly imprinted in their hearts. That memory was well preserved for more than two centuries. So well, that when the Jesuits had the chance to meet and work with the Mojeños again in 1984, they found a living culture that

¹¹ David Block, *Mission Culture on the Upper Amazon: Native Tradition, Jesuit Enterprise, and Secular Policy in Moxos, 1660-1880* (Lincoln: University of Nebraska Press, 1994), 14.

¹² Block, *Mission Culture on the Upper Amazon*, 15.

¹³ Francisco Javier Eder, *Breve descripción de las reducciones de Mojos* (Cochabamba: Historia Boliviana, 1985). xxi.

¹⁴ Bernardo Mercado Vargas, *Gran Mojos, Historia de Amistad en la Amazonía Boliviana*, Jesuitas Bolivia., vol. 4 of *Ichapekene Piasta* (Cochabamba: Parroquia San Ignacio de Mojos, 2019), 72.

attested to the strong relationship of Jesuit-Mojeño collaboration that existed in the missionary towns.

The settlement of the Mojeños in the missionary towns can be compared to the narrative of the exodus of the Israelites from Egypt. While the Israelites, thanks to YHWH's help, left Egypt to escape from "the house of servitude" (Exod 13:3), the Mojeños, in agreement with the Jesuits, started missionary towns to protect themselves from forced labor under the colonizers. In fact, it seems one of the reasons the Jesuits persevered with the paradigm of the missionary towns was to prevent the indigenous people from being captured and sold as slaves by Spanish and Portuguese fortune hunters.¹⁵

After the expulsion of the Jesuits from the region (1768), during the late Colonial period and the early Republican one, the Mojeños saw the official government of their towns transformed into an abusive extractive one, and a significant portion of their lands transferred to new owners that destined them mostly to cattle pasture.¹⁶ Yet, the lowest point of their new situation seems to have been their exploitation by the Bolivian rubber extraction entrepreneurs during the period from the late 1880s to the early 1930s. They lured them as laborers and retained them by means of indebtedment or by force, dramatically decreasing the male population in Mojeño villages.¹⁷ Turned into mere peasants among others from different ethnic origins, the living conditions of these indigenous people were highly precarious, with little or no room to express their cultural identity. And although some refuse to call this treatment servitude because

¹⁵ Block, *Mission Culture on the Upper Amazon*, 31.

¹⁶ Gary Van Valen, *Indigenous Agency in the Amazon: The Mojos in Liberal and Rubber-Boom Bolivia, 1842–1932* (University of Arizona Press, 2013), 17.

¹⁷ Zulema Lehm A., "El Movimiento de Búsqueda de La Loma Santa," in *Antología Del Pensamiento Crítico Boliviano Contemporáneo*, ed. Silvia Rivera Cusicanqui, Virginia Aillón, and Zulema Lehm A., Primera edición., Colección Antologías Del Pensamiento Social Latinoamericano y Caribeño (Buenos Aires: CLACSO, 2015), 323.

they believe these people could exercise agency and leave,¹⁸ many of those who dared to escape seems to have been chased and beaten when not tortured or killed.¹⁹

The Chaco War (1932-1935) drafted people from all over the country, including Mojeños, that never returned to their lands.²⁰ In the National Revolution (1950), considered the aftermath, indigenous people were freed from their debts, but at the same time, extensive cattle farming in what once was Mojeño territory got consolidated.²¹ Moreover, the nationalist movement that promoted the revolution tried to abolish indigenous identities in favor of a more generic and national identity of countrymen, in the sense of rural dwellers and farmers.²²

For Mojeños and other indigenous peoples in Bolivia, the first decade of the twenty-first century marked an enormous change in their political conditions. In 2009, this South-American country approved a new Political Constitution of the State after a painful constituent process that started in March of 2006. Perhaps the most important outcome of it was the constitutional declaration that Bolivia is a *Plurinational* State and, as a consequence,

the communal land rights of the traditional indigenous communities were to be guaranteed by the state (Art. 30), and their traditional medicine, rituals, symbols, dress, and cosmology were also to be respected and even promoted (Art. 30, IX); they were to be allowed to exercise their own unique political, judicial, and economic systems as defined by that cosmology (Arts. 30, 190–92). There was an entire section of the constitution dedicated to the protection of traditional cultures as national patrimony (Arts. 98–101). The state was to guarantee an intra- and intercultural and plurilingual education (Art. 30).²³

¹⁸ Van Valen, *Indigenous Agency in the Amazon*, 103–4.

¹⁹ Lehm A., “El Movimiento de Búsqueda de La Loma Santa,” 328–29.

²⁰ One of them was my grand grandfather, Juan Mocobono from Nuestra Señora de Loreto.

²¹ Lehm A., “El Movimiento de Búsqueda de La Loma Santa,” 336.

²² Lehm A., “El Movimiento de Búsqueda de La Loma Santa,” 336.

²³ Herbert S. Klein, ed., “The Emergence of a Mestizo and Indigenous Elite,” in *A Concise History of Bolivia*, 3rd ed., Cambridge Concise Histories (Cambridge: Cambridge University Press, 2021), 301, <https://doi.org/10.1017/9781108953719.013>, <https://www.cambridge.org/core/books/concise-history-of-bolivia/emergence-of-a-mestizo-and-indigenous-elite/606E71CAE2FA08EEB2DE5DA76D77B8C0>.

This was anything but a fortuitous development for the Mojeños, whose leaders had been committed to ensuring territory and dignity for their people since a historical rally in 1990.²⁴ Yet, the precariousness of the Bolivian judicial system has made it hard for the Mojeños to safeguard the integrity of their territory. In recent years, it has witnessed an increase in illegal logging, the consequences of river-bed gold mining, the penetration of cocaine production, and the unplanned settlement of migrants of diverse origins. This has added a huge amount of stress on top of the issue of extensive cattle farming they already have, thus threatening their identity even more.

In the periods when Assyria and Babylonia became the major powers region, the Israelites and Judeans seem to have experienced complex scenarios somewhat comparable to the Mojeño one described above. Although having their own distinct motivations, both powers extracted resources from smaller client kingdoms by means of tribute, pushing local leaders to squeeze their subjects with taxes. And when they failed or refused to do as demanded, they resorted to deport skillful workers to their respective heartlands. The Mojeños were also subjects of not-so-fair taxation before they were lured out of their land and retained as forced laborers for rubber extraction, as mentioned above.²⁵ But it was this last practice that exposed them to the dissolution of their identity as people.²⁶ The collective identity of Israelites and Judeans was hugely impacted by the dislocation they suffered at the hands of the Assyrians and Babylonians, respectively. On the one hand, Assyria systematically disarticulated the social networks that supported the Israelite identity of the deportees of the Northern Kingdom to the point that the biblical text leads one to think it went extinct. On the other hand, Babylon seems to have seized

²⁴ Nicole Fabricant and Nancy Postrero, “Performing Indigeneity in Bolivia: The Struggle Over the TIPNIS,” in *Indigenous Life Projects and Extractivism: Ethnographies from South America*, ed. Juan Javier Rivera Andía and Cecilie Vindal Ødegaard, 1st ed. 2019., *Approaches to Social Inequality and Difference* (Cham: Springer International Publishing : Imprint: Palgrave Macmillan, 2019), 245–46, <https://doi.org/10.1007/978-3-319-93435-8>.

²⁵ Lehm A., “El Movimiento de Búsqueda de La Loma Santa,” 321.

²⁶ Lehm A., “El Movimiento de Búsqueda de La Loma Santa,” 323–24.

the Judean symbols, destroyed their monuments, and performed at least two deportations. Yet, in this case, the Judean identity seems to have become stronger over time.

As it is discussed in the last section of this essay, during those difficult times, the Mojeños resurfaced or developed narratives that prompted cultural resistance among them. Yet, within their current challenging context, these narratives appear to be losing their power. In contrast, Jeremiah's rhetoric on peoplehood, directly related to the Babylonian deportations, seems to contain key elements that could help one understand how the strengthening of cultural identity might be prompted.

1.2. Methodology

The endeavor of understanding Jeremiah's intention for the use of the CF entails the analysis of every occurrence of it within its context in the book. Since the question about the intention requires considering the effect sought by the speech, exegesis should be focused on rhetoric. Yet, one needs to bear in mind that the effect depends on the situation in which the speech was delivered. Hence, an effort must be made to put the texts in the rhetorical situations given by historical contexts of the deliverance of the speech. That is, one must attempt, at least, a basic approach to the social and cultural settings addressed by the speech.

Social-rhetorical criticism, as performed by V.K. Robins, seems a method that can address almost all the aforementioned rhetorical issues.²⁷ It analyzes the text in subsequent stages to get an understanding of its different "textures" or dimensions.²⁸ Robin's method relies on

²⁷ Vernon K. Robbins, "Socio-Rhetorical Criticism: Mary, Elizabeth, and the Magnificat as a Test Case," in *Sea Voyages and Beyond*, Emerging Strategies in Socio-Rhetorical Interpretation (Society of Biblical Literature, 2018), 282–322, <https://doi.org/10.2307/j.ctv5cgb0d.13>, <https://www.jstor.org/stable/j.ctv5cgb0d.13>.

²⁸ The first stage deals directly with the text and its rhetorical structure as *inner texture*. The second establishes the references and echoes from other texts as *intertexture*. A third stage addresses the situation of the speech within its context and is called *social and cultural texture*. Finally, the fourth stage discusses the political implications of the speech as *ideological texture*.

rhetorical analysis of the text to discuss its structure and subtext, it requires intertextual criticism to deal with the references, and it demands data about the social and cultural situation in which the speech was delivered to describe its audience and the politics of its context. Consequently, Robins's method needs the tools provided by rhetorical criticism complemented by results of historical research on socio-political settings.

Since Robins's work focuses on the NT and its mostly Greco-Roman Jewish settings, some adaptations are due in view of this essay's OT scope. Lundbom's work, based on Muilenburg's program, is undoubtedly my main reference for rhetorical criticism in Jeremiah.²⁹ When analyzing the CF at the individual utterance level, I complement Lundbom's rhetorical analysis with the "theory of speech acts" as presented in Houston's essay on "speech acts and prophetic discourse in the Old Testament."³⁰ There, he provides the categories to discern the utterances' immediate effects (*illocutionary effect*) from the effect sought or gotten by them (*perlocutionary effect*).

The works of Dalit Rom-Shiloni and Carolyn Sharp deal with ideological developments attested by Jeremiah.³¹ All in all, the social and cultural scenarios that witnessed the emergence of the ideologies they detect in the book are hypothetical reconstructions that rely mostly on the

²⁹ Jack R. Lundbom, *Biblical Rhetoric and Rhetorical Criticism* (Sheffield: Sheffield Phoenix Press Ltd, 2015). The method he uses can be summarized as follows. First, one must delimit the units of the text by paying attention to section markers (*petuhot* and *setumot*), superscriptions, messenger formulas (i.e., "Thus said YHWH," "oracle of YHWH"), the content or genre, and *inclusio* and chiasmic structures. Second, one is to discern the text structure in an attempt to understand how parts are arranged and which — if any — typical rhetorical structures are used to deliver the message. Consequently, one must look for repetition, keywords, catchwords, balancing words, alternating voices, rhetorical questions, discourse shifts, refrains, and juxtaposition. Third, one should look for the texture of the text by analyzing its stylistic features and finding out how they function regarding the text's rhetorical effect. It requires paying attention to repetition, metaphors, asyndeton, accumulation, and other rhetorical figures to see how they are affecting the speech. This three-stage analysis of the text fulfills what is required by the inner texture discussion in socio-rhetorical criticism.

³⁰ Walter Houston, "What Did the Prophets Think They Were Doing? Speech Acts and Prophetic Discourse in the Old Testament," *Biblical Interpretation* 1.2 (1993): 167–88, <https://doi.org/10.1163/156851593X00043>.

³¹ Dalit Rom-Shiloni, *Exclusive Inclusivity: Identity Conflicts between the Exiles and the People Who Remained*, ed. Andrew Mein and Claudia V. Camp, Reprint edition. (New York London New Delhi Sydney: T&T Clark, 2015); Carolyn Sharp, *Prophecy and Ideology in Jeremiah: Struggles for Authority in the Deutero-Jeremianic Prose*, 1st edition. (London ; New York: T&T Clark, 2003).

intellectual history attested by the books of the HB. While acknowledging and eventually alluding to the work of both scholars, this essay attempts its own consideration and implicit reconstruction of those hypothetical social and cultural settings, but based on the historical background discussed below.

1.3. Jeremiah's Historical Background

As Weis reports, the discussion among biblical scholars regarding the composition and dating of the book of Jeremiah is far from closed.³² Accordingly, it can be summarized in three different scholarly perspectives regarding the differences between the LXX and the MT versions of Jeremiah and their *vorlage*. Most scholars adhere to one of the two perspectives that argue for the existence of two different Hebrew forms of the texts in antiquity, preserved in the LXX and in the MT, respectively. These two perspectives diverge in their explanation of the origin of the differences among the text forms. The first and most accepted perspective considers that they are due to redactional work and textual transmission and translation. The second sees them as fruits of a more gradual process of textual transmission, though not discarding redactional work. The third perspective is of those who argue for the existence of a single Hebrew text, better preserved in the MT than in the LXX. On top of such divergence regarding the process of composition of Jeremiah, there is diversity in the scholarly dating of the text in its current form. Yet, with some proposing dates as early as the late Babylonian deportation period and others as late as the Hasmonean period, most scholars lean toward a date around the early Persian period.

³² Richard D. Weis, "7.1 Textual History of Jeremiah," *Textual History of the Bible* (2020), https://referenceworks.brillonline.com/entries/textual-history-of-the-bible/71-textual-history-of-jeremiah-COM_0007010000#d105976595e962.

In one of the most recent serious attempts to date the composition of Jeremiah, Hornkohl has criticized the aversion to the use of the diachronic linguistic method in recent years.³³ His work is based on the conviction that “a linguistic distinction between pre and post-exilic Hebrew can indeed be reliably detected on the basis of rigorously identified characteristic features and that biblical texts can be dated relatively and, to some extent, absolutely on the basis of their linguistic profiles.”³⁴ So, after a thorough examination of the text of Jeremiah, he concluded that “the extant book of Jeremiah was written in a form of [Transitional Biblical Hebrew], the literary medium employed in works composed in the span of time linking the First and Second Temple Periods, probably approximately conterminous with the 6th century BCE.”³⁵

With a timespan for the composition of Jeremiah running from the earlier 6th century BCE until the first half of the 2nd century BCE still under discussion, the task of considering its text’s historical settings is far from easy.³⁶ Yet, since this essay’s focus is on the book’s rhetoric that does not explicitly allude to events later than the sixth century, a rather shorter timespan is considered. The goal, as required by the method introduced above, is to provide a basic understanding of the social features of the periods between the eve of the first deportation (597 BCE) and, roughly, the time of return from Babylonia in the early Persian period but right before the construction of the second temple (ca. 520 BCE).

For most of Jeremiah’s fellow Judeans, the deportation of their neighbor Israelites by the Assyrians might have created a strong memory (2 Kgs 18:9-12) that was recalled on the eve of

³³ Aaron Hornkohl, *Ancient Hebrew Periodization and the Language of the Book of Jeremiah: The Case for a Sixth-Century Date of Composition* (Brill, 2014), <https://brill.com/display/title/25232>.

³⁴ Hornkohl, *Ancient Hebrew Periodization and the Language of the Book of Jeremiah*, 370.

³⁵ Hornkohl, *Ancient Hebrew Periodization and the Language of the Book of Jeremiah*, 371.

³⁶ Rom-Shiloni, *Exclusive Inclusivity*, 4–5. In her work, Rom-Shiloni is interested in the relationship among the different Judean parties that formed due to the Babylonian deportations. Consequently, she sets the time scope of her research within the range that starts with the first deportation (595 BCE) and the time of Ezra-Nehemiah, well into the Persian period (450-400 BCE).

the Babylonian sieges (597 and 587 BCE).³⁷ Even though both Israel and Judah seem to have been client states of Aššur, the dominant imperial power in the region during the second half of the eighth century BCE and two-thirds of the following century, their relationship was tense.³⁸ The tensions ended when, after an anti-Assyrian revolt, the Northern Kingdom of Israel fell to King Sargon II of Aššur (722 BCE), who took Samaria and deported its inhabitants.³⁹

These events do not seem to have prevented Judah and the surrounding kingdoms from revolting or entertaining alliances with Egypt in periods of transition between Assyrian rulers. That appears to be the main reason for Sennacherib's third campaign in the West Fertile Crescent in 701 BCE when his armies razed most of Judah's towns and countryside.⁴⁰ The carvings of the fall of Lachish from the South West Palace in Nineveh are a particularly eloquent depiction of the destruction caused by the Assyrian troops in Judah.⁴¹ Yet, the last-minute failure of the Assyrian siege against Jerusalem seems to have boosted Judah's pride and fed a certain notion of the invulnerability of the city linked to the presence of YHWH's temple in its midst (Jer 7:4).

The horrific aftermath of Sennacherib's campaign might have prompted Judah to reestablish its client relationship with Aššur and keep it under the rule of Essarhaddon (681-669 BCE) and his successor, Ashurbanipal (669-631 BCE).⁴² However, the gradual collapse of the Neo-Assyrian empire after the death of Ashurbanipal and the Babylonian takeover of Nabopolassar in the last quarter of the century allowed local leaders that were under the Assyrian

³⁷ The Hebrew word *glh* is cognate with the Akkadian *galû*, meaning "to be deported" or "take/send into exile", both in the Neo-Assyrian and the Neo-Babylonian dialects. Jeremy Black, Andrew George, and Nicholas Postgate, eds., *A Concise Dictionary of Akkadian*, 2nd Revised edition. (Wiesbaden: Harrassowitz Verlag, 1999).

³⁸ Reinhard G. Kratz, *Historical and Biblical Israel: The History, Tradition, and Archives of Israel and Judah*, trans. Paul Michael Kurtz, 1st edition. (OUP Oxford, 2015), 24. In the so-called Siro-Ephraimite War (736-732 BCE), King Ahaz of Judah requested support from the Neo-Assyrian king Tiglath-Pileser III against the Aram-Israel coalition that tried to push Judah to join them in an anti-Assyrian coalition.

³⁹ RINAP 02: 001

⁴⁰ Kratz, *Historical and Biblical Israel*, 29.

⁴¹ BM.124911

⁴² Kratz, *Historical and Biblical Israel*, 29.

yoke to regain autonomy and seek alliances. Moreover, it prompted the Saite Pharaohs, installed by the Assyrians, to bring the coastal plains of the Western Fertile Crescent and its trade route under Egyptian control.⁴³ This process started with Psamtik I and continued under Necho II, projecting Egypt as Babylon's rival in the region.

It was precisely Necho II who encountered and killed King Josiah of Judah in Megiddo (609 BCE). Josiah, along with his army, attempted to stop the pass of the Egyptians in their march to support the remnants of the Assyrian armies (2 Kgs 23:29). Some months later, Necho II deposed Josiah's youngest son, King Shallum (Jehoahaz) of Judah, who was anointed by "the people of the land" (*'am hā'āreṣ*) to succeed his father (2 Kgs 23:30). Necho II, then, set Eliakim, Shallum's older brother, whom he renamed Jehoiakim, in his stead to ensure Egypt's control over Judah (2 Kgs 23:34).

It should not be difficult to understand at this point the reasons why, despite the threat the Babylonians represented, a pro-Egyptian party could have become very strong among the Judeans. After all, Jehoiakim was installed by Necho II. Moreover, he apparently enjoyed some freedom of action even on Egyptian soil, as attested by Jeremiah's recount of the prophet Uriah's capture in Egypt, where he fled after prophesying against Jehoiakim (Jer 26:20-23).

The Egyptian presence in the North was short-lived. A little after Babylon's victory over Necho II's army and Assyrians in Carchemish (605 BCE), Nabopolassar died and was succeeded by his son Nebuchadnezzar II.⁴⁴ He started the pushback of Egypt in the Western Fertile Crescent to ensure Babylonian dominion over the region. The Neo-Babylonian chronicles attest to Nebuchadnezzar's campaign against Hatti and Aškelon during the first of his reign (604 BCE).⁴⁵

⁴³ Kratz, *Historical and Biblical Israel*, 30.

⁴⁴ Jean-Jacques Glassner, *Mesopotamian Chronicles*, ed. Benjamin R. Foster, Writings from the Ancient World no. 19 (Atlanta: Society of Biblical Literature, 2004), 227–29.

⁴⁵ Glassner, *Mesopotamian Chronicles*, 229.

According to Lipschits, Jehoiakim surrendered and pledged loyalty to Nebuchadrezzar II around these events.⁴⁶ Yet, after only three years (601 BCE), the thwarted Babylonian invasion of Egypt seems to have prompted Jehoiakim to switch Judah's loyalty back to Necho II (2 Kgs 24:1). This battle against Egypt apparently caused severe losses to both armies and led to Nebuchadrezzar's retreat to Babylon for a whole year to strengthen his troops.⁴⁷ The Scriptures tell that under these changing circumstances, Jeremiah prophesied Jerusalem's demise unless Judah surrendered to Babylon.

Nebuchadrezzar first went back against Hatti and the Arabs, and, after that, in the month of Kislev of the seventh year of his reign (November–December 598 BCE), he laid siege to Judah.⁴⁸ Jehoiakim might have probably died during the siege or a little before it.⁴⁹ So, when Jerusalem surrendered to the pressure of Nebuchadrezzar's army in the month of Adar (February–March 597 BCE), he took captive its new king, Jehoiachin,⁵⁰ son of Jehoiakim, “installed a new king of his choice ... collected a massive tribute and went back to Babylon.”⁵¹ The account of these events in 1–2 Kings provides more detail on the seized goods and the deported people (2 Kgs 24:13-17). The prophet Jeremiah is also aware of who was taken and even addresses them (Jer 24:1, 29:1-2). Furthermore, he knows the treasures the Babylonians took with them and what was left in Jerusalem (Jer 27:16-20).

⁴⁶ Oded Lipschits, “Jehoiakim Slept With His Fathers...’ (II Kings 24:6)—Did He?,” *The Journal of Hebrew Scriptures* 4 (2003): 3–4, <https://doi.org/10.5508/jhs.2002.v4.a1>, <https://jhsonline.org/index.php/jhs/article/view/5860>.

⁴⁷ Glassner, *Mesopotamian Chronicles*, 229.

⁴⁸ Glassner, *Mesopotamian Chronicles*, 231.

⁴⁹ Lipschits, “Jehoiakim Slept.” In this paper, Lipschits discusses the different accounts of Jehoiakim's death in the HB and argues that “the king's death was not attended by any unusual circumstances.”

⁵⁰ Jehoiachin (*yəhōyāqîn*, 2 Kgs 24:6,8,12,15; 25:27,29; 2 Chr 36:8,9; Jer 52:31,33; Ezek 1:2), king of Judah, son of Jehoiachim (*yəhōyāqîm*), is also known in the Scriptures as Jeconiah (*yəkənəyā*, 1 Chr 3:16,17; Esth 2:6; Jer 24:1; 27:20; 28:4; 29:2; Bar 1:3) or just Coniah (*kənəyāhû*, Jer 22:24,28; 22:37). He ruled Judah from 598 BCE until 597 BCE when he was taken captive to Babylon along with his officials (2 Kgs 24:8-12).

⁵¹ Glassner, *Mesopotamian Chronicles*, 231.

The Bible reports that even after these events, King Zedekiah and his court, along with the rulers of some of the neighboring kingdoms in the region, still plotted to get rid of the Babylonian yoke (Jer 27:1-7), probably with support from the Egyptians (Jer 9:26). Such a provocation might have led Nebuchadnezzar to besiege Jerusalem for the second time with his army and destroy it in 587 BCE. Moreover, after his victory, Nebuchadnezzar had King Zedekiah's sons and officers executed, and the king blinded and deported along with a number of survivors to Babylonia (Jer 39:4-7). Those that escaped the Babylonians or were not seen fit for deportation fled to Egypt. Accordingly, only the poorest of the poor remained in the land (Jer 40:7), yet some might have considered it empty. All in all, the "empty land" seems an ideological construction that exaggerates a non-trivial decrease in the population.⁵²

The Babylonians, like the Assyrians, used deportation as a punishment against rebel client kingdoms, yet the resemblance is limited. According to currently available sources, the deportees were divided into carefully-sized and selected groups that prevented them from organizing to revolt.⁵³ And they were sent to locations where they co-existed with deportees from other origins while serving mostly as the agriculture workforce for the empire. The Assyrians usually repopulated the deportees' land of origin with deportees from other regions. They were the workforce needed to develop the infrastructure to support the new province.

⁵² Avraham Faust, "Deportation and Demography in Sixth-Century B.C.E. Judah," in *Interpreting Exile: Displacement and Deportation in Biblical and Modern Contexts*, ed. Brad E. Kelle (SBL Press, 2011), <https://hdl.handle.net/2027/heb31321.0001.001>. In this regard, Faust has criticized some scholarly opinions that, while claiming to debunk the so-called "myth of the empty land," refer to the demography and life in Judah as if practically nothing had changed after the events of 587 BCE. Admitted that the deportation was not total and based on comparative archaeological evidence, he argues that a dramatic decrease in the population number happened in the region due to the deportations and the aftermath of the war.

⁵³ Karen Radner, "The Neo-Assyrian Empire," in *Imperien und Reiche in der Weltgeschichte: Epochenübergreifende und globalhistorische Vergleiche: Epochenübergreifende Und Globalhistorische Vergleiche*, ed. Michael Gehler et al., 1., edition. (Wiesbaden: Harrassowitz, O, 2014), 101–19. Accordingly, the Assyrian program seems to have included giving the relocated people the status of Assyrians, with some prerogatives and, most importantly, the obligations that came with it.

Focusing primarily on health and psychological conditions, Laura Battini has attempted to reconstruct the deportees' experience during the Assyrian deportation travels.⁵⁴ The picture she draws as a result is terrifying, even considering the numbers of deportees in the Assyrian reports and the Bible as exaggerations. It was an extremely long, difficult journey that caused many people to die on the way. In contrast, Karen Radner's depiction of the deportations is more positive. Accordingly, the Assyrians developed the logistics that allowed them to move great numbers of people through the territory of the empire in a well-planned way.⁵⁵ Governors of the cities along the route were informed and required to provide the deportees with food and water. This level of coordination might have allowed the Assyrians to relocate a non-trivial number of people over the time that they exercised this practice.⁵⁶

Some have argued that the Babylonians inherited the Assyrian administration and tried to keep it running for their own sake. Yet, as Vanderhooft has shown, this does not seem to have been even possible because after Ashurbanipal's death in 631 BCE, the Assyrian presence and administrative apparatus started to decline rapidly, and local leaders of client kingdoms that were turned into provinces regained autonomy for their territory.⁵⁷ By the time the Nebuchadnezzar finally defeated the Assyrians, most of the provincial system might have already collapsed.

Unlike the Assyrian, extant Babylonian chronicles do not attest that they sought to turn the defeated kingdoms into their own land. Reports on the Babylonian campaigns lead one to

⁵⁴ Laura Battini, "During the Displacement: Life, Death, Health and Psychological Conditions of Migrants," *Hebrew Bible and Ancient Israel* 11.5 (2022): 25–55.

⁵⁵ Karen Radner, "Economy, Society, and Daily Life in the Neo-Assyrian Period," in *A Companion to Assyria* (John Wiley & Sons, Ltd, 2017), 209–12, <https://doi.org/10.1002/9781118325216.ch9>, <https://onlinelibrary.wiley.com/doi/abs/10.1002/9781118325216.ch9>.

⁵⁶ David Green Rainer Albertz, *Israel in Exile: The History and Literature of the Sixth Century B.C.E.*, Illustrated edition. (Atlanta: Society of Biblical Literature, 2003), 74–76. Albertz informs that scholars consider that the huge numbers of deportees reported in the Assyrian Royal Inscriptions are most likely inflated to work as imperial propaganda.

⁵⁷ David Vanderhooft, "Babylonian Strategies of Imperial Control in the West: Royal Practice and Rhetoric," in *Judah and the Judeans in the Neo-Babylonian Period*, ed. Oded Lipschits and Joseph Blenkinsopp (University Park, PA, UNITED STATES: Pennsylvania State University Press, 2003), 235–62, <http://ebookcentral.proquest.com/lib/bostoncollege-ebooks/detail.action?docID=3155507>.

think that their main purpose was keeping the loyalty of subdued, client kingdoms to periodically exact tribute from them. Occasionally, it would imply taking the ruler and his circle as hostages in Babylon and deporting a portion of the population to heartland Babylonia — mostly skilled workers.⁵⁸ All in all, bearing in mind the lack of logistics along the way, it seems possible that the Babylonian deportations had the terrible traits Battini estimates.

The way the Babylonians organized the settlement of deportees also seems different. Alstola has done an impressive job in systematizing the information related to people with Yahwistic names contained in cuneiform tablets, mostly from the Murašû archive and a village called Yāhūdu.⁵⁹ Most of the tablets have been dated during the Neo-Babylonian and Early Persian periods. Compared to the Assyrian deportation, the Babylonians seem to have organized the settlement of the people they deported in towns that tended to be ethnically homogeneous.⁶⁰ Yet it did not preclude the integration of some Judeans into the Babylonian population.⁶¹

All in all, the opportunity the deportees had to settle next to their fellow Judeans seems to have provided room for them to foster their culture and religion, as attested by the use of Yahwistic names by several generations in the aforementioned archives. These ethnically cohesive conditions could have allowed the deportees in time to collectively process their experience of the destruction of Jerusalem and their deportation. Markl has recently suggested

⁵⁸ Only in some drastic cases, such as with Aškelon, do the neo-Babylonians seem to have completely destroyed a city (604 BCE). Besides the geopolitical importance of this port city for Egypt, it seems possible that they tried to make Aškelon an example for the neighboring kingdoms to surrender.

⁵⁹ Tero Alstola, *Judeans in Babylonia : A Study of Deportees in the Sixth and Fifth Centuries BCE* (Brill, 2019), <https://directory.doabooks.org/handle/20.500.12854/27087>. Alstola reports that the Babylonians gave the deportees land to work in exchange for service. This land-for-service program seems to have contemplated family size. As a consequence, the amount of land given varies from family to family, as does the taxation in service imposed by the Babylonian administration on them. They were obliged to provide Babylon with bowmen, horses, or chariots according to the land they were granted. Moreover, there is no attestation that any of these people were considered slaves or prisoners. In fact, they seem to have enjoyed a certain freedom of movement within the Babylonian territory. King Jeconiah's situation seems to have been a well-provisioned "house arrest" in consideration of his royal status, as attested by the records of oil and XX destined to his household. However, the economic situation of most Judeans seems to have been precarious.

⁶⁰ Alstola, *Judeans in Babylonia*, 259.

⁶¹ Alstola, *Judeans in Babylonia*, 163.

that the Judean deportees somewhat managed to transform their trauma of war and being forcefully carried to Babylonia into a cultural trauma that redefined their identity and moved them from Yahwistic monolatry to monotheism.⁶² Yet, he thinks that only the change of conditions brought by the imminent Persian takeover after 539 BCE allowed the deportees' children or grandchildren to consolidate the trauma as cultural memory.⁶³

The ideological strength of the cultural memory of the deportation seems to have become so great that those that chose to return to Judah identified as “children of the *gôlâ*” as attested in Ezra (4:1; 6:19,20; 8:35; 10:7,16).⁶⁴ According to Rom-Shiloni, in Ezra-Nehemiah, one learns that such identity almost programmatically established boundaries between the returnees and the descendants of those who remained in the land.⁶⁵ The division appears to be based on the idea that they were *the* people, as opposed to “people(s) of the land(s).”⁶⁶ Yet, as Albertz warns, one should avoid considering the returnees as the majority of the population in Judea.⁶⁷ These claims of peoplehood seem to be rooted in the expression known as Covenant Formula that appears, as shown below, in texts normally dated earlier than Ezra-Nehemiah, around the Babylonian period.

1.4. The Covenant Formula

According to Kalluveettil, the well-known statement “I will be your God and you will be my people” (*wahāyîti lākem lē'lohîm wə'attem tihəyûli lə'ām*), along with its variants is but one way the covenantal relationship between YHWH and Israel gets expressed in the biblical text.⁶⁸ Yet,

⁶² Dominik Markl, “The Babylonian Exile as the Birth Trauma of Monotheism,” *Biblica* 101.1 (2020): 1–25, <https://doi.org/10.2143/bib.101.1.3287512>.

⁶³ Markl, “The Babylonian Exile as the Birth Trauma of Monotheism,” 14.

⁶⁴ Markl, “The Babylonian Exile as the Birth Trauma of Monotheism,” 15.

⁶⁵ Rom-Shiloni, *Exclusive Inclusivity*, 33–47.

⁶⁶ Rom-Shiloni, *Exclusive Inclusivity*, 41.

⁶⁷ Albertz, *Israel in Exile*, 127–28.

⁶⁸ Paul Kalluveettil, *Declaration and Covenant: A Comprehensive Review of Covenant Formulae from the Old Testament and the Ancient Near East*, *Analecta Biblica* 88 (Rome: Biblical Institute Press, 1982), 1.

he also informs that this particular expression has been considered by several scholars as a formula.⁶⁹ In fact, the term “Covenant Formula” (CF) translates the German noun *Bundesformel* which is how R. Smend called this expression and was later adopted in scholarly circles.⁷⁰

In his work, Kalluveettil considered how “oral declarative acts in secular covenants [are] the necessary background for the correct understanding of the covenant between Yahweh and the people.”⁷¹ Thus, Kalluveettil’s research was focused on the declarative aspect of the language in “secular” covenantal formulae in the ancient Near East and in the HB, not exactly on the formula of interest for this essay. His categories are, nonetheless, useful for a better understanding of the rhetoric it displays.

First of all, Kalluveettil deems similar formulae as declarative. Consequently, he defines a *declaration* as “a formal statement by which something definite is announced with solemnity.”⁷² Second, Kalluveettil acknowledges that there are instances where the formulae are “*two-fold*,” expressing “a mutual complete relationship between the parties” (sic), in contrast with occurrences that he calls “*one-way*” formulae, with allusions only to one party.⁷³ Finally, he notices that some formulae are “*reciprocal*,” thus involving both parties’ declarations.⁷⁴

The CF, as expressed above, is a *declarative* utterance. Yet, as shown below, the HB contains instances of the CF that are *descriptive* because they exhibit a passive character. Provided that the CF is not reciprocal in any instance, it seems better to rename Kalluveettil’s *two-fold* type to *two-way* to make the relationship with the *one-way* more explicit. In this regard, as also shown below, the HB contains *two-way* and *one-way* instances of the CF.

⁶⁹ Kalluveettil, *Declaration and Covenant*, 1.

⁷⁰ Kalluveettil, *Declaration and Covenant*, 1.

⁷¹ Kalluveettil, *Declaration and Covenant*, 2.

⁷² Kalluveettil, *Declaration and Covenant*, 5.

⁷³ Kalluveettil, *Declaration and Covenant*, 5.

⁷⁴ Kalluveettil, *Declaration and Covenant*, 5.

	Declarative	Descriptive ⁷⁵
Two-way	Exod 6:7; ⁷⁶ Lev 26:12; Jer 7:23; 11:4; 24:7; 30:22; 31:1,33; 32:38; Ezek 11:20; 14:11; 36:28; 37:23,27; Zech 8:8	Deut 7:6; 14:2; 29:12; 2Sam 7:24; 1Chr 17:22
One-way	Gen 17:8; Exod 29:45; Deut 27:9; Ezek 34:24; Zech 2:15	Gen 17:7; Lev 11:45; 22:33; 25:38; 26:45; Num 15:41; Deut 4:20; 26:17,18; 2Kings 11:17; 2Chr 23:16; Jer 13:11

More than thirty years after Smend's publication, R. Rendtorff published his research on the CF.⁷⁷ In his book, Rendtorff performs exegetical analysis and, subsequently, theological reading on some selected occurrences of the CF that he deems representative from the whole set in the HB. He also classifies CF occurrences into three types.⁷⁸ The first one is a *one-way* formula implying God-for-people. Rendtorff's second type is also a *one-way* formula, but it implies people-for-God. His third type is basically the *two-way* formula discussed above.

Rendtorff asserts that the distribution of the different types of CF occurrences through the HB attests to different theological trends within the scriptural corpus.⁷⁹ Moreover, in his exegesis, he also finds that the order of the *ways* in the *two-way* formula is also significant.⁸⁰ This leads him to describe the *two-way* occurrences he analyzes using the first two types in a slightly inconsistent use of his three-type schema. Albeit this essay takes advantage of Rendtorff's contribution, for the sake of consistency, a two-type schema is used in the discussion below. As a consequence, the "YHWH-being-God" way is called Y (for Godship), and the

⁷⁵ The *two-way descriptive* CF occurrences are not perfectly formulaic. Although the second *ways* have the form *hyh* + *l* + *pronoun* + *l* + *ē'lohîm/ām*, the first *ways* have a different wording. It is worth noticing that in Deut 28:9, 1Sam 12:22 and 2Sam 7:23 one finds the sequence *l* + *pronoun* + *l* + *ām* with a different verb.

⁷⁶ The CF in Exod 6:7 uses the Hebrew verb *lqh* in its first way. See below for a discussion of its implications.

⁷⁷ Rolf Rendtorff, *The Covenant Formula: An Exegetical and Theological Investigation*, 1st edition. (Edinburgh: T&T Clark, 2000).

⁷⁸ Rendtorff, *The Covenant Formula*, 13.

⁷⁹ Rendtorff, *The Covenant Formula*, 13–14.

⁸⁰ Rendtorff, *The Covenant Formula*, 32.

“Israel-being-people” way is called X (for Peoplehood). The *two-way* occurrences may be Y-X or X-Y, depending on the order of their ways.

More recently, Seock-Tae Sohn has researched the “setting in life” and the “background” for the Israelite use of the CF.⁸¹ Contra Robert Good, Sohn proposed that the original life setting for the CF is not the Arabic formula of the adoption of a client but marriage and adoption contracts from the ANE. Accordingly, Good argues that ancient nomadic people would use a formulaic expression to establish a relationship of adoption of a client into a tribe. The origin of such expression would be the notion of physical contact between their tents’ ropes, which Good says to have found in an old Arabic poem that allegedly preserves a much older tradition.⁸²

Sohn informs that Good believes that there is a nomadic mindset behind Jacob’s sons’ deceiving negotiation of a covenant with the Shechemites, expressed in the sentence, “we will settle with you, and we will become one people” (Gen 34:16b).⁸³ Moreover, he accounts Ruth’s promise to Naomi (Ruth 1:16-17) as another possible attestation of such a mindset.⁸⁴ Finally, Good seeks support in the depictions of Israel’s wandering through the wilderness when Israelites would pitch their tents next to the Tent of the Tabernacle, as somewhat expressed in the statement, “I will dwell among the sons of Israel, and I will be God for them” (Exod 29:45).⁸⁵

⁸¹ Seock-Tae Sohn, “‘I Will Be Your God and You Will Be My People’: The Origin and Background of the Covenant Formula,” in *Ki Baruch Hu: Ancient Near Eastern, Biblical, and Judaic Studies in Honor of Baruch A. Levine*, ed. R. Chazan, William W. Hallo, and L. H. Schiffman (University Park, Panama: Penn State University Press, 1999), 355–72, <http://ebookcentral.proquest.com/lib/bu/detail.action?docID=3155576>.

⁸² Robert McClive Good, *The Sheep of His Pasture: A Study of the Hebrew Noun ‘am(m) and Its Semitic Cognates* (Brill, 1983), <https://brill.com/view/title/38227>. Good reaches his conclusion on the CF as a part of his research on the notion expressed by the Hebrew word ‘am, that he deems associated to the shepherding world, particularly a nomadic one he believes is in the origins of Israel as a people.

⁸³ Sohn, “I Will Be Your God,” 356.

⁸⁴ Sohn, “I Will Be Your God,” 356.

⁸⁵ Sohn, “I Will Be Your God,” 357.

Sohn dismisses Good's arguments based on the consideration that both Dinah's and Ruth's stories are in the context of marriage.⁸⁶ Yet, he acknowledges that Good is somewhat aware of the adoption and marriage traits of the CF.⁸⁷ However, Sohn makes it clear that Good thinks the adoption and marriage analogy impose limitations because Good sees no textual allusions to husband-wife or parent-child.⁸⁸

In Jer 31:31-33, Sohn finds the CF within a broader covenantal context where YHWH declares that Godself was the "husband of Israel" (lit. *bā'altî bām*).⁸⁹ He shows awareness of the difficulty posed by the textual variants for this passage — *bā'altî* and *gā'altî* — and also of the two main renderings — husband and master — when *bā'altî* is chosen.⁹⁰ Yet, he argues that considering Jeremiah's notion of "the relationship between YHWH and Israel as husband and wife (3:1-10), 'husband' is more convincing" as the translation.⁹¹

For Sohn, the legally binding nature of a marriage contract is linked to the covenant notion.⁹² He points out that such a relationship was recognized and protected by ancient Near-Eastern legal codes.⁹³ Sohn finds attestation of the link between marriage and covenant among the Israelites in Gen 31:50 and Mal 2:14.⁹⁴ Such a notion, he argues, is in the background of the image of the 'writ of divorce' in Jer 3:8.⁹⁵ Moreover, God's marriage relationship with Israel that started in Mount Sinai ended with the Fall of Samaria, because of Israel 'adulteries.'⁹⁶

⁸⁶ Sohn, "I Will Be Your God," 357.

⁸⁷ Sohn, "I Will Be Your God," 357.

⁸⁸ Sohn, "I Will Be Your God," 357.

⁸⁹ Sohn, "I Will Be Your God," 358.

⁹⁰ Sohn, "I Will Be Your God," 358, n.7.

⁹¹ Sohn, "I Will Be Your God," 358.

⁹² Sohn, "I Will Be Your God," 358.

⁹³ Sohn, "I Will Be Your God," 359. Sohn mentions the Code of Eshnunna, the Code of Hammurabi, and marriage contracts from Egypt.

⁹⁴ Sohn, "I Will Be Your God," 359.

⁹⁵ Sohn, "I Will Be Your God," 359.

⁹⁶ Sohn, "I Will Be Your God," 359.

Seeking further support, Sohn examines two types of marriage formulas that “seem to have existed [since] the Old Babylonian period.”⁹⁷ The first type is a proclamation formula — a *declarative* one, according to the discussion above — only attested in divorce writings, whose main part in Babylonian says, ‘you are not my wife’ (*ul aššatī attī*), ‘you are not my husband’ (*ul mutī attā*).⁹⁸ Accordingly, this formula resembles the biblical sentence, “for she is not my wife, and I am not her husband” (Hos 2:4); thus, it leads him to speculate the existence of an ancient marriage contract also on the base of a text from Elephantine that says, “She is my wife, and I am her husband from this day and forever.”⁹⁹

The second type of marriage formula is a *descriptive* one whose use, Sohn reports, is also attested in the ancient Near East.¹⁰⁰ Accordingly, that formula in the HB takes the form seen in Exod 6:20, “Amram married his father’s sister Jochebed” (NIV), and Ruth 4:13, “Boaz took Ruth and she became his wife” (NIV).¹⁰¹ Schematically, the Hebrew for the formula can be seen as *lāqah X ’ēt-Y lī lə ’iššā* (lit. X took Y for him as his wife). Furthermore, Sohn notices that the Hebrew root *lqh* (to take) and its Semitic cognates carry the meaning of marriage and possession; this, too, is attested within a covenantal context in the HB, in Deut 4:20.¹⁰²

Regarding the *declarative* formula of adoption, Sohn’s main example is the words of Nathan’s prophecy on King David’s descendant.¹⁰³ In it, God promises to David, “‘I will be a father to him, and he shall be a son to me’” (*’ānī ’ehyē-lô lə ’āb wəhū’ yihyē-lī ləbēn*, 2 Sam 7:14).¹⁰⁴ The resemblance between this and marriage formula is evident. Yet, as with the marriage formula, Sohn presents examples of Old Babylonian formulas. These are declarations

⁹⁷ Sohn, “I Will Be Your God,” 360.

⁹⁸ Sohn, “I Will Be Your God,” 360.

⁹⁹ Sohn, “I Will Be Your God,” 363.

¹⁰⁰ Sohn, “I Will Be Your God,” 364.

¹⁰¹ Sohn, “I Will Be Your God,” 365.

¹⁰² Sohn, “I Will Be Your God,” 365–66.

¹⁰³ Sohn, “I Will Be Your God,” 369.

¹⁰⁴ Sohn, “I Will Be Your God,” 369.

of rupture of the parent-child legal bond that says, “You are not our son” or, from the child’s side, “you are not my father, you are not my mother.”¹⁰⁵ Sohn thinks Jer 31:9, “I am Israel’s father, and Ephraim is my firstborn son” (*kî-hāyîṭî ləyiśrā’ēl lā’āb wə’ep̄rayim bākōrî hū’*), reflects the same notion but within a covenantal context.¹⁰⁶

As for the *descriptive* adoption formula, Sohn thinks it is attested in Jeremiah’s text that says, “Then I said, ‘How I would set you among my sons, and give you a pleasant land, the most beautiful inheritance of the nations!’ And I said, ‘You shall call me “my father” and not turn away from following me’” (Jer 3:19). Accordingly, this biblical passage resembles a typical idiom also found in Old Babylonian and Akkadian adoption contracts.¹⁰⁷

Sohn concludes that both marriage and adoption formulas from the ANE, in their proclamation or descriptive versions, exhibit similarities with biblical covenantal formulas that lead one to consider marriage and adoption as the base notions for covenant.¹⁰⁸ His discussion on the “setting in life” of the CF is a valuable contribution to understanding rhetorical links. The analysis of Jeremiah’s CF instances below takes advantage of it when considering intertextuality.

¹⁰⁵ Sohn, “I Will Be Your God,” 370.

¹⁰⁶ Sohn, “I Will Be Your God,” 370.

¹⁰⁷ Sohn, “I Will Be Your God,” 371.

¹⁰⁸ Sohn, “I Will Be Your God,” 372.

2. THE COVENANT FORMULA IN JEREMIAH

In the book of Jeremiah, the CF always appears in a non-reciprocal form. That is, the sentence's words are always attributed to YHWH in the first person. All occurrences are *two-way declarative* (7:23, 11:4, 24:7, 30:22, 31:1, 31:33, 32:38) except but one which is *one-way descriptive* (13:11).¹⁰⁹ The order of the ways — X and Y — is not always the same, nor is the grammatical person used for addressing the people.

In this regard, when compared to the CF declarative occurrences in the other HB books, Jeremiah's CF instances display significantly more variance. All of Ezekiel's six occurrences of the CF (11:20; 14:11; 34:24; 36:28; 37:23,27) are present in Jeremiah.¹¹⁰ Similarly, Zechariah's two occurrences (Zech 2:15, 8:8) are found in Jeremiah and Ezekiel.¹¹¹ Albeit, it is important to bear in mind that both Ezek and Zech are normally considered later compositions than Jeremiah.

Perhaps, it is more pertinent to notice that the CF appears in Leviticus (26:12) and Exodus (6:7), two books that are regarded as preserving texts older than Jeremiah. The CF occurrence in Lev 26:12 is two-way declarative and morphologically identical to the one in Jer 7:23. However, Exod 6:7 displays an occurrence of the CF that is unique in form. This two-way instance uses the verb "take" (*lqh* in the *wəqatal* 1cs) in the X-way.

Three CF occurrences are unique to Jeremiah. First, the CF in 24:7 is peculiar due to the combination of pronouns it uses — *ānōkī* in the X-way and 3mp in the Y-way. Second, the

¹⁰⁹ See the Covenant formula section in the introductory chapter for the explanation of the morphology of the CF.

¹¹⁰ The *one-way* formula in Ezekiel (34:24) is actually the same as second *way* of the formula in Ezek 11:20, 14:11 and 37:23, which is also found in Jer 32:38.

¹¹¹ Zech 8:8 includes the *one-way* instance in Zech 2:15 as its first-way.

occurrence of the CF in 31:1 is unique because it is the single one that starts with the verb “be/become” (*hyh*) in the *yiqtol* 1cs (*’ehəyə*), and it is also the only time that the compound noun “all the tribes of Israel” (*kōl mišpəḥôt yiśrā’ēl*) is used instead of the usual personal pronoun in the Y-way. Third, verse 13:11’s CF is the only one-way occurrence in Jeremiah, and it is unique due to its use of the verb “be/become” (*hyh*) in the infinitive construct. Such use is only comparable to the descriptive forms of the CF found in Deut (4:20, 7:6, 14:2, 26:18).

From a linguistical perspective, it is worth noticing the use of two different forms of the 1cs pronoun — *’ānōkî* and *’ānî* — among the CF occurrences in Jeremiah. For some, this trait attests to the existence of language from two distant time periods within the text of Jeremiah in its current form.¹¹² A second linguistic trait that should be noticed, due to its rhetorical repercussions, is that some occurrences use the 2mp (*’attem*) while others use the 3mp (*hēmmā*) to address the people. This makes the difference between a present and a distant/absent audience.

Formula	Gen	Exod	Lev	Jer	Ezek	Zech
<i>’ehəyə lē’lōhîm ləkōl mišpəḥôt yiśrā’ēl wəhēmmā yihəyûlî lə’ām</i>				31:1		
<i>wihyûtem lî lə’ām wə’ānōkî ’ehyê lākem lē’lōhîm</i>				30:22		
<i>wəhāyîti lāhem lē’lōhîm wəhēmmā yihəyû lî lə’ām</i>				31:33	37:27	
<i>wəhāyîti lākem lē’lōhîm wə’attem tihəyû lî lə’ām</i>			26:12	7:23		
<i>wəhāyû lî lə’ām wa’ānî ’ehyê lāhem lē’lōhîm</i>				32:38	11:20 14:11 37:23	8:8
<i>wəhāyû lî lə’ām wə’ānōkî ’ehyê lāhem lē’lōhîm</i>				24:7		
<i>wihyûtem lî lə’ām wə’ānōkî ’ehyê lākem lē’lōhîm</i>				11:4	36:28	
<i>wəlāqahîti ’etkem lî lə’ām wəhāyîti lākem lē’lōhîm</i>		6:7				
<i>’ehyê lāhem lē’lōhîm</i>					34:24	
<i>wəhāyîti lāhem lē’lōhîm</i>	17:8	29:45				
<i>wəhāyû lî lə’ām</i>						2:15

¹¹² Hornkohl, *Ancient Hebrew Periodization and the Language of the Book of Jeremiah*, 108–11.

As mentioned above, this essay includes an analysis of each CF passage in Jeremiah using Socio-Rhetorical Criticism. The historical background for Jeremiah previously discussed provides information that allows the identification of four intervals with different social settings within the time range of interest. The first one is the interval of Jehoiakim's last revolt against Nebuchadnezzar II, which ended after his death with the deportation of his son Jeconiah in 597 BCE (*Pre-Deportation*). During this time, Judah might have seen tensions between a pro-Babylonian party and a pro-Egyptian party. Second, the interval of *Zedekiah's reign*. It seems to have witnessed an increase in support for the pro-Babylonian party by those that were deported along with Jeconiah. That is the emergence of a pro-*gôlâ* party that held hopes of a future restoration of the legitimate monarchy. Third, the interval of the *Aftermath* of the destruction of Jerusalem by the Babylonians. As previously discussed, at this time, some traditionists might have preserved parts of the pro-*gôlâ* standing and ultimately transformed the trauma of the destruction in identity.¹¹³ Yet they Fourth, the early Persian period before the reconstruction of the temple (*First Return*). This seems marked by tensions between the returnees and those that remained in the land.

2.1. Jer 7:23, A Voice To Be Heard

2.1.1. Inner texture

In the MT, *setumot* set the top and bottom boundaries for the text section where this occurrence of the CF is located. In the modern division of the text in verses, this section encompasses verses 21-28 with the CF in 7:23. Yet, although the messenger formula in 7:21 marks the start of an oracle, the change of addressee (from 2mp to 2ms) with the command to deliver the oracle's word in 7:27, leads one to consider that the oracle ends in 7:26. This is confirmed by the Greek

¹¹³ At some point during this period, the pro-*gôlâ* stance seems to lose its claim of monarchy restoration.

version of the text in the LXX where 7:27 is absent but shows an almost literal translation of the Hebrew for the other verses.

Regarding genre, it seems safe to consider it prose. Except maybe for 7:24 and 7:26a, the section does not exhibit parallelism, a characteristic trait of Hebrew poetry. Notwithstanding, the repetition of terms in the text should not be overlooked. At the level of words, the most repeated one in the text is “day” (*yôm*); it occurs four times. The plural noun “ancestors” (*’ăbôt*) and the verbs “command” (*šwh*) and “hear” (*šm’*) occur three times. The root *dbr* also occurs three times, once as a verb (“utter words,” 7:22a) and twice as a noun (7:22b, 23). The verbs “walk” (*hлк*) and “be, become” (*hyh*) occur twice. At the level of phrases, “from the land of Egypt” (*mē’ereš mišrāyim*) appears twice, as also the couplet “but, they did not hear, nor did they bend their ears” (*wəlō’ šāmā ’û wəlō’-hiṭṭû ’et-’oznām*).

Except perhaps for the repetition of the couplet in 7:26a, when highlighting the aforementioned terms in the text, it should not be difficult to see the following chiasmic structure.

[21] Thus said YHWH of hosts, God of Israel,

A “**Add** your burnt offerings on top of your sacrifices and eat the flesh.

[22] For I did not utter **words** to your **ancestors**, nor did I **command** them — in the **day** I brought them **out from the land of Egypt** — about burnt offering and sacrifice issues. [23] Yet, this **word** I did **command** them,

B ‘**Hear** my voice,
and *I will be for you [the] God, and **you will become** for me [a] people.*
And **you shall walk** in all the ways which I’ll command to you
so that it may be good for you.’

B’ [24] But, **they did not hear, nor did they bend their ears.**
They walked according to schemes
in the stubbornness of their heart of evil.
They **became** the rear rather than the front.

A’ [25] From the **day** your **ancestors** went **out of the land of Egypt** until this **day**,
I sent you my servants, the prophets, since the **day** rises until it sets.

[26] But **they did not hear me, nor did they bend their ears.**
They stiffened their necks and did **worse than** their ancestors did.”

The messenger formula at the start of this section introduces the whole oracle. The first sentence in A seems an ironic imperative from YHWH to the audience, somehow encouraging sacrificial offerings. Immediately, YHWH makes the irony explicit by reminding YHWH didn't utter any words (*dibbartî*) or commandments regarding burnt offerings and sacrifices when YHWH brought the audience's ancestors out of Egypt. This idea is balanced in A' by the same exodus memory, this time linked to the assertion that YHWH sent prophets all the time since that event. And, although the text allows the ambiguity of applying the sentences in 7:26 to the prophets, it seems safe to assume it was the audience's ancestors who did not listen to YHWH.

In B, YHWH contrasts A with the words and the commandment that YHWH did utter. The imperative "Hear my voice" (*šim'û bəqôlî*) is followed by what seems a set of three consequences for the audience's ancestors had they listened. The first one is implied in the CF, becoming God's people and welfare. The second is walking according to YHWH's commandments. The third is welfare, as a result of the previous one. Yet in B', YHWH says that what happened was the complete reversal of what YHWH intended. The audience's ancestors did not hear but stubbornly walked according to their own evil devices and "became the rear instead of the front."

Such rhetoric is forensic or judicial. It uses past tenses in most of the speech to present the intended/ideal situation and the conditions for its fulfillment, only to contrast with the actual situation of violation. This is an accusation that becomes apparent when considering that YHWH ordered Jeremiah not to advocate for these people, the violators (7:16). In the midst of it, the CF depicts the meant outcome that did not come true.

The CF in this conforms with the type Y-X. This fact does not seem to play any further role than that of stating that the relationship between YHWH and the people will be mutual.

Within the context set by this passage, the CF's illocutionary effect is declarative: the promise to the ancestors of becoming YHWH's people was frustrated. On the other hand, the perlocutionary effects — both one intended and the actual one — seem etiologic. Namely, the speech reports why the welfare and peoplehood that come from YHWH are not getting realized while probably, seeking for responsibility assumption. Yet, as is discussed below, different rhetorical situations allow room for different or further effects.

2.1.2. Intertexture

YHWH — the uttering voice of this passage's oracle — explicitly refers to Godself, the audience's ancestors that experienced the exodus from Egypt (7:22, 25), and the prophets YHWH sent to speak on God's behalf (7:25). These references are used in a recitation of YHWH's deeds; first, of taking those ancestors out of Egypt (7:22) and, second, of giving them a specific commandment and a promise (7:23). Another recitation summarizes how YHWH sent prophets and spoke through them to the ancestors all the time (7:25). The oracle informs that the ancestors did not hear/obey YHWH and were stubborn (7:24, 26). Thus, the transgression part of the exodus narrative gets recontextualized to establish an implicit comparison of the audience with their ancestors by means of the allusion to the non-commanded sacrifices. No reconfiguration seems to occur as the narrative is re-enacted in the same sense as the original.

The starting ironic utterance in this oracle seems to be thematically connected to Amos 4:4-5.¹¹⁴ There, the following ironical invitation of YHWH to transgression is found, "Come to Bethel—and transgress; to Gilgal—and multiply transgression; bring your sacrifices every morning, your tithes every three days; bring a thank-offering of leavened bread, and proclaim freewill offerings, publish them; for so you love to do, O people of Israel! says the Lord GOD"

¹¹⁴ William Lee Holladay, *Jeremiah 1*, Hermeneia (Philadelphia: Fortress Press, 1986), 261.

(NRSV). It is worth noticing here the idea of multiplication (*rābā*) and reoccurrence linked to transgressions that Jer 7:21 expresses with the imperative “add/increase” (*səpû*).

In the DH, the book of Judges also displays the idea of reoccurrence linked to the people of Israel’s evildoing before YHWH — *wayyōsipû bānē yiśrā’ēl la’āšôt hāra’ bā’ēnē yhw̄h* (Judg 3:12, 4:1, 10:6, 13:1). An introductory passage (Judg 2:11-23) makes it clear that their transgression is idolatry when its first verse says, “the sons of Israel did the evil in the eyes of YHWH and served the Baals” (*wayya’āšû bānē-yiśrā’ēl ’et-hāra’ bā’ēnē yhw̄h wayya’abdû ’et-habbā’ālīm*, Judg 2:11). Furthermore, a quick reading of that passage reveals thematic and linguistic connections with Jer 7:21-26. Yet, they might be due to Jeremiah’s familiarity with older legal traditions such as the one recorded in Deut 13. There, those who incite to commit idolatry — especially “a prophet or a dreamer of dreams” (*nābî’ ’ô ḥōlēm ḥālôm*, Deut 13:1) — are commanded to be publicly executed so people hear and don’t do that evil thing again (*wəkol-yiśrā’ēl yišmā ’û wəyirā’ûn wəlō’-yōsipû la’āšôt kaddābār hārā’ hazzē bəqirbekā*, Deut 13:12).

Crouch has criticized scholarly arguments that see Deut 13’s way of ensuring loyalty as indebted to the Assyrian covenantal text known as Esarhaddon’s Succession Treaty (VTE).¹¹⁵ This essay subscribes to her conclusion that given the very loose connection between both texts at a linguistic level, it seems very hard to assert any relationship beyond contextual influence. All in all, that influence might have been quite more pervasive than previously thought if one considers the finding of a copy of the VTE in Tel Taniyat, relatively close to Israel and Judah.¹¹⁶

¹¹⁵ For a recent detailed discussion of this issue see C. L. Crouch, *Israel and the Assyrians: Deuteronomy, the Succession Treaty of Esarhaddon, and the Nature of Subversion*, First edition. (Atlanta: SBL Press, 2014), 78–92.

¹¹⁶ Jacob Lauinger, “Esarhaddon’s Succession Treaty at Tell Tayinat: Text and Commentary,” *Journal of Cuneiform Studies* 64 (2012): 87–123, <https://doi.org/10.5615/jcunestud.64.0087>. Until the “discovery in 2009 of a new exemplar of the oath (ms T) by the Tayinat Archaeological Project as one of eleven tablets and fragments found in the inner sanctum of Building XVI, a Neo-Assyrian temple at Tell Tayinat, ancient Unqi, capital of the Neo-Assyrian province of Kullania, in the Republic of Turkey’s Hatay Province” (90) all extant tablets were related to subject kings in Media.

Milgrom considers that the oracle in Jer 7:21-26 does not oppose sacrifices, but it ironically alludes to the prerogative of “profane slaughter” in Deut 12:15 (*tizbaḥ wə’ākaltā bāsār*) because of the people’s lack of concern for justice in their behavior.¹¹⁷ With Ginsberg, he asserts — although marginally — that “D’s language is actually dependent on Hos 8:13” (*yizbāḥû bāsār wayyō’kēlû*).¹¹⁸ Yet, the affinity seems greater between Jer 7:21-26 and the section where that verse appears (Hos 8:11-14). Hosea says that God is not pleased with the people’s sacrifices, something implicit in Jeremiah. Moreover, if Cook is right, it was the prophets — Hosea included — who learned, expounded, and sometimes challenged Israelite/Judean legal traditions, as the one in Deut 12 and 13.¹¹⁹

The passage, Jer 7:21-26, also shares vocabulary and allusions with the etiology of the fall of Samaria and Israel (722 BCE) in 2 Kings,

Yet the LORD warned Israel and Judah by every prophet and every seer, saying, “Turn from your evil ways and keep my commandments and my statutes, in accordance with all the law that I commanded your ancestors and that I sent to you by my servants the prophets.”

They would not listen but were stubborn, as their ancestors had been, who did not believe in the LORD their God. (2 Kgs 17:13-14, NRSV)

Yet, the high chance that 1–2 Kings is the result of a Deuteronomistic redaction on the base of the “Annals of the Kings” of Israel and Judah is problematic for asserting connections with Jeremiah. Therefore, it seems safer, as with Judges, to consider that this resemblance is indebted to an older tradition.

¹¹⁷ Jacob Milgrom, “Concerning Jeremiah’s Repudiation of Sacrifice,” *Zeitschrift Für Die Alttestamentliche Wissenschaft* 89.2 (1977): 274.

¹¹⁸ Milgrom, “Jeremiah’s Repudiation of Sacrifice,” 274 n.8.

¹¹⁹ Stephen L. Cook, “The Law and the Prophets,” in *The Oxford Handbook of Biblical Law*, ed. Pamela Barmash (Oxford University Press, 2019), 286, <https://doi.org/10.1093/oxfordhb/9780199392667.013.2>.

Rendtorff has argued that Jer 7 and Exod 19 are “related inasmuch as the covenant formula is followed by the demand that the people listen to God’s voice.”¹²⁰ If this is true, one might argue that this whole tradition depends on the memory of the promise of liberation and becoming YHWH’s people — the CF — preserved in Exod 6:6-8. Yet, as both passages are commonly considered part of P, literary dependence cannot be asserted with certainty.

2.1.3. Social and cultural texture

In 7:21-26, the speech explicitly recalls the stubbornness of the audience’s ancestors in the time of the exodus from Egypt. As aforementioned, the audience’s current behavior gets associated with their ancestors’ transgression by the oracle’s allusion to non-commanded sacrifices. If one considers the settings from the larger unit, these were a group of people from all over Judah (7:2) who, according to the MT, met Jeremiah at the gates of the House of the Lord, where they went to worship. The LXX lacks this description and only reports the prophet’s call to all Judah to listen to the oracle of YHWH he is proclaiming. Yet, a few verses later, the connection with the audience with the temple is made explicit (7:4). Thus, it seems safe to assume that the context for the speech set in the text is Jerusalem before its destruction by the Babylonians.

With the temple still standing, during the Pre-Deportation time or during Zedekiah’s reign, the focus of the polemic is the oracle’s audience’s current sacrificial practice, as discussed above. From the prophet’s perspective, it transgresses YHWH’s commandment and jeopardizes the fulfillment of the promise stated by the CF and the subsequent welfare. Within the settings of the narrative, the speech can be considered *ethnic subculture rhetoric*. Namely, the speech has the implicit claim that Jeremiah and those that support his stance — the pro-Babylonian and the

¹²⁰ Rendtorff, *The Covenant Formula*, 31.

pro-gôlâ parties — are defending the good old traditions against the current distortions of them by their fellow Judeans — the pro-Egyptian party —, holders of the dominant culture.

To an audience of deportees in the Aftermath, this speech might have sounded like an explanation of the tragic events that brought them to their current situation, a perspective that can be attributed to the pro-gôlâ party. One can think of this oracle as a biting reproach that might have prompted the deportees to stick to their traditions lest something even worse could happen to them. In their new context where the Neo-Babylonian culture is dominant, this Judean speech is an example of *ethnic subculture rhetoric*, one that warns its audience against assimilation.

During the early time of the First Return, some pious returnees could have found this speech as part of the theological explanation of their liberation. Albeit, most of them, familiar with it, might have considered this oracle as a warning against the reoccurrence of a transgression to be avoided at all costs. Yet, as discussed above, one must avoid thinking that the returnees were the majoritarian population in the land. Hence, even when this speech was held by most returnees in the context of Judah during the early Persian period, it should be considered *counterculture rhetoric*. That is, in this context, the speech might have implicitly depicted its holders as those that knew the right way of doing things while keeping them separated from the wrongdoers, the so-called “people of the land.”

2.1.4. Ideological texture

Analyzing the potential effects of the oracle can shed light on its ideology. The oracle’s logic implicitly establishes two groups of people. The first group entails those who misbehave like their ancestors, while the second comprises those who hear YHWH’s voice and walk according to the commandment YHWH gives. Moreover, the oracle’s rhetoric of a jeopardized reward might prompt its audience to identify themselves and others with one of the two groups.

In the Pre-Deportation time, the condemnation of a group of people due to cultic reasons might have served some to present the holders of this speech — the pro-Babylonian party — as innocent of the imminent disaster. But even though one can presume gross generalization in Jeremiah's polemical language regarding the account of the people's transgressions, there seems to be no room for anyone to claim innocence before the prophets' denunciation. The speech only leaves YHWH and, arguably, Jeremiah standing. After all, it makes clear that YHWH's good intentions for the people expressed by the CF got frustrated because "they did not hear."

Zedekiah's reign might have seen this speech used by both the pro-Babylonian and the pro-gôlâ parties to blame the pro-Egyptian party for the events of 597 BCE. The pro-Babylonian could have further used the speech to persuade Zedekiah to listen to Jeremiah and remain submitted to Babylon because of the risk of destruction. In Babylonia, pro-gôlâ could have claimed, based on this speech, that they listened to Jeremiah.¹²¹ This might have allowed them to present themselves as the true heirs of the covenantal promises YHWH gave to their ancestors.

During the Aftermath, this speech might have benefitted the traditionists that claimed to know and observe YHWH's commandments and the traditions of the prophets at the expense of those that would not observe them. Among the latter, there could have been those who did not know the commandments and traditions and those that knowingly decided no longer to observe them in order to fit in their new social context. Since the CF can be understood in this oracle as a reward for obedience, it seems that identification as YHWH's people was at stake due to the benefits associated with it.

¹²¹ Sharp, *Prophecy and Ideology in Jeremiah*, 159.

Bearing in mind that the returnees might not have come back as a multitude,¹²² the time of the First Return could have witnessed their use of this speech to recruit those whose ancestors were not deported to Babylon but remained in the land. That is, the returnees could have claimed they were the true YHWH's people based on their allegedly observant behavior toward YHWH's commandments and their knowledge of the prophetic traditions, both backed up by the CF and the promise of welfare in this oracle. Such a proselytist stance might have gotten them increasing control over the land along with the resources to establish their presence.

The CF in the oracle just analyzed helps establish a sharp distinction between those who hear YHWH's voice and obey and those who do not. This prompts people to assume responsibility and identify themselves and others based on the perception of the observance of YHWH's commandments. As a consequence, the obedient/observant get associated with those that "will become [a] people" for God and will obtain welfare. Jeremiah's bigger context provides information about the grim fate that awaited those that "did not listen."

2.2. Jer 11:4, A Covenantal Oath

2.2.1. Inner texture

The top boundary of the passage where this occurrence of the CF appears is delimited by the *petuḥah* before what is currently considered 11:1. The bottom boundary is a bit more uncertain due to the differences between the MT and the LXX. If one considers only the MT, as Lundbom does, then the passage finishes with the *setumah* after 11:5, thus marking the end of an oracle and the start of a new section.¹²³ A second *setumah* found after 11:8 would mark the end of a

¹²² Israel Finkelstein, "Jerusalem and Judah 600-200 BCE, Implications for Understanding Pentateuchal Texts," in *The Fall of Jerusalem and the Rise of the Torah*, ed. Dominik Markl, Jean-Pierre Sonnet, and Peter Dubovsk (Tübingen: Mohr Siebeck, 2016), 9.

¹²³ Jack R. Lundbom, *Jeremiah 1-20*, AYBC (New Haven & London, London: Yale University Press, Bloomsbury Publishing, 1999), 616.

second oracle. The LXX reflects a very close translation of the Hebrew text for 11:1-6. Nevertheless, it lacks 11:7 entirely and all but the last two (or three) words from 11:8 (MT: *wəlō' āśû*; LXX: *kai ouk epoiēsan*). Hence, one or both texts might have been edited.

Verse 11:1 has Jeremiah's idiosyncratic messenger formula (*haddābār 'āšer hāyā 'el-yirmāyāhû mē'ēt yhw*). In 11:3, there is another formula used as an introduction to oracles (*wə'āmartā 'ālêhem*), immediately followed by a typical messenger formula (*kōh- 'āmar yhw*). This last one can be considered part of the actual oracle.¹²⁴ Verse 11:6 introduces one more messenger formula (*wayyō'mer yhw 'ēlay*). If one takes the messenger formulae as the only criterium for delimiting the passage, it gets reduced to 11:3b-5. Such reduction finds further support if one takes into account that the BHS considers 11:2-3a an addition while noticing that 11:7 and most of 11:8 are absent from the LXX, as well.

The occurrence of keywords does not make the delimitation work of this passage easier. The allusions to Judah seem to unify 11:2-14. Yet, a smaller unit is signaled by the terms like “words of this covenant” (*dibrê habbārît hazzō't*) in 11:2,3,8, “your ancestors” (*'ābôtêkem*) in 11:4,7, and the phrase “from the land of Egypt” (*mē'ereš-miṣrayim*), along with the imperative “hear my voice” (*šim 'û baqôlî*), both in 11:4,7 too. Verse 11:8, “they did not hear, nor did they bend their ears” (*wəlō' šāmə 'û wəlō' -hiṭṭû 'et- 'oznām*), can also provide further support.

Given the difficulties raised by the two aforementioned versions of this text, a choice must be made. Provided that further analysis should take into account the prophetic utterance that uses the CF, it seems safe to separate the actual utterance from its narrative as much as possible. The narrative, important as it is because of the speech's situational information it

¹²⁴ This combination of formulae — *wə'āmartā 'ālêhem - kōh- 'āmar yhw* — only appears in the books of Jeremiah and Ezekiel, with the difference that in the latter, the divine name is replaced by the word “Lord” (*'ādōnāy*).

provides, will be addressed in the following sections of the analysis of this passage. Thus, in light of the previous discussion, the following structure can be considered.

- A [3] You shall say to them, “Thus said YHWH, God of Israel,
‘Cursed the man who will not hear the **words of this covenant**, [4] which I
commanded to **your ancestors** the day I brought them out from the **land of
Egypt**, from the melting pot of iron, saying,
B “hear my voice and do like all which I commanded to you,
so *you will become for me [a] people, and I will be for you [the] God,*”
A’ [5] in order that I may keep firm **the oath which I have sworn** to **your ancestors**
of giving them a **land flowing with milk and honey**, like that day.”
And I answered, “Amen, YHWH.”

The text of this oracle exhibits a chiastic structure based on thematic correspondences. Both A and A’ allude to the audience’s ancestors. The oracle’s mention of the “words of the covenant” in A is balanced in A’ by the phrase “the oath I have sworn.” Moreover, an opposition is established between the “land of Egypt, ... the melting pot of iron” in A and the “land flowing with milk and honey” in A’. The whole set seems to emphasize YHWH’s commandment of obedience and the CF found in B, which entails the promise of becoming YHWH’s people.

The metaphors “melting pot of iron” and “[land] flowing milk and honey” are used in the speech to emphasize the contrast between the explicit curse and the implicit blessing. It should not be hard to think of extreme heat as torture, and the contrast with the notion of abundance “flowing milk and honey” evokes. Albeit, this desirable outcome is shown as completely dependent on the people’s attitude toward YHWH’s commandments.

The rhetoric of the passage is deliberative. The proclaimed curse will come true only if a certain condition is not met. Thus, the oracle demands a decision initially based on *pathos*, that is, fear of the consequences. Yet, there is also an appeal to *ethos* when YHWH presents Godself as the one who brought the audience’s ancestors out of Egypt, an attempt to show him as worthy

of trust. Moreover, YHWH promises a positive outcome for those who hear/obey the “words of this covenant.” Thus, the speech provides a reason (*logos*) for the decision to be made.

Rendtorff finds it significant that, in this passage, the CF appears as X-Y. He thinks that the Peoplehood part of it is linked to the requirement of doing what YHWH commands and that the link is shown by the proximity of the phrases here and in 7:23.¹²⁵ Yet, it seems more significant to notice that this instance of the CF can be understood as the apodosis of a conditional statement whose protasis is the sentence “hear my voice and do like all which I commanded to you.” As a consequence, it produces a promising *illocutionary effect*, although conditioned. Namely, it communicates the notion that those who hear/obey YHWH’s covenant and commandments will become YHWH’s people. The sought *perlocutionary effect* seems to be getting the audience to observe the terms of YHWH’s covenant. Yet, Jer 11:8 narrates that the actual *perlocutionary effect* was people not listening/obeying.

2.2.2. Intertexture

Similar to the previous oracle, this passage displays a recitation of YHWH’s deed of bringing its audience’s ancestors out of Egypt. When the oracle alludes to Egypt, it applies the epithet “the melting pot of iron” to it. A second reference to the ancestors is related to YHWH’s intention of giving them the “land flowing with milk and honey.” Yet the main reference, for its rhetorical purpose, seems to be marked by the adjective “cursed” (*’ārûr*).

Another passage in Jeremiah uses *’ārûr* against “the male that trusts in (mere) humans and puts in the flesh his strength and from YHWH turns aside his heart” (17:5). It certainly, exhibits some degree of connection with the oracle in 11:3-5. Yet, the pair “cursed ... amen” (*’ārûr ... ’āmēn*) seems to evoke the tradition of the people’s acceptance of YHWH’s covenant.

¹²⁵ Rendtorff, *The Covenant Formula*, 32.

This is attested in the book of Deuteronomy, where Moses instructs the Levite priests to utter a series of curses to which the people must answer “amen” (Deut 27:14-26). Accordingly, this should have occurred right after crossing the Jordan and entering into the land (Deut 27:12). The connection becomes stronger if one considers that this passage is preceded by a covenantal section (Deut 27:9-10).

The use of curses to seal covenants is well-attested in Neo-Assyrian royal treaties. Esarhaddon’s famous succession treaty, from the first half of the seventh century BCE, ends with a series of invocations to a number of gods to bring about disgrace to those who attempt the destruction of the covenantal document or “sin” against the treaty.¹²⁶ Furthermore, the treaty of Šamši-Adad V with Marduk-zakir-šumi, King of Babylon, allows one to trace this custom as far back as the ninth century BCE.¹²⁷

The phrase “the words of this covenant” (*dibrê habbārît hazzō’t*, Jer 11:3) occurs in 2 Kgs 23:3, within the narrative of the Josianic reform in 2 Kings, but also in Deut 29:9 in the so-called renewal of the Horeb covenant in Moab (Deut 29). The suspected Deuteronomistic redaction of 2 Kings makes it safer to assume that its language depends on Deuteronomy. Jeremiah might be indebted to Deuteronomy, but there is not enough evidence to assert it. Anyway, it is worth noticing that the narrative of the Josianic reform does not allude to the covenant as linked to the memory of the exodus from Egypt.

The term “melting pot of iron” (*kûr habbarzel*) also occurs in Deuteronomy and 1–2 Kings. In both occurrences, it is applied to Egypt in relation to the experience of the exodus. The occurrence in 1 Kgs 8:51 is within the context of Salomon’s prayer of the temple’s dedication. There, the preceding verses allude to captivity, repentance, and return in a way that might easily

¹²⁶ SAA 02: 006

¹²⁷ SAA 02: 001

evoke the Babylonian deportation of the Judean population. The term's context for its occurrence in Deut 4:20 is Moses's exhortation to obey, which contraposes the transgressions of the Baal-Peor episode with the liberation from Egypt. Yet, a bit later, Deut 4:27.29-31 seem to evoke deportation, repentance, and return, as well. As with the previous phrase, the dependence among the texts is unclear but leans toward a Deuteronomic tradition known by Jeremiah and 1–2 Kings.

Jeremiah's allusion to the "land flowing with milk and honey" (*'ereš zābat ḥālāb ûdābāš*, 11:5) also needs attention due to its rhetorical importance. This phrase, accounting occurrences with some small interpolations, appears a total of twenty times in the MT, fifteen of which are in the Torah.¹²⁸ Although it is unclear if Deuteronomy antedates Jeremiah, its text might shed some light on the occurrence of the phrase in Jeremiah. The phrase is used in connection to the obedience to God's voice for welfare and multiplication (Deut 6:3), or permanence in such a land (Deut 11:9), and the explanation of the rite of the presentation and offering of first fruits and tithes (Deut 26:9,15).

Perhaps, it is most significant that Deuteronomy uses the term in Moses's instruction to the people to write the words of the law on large stones covered in plaster and set them up on Mount Ebal right after crossing the Jordan and entering into the "land flowing with milk and honey" (Deut 27:1-5). This becomes even more important if one considers that Deut 11:26-29 recounts that a landmark was to be set on Mount Ebal to remember that a curse (*qālālā*) awaits those that do not hear/obey the commandments given by YHWH and commit idolatry. Furthermore, although the link is implicit, the blessing is the possession of that "land flowing

¹²⁸ Exod 3:8,17; 13:5; 33:3; Lev 20:24; Num 13:27; 14:8; 16:13,14; Deut 6:3; 11:9; 26:9,15; 27:3; 31:20; Josh 5:6; Jer 11:5, 32:22; Ezek 20:6,15

with milk and honey,” which in Jer 11:3-5 seems a consequence of being YHWH’s people as expressed in the CF.

2.2.3. Social and cultural texture

When comparing this oracle with 7:21-26, there seems to be a development in regard to YHWH’s words. In 11:3-5, they are explicitly regarded as words of YHWH’s covenant. YHWH made this covenant when YHWH brought the ancestors of Jeremiah’s audience out of Egypt. The text specifies its audience when, in 11:2, YHWH commands Jeremiah to announce these words “to everyone in Judah and to the inhabitants in Jerusalem.” The fact that it does not seem aware of the deportations leads one to consider a first audience prior to these events.

For an audience in the Pre-Deportation time or during Zedekiah’s reign, this speech could have represented a glimpse of hope before the imminent catastrophe. After all, the oracle affirms that YHWH will keep YHWH’s oath of giving “the land flowing with milk and honey” to those that obey YHWH’s voice and commandments to become God’s people, as signaled by the CF. Consequently, the speech can be seen as *counterculture rhetoric*. That is rhetoric that opposes the trends of the dominant culture in an alternative, positive way, and it could have been promoted by those that Sharp calls traditionists.

An audience of deportees in the Aftermath of the Babylonian devastation might have understood this passage as an explanation of their current situation. They were cursed. Moreover, depending on the echoes of the terms of the covenant, the speech could have been interpreted as a call to keep distance from the dominant culture of the Babylonians, as implied in Deut 4:28. In this regard, the speech seems to exhibit *counterculture rhetoric*.

A similar situation could have taken place during the time of the First Return when some of the observant deportees were allowed to return to the land and settle there. However, the use

of this speech seems to have become more aggressive and even hostile towards those people of the land that showed themselves reluctant to adhere to their practices. Yet, in this context, this speech might still have worked as *counterculture rhetoric*.

2.2.4. Ideological texture

Those that promoted a speech like this were surely interested in establishing a clear boundary. Obedience to the terms of the covenant is key for it. On the one hand, those that hear YHWH's voice and do YHWH's command become YHWH's people. Furthermore, they are beneficiaries of the possession of the "land flowing with milk and honey." On the other hand, those that do not "hear the words of the covenant" — that is, the disobedient — are considered cursed and have no right to own the land, nor to be seen as YHWH's people, as stated in the CF.

Although the oracle could have provided some hope as *counterculture rhetoric*, one could hardly see who might have benefitted from it on the eve of the Babylonian attack. There is an implicit claim of totality in 11:2. Only YHWH is left standing as righteous, and Jeremiah seems to be the only one that confirms its adhesion to YHWH's covenant. These grim circumstances make it seem that YHWH's oath will not be kept firm.

In the aftermath of the destruction, a group of deportees might have claimed, on the basis of the CF in this speech and their renewed observance of the covenant, that they were YHWH's people and were going to receive the land promised by YHWH to their ancestors. One could imagine this starting as a small group that tried to process their trauma. But, given the hypothetical ethnic cohesion that the towns of deportees provided, the group could have grown in adherents, mainly among those Judeans that were unable to get a decent livelihood.

Judean returnees during the Persian period could have used this oracle to get more people to join their cause at the expense of the cohesion of existing communities in the land. Fear of the

curse it contains might have moved people to abandon their customs, weakened their relationships, and changed their old allegiances. The combination between fear and the reward of peoplehood and abundance could have well served as propaganda to gain adherents.

All in all, this could have set a cut in his audience between their past and their present, between the ancestors and the new generations. It might have prompted a hopeful leap from seeing themselves as cursed to the expectation of being blessed again with the peoplehood promised in the CF and the land. However, the negative character implied by the word “cursed” prevents one from naively seeing this cut as a peaceful process.

2.3. Jer 13:11, YHWH’s Best Garment

2.3.1. Inner texture

As mentioned at the start of this chapter, Jer 13:11 display the only occurrence of the *one-way* declarative instance of the CF in Jeremiah. When delimiting the section where it appears, the *setumot* before 13:1,3,13, and the *petuḥah* after 13:7 become useless in contrast with the clear cohesion of the narrative in terms of vocabulary and images, which hints at the unity of 13:1-11. This is a prose section whose whole storyline and speech are articulated around Jeremiah’s girdle. Moreover, messenger formulas in the passage (13:1,9,11), along with the narrative indications of YHWH speaking to Jeremiah (13:3,6,8), at best, separate the story in scenes. Consequently, it seems safe to consider 13:1-11 as the section for further analysis.

Timewise, the narrative has three scenes. The first scene entails YHWH’s command to Jeremiah to acquire and wear a linen girdle, followed by Jeremiah’s execution of the command. The second comprises YHWH’s command to Jeremiah to bury the used girdle in the Euphrates’ cleft and Jeremiah’s doing as commanded. The third occurs “after many days” and displays

YHWH's command to Jeremiah to retrieve the buried girdle that got spoiled, Jeremiah's obedient execution of it, and YHWH's explanation to Jeremiah of the whole event.

The NRSV prefers the word “loincloth” as the translation for the Hebrew word *’ēzôr* that appears in these verses, giving the impression that it is somehow related to genitalia. Lundbom favors this choice, too, as he thinks only it is required to “bring out the symbolism” implied in 13:11.¹²⁹ To support his claim, he presents multiple passages from the Scriptures about loincloths. Yet, only two of them (Isa 11:5 and 1 Kgs 1:8) use the same word found in Jer 13. The context in Isaiah does not provide much more certainty to support this view. Furthermore, in 2 Kgs 1:8, where Elijah is described as a man wearing a leather/skin *’ēzôr*, it seems apparent that such a piece of clothing is worn on top of one's tunic and visible to the bare eye. Otherwise, one must think that King Ahaziah's messengers saw Elijah in underwear. Therefore, contra Lundbom, a girdle, a belt, or even an apron seems a more reasonable translation for *’ēzôr*. It also makes much more sense when considering that 13:11's *’ēzôr* is somehow paralleled by “[a] people and [a] name, [a] praise and [an] ornament,” namely things related to God's noticeability.

Smelik suggested that this piece of clothing was not always hidden as underwear and could have been similar to the “beautiful, multi-coloured ‘miniskirts’” found in the Egyptian paintings' depiction of Syrians.¹³⁰ Yet, transposing other peoples' dressing customs seems a bit forceful. Albeit, if one needs to consider external influences in this matter, a more solid argument can be made regarding the Assyrians, that dominated the region for a long time and prominently depicted their gods and rulers wearing magnificent thick belts or girdles. In fact, *’ēzôr* is a cognate of the Akkadian verb *esēru* (also *eṣēru/ezēru*), meaning “encircle, confine” and “put

¹²⁹ Lundbom, *Jeremiah 1-20*, 667–68.

¹³⁰ Klaas A.D. Smelik, “The Girdle and the Cleft: The Parable of Jeremiah 13,1-11,” *Scandinavian Journal of the Old Testament* 28.1 (2014): 125, <https://doi.org/10.1080/09018328.2014.926699>.

pressure”¹³¹ and of *misarrum* (also *meserru/miserru/musarrum*), meaning the garment “belt” or “(metal) band,” as the ones used to decorate doors, especially the palace gates.¹³²

[1] Thus said YHWH to me, “Go and buy for yourself a girdle (*’ēzôr*) of linen and put it on your hips. But in water, do not dip it.”

[2] So, I bought the girdle as YHWH spoke, and I put it on my hips.

[3] And the word of YHWH happened on me a second time,

[4] “Take the girdle which you bought, which is on your hips. Stand up, go to the Euphrates, and bury it there in a cleft of the rock.”

[5] So, I went and buried it in the Euphrates just like YHWH commanded to me.

[6] And it happened at the end of many days (that) YHWH said to me, “Stand up, go to the Euphrates and take from there the girdle which I commanded you to bury there.”

[7] So I went to the Euphrates, dug, and took the girdle from the place where I have buried it (there). And behold, the girdle got ruined. It is not useful at all.

[8] And the word of YHWH happened on me,

[9] “Thus said YHWH, ‘likewise I will ruin the majesty of Judah and the majesty of Jerusalem the numerous.

[10] These evil people (are) refusing to hear my word, walking in the stubbornness of their hearts. And they went after other gods to serve them and to prostrate for them. So, it happened like this girdle which is not useful at all.

[11] For just like the girdle clings to the hips of a man, thus I caused to cling to me all the house of Israel and all the house of Judah, oracle of YHWH, *to become for me [a] people and [a] name, [a] praise and [an] ornament*. But they did not hear.”

This whole passage serves as a long explanation of the ruined-girdle metaphor — YHWH’s source of pride getting ruined — which is crowned by the CF in Jer 13:11, a *one-way* X-type descriptive instance. The additional words at the end of the CF make the meaning of the metaphor even more explicit. Within this narrative context, the CF constitutes an *expressive* illocutionary act that describes YHWH’s original intention to take pride in having “all the house of Israel and all the house of Judah” as a precious adornment. The CF’s rhetorical effects, both illocutionary and perlocutionary, are informative and atone with the passage’s judicial rhetoric.

¹³¹ Jeremy Black, Andrew George and Nicholas Postgate, “*esēru*,” A Concise Dictionary of Akkadian 80.

¹³² Jeremy Black, “*misarrum*,” A Concise Dictionary of Akkadian 211.

2.3.2. Intertexture

Holladay has noticed that compared to Jeremiah's other symbolic actions, this is the only one that depicts multiple commands from YHWH.¹³³ He argues that the closest, yet-very-different parallel is Jeremiah's visit to the potter's house, where the verb "to ruin" (*šḥt*) is also used in the *niphal* (*nišḥat*, 13:7, 18:4). Outside Jeremiah, the only other book that uses this form of the verb is Gen in the preamble of the deluge. It is part of the narrator's argument to explain why YHWH is going to bring about the flood (Gen 6:11-12).

The adversative expression of not hearing YHWH or YHWH's voice/word, directly or through the prophets, is a *leitmotiv* in Jeremiah. It can be found at least twenty-five times in the whole book, three of them within the previously analyzed CF passages.¹³⁴ Moreover, the phrase "walking in the stubbornness of their heart" (*hahōlākīm bišrirūt libbām*, Jer 13:10) recalls a similar expression in 7:24, "They walked according to schemes in the stubbornness of their heart of evil." (*wayyēlākū bāmō 'ēṣōt bišrirūt libbām hārā*).

In terms of references, it is important to notice that a similar phrase to the one at the end of the CF in this passage is also found in Deut 26:19, "[for a] praise, [a] name, and [an] ornament" (*lithillā ūlāšēm ūlātip 'āret*).¹³⁵ The same verse immediately adds a CF instance, "to your becoming [a] holy people for YHWH your God like he promised" (*lihəyōtākā 'am qādōš la yhw' 'ēlōhēkā ka 'āšer dibbēr*, Deut 26:19). Furthermore, the verse that precedes it displays one more instance of the CF, "to become for him [a] treasured people as he promised to you" (*lihyōt lō lā 'am səgūllā ka 'āšer dibber-lāk*, Deut 26:18).

¹³³ Holladay, *Jeremiah I*, 394.

¹³⁴ Jer 3:25; 5:21; 7:13; 7:24,26,27; 9:12; 11:8; 13:11; 25:3,4; 26:5; 29:19; 32:23; 34:14; 35:14,15,17; 36:31; 37:2; 40:3; 42,41; 43:4,5,23

¹³⁵ Smelik, "The Girdle and the Cleft," 128.

2.3.3. Social and cultural texture

Determining the context in which this narrative might have originated is almost impossible. The text does not provide any explicit indication besides the repeated allusions to the Euphrates River (*pārāt*, 13:4,5,6,7), although this has also been questioned.¹³⁶ Smelik has considered some scholarly approaches that propose seem *pārāt* not as the Euphrates but as a place near called Parah (nowadays Tell/Fara) near Anatoth, Jeremiah's hometown, thus explaining his ability to come and go there so easily. Yet, as Smelik points out, the narrative realm allows for a license to depict locomotion not possible in the real world. All in all, it is most important for this analysis that the Euphrates represents the threat the Babylonians posed.

An audience in the Pre-Deportation time could have interpreted this narrative as the presage of a total ruin of Judah in the hands of the Babylonians. This text displays *contraculture rhetoric* by alluding to arguably well-known elements in the Dominant culture rhetoric and announcing they will be no more. Judah's majesty of being a name, praise, an ornament, and, above all, a people for YHWH — as told in the CF — would get completely spoiled in the hands of the Babylonians.

During Zedekiah's reign, although one could expect a decrease in the pride of Judah, some might have still taken pride that the Monarchy and the temple were still standing. It seems nearly impossible that those taken to Babylonia in the first deportation — Jeconiah included — would have held this narrative as it portrayed them as ruined. Thus, in Judah, the no-hope horizon drawn by this narrative keeps it as *contraculture rhetoric* that aims to crush the Judean culture dominant in its context.

Since the Aftermath time represented somewhat the lowest point for hope, the narrative might have served its audience by attributing the responsibility of their tragedy directly to

¹³⁶ Holladay, *Jeremiah I*, 396.

YHWH, as chastisement, yet also, to some degree, to those in power when it happened. For Judean deportees whose pride had been crushed, this narrative could have prompted their endurance in their Yahwistic faith, one of the few things they had left. The speech thus became *counterculture rhetoric* that helps preserve the identity *vis-à-vis* the risk of assimilation. After all, the sentence with the CF says they were meant to be something magnificent.

Just like the first deportees, it is hard to see the first returnees using this narrative unless they want people to pity them as ruined. One could argue that the speech could have been used as new *dominant culture rhetoric* by the “people of the land.” Yet, the fact that it alludes to “all the house of Israel and all the house of Judah” as ruined in Babylon would have backfired them as it automatically makes them outcasts. That is, non-subjects for the promise in the CF.

2.3.4. Ideological texture

When considered as *contraculture rhetoric*, this passage does not seem to benefit anyone; it just announces ruin for both Israel and Judah. Yet, when seeing the bigger picture, it could be taken as pro-Babylon propaganda in an attempt to lower Judean morale. If so, those that held this narrative, whether in the Pre-Deportation time or during Zedekiah’s reign, could have easily been identified as collaborators of the Babylonians. As *counterculture rhetoric*, though, this speech becomes a tool that helps the deportees in Babylonia re-articulate their identity as a humiliated people, yet originally called to be something majestic. Moreover, it establishes a non-trivial distinction between those that are getting ruined by assimilation in the land next to the Euphrates and those that are resisting it.

2.4. Jer 24:7, A Loyal Heart

2.4.1. Inner texture

In the MT, as it appears in the BHS, two *petuḥot* mark the boundaries of this passage. The top one is before 24:4, and the bottom one is right after 24:10. A *setumah* at the end of 24:7 sets another possible bottom boundary. This section is closely related to 24:1-3, where the narration sets a time frame and describes the vision of the two baskets of figs, which gets explained in two parts (24:5-7 and 24:8-10). Despite the *setumah* after 24:7, the unity between these two parts is supported by the continuity of the overall subject (the baskets of figs) and the voice. The messenger formula in 24:4 can be considered a superscription. Thus, the text of the actual twofold oracle starts in 24:5. Although this oracle is widely considered prose, I find certain parallelism and cadence in verses 24:6-7,9-10 that resemble poetry.

As mentioned before, the text has two continuous parts. This can be seen in the shift in the speech in 24:8, from the initial regard of the good figs in 24:5 to the consideration of the bad figs. The first part repeats “good” as an adjective (*tōbôt*) or as a noun (*tōbâ*) three times and exhibits expressions with positive implications in regard to the exiles of Judah. The second part repeats “bad” as an adjective (*rā’ôt*) and as a noun (*rā’â*) two times, and the overall tone is grim in regard to those that stayed in the land with King Zedekiah or went to Egypt. Such a contrast seems to display a chiastic structure with 24:7 in its center.

The apparent unbalance between the two parts gets solved if one considers, as the BHS does, that 24:9b (and 24:10?) is an addition based on Deut 28:37. Lundbom, with Jones, disagrees with the idea of interpolation or edition by a Deuteronomic author based on the fact that aside *māšāl* and *šnînâ*, the rest of the words in this verse “are common stock in Jeremiah.”¹³⁷

¹³⁷ Jack R. Lundbom, *Jeremiah 21-36*, AYBC (New Haven & London, London: Yale University Press, Bloomsbury Publishing, 2004), 225.

I think the extent of the shared vocabulary demands a reassessment of the connection between Jer 24:9-10 and Deut 28. However, such an endeavor exceeds the scope of this essay.

With the considerations above, the unit can be seen as follows.

A	[5] “Thus said YHWH, God of Israel, ‘Like those good figs , I will recognize the deportees of Judah whom I cast out from this place to the land of the Chaldeans as good .
B	[6] I will set my eyes on them for good and will make them dwell on this land. I will edify them and not overthrow them. I will plant them and not pluck them up. [7] I will give them a heart to know me because I am YHWH. <i>They shall be for me [a] people, and I will be for them [the] God</i> because they will return to me with all their heart.
A’	[8] But like the bad figs , which are so bad that cannot be eaten , thus said YHWH, so will I deliver up Zedekiah, king of Judah, the officers, the remnant of Jerusalem that remained in this land , and the inhabitants of the land of Egypt .

YHWH’s announcement in A that Godself will recognize the exiles as “good” is balanced by the contrasting assertion that Godself will deliver up those that remained in the land with Zedekiah or reside (*yōšabîm*) in Egypt. Furthermore, in B, YHWH promises a propitious future for the exiles, and in B’, YHWH expresses the motivations for it. In the very midst of these verses is YHWH’s promise of giving a new heart to the returnees.

The good-bad fig metaphors in this A and A’ gives the whole set an almost bodily sensitive character. It should not be difficult to think of YHWH craving for the exiles. Another set of metaphors (“edify them and not overthrow them,” “plant them and not pluck them up”) in 24:6 announces welfare for the exiles. In contrast, the bad figs in A’ are in such a bad state that one could imagine the disgust it causes. Their fate is to be discarded; they are useless. Furthermore, in 24:7, the metaphor of “giving a heart” implies that the change that YHWH promises is a radical one. Seemingly, this change will turn the deportees into YHWH’s people.

Within its textual context, this oracle's rhetoric is deliberative. It declares the existence of two parties and implicitly prompts the audience to join one of them (or at least empathize with it) based on YHWH's regard for it and the associated future benefits. This contrasts with the damage the opposite party is going to suffer. Therefore, the speech appeals to both reason (*logos*) and fear (*pathos*) for the audience to make their decision.

In this speech, the CF is an X-Y declarative one that gets used as an utterance with a promising illocutionary effect. The sought perlocutionary effect seems to be allegiance to the party that will be benefitted by YHWH mentioned above. All in all, the text does not provide information regarding the perlocutionary effect on the audience.

2.4.2. Intertexture

The "good figs" are described in Jer 24:2 as being like the first-borne figs (*kit'ēnē habbakkūrôt*). This might be an attempt to establish a connection with Hos 9:10. In that verse, YHWH regards the ancestors as the first-born [fruit] on the fig tree (*kəbikkûrâ bit'ēnâ*) and Israel as grapes found in the wilderness. Granting that whoever wrote the book of Jeremiah might have been familiar with Hosea's tradition, one could wonder if they are not trying to link Judah to Israel by implying the figs from Hosea are those in the baskets from Jeremiah's vision (Jer 24:1-2).

YHWH's promise of setting YHWH's eyes on the deportees for good (*wəśamtî 'ēnî 'ālêhem ləṭôbâ*, Jer 24:6a) is the exact reversal of the promise found in Amos 9:4c (*wəśamtî 'ēnî 'ālêhem lārā'â wəlō' ləṭôbâ*). In the book of Amos, this particular sentence is part of a section that talks about Israel's impossibility of escaping from YHWH's chastisement (Amos 9:1-4). Anything Israel's people could do is worthless to prevent the harm YHWH is sending them.

The announcement of the restoration in Jer 24:6b-d recalls Jeremiah's mission in his call narrative, but now it is YHWH Godself that performs the positive actions and not the negative

ones. It is also worth noticing that it shares most of its vocabulary with Amos 9:15, a verse in a different oracle Amos 9:4c (?). With Finkelstein, one could argue that literate Israelite refugees might have carried prophetic traditions to Judah after the fall of Samaria (722 BCE) and influenced Jeremiah's composition.¹³⁸

It is also worth noticing that the phrase “a heart to know” (*lēb lāda‘at*) promised by YHWH in Jer 24:7a clearly connects this passage with Deut 29:3, in the context of the renewal of the covenant in Moab, where such a heart is presented as given by YHWH until that day. Moreover, the self-introduction formula, “because I am the Lord” (*kî ’ānî yhwh*) appears twice in Jer (9:23, 24:7) and only once in Deut (29:5).¹³⁹ It is significant that all three times link the self-introduction formula to the knowledge of YHWH. If one accepts the existence of this connection, Jer 24 could have prompted in its audience a comparison between the Babylonian *gālūt* and their ancestors' wandering in the wilderness (Deut 29:3-5). It might have also evoked in them their people's entrance into YHWH's covenant (Deut 29:12-13).

2.4.3. Social and cultural texture

According to the contextual details the text of this oracle provides, the speech is set during Zedekiah's reign. Moreover, 24:1 relates the vision in this oracle to the temple. The literary context is probably the eve of the demise of the Judean culture as the dominant one. Yet, the oracle already exhibits the traits of *counterculture rhetoric* that, in some moments, seems closer to *contraculture rhetoric*. That is, while it values the group of people who were deported to

¹³⁸ Israel Finkelstein and Neil Asher Silberman, “Temple and Dynasty: Hezekiah, the Remaking of Judah and the Rise of the Pan-Israelite Ideology,” *Journal for the Study of the Old Testament* 30.3 (2006): 259–85.

¹³⁹ The self-introduction formula shows up pervasively in Ezek (59 times) and in a lesser but significant degree in P (11 times in Exod and 10 times in Lev). This might attest to a Priestly activity on Jer 9, 24 (and Deut 29) while in Baylonia or later.

Babylonia, it totally despises those who decided to remain in the Land — disregarding their conditions — and those who decided to flee to Egypt.

In the Aftermath of Jerusalem's destruction, an audience of deportees might have found this speech reassuring despite all the suffering that having been deported implied. They might have felt associated with their king Jeconiah who was taken captive during the first deportation and, therefore, loyal to him and to YHWH. In contrast, this oracle could have prompted them to consider those who decided to remain in the land or flee to Egypt as traitors and unfaithful. In that regard, and considering that the Babylonian is the dominant culture in their new context, this speech is *ethnic subculture rhetoric*. In this and the previous scenario, the CF here allows those that experience deportation, directly or indirectly, to claim that they were YHWH's true people.

The returnees that comprised the audience during the time of the First Return could have used this speech to back up their claims of being the rightful heirs of the promise of restoration made by YHWH. Ezra-Nehemiah allows one to speculate that, under the same premise, they might have tried to take possession of the land, even with the use of violence. After all, this oracle implies that those who went to exile are the subject of YHWH's restoration, and the rest are despised by YHWH. Given the estimation of the number of returnees during this time and the implicit recognition that those who remained in the land were Judeans, the speech can be considered *ethnic subculture rhetoric*.

2.4.4. Ideological texture

It is possible to consider that the initial beneficiaries of this speech were King Jeconiah and his court. Thus, this speech may be seen as a statement that the legit heir of Judah's crown was Jeconiah. Moreover, Zedekiah and his officials are implicitly portrayed as usurpers and the rest

of the people as betrayers. After all, a potential reading of the oracle is that Jeconiah and deported with him to Babylonia, will come back and re-establish the kingdom.

If the speech addressed deportees, it promoted aversion toward those that remained in the land or fled to Egypt. Moreover, the speech provided theological support to disregard the latter as no longer part of YHWH's people. After all, the restoration announced in the oracle seems reserved only for the Judean community in Babylon. The others were basically condemned to be delivered up by YHWH to humiliation and total annihilation (Jer 24:9-10).

A radical speech like this might have prompted hostile discrimination toward the "people of the land" found by the returnees during the time of the First Return. When brought to the extreme, it is possible to think that the returnees did not recognize them as Israelites or Judeans. The CF in the oracle was clear. As a consequence, they might have felt entitled to take possession of the land, even when it meant seizing it from those that took care of it for fifty years or more. Ezra-Nehemiah provides some details regarding the conflicts that might have arisen because of it.

2.5. Jer 30:22 and 31:1, A Priest-Like People

2.5.1. Inner texture

An instance of the CF is found in Jer 30:22 of the MT, yet, the correspondent chapter 37 in the LXX lacks this verse entirely. In the MT, *setumot*, before 30:18 and after 30:22, mark clear boundaries for the text of this passage. However, when reading the text, the sudden change in the speech to address the 2ms leads one to think that verse 30:22, which contains the CF, is disconnected from the previous verses. As a consequence, one should doubt the mentioned *setumot* and consider if verses before and after the initial section actually belong to it.

On the one hand, a drastic difference in subject prevents one from considering the previous delimited section in the MT (30:12-17) as directly connected to the current one. Except, perhaps, for the background theme of restoration and the allusion to humiliation (30:17), there is no textual connection between these verses and the CF passage. On the other hand, something similar happens when considering the passage 30:23-31:1. Yet, the occurrence of the CF in 31:1 establishes a link that deserves consideration.

The current division of the MT in chapters breaks this section whose boundaries are set by *setumot* before 30:23 and after 31:1. Modern translations like the NRSV and the NASB follow this division and disconnect 31:1 from the delimited section of the MT. Yet, an instance of the messenger formula and the change of topic in verses (31:2ff) supports the idea that 31:1 belongs to the previous section. In contrast, only the use of the term “merrymakers” (*māśaḥqîm*, 30:19, 31:4) hints at a possible connection.

All in all, reading 30:23-31:1 as part of the initial section (30:18-22) is not without trouble due to the nature of these verses. Except for three minor differences, verses 30:23-24 are almost *verbatim* the same as 23:19-20. First, 30:23 uses the *hithpolel* participle for “sojourn, wander” (*mitgôrēr*) instead of the *hithpolel* participle for “whirl” (*mithôlêl*, 23:19). Second, 30:24 adds the adjective noun *ḥārôn* (burst, heat) in the construct to further depict the YHWH’s anger. Third, 30:24 omits the allusion to *bînâ* (understanding) as the object for the cognate accusative phrase at the end of 23:20. In spite of these differences, it seems possible to affirm the similarity that both pairs of verses are preceded by a rhetorical question about someone that has a privileged relationship with YHWH (23:18 and 30:21, respectively). Such similarity becomes more apparent if one recalls that the LXX omits 37:22, which in the MT interrupts the passage.

In light of the previous considerations, the section actually turns out to be Jer 30:18-31:1. As a consequence, both occurrences of the covenant formula are within such boundaries. However, the fact that, in 30:22, the CF suddenly uses the 2mp for the addressees of the speech and is absent in the LXX makes it difficult to consider this verse an integral part of the passage. This is not the case with the CF in 31:1. It preserves the 3mp previously used in the section. Yet, it is worth noticing that this second instance of the CF introduces an allusion to “all the tribes of Israel” (*kōl mišəpəḥôt yiśrā’ēl*) that is found in no other occurrence of the CF in the MT.

Although some verses are seemingly more poetic than others due to their wording, the content of the whole section appears to be poetry due to its internal parallelism and progression. Verses 30:18-19 focus on the reconstruction of the towns of Jacob and allude to their repopulation, which is the topic in 30:20. Verse 30:21 talks about a leading character that will come out of Jacob and his closeness to YHWH. Then the CF, arguably, interrupts the flow of the poetry to address the audience (30:22). Immediately, verses 30:23-24 emphatically assert that YHWH’s anger will be effective and something will be later understood.¹⁴⁰ And lastly, 31:1 introduces the CF, applying it to “all the tribes of Israel” at that time.

The previous discussion left us with a section that can be seen as follows.

[18] Thus says YHWH,
 “Behold, I take back the captivity of the tents of Jacob,
 and of his dwellings, I will have compassion;
 a city will be edified on her heap of ruins,
 and a castle on its justice will sit.
 [19] It will come out from them thanksgivings
 and the sound of merrymakers.
 I will multiply them, and they will not become few.
 I will glorify them, and they will not be despised.
 [20] His children will be like in ancient times,
 and his congregation will be firmly established before me.
 And I will visit all his oppressors.
 [21] His prince will be from him,

¹⁴⁰ It is unclear if the future understanding refers to the message of the oracle or to the deeds of God’s wrath.

and his ruler from his entrails will come out;
 I will make him draw near,
 and he will get close to me.
 For who is this that pledges his heart
 to get close to me, oracle of YHWH?
 [22] *And you will be for me [a] people,
 and I will be for you [the] God.*”
 [23] Behold, the storm of YHWH! Wrath will come out,
 A storm is wandering. Over the head of the wicked it will twist.
 [24] The heat of the anger of YHWH will not come back
 until his doing and until his making firm the plans of his heart.
 In those latter days, you will discern (in) it.
 [1] In that time — oracle of YHWH —
*I will be [the] God for all the tribes of Israel
 and they will be for me [a] people.*

Several metaphors can be found in the verses above. The “tents of Jacob” (*’ohōlē ya ‘āqôb*, 30:18a) seem to allude to a tradition of nomadism of those identified as descendants of Jacob. Yet, it is worth bearing in mind that the corresponding verse 37:18 in the LXX omits the words “tents.” In 30:18d, that the castle, citadel, or stronghold (*’armôn*) sits on its justice (*mišpāṭ*) means that it will be established where it was meant. But it can also imply that it will occupy the seat of judgment as in Isa 28:6. The ruler coming “out of his entrails” (30:21b), if these are Jacob’s entrails, gives the impression of a blood relationship with the patriarch. The image of the pledge of the heart (30:21e) evokes the seriousness of the commitment.¹⁴¹ Finally, YHWH’s wrath gets associated with the image of a storm (30:23) and YHWH’s anger with heat (30:24). Yet, it is more important that both of them work like agents of YHWH’s designs.

It is worth noticing that although both instances of the CF in this passage are two-way declarative, the first one is X-Y, while the second one is Y-X. As declarative utterances, the two instances display a promising *illocutionary effect*. The overall promising tone of this oracle makes this speech a sample of deliberative rhetoric. One can also see here, as Rendtorff does

¹⁴¹ *‘ārab*, translated here as “pledges”, in Gen 44:32 has the connotation of a promise of warranty. In that context it is given by Judah to Jacob when he requests the latter’s permission to bring Benjamin to Egypt.

with the CFs in 7:23 and 11:4, that the order of the ways in the formulas seems to be related to the adjacent verses. That is, the X-way is adjacent to verses that refer mainly to human actions, while the Y-way is next to verses alluding to divine actions.

Unlike the previous passages, in this case, the text does not provide any clue about the actual *perlocutionary effect* of the speech. Yet, one can easily see that the overall content of the oracles is loaded with promises that contrast with the negative experiences they are meant to subvert. Therefore, it is possible to argue that the perlocutionary effect sought by the speech is reassurance. It does this by presaging a better situation to come, with a special emphasis on the relationship of YHWH's peoplehood expressed by the two instances of the CF of these verses.

2.5.2. Intertexture

The vocabulary of much of this passage recalls priestly narratives. It is especially significant that almost every instance of the *hiphil* of *qrb* (to draw near) in the HB — used in 30:21 — is linked to ritual activities. This verb indicates that its grammatical subject presents the offerings alluded to as the direct object of the verb. Although not exclusively, the root *ngš* (to get close) that shows up in this passage can also be linked to ritual contexts. Holladay has noticed that the only place — besides Jer 30:21 — where the *hiphil* of *qrb* has YHWH as its subject is Num 16.¹⁴² There, the context is Korah's polemic against Moses and Aaron, and the grammatical object of the verb is the Levites and the priests.

Asserting a direct relationship between Jer 30 and Num 16 is problematic due to the complexities of the redactional process of both books.¹⁴³ However, the phrase “his congregation

¹⁴² William Lee Holladay, *Jeremiah 2*, Hermeneia (Minneapolis: Fortress Press, 1989), 179.

¹⁴³ Jaeyoung Jeon, “The Zadokites in the Wilderness: The Rebellion of Korach (Num 16) and the Zadokite Redaction,” *Zeitschrift Für Die Alttestamentliche Wissenschaft* 127.3 (2015): 382, <https://doi.org/10.1515/zaw->

will be firmly established before me” (*wa ‘ădātô lăpānay tikkôn*) in Jer 30:20 makes it harder to dismiss a connection. “Congregation” (*‘ēdā*) is a key term in the book of Numbers.¹⁴⁴ It is also worth remembering the narrative in Num 16 set the events in the midst of the wilderness when the Israelites would dwell in tents.

One should consider the fact that Korah’s dispute with Moses is about the exclusivity of the priestly office held by Aaron contrasted with the holiness of all the “congregation” (Num 16:1-3). The whole matter was decided by seeing whom YHWH let draw near the Tabernacle. The priesthood remained exclusive, and the challengers were consumed by fire (Num 16:35). Furthermore, the “dwellings” and “tents” of Moses’s challengers were unmercifully swallowed by the ground with the entire families inside them (Num 16:23-34). In contrast, Jer 30:18-21 shows that YHWH will have compassion on Jacob’s tents and dwellings, YHWH will multiply and glorify the congregation of Jacob’s children, and YHWH will make Jacob’s ruler draw near.

It is worth noticing that the priestly connotations of the vocabulary discussed above find further attestation in the only verse in the HB that, besides Jer 30:18, refers to Jacob’s tents, “May the LORD cut off from the tents of Jacob anyone who does this—any to witness or answer, or to bring an offering to the LORD of hosts” (Mal 2:12 NRSV).

Regarding the allusions to YHWH’s stormy wrath and hot anger, due to the unclear dating of the passages, it is hard to tell if Jer 30:23-24 adapts Jer 23:19-20 or the other way around.¹⁴⁵ However, if one considers the placement of the passage in the current text, it seems 30:23-24 recontextualizes the poetic allusion to YHWH’s anger’s effectiveness. While verse

2015-0021. Jeon has argued that the bumpy narrative in Num 16 attests to an intricate redaction during the Persian period. Yet he thinks that this chapter mixes on two earlier stories.

¹⁴⁴ *‘ēdā* appears 75 times in Numbers, which makes more than a half of the total in the HB.

¹⁴⁵ The same reason might be applied to Zech 10 that shares many allusions with these passages.

23:16 applies it to false prophets, in 30:20c, it concerns other “wicked,” those who oppressed “Jacob’s tents.”

2.5.3. Social and cultural texture

The mention of captivity, heap of ruins, oppressors, becoming few, and being despised, all together add to the grim context seen in the *Aftermath* of the Babylonian destruction of Jerusalem and the deportation. As discussed in the previous chapter, it is most likely that the psychological and physical effects of these events left the mark of trauma on those that experienced them firsthand. Moreover, it seems that some of them were able to pass their memories to their descendants while still in Babylonia.

Assuming that the deportees in the *Aftermath* time might have been the audience for these verses, they seem to have worked as a coping mechanism. Unlike the previous oracles, this one does not have any trace of condemnation of fellow Judeans. Yet, the silence regarding any non-deportee gives the impression that the deportees are considered the totality in this speech. Hence, when seen from inside the Judean deportees’ context, it works as *dominant culture rhetoric*. Yet in its bigger Babylonian context, its hope of restoration entails the implicit call to resist assimilation, more proper of *counterculture rhetoric*. After all, the oracle includes both the promise of vindication before the people’s oppressors and the promise in the CF.

It is easy to see this speech also being used in the time of the First Return. It has tones of almost a master plan for the returnees. As a minority in the land, they could have found support in the verse that talks about their upcoming multiplication. But, like in the Babylonian context, they were exposed to assimilation. Therefore, this speech could have provided the rhetoric that prompted their endurance in their observance of Yahwism, probably seen as strange by the

“people of the land.” Unlike the latter, they were YHWH’s people, as pointed out by the CF. Thus, these verses within the context of the First Return also worked as *counterculture rhetoric*.

2.5.4. Ideological texture

As seen above, perhaps this oracle’s most notorious trait is his use of cultic-related language. It leads one to consider whether Levites or priests could have been the promoters of this speech. Although the interaction between the tradition in Num 16 and the one behind Jer 30 is hard to assert with certainty, the fact that Num 16 is considered a text from P might attest to a priestly ideology behind the composition of the verses in Jer 30. Furthermore, bearing in mind that leadership in this text is alluded to with different names — *’addîr* and *mōšēl* — than those linked to the monarchy or the royal court, one could argue these verses promote a new kind of leadership, a priest-like one. In fact, given the severance of the links with their monarchy that the Judean deportees seem to have experienced in Babylonia, *counterculture rhetoric* could have well included an alternative organization to the one that got ruined.

The context of the First Return might have seen the priest-promoting ideology getting stronger. If Ezra-Nehemiah could be counted as a reliable attestation, the importance of the monarchy appears to have vanished by this time. In those circumstances, this speech seems to implicitly point out to a priestly figure — or a priestly group — to lead the reconstruction. All in all, it is hard to say if this is somewhat related to members of the Pre-Deportation priestly class.

Provided that this section supports the ideology just described, its instances of the CF work might have worked as a link of the promise of peoplehood to the cultic connotations of this passage. Accordingly, YHWH’s people will be a people whose congregation will stand firmly, almost like priests, before YHWH and led by a priest-like figure. But, at the same time, it is a people associated with the traditions of nomadism of Jacob and the tribes of Israel.

2.6. Jer 31:33, A New Start

2.6.1. Inner texture

Jeremiah 31 contains one more instance of the CF (MT 31:33, LXX 38:33). Within the MT, the delimitation of the section where it is found is given by the *setumot* before 31:31 and 31:34. These boundaries encompass a prose section whose first sentence is a superscription that contains a messenger formula (*nə'ūm yhwḥ*). Other occurrences of the same messenger formula can be found in 31:32c, 31:33b, and 31:34c. At first sight, that repetition gives the impression of non-structural significance for any of the occurrences beyond the first one. Moreover, the section's content does not seem particularly affected in one considers the eventual absence of the messenger formulae. Yet, 31:34 seems less connected with the section than the previous verses.

That *setumot* and *petuḥot* aren't but hints added by the copyists for discerning sections within the MT. One can overlook some of them based on other criteria when it is necessary to consider verses before and after in search of a more cohesive section. Thus, one could tell that verses 31:35ff are not part of this section due to their genre change to poetry. However, the *setumah* before 31:27 hints at the start of a prose section that seems related to 31:31-34.

Content-wise, a closer examination of 31:27-28 reveals almost no links with the following verses, except for the similitude between the superscriptions in 31:27 and 31:31. Notwithstanding, 31:29-30 exhibits a language similar to that in 31:31-34. Particularly, the use of the sequence *lō' + yiqtol + 'ôd* in 31:29 and 31:34 provides support to consider these two verses as the new boundaries for this section.

Further support for the inner cohesion of these verses is found when discerning a possible structure of the section. Besides the abovementioned “*lō' ... 'ôd*” phrase that is used three times within the section (31:29b; 31:34a,f), the term “guilt” (*'ăwōn*) is also alluded to in 31:30 and

31:34. The keyword “man” (’iš) establishes a similar correspondence between both verses. The pair “parents”-“children” (’ābôt-bānîm) in 31:29c,d can, arguably, be seen as mirrored by the pair “their smallest”-“their biggest” (miqtannām-gədôlām) in 31:34d. Moreover, the expression “every human” (kol hā’ādām) in 31:30b finds correspondence in the expression “all of them” from 31:34c (kûlām).

Verses 31:32 and 31:33 exhibit correspondence in terms of language. The main keyword of this pair of verses is “covenant” (bārît), which is repeated four times. In three of them, it is the direct object of the Hebrew verb that literally means “cut” (kārat), expressing the idea of the inauguration of a covenant. Other signs of correspondence can be found in the use of the noun “days” (yāmîm, sg. yôm) and the pronoun “they” (hēmmā) in both verses. Furthermore, there seems to be a syntactical and phonetical correspondence between the expressions “by their hand” (bəyādām, 31:31d) and “in their entrail, and on their heart” (bəqirbām wə ‘al-libbām, 31:33c).

The aforementioned elements lead us to consider the following chiasmic structure.

- A [29] In those days, **they will not say again**, “The **parents** ate the unripe grapes, but the teeth of the **children** dis-temper.” [30] Because should **a man** die in his **guilt**, **every human** that eats the unripe grapes would dis-temper his teeth.
- B [31] Behold, **days** are coming — oracle YHWH.
I will cut [with] the house of Israel and the house of Judah a **covenant** anew. [32] Not like **the covenant which I cut** [with] their ancestors in the **day** I seized [them] **by their hand** to make them go out from the land of Egypt, which **they** broke my **covenant**. Yet, I was master/husband to them — oracle of YHWH.
- B’ [33] Because this is **the covenant which I will cut** [with] the house of Israel. After those **days** — oracle of YHWH — I [will] set my law **in their entrail, and on their heart**, I will write it. *And I will be for them [the] God, and they will be for me [a] people.*
- A’ [34] And they **will not teach again** — **a man** to his companion and **a man** to his brother — saying, “Know YHWH! Because **all of them** will know me, from their **smallest** to their **biggest one** — oracle of YHWH because I will forgive their **guilt**, and their sin **I will not remember again**.”

It is possible to discern further correspondence at the semantic level that supports the proposed structure. The idea of YHWH “cutting” a “covenant anew” (*bərît ḥădāšâ*) with the house of Israel and the house of Judah (31:31b) matches the idea of the covenant pointed out by YHWH (*zō’ t habbərît*, 31:33a). The notion of the day of the ancestors’ liberation from Egypt and their violation of the covenant is matched by the allusion to days afterward, in coming future, when the stipulation of the covenant will be written in heart and entrail.

The first metaphor in this passage is “eating unripe grapes” and damaging teeth as a consequence (31:29). It alludes to the notion of inter-generational consequences of transgressions as explained by the very next verse. The language of children sets the stage for the second metaphor of seizing by the hand (31:32). In the HB, all the *hiphil* instances of the root *ḥzq*, referring to the hand, imply providing support, mostly to people in need of assistance.¹⁴⁶ The third metaphor is setting the law in entrails, which is paralleled by the fourth, writing it (the law) on hearts. According to Krause, the background notion here is scribal-like memorization that would have enabled people to reproduce texts “upon request.”¹⁴⁷

Verse 31:33 displays a Y-X declarative instance of the CF. Its illocutionary effect is promising as most of the utterances within this passage. Like the previous oracle, this makes this speech deliberative rhetoric. The order Y-X order of the CF ways might be related to the surrounding verses, although this is not certain. Yet, since the passage seems to be focused on the idea of knowledge of YHWH, the Y-X CF could have tried to reflect that YHWH’s Godship precedes peoplehood. All in all, it seems that the sought perlocutionary effect is reassurance.

¹⁴⁶ Gen 21:18, Judg 7:20, 16:26, Isa 42:6, 51:18, Jer 31:32, Zech 14:13, Job 8:20

¹⁴⁷ Joachim J Krause, “‘Writing on the Heart’ in Jeremiah 31:31-34 in Light of Recent Insights into the Oral-Written Interface and Scribal Education in Ancient Israel,” *Zeitschrift Für Die Alttestamentliche Wissenschaft* 132.2 (2020): 243, <https://doi.org/10.1515/zaw-2020-2003>.

2.6.2. Intertexture

Like the oracles in 7:21-26 and Jer 11:3-5, this passage alludes to the tradition of the exodus from Egypt to hold the audience's ancestors responsible for breaking the covenant. Unlike those two oracles, this one introduces an allusion to a new and different covenant. The question about the implications of such a reference includes centuries of interpretation of this passage.¹⁴⁸

The expression “not ... again/no more” (*lō' ... 'ôd*), repeated three times in this section, hints at other possible references. Within Jeremiah, the same exact expression from 31:29, “they will not say again” (*lō' -yô'marû 'ôd*), is used in 3:16 in relation with the “ark of the covenant of YHWH” (*'ārôn bərît-yhwh*) with the same connotation of oblivion. More significant is that this expression also appears in 23:7-8, an almost *verbatim* copy of 16:14-15. In those verses, the sentence alludes to a development in YHWH's reputation, from being the one that brought up the sons of Israel out of Egypt to the one that brought them up “from the land of the north and all the place where he cast them out” so they dwell on their own soil.

The closest expression to Jer 31:34a is found in Isa 2:4c. The expression is exactly the same in the unvocalized text for both verses, *l' ylm dw 'wd*. The Masoretes, however, vocalized *ylm dw* as *qal* in Isa 2:4 and as *piel* in Jer 31:34, thus adding a more or less important difference in the meaning of the verb *lmd*. Namely, in the *qal binyan*, it means “learn,” and in the *piel*, it means “teach.” Albeit, it is worth noticing that Isa 2:4c, just like Jer 31:34a, is within a semantic context of restoration.

The “*lō' ... 'ôd*” expression is also used in the Flood narrative.

wahăqimōtî 'et-bərîṭî 'ittakem wəlō'-yikkārēt kol-bāsār 'ôd mimmê hammabbûl wəlō'-yihyê 'ôd mabbûl ləšaḥēt hā'āreš

I will make firm **my covenant** with you. All flesh will **not** be cut **again** from the water of the flood, and it will **not** be **again** a flood to ruin the land. (Gen 9:11)

¹⁴⁸ Probably, the most famous of all of them is that attributed to Jesus of Nazareth in 1 Cor 11:25 and Matt 26:28.

wəzākartî 'et-bərîṭî 'ăšer bēnî ûbēnêkem ûbēn kol-nepeš ḥayyâ bəkol-bāšār wəlō'-yihayê 'ôd hammayim ləmbabbûl ləšaḥēt kol-bāšār

I will remember **my covenant** which is between me, between you, and between all breath of life in all flesh. There will **not** be **again** the waters of the flood to ruin all flesh. (Gen 9:15)

The fact that these two verses depict a covenantal context and mark the start of the time of renewal or restoration after the catastrophe of the deluge should not be overlooked. Although the question regarding what text is older is beyond the scope of this essay, one should acknowledge that the language of Jer 31 related to creation and nature tends to evoke traditions recorded in Genesis.

All in all, what seems the most characteristic trait in this section is the allusion to a covenant that is new (*ḥādāšâ*, Jer 31:34). Previously, in the same chapter, we find the word “new” in verse 31:22, whose meaning remains uncertain until this day. According to Cook, Jeremiah only reworks the notion of the covenant by adding “the rubric ‘new covenant’ to a concept nascent already in Hosea.”¹⁴⁹

The passage in Hosea which displays similarities to the being analyzed oracle is Hos 2:16-23. First, both passages exhibit explicit covenantal language. Second, both use marriage-related language, which is visible in their use of the root *b'l* and, if Sohn is right, also in Jeremiah’s use of the CF. Third, both passages use the expression *lō'... 'ôd*. Yet, what seems more striking is that, within their contexts, both passages imply that the covenant YHWH is making with the people will include animals, a notion found in the previously mentioned Gen 9.

2.6.3. Social and cultural texture

This oracle by itself does not provide much information about its social context beyond the audience’s familiarity with the exodus tradition and, arguably, the sayings in 31:29 and 31:34.

¹⁴⁹ Cook, “The Law and the Prophets,” 277. Also Holladay, *Jeremiah 2*, 197.

However, in the bigger context, one may translate *bāšûbî 'et-šābūtām* in 31:23 as “in my bringing their captives back,” similar to what LXX seems to have done. As a result, the context to be considered is one where at least one deportation has taken place. Yet, verse 31:28 gives the impression that the destruction has already been done. Therefore, within these textual settings, it seems that the audience is people in the Aftermath of the Babylonian deportation.

For an audience of deportees or their descendants, the rhetoric of this speech might have been a hope-bringer. Moreover, these verses appear to presage a change of rules concerning the attribution of responsibility. In this regard, it seems easy to see the words of this speech directed to the children or the grandchildren of the Judean deportees in Babylonia. After all, the oracle announces that the new generations will not be liable for their ancestors' transgressions. Furthermore, YHWH will work a transformation in them that will result in an everlasting relationship between YHWH and them that comes with the benefit of welfare. Inside the context of deportees in Babylonia, this speech might have started as *ethnic subculture rhetoric*, yet it could have gradually become the dominant rhetoric when the first generation started to disappear. Outside, the allusion to Judean traditions makes it look like *counterculture rhetoric*.

It seems possible that the returnees, during the time of the First Return, might have found this speech encouraging. Its focus on the law and the relationship with YHWH could have made their observance of Yahwism a distinctive trait of this group among the “people of the land.” Moreover, since the covenant, the law, and peoplehood — expressed in the CF — get somewhat associated by means of this oracle, it is possible to see them becoming essential elements in the collective identity of the returnees. In these circumstances, this speech is *counterculture rhetoric*.

2.6.4. Ideological texture

The children and grandchildren of the deportees could have been interested in promoting a speech like this. It could have allowed them to set some distance between their ancestors' grim past to face the future with hope. In this regard, those that experienced the deportation firsthand could have been portrayed as responsible for the current situation of the Judeans in Babylonia. Yet, it should be noticed that the tone of the oracle does not exhibit animosity against them.

At the same time, it keeps the relationship with the ancestors' traditions. Hence, whether in Babylonia or back in the land, these descendants of the deportees are the heirs of the promise YHWH made to their ancestors. They are the ones that will receive the benefits related to being transformed into fearers of YHWH. And they are to be made YHWH's people, as the CF clearly states. This ideology stages a generational overcome of the tragedy of the deportations.

2.7. Jer 32:38, A Different Generation

2.7.1. Inner texture

The passage in Jer 32 (LXX 39) that contains the CF is delimited by a *setumah* preceding 32:36 as well as by a *setumah* at the ending of 32:40. A superscription is found in 32:36, entailing a messenger formula and the indication of the addressee of the speech, the city of Jerusalem. The content of the passage is an oracle written in prose that can stand alone independently of the previous and later verses of the chapter.

In 32:37-41, it is possible to find the repetition of keywords that hint at the structure of the section. Thus, the allusion to “lands” (*’ārāšôt*) and “place” (*māqôm*) in 32:37 is mirrored by another occurrence of land (*’āreš*) in 32:41b. The expression “I make them dwell” (*wəhōšabtîm*, 37:41b) finds correspondence in the expression “I will plant them” (*ûnəṭa ’tîm*, 32:41). The same happens with the notions of “in safety” (*lābeṭaḥ*, 32:37) and “in faithfulness” (*be’ēmet*, 32:41b).

Moreover, the pair “in my wrath, [and] in my fury” (*bə ʿappî ûbaḥāmātî*, 32:37) seems related by opposition to “with all my heart and with all my soul” (*bəkol-libbî ûbəkol-napšî*, 32:41b).

A similar correspondence of terms and expressions can be seen between 32:38-39 and 32:40-41a. The notion of “fear” of YHWH appears as a verb (*lāyir ʾâ*, 32:39) matched later by a noun (*yir ʾātî*, 32:40b). The expression “for good for them” (*lāṭôb lāhem*) in 32:39 matches the expression “doing good to them” (*lāḥēṭîb ʾôtām*) in 32:41a. Another expression, “for their children after them” (*libnêhem ʾaḥārêhem*, 32:39), is matched by the phrase “from their future” (*mē ʾaḥārêhem*, 32:40b). Moreover, there is correspondence between the expression “I will give them a single heart” (*wənātattî lāhem lēb ʾehād*) and the expression “I will **set** in their **heart**” (*ʿettēn bilbābām*) because both use the verb *ntn* (give, set) and the noun *lbb* (heart). It can also be argued that the idea of the “way” set by YHWH (32:39) is semantically matched by the notion behind the verb “turn aside” (*sûr*) due to the spatial dislocation it implies. Moreover, the CF (32:38) appears to be matched by the notion of YHWH’s future establishment of an eternal covenant (*bərît ʾôlām*, 32:40a) with the audience of this speech.

As a consequence, the following chiasmic structure can be discerned,

[36] As for now, therefore, thus says YHWH, God of Israel, to this city which you are saying was delivered into the hand of the king of Babylon by sword, by famine, and by pestilence.

- A [37] Behold, I am collecting them from all the **lands** to which I cast them out **in my wrath, [and] in my fury**, and in great anger.
I will make them return to **this place**, and I will **make them dwell in safety**.
- B [38] They will be for me [a] people and I will be for them [the] God.
[39] I will **give** them a single **heart** and a single **way**
to **fear** me every day,
for good for them and for their **children after them**.
- B’ [40] I will cut for them a covenant of eternity
which I won’t turn back **from their future** from my **doing of good to them**.
My **fear** I will **set** in their **heart** so they won’t **turn aside** from me.
[41] I will rejoice upon them of **doing good to them**.
- A’ I will **plant them** in **this land** in **faithfulness**

with all my heart and with all my soul.

In this passage, one finds the metaphorical expression, “I will give them a single heart and a single way to fear me every day” (*wənātattî lāhem lēb ’eḥād wəderek ’eḥād ləyir’ā ’ôtî kol-hayyāmîm*, 32:39). As in 24:7, the allusion to the heart, the center of decisions, implies a radical change brought about by YHWH. Moreover, the way given by YHWH is a way of proceeding. Heart and way are single for all those that will be regarded as YHWH’s people, thus implying a single collective behavior of reverence toward YHWH. Another metaphor used in this speech is that of “planting” (*nṭ’*) people. It obviously evokes Jeremiah’s call narrative, but also Jer 24:6 discussed above. Finally, it is worth noticing the sequence of synonyms for YHWH’s anger in 32:37a that emphasizes its magnitude.

Verse 37:38 displays an X-Y declarative instance of the CF. The *illocutionary effect* in this context is a promising one. Again, the overall rhetoric of the oracle is deliberative. It is worth noticing, though, that the whole oracle has the 1cs as the subject and the 3mp as the direct or indirect object. The insistent use of the *yiqtol* with the 1cs gives the whole section a commissive tone. The CF adds to this tone. YHWH’s peoplehood is part of that future. YHWH promises Godself will do many things for an audience, which in the world of the text seems absent. If we take into account that 32:36 sets the rhetorical situation for these verses, the *sought perlocutionary effect* of the CF within its context is reassurance. The survivors of the devastation of the city (32:36) are the intended audience.

2.7.2. Intertexture

The phrase “all the lands to which I cast them out” (*kol-hā’ārāšôt ’āšer hiddaḥtîm šām*, 32:7) is particularly present in Jeremiah. This phrase, with slight variations, gets repeated 11 times

throughout the book.¹⁵⁰ Outside it, it can only be found in Deut 30:1, Ezek 4:13, and Dan 9:7. This phrase constitutes a recitation of YHWH's causing of the deportations. The fact that it shows up in Deut 30:1, within a chapter that alludes to deportation-like dynamics, establishes a connection with Jeremiah that gets stronger when one learns that Deuteronomy is the only book in the Torah that uses the verb *ndh*.

Holladay has noticed that the term “everlasting covenant” (*bərît ‘ōlām*) appears in Noah's narrative (Gen 9:17) and in David's “last words” (2 Sam 23:5), but he thinks the allusion to the Davidic everlasting covenant in Isa 55:3 is key to interpret this term in Jeremiah.¹⁵¹ Given the possible connection between Gen 9 and Jer 31 discussed above, the significance of the narrative of the end of the deluge in this passage should not be overlooked.

The expression “dwell in safety” (*yšb + lābeṭaḥ*) occurs only twice in Jer (32:37, 49:41). Nonetheless, it shows up eight times in Ezek.¹⁵² It is worth noticing, though, that a rather similar expression, “he will settle down in safety” (*yīškōn lābeṭaḥ*), appears in Jer 23:6, Jer 33:16 — a *verbatim* copy of the former verse—, and in Deut 33:12. Both cases in Jeremiah set the expression within a context of restoration while Deuteronomy puts it within Moses's final blessing when addressing Benjamin.

Although evidence tends to be highly conjectural, Cook has argued against the old and broadly-extended, scholarly idea that prophets' activity and original literature antedates the composition of the written Torah.¹⁵³ He holds that there are enough traces among the major and the minor prophets to assert that some form of the written Torah might have been accessible to the prophets from the 8th century BCE on. Such traces, he shows, are mostly in the form of

¹⁵⁰ Jer 8:3; 16:15; 23:3,8; 24:9; 29:14,18; 32:37; 40:12; 43:5; 46:28

¹⁵¹ Holladay, *Jeremiah* 2, 220.

¹⁵² Ezek 28:26; 34:28; 38:8,11, and with some modifications in Ezek 34:25; 38:14; 39:6,26.

¹⁵³ Cook, “The Law and the Prophets.”

thematic correspondences between the legal parts of the Torah — with special regard to Deuteronomy — and passages in the prophetic books where the prophets' arguments defend the law and, above all, YHWH's covenant with Israel.

If Cook is right, one could argue that the phrase “I will make them dwell in safety” connects Lev 25 with this passage in Jeremiah. It is repeated twice as a direct consequence of the observance of the Year of the Jubilee's ordinances (Lev 25:18,19) and, later, as a conditional reward for such observance (Lev 26:3-5). Moreover, the phrase “for their sons after them” (*libnêhem 'aḥărêhem*, Jer 32:39) makes the connection with the Holiness Code even stronger, as one can find the phrase “for your sons after you” (*libnêkem 'aḥărêkem*, Lev 25:46) within the Jubilee Year context just like the previous phrase discussed.

Perhaps one could also consider that Jer 32:39 references Deut 4:40 and Deut 12:28. Both have the expression “for you and your sons” (*lakā ûlābānêkā 'aḥărêkā*) related to their future wellbeing expressed with the expression “it may be good” (*yîṭab*). Notwithstanding, one should refrain from asserting literary dependence between texts unless more solid evidence is provided.

2.7.3. Social and cultural texture

In the world of the text, who the audience was for this oracle depends on how one translates the Hebrew verb *ntn* (give, deliver) in 32:36. It alludes to the absent audience under the noun “city” as a synecdoche. The NRSV translates it as “it is being given,” thus giving the impression the event is going to happen in the future as if the city population had not yet suffered the destruction. That is an audience in the Pre-Deportation time or during Zedekiah's reign. However, *ntn* appears in the suffix conjugation that almost always has the connotation of a past

action.¹⁵⁴ Therefore, it seems that a better translation could be “it was given” or “it has been given.” Such translation would imply an audience in the Aftermath of the events of 587 BCE. Furthermore, 32:37 refers to them as those that YHWH already cast out, the deportees.

For deportees in Babylonia, this oracle might have recalled the reason for their tragic situation. But, at the same time, it could have provided hope and reassurance when it communicated that YHWH intended to make an everlasting covenant with Judah and Israel. Moreover, YHWH will bring them back to their land. Thus, it displayed *counterculture rhetoric* within an environment where Babylon’s culture was dominant, and the deportees were exposed to the risk of assimilation.

During the time of the First Return, this speech might have affected the self-perception of the returnees. They could have seen themselves as the heirs of the promises in this oracle, that is, those YHWH’s people. In a context where they were but a few people, those promises could have boosted their morale against the adverse circumstances that they had to endure. But, at the same time, the promises could have established a virtual boundary between the returnees and those that were not deported, thus, making this speech *counterculture rhetoric*.

It is important to notice that, regardless of the time, this rhetoric entails a unifying tendency marked by the allusion to “a single heart and a single way” (MT Jer 32:39a).¹⁵⁵ Yet everything seems to be YHWH’s gift. Even the observance of this covenant, that is, the fear of YHWH in their hearts, is given by YHWH. One could argue that the notion of peoplehood in the CF is also meant to last for eternity.

¹⁵⁴ In some cases, the Hebrew suffix conjugation implies a habitual action. But given the the action is the city deliverance into “the hand of the King of Babylon”, a habitual translation “it is given” is unlikely.

¹⁵⁵ The LXX verse says “other heart and other way” (*odon heteran kai kardian heteran*, 39:39) that BHS sees as the Greek translator’s confusion between אֶתֶר and אֶתֶר.

2.7.4. Ideological texture

Unlike the covenantal oracle from Jer 30 analyzed before, the rhetoric of restoration in this oracle does not provide allusions to leadership that might have gained power as a result of holding a speech like this. The ideology behind this oracle identifies the victims of the deportations as the beneficiaries of YHWH's promises of peoplehood, settling in the land, and welfare. During the time of the Aftermath, it means all the deportees in Babylon. However, at the time of the First Return, a speech like this could have worked almost as a statement of purpose to both insiders and outsiders of the group of returnees. The CF in this speech has the implicit claim that those that YHWH brought back from Babylonia are YHWH's (true) people, and YHWH is their God.

3. CONCLUSIONS

3.1. Summary and Assessment of the Findings

The close examination of the Biblical text has shown that six of the eight instances of the CF analyzed above are within prose passages. Only those in Jer 30:22 and 31:1 are between what was deemed the same poetry passage. It is worth noticing, though, that the instance in 24:7 is part of a couple of verses with strong poetic traits. Nonetheless, in the current form of the text, they are enclosed by two sections that are clearly prose.

The overall rhetoric of the three first CF passages discussed is judicial, yet they individually exhibit some peculiarities. Jer 7:21-26 accuses the audience's ancestors' of failing to hear YHWH's voice. If one considers the explicit accusation in verse 11:8, the oracle in 11:3-5 partakes in similar rhetoric. Yet, when isolating these three verses as proposed above, they seem to implicitly urge their audience to make a decision to avoid being cursed, thus displaying deliberative rhetoric. As for the girdle's narrative in Jer 13:1-7, it contains a clear accusation quite similar to the first passage's but also adds the sentence that awaits Judah and Jerusalem.

The four remaining CF passages display deliberative rhetoric, also with particular traits. Jer 24:5-8 confronts the audience with the choice of following King Jeconiah and the first group of the deportees, staying in the land with King Zedekiah and his supporters, or fleeing to Egypt; although the latter two options are deemed like they were almost the same. Within the three CF passages from the so-called Book of Consolation, the deliberative rhetoric is more subtle. Jer 30:18-31:1 entails mostly positive promises but also some vindicative ones. Jer 31:29-34 keeps the promising tone at large, yet it appeals to memory, thus in a similar way to the two first CF

instances in this section. However, this passage changes the judicial rhetoric with a set of positive commitments YHWH assumes. Jer 32:36-41 displays only positive promises. Members of the audience of these last three oracles might have been compelled to make a decision based mostly on the positive outcome they entail for those alluded in them.

When isolated from its context, the declarative CF that shows up in six of the seven passages has a promising illocutionary effect. This is due, of course, to the grammatical structure it has. That structure gets translated into an utterance with the lcs in a future tense, thus giving it a commissive tone. In the context of the four last passages, its sought perlocutionary effect is reassurance. However, the different nuances in the judicial rhetoric of the three passages, added to the fact that the CF instance in Jer 13:11 is descriptive, seem to comprise different sought effects. Thus, the CF in Jer 7 seems to contribute to a perlocutionary effect of the catastrophe's etiology. The perlocutionary effect of the CF instance in Jer 11 looks more like a last appeal to obedience. And the descriptive instance in Jer 13 appears to seek only to inform of the upcoming grim events, albeit metaphorically.

Although the popular translations tend to obscure it, one should not miss the fact the word "heart" shows up in all seven passages, more prominently in the oracles that announce restoration. Within the three first oracles, the judicial ones, the word appears in the phrase "in the stubbornness of their hearts" (*bišrirūt libbām*, Jer 7:24, 11:8, 13:10) as the people's attitude directly related to their failure to hear YHWH's voice and commands. In contrast, the restoration oracles refer to the heart in a positive way. There, the heart is a gift from God (24:7, 32:39). It is where the people's return begins (24:7). It enables people to fear YHWH (32:39) and to know YHWH (24:7). Heart is where YHWH promises to write the law (31:33) and set the fear of

YHWH that will keep people on YHWH's way (32:40). His heart is what Israel's leader pledges to get close to YHWH (30:21).

Examination of the intertexture of the passages has shown traits that enrich one's understanding of their rhetoric. The CF passages in Jer 7, 11, and 31 contain a recitation of YHWH's deed of the liberation of the audience's ancestors from Egypt. In verse 7:22, it is part of the denial that the sacrifices people are offering were commanded by YHWH. Verse 7:11 depicts it at the time when YHWH started to send prophets to the people. In 11:3-5, the recitation is linked to the words of the covenant, obedience to YHWH's voice and command, divine peoplehood-patronage as a direct consequence, and the gift of the land as an indirect one. In contrast, 31:31-32 uses the recitation to state that the new covenant YHWH will make with the people is different from the one referred by it.

The vocabulary related to the increase of transgressions due to unwanted sacrifices links the CF passage in Jer 7 with prophetic traditions normally deemed older, those of Amos and Hosea. Several passages in the book of Judges also seem to exhibit a similar idea. In this regard, Deut 12, 13 appear to provide the key to understanding the nature of the transgression and its corresponding punishment. All in all, the way the text from Jeremiah, Judges, and Deuteronomy are related is far from clear. What is certain, though, is that the alluded sacrifices in Jer 7 harm the covenant between the people and YHWH.

Four main references are displayed by the CF passage in Jer 11:3-5 that connect it to Deuteronomy and 1-2 Kings. First and most important, by using the pair "cursed-amen," it seems to recall a tradition similar to the one found in Deut 27 related to the people's acceptance of the terms of the covenant. Second, the phrase "land flowing with milk and honey" connects this passage with many books from the Deuteronomistic History and, most importantly, with

Deuteronomy. Third, the term “melting pot of iron” used in the recitation of the exodus relates this passage to Solomon’s consecration of the temple in 1 Kings and Moses’s exhortation regarding Baal-Peor, both passages with traces of allusions to deportation and return. Fourth, the phrase “the words of this covenant” recalls two episodes of renewal of the covenant, the one in Moab and Josiah’s after the finding of the book of the law, traditions contained in Deut 29 and 2 Kgs 23, respectively.

The passage in Jer 13:1-11 also has traces of Deuteronomic vocabulary, yet a new possible connection appears. The use of the expression “got ruined” connects this passage with the potter’s narrative in Jer 18, but it might also connect this with the flood narrative in Gen 6. The reference to praise, name, and ornament at the end of this passage connects it with a similar phrase in Deut 26 that is located within a context where the CF is also used. It is also worth noticing that this passage and the CF passage in Jer 7 get connected by the allusion to the stubbornness of hearts.

Like the CF oracle in Jer 7, the CF passage in Jer 24 exhibits traces that connect it to prophetic traditions and Deuteronomy. On the one hand, the trope of the figs in this passage seems to be connected to a similar expression in Hos 9. Yet, it is Amos 9 where one can find the phrase “I will set my eyes on them for bad and not for good,” reversed by Jeremiah, and vocabulary that reinforces the connection. On the other hand, the phrase “a heart to know” and the self-introduction formula, “because I am the Lord,” appear to link Jer 24 to Deut 29, a chapter with covenantal context and related to Israel’s wandering in the desert.

A strong yet complicated connection seems to exist between the CF oracle in Jer 30 and Num 16. It is based on the occurrence of the key terms “to draw near,” “congregation,” “tents” and “dwellings.” The first two are related to cultic language, particularly in the episode of

Korah's dispute with Moses regarding priesthood within Num 16. The latter two terms are related to the grim fortune of Moses's challengers, which can be contrasted with the good one that is prophesied for the dwellings of Jacob in Jer 30.

Beyond the explicit recitation of the exodus, the CF oracle in Jer 31 displays references that establish connections within the same book but also with passages from prophetic books and, arguably, with Gen 9. Most of the connections are rooted in the expression "not ... again," which is repeated three times within the CF passage of Jer 31:29-34. Within the book of Jeremiah, the expression is linked to the ark of the covenant and a change of reputation of YHWH, from being the liberator from Egypt to being the one that brought people back to dwell in their own land. Isa 2 uses this expression within the context of restoration. Surprisingly, Gen 9 uses the phrase also within the context of restoration after the flood, which is a covenantal context as well. A final connection might be established between Jer 31:29-34 and Hosea 2:16-23, based on their covenantal language of marriage that include other creatures as well (!).

The analyzed CF passage in Jer 32 contains a recitation of YHWH as the one causing the deportations and several key terms that establish connections with passages in many different books. Probably, the most important term here is "everlasting covenant," which is also mentioned in the flood narrative (Gen 9), in David's last words (2 Sam 23), and in Isaiah's oracle regarding the Davidic covenant (Isa 55). Another expression, "dwell in safety," links this Jeremianic passage with Ezekiel, where it abounds. Yet, another version of it, "settle down in safety," also present in Jeremiah, connects the CF passage with the restoration context of Moses's blessing of Benjamin in Deut 33. The expression "dwell in safety," along with reference to descendants, is also found in Lev 25, 26, within the context of the Jubilee Year. Furthermore, chapters 4 and 12 in Deuteronomy display a similar allusion to well-being for future generations.

Although asserting intertextual relations is risky, one should at least notice that the rhetoric around the CF in the surveyed passages from Jeremiah poses questions regarding the cultural memory people that wrote them might have been trying to evoke. Given the dating uncertainties among the biblical books, some could still argue the opposite, that they try to evoke Jeremiah's speech. Yet, considering the findings discussed above, I lean towards a late redaction of Jeremiah that included the CF passages by the time when most of the connected passages could have already been in written form, during the Persian period or later. Such a thesis finds support if one considers the restoration oracles as *vaticinium ex eventu*.

All in all, one should not miss the many connections of Jeremiah's CF passage with Deuteronomy's covenantal passages. Nor should one overlook the way Amos, Hosea, and Isaiah display similar covenantal rhetoric to the analyzed passages from Jeremiah. Something similar may be said about the alluded covenantal passages from 1–2 Kings. Yet perhaps, what is most intriguing is the possible connection of Jeremiah with traditions normally deemed as Priestly, that is, the flood narrative in Gen 6-9, Korah's polemic against Moses in Num 16, and the Jubilee Year dispositions in Lev 25-26. These raise more questions than they answer and might be subject to further exploration elsewhere.

The intertextual references around the CF give the impression that the rhetoric is trying to recall most of the traditions that got recorded in the book of Deuteronomy or traditions from a prophetic origin. Among them, the representation of YHWH as the one who brought the audience's ancestors out of Egypt plays a major role. That is YHWH's basic reputation and is directly linked to the covenant and the benefit of land and well-being. However, the rhetoric of

CF oracles as a set rhetoric goes beyond the reversal of earlier negative oracles and mere restoration to a previous ideal state of things. It implies a deeper knowledge of who YHWH is.

Depending on the time periods when members of the audience got exposed to these CF oracles, the social and cultural texture of their context make them appear as different types of rhetoric. In the Pre-Deportation and Babylonian contexts, the CF passage in 7:21-26 could have worked as ethnic subculture rhetoric, that of a group of people trying to show themselves as innocent of transgression. In contrast, within the context of the First Return, it might have become counterculture rhetoric, thus keeping the returnees away from external influences. All in all, it is important to notice an implicit claim of superiority in obedience to YHWH's voice by those who might have promoted this speech.

In the case of the CF oracle in Jer 11:3-5, the analysis above showed that it is counterculture rhetoric across all the discussed time periods, yet the estimated way it worked as such has interesting nuances. Before the deportations, this oracle implies a glimpse of hope in view of the impending catastrophe. After all, it recalls the tradition of the acceptance of the covenant by the Israelites as if giving room for the audience to do the same. In the aftermath, this passage could have had an etiologic effect of being cursed with the deportation yet still inviting its audience to accept the covenant and keep away from Babylonian influences at the same time. And in the time of the First Return and for the sake of keeping away from external influences, the outsiders of the group of returnees could have been tagged by the latter as being cursed.

The narrative of the precious girdle in Jer 13 shows a radical variation depending on the context of its audience. Whether in the Pre-Deportation period or during Zedekiah's reign, it could have worked as contraculture rhetoric aimed to crush the dominant Judean culture in those contexts. While in Babylonia, the deportees could have used the rather negative speech in this

passage as an invitation to resist getting completely ruined due to assimilation. Notwithstanding, one can hardly see this speech being used during the First Return by the returnees because it implicitly favors those who stayed in the land.

Rhetoric in the CF passage in Jer 24 transitions from being counterculture or even contraculture rhetoric to ethnic subculture rhetoric. In the context of Zedekiah's reign, it implicitly celebrates the total destruction of those that were not deported in 597 BCE (contraculture rhetoric) while announcing the restoration and well-being that awaits the deportees (counterculture rhetoric). Later, given the fact that the passage contains the recognition that those who stayed in the land were Judeans, the speech can be understood as ethnic subculture rhetoric. It promotes the view that the deportees in the aftermath and the returnees during the First Return better incarnate the Judean identity.

Counterculture rhetoric displayed by the CF passage in Jer 30 remains as such, both in its arguably, ethnically cohesive context of Babylonia during the Aftermath and in Judah during the First Return. For insiders to deportee or returnee circles, the rhetoric in this passage might have sounded more like dominant culture rhetoric. Yet, one could see it helping them avoid assimilation in their respective contexts based on the notion of reconstruction and restoration of population and leadership included in these verses.

When considering the CF oracle in Jer 31 from the inside of a hypothetical Judean deportees' context, this speech exhibit traces that lead one to think that it could have started as ethnic subculture rhetoric because of its explicit references to change regarding the ancestors' behavior and understanding. And, as the first generation started to disappear, it could have become dominant culture rhetoric. However, from the outside, whether in a Babylonian context

or back in Judah during the First Return period, it most likely worked as counterculture rhetoric by promoting the observance of Yahwism as a distinctive trait of the deportees' descendants.

The CF passage in Jer 32 seems to have worked as counterculture rhetoric within both the aftermath and the First Return time. Its speech regarding the everlasting covenant is reassuring but, at the same time, targeted at a very specific group, the deportees and their descendants. Thus it establishes a clear boundary between them and the outsiders. Moreover, this positive speech regarding the future might have encouraged deportees or returnees to endure practicing their culture and religion in their adverse circumstances.

Looking at the whole set of CF passages as if they were diachronic, one can see a mutation in the culture rhetoric. It starts as a speech that distinguishes its holders from the culprits of their common disgrace, including an invitation to go back to good old traditions. Later the speech becomes an aggressive, merciless condemnation of those that refused to comply with what was demanded. And finally, based on hopes of a brighter future, the speech promotes among its audience a better understanding and closer observance of the tradition compared to their ancestors. All in all, along all analyzed periods, this rhetoric in the CF passages always distinguishes its promoters from outsiders, perhaps with a slight totalizing tendency.

Ideological texture analysis of the CF passages showed possible parties and motivations within the divisive framework set by their rhetoric. Based on accusations of a cultic misdemeanor, Jer 7 might have supported a distinction between pro-Babylonian and pro-Egyptian, between pro-gôlâ or deportees and those that remained in the land, between returnees and the "people of the land." What is at stake in this oracle is divine peoplehood/patronage expressed by the CF and the well-being associated with it. Rhetoric in the CF oracle in Jer 11 might have served a similar purpose, with the addition of hostility of deeming the opposite

parties as cursed. However, by means of fear, it might have excluded them but, at the same time, prompted some of them to adhere to Yahwism when the opportunity of returning to Judah was presented. After all, the land is a prominent part of the promise in this oracle.

A contrast of ideologies surfaces when comparing the CF passage in Jer 13 with that in Jer 24. The former proclaims that the deportees are going to be ruined in Babylon, while the latter announces that they are going to be restored. The same happens when comparing the former with the last three discussed oracles. It makes one wonder if by saying that YHWH “will ruin the majesty,” what the oracle meant was the destruction of the royal government as the Judeans knew it. Whatever the case, deportees and returnees that considered themselves not ruined might have felt entitled to call themselves true YHWH’s people. All in all, one should not overlook the potential for hostility carried by the contraculture rhetoric of the oracles in Jer 13 and Jer 24. This could have become actual when the returnees faced the “people of the land.”

The CF oracle in Jer 30 is perhaps the most important in terms of ideology because of the details regarding the restoration it provides. It could have been easily taken as an agenda of the reconstruction of Jerusalem by the returnees. Yet, it is the conception of leadership and the place of the congregation that this oracle seems to modify. Arguably, these verses subvert the image of the ruler to which the Judeans were used and alter the verticality of their cult without breaking up with the traditions related to Jacob/Israel. Hence, one might consider that this oracle helps project new people’s identity and leadership into the future.

Another ideological break seems to be promoted by the rhetoric in the CF passage from Jer 31. While grabbing from past traditions, it set some distances between members of the new generations and the ancestors. It allows the reappropriation by the former of the promises YHWH made to the latter, yet it provides room to overcome the ancestors’ trauma. This

tendency finds consolidation in the CF oracle in Jer 32, which seems to be addressing the descendants of the deportees, probably turned into returnees. According to these verses, they are those meant to be deemed as YHWH's people for eternity.

The sequential order of the passages shows that Jeremiah's rhetoric around the CF prompts a motion from responsibility assumption to projection, from grief to hope. Responsibility gets to be assumed by means of the speech that appeals to the memory of the traditions that talk about who the ancestors were and what they were supposed to do, but they did not. The keyword ancestors in this speech allow Jeremiah's audience to identify with those people from the past, understand their current circumstances, and perceive their own involvement in the problem. Yet, one should not miss the fact that the judicial rhetoric of the passage also alludes to YHWH's frustrated plan for these people, which was possession of the land, well-being, and patronage.

It is possible to argue that hope in Jeremiah's CF passages is rooted in memory. At some point, what did not come to be realized started to be seen by people as a new opportunity. As mentioned above, some think this change happened with the advent of the Persian overtake of Babylon. Whichever the case, people seem to have been mobilized by the idea of what YHWH called their ancestors to be and all the benefits associated with it. However, the CF passages from the second half of the book attest to an ideological/theological development. Restoration will not make things as they were before; it will go beyond.

One must consider how the prophetic speech sets the stage for this development. The prophetic utterances regarding restoration include some verifiable elements, such as the possession of the land with safety and well-being. Notwithstanding, restoration also entails the observance of the law, the fear of YHWH, and the people's relationship of peoplehood-

patronage with the deity that requires a permanent actualization. These elements turn restoration into a permanent task, yet not entirely different from the Deuteronomic traditions related to the broken covenant.

The first part of the development occurs when Jeremiah announces that YHWH will provide what is needed for the people to successfully actualize obedience to God's law and the fear of God. In the oracles, YHWH promises to give people a new/single heart and a single way for this sake. Such a gift can be understood as a radical change of mindset, that in some extent, can, arguably, be verifiable in practice. Yet, the most important part of the restoration is the nature of the covenant linked to it. It is not like the old one that people broke. In fact, this covenant is a new, eternal one that still finds expression in the CF.

Some might have seen the return to the land and the eventual control of it as signs of the fulfillment of the restoration oracles. Yet, the way the CF grammatically expresses the peoplehood-patronage relationship with YHWH is always open to the future as something yet to be fully realized. Consequently, it is possible to see how this particular prophetic utterance seems to have kept the power to mobilize people towards the utopian actualization of that relationship, especially in times when they lacked verifiable signs to express who they were.

3.2. An example for the Mojeño people?

A formulation of who the Mojeños believe they are has been written as part of the effort they are making to legally establish the nature of their presence in the Bolivian Amazon Forest. A central piece of this process is the document called "*Estatuto Autonómico del Territorio Indígena Multiétnico*," in which they state the principles for the administration of their territory. The preamble of this document contains what is, perhaps, a key piece of speech the Mojeños have produced regarding their collective identity. It says,

Since their remote origins, the many peoples of which we are direct heirs practiced and exercised autonomy in these vast territories. When the Jesuits arrived, we made with them a fruitful covenant of living together. From it, we adopted the institutionality expressed by the *Cabildo*, an institution that persists until today and represents us in every community, an institution through which we have exercised our free determination. Autonomy is the legacy of our ancestors. It is the strength that allowed us to resist the constant waves of encroachment from those who, overlooking our ancestral rights, not only sought to seize our [natural] resources — our Great Home — but also our lives, like in times of rubber exploitation.¹⁵⁶

Although the value at stake in this speech is autonomy, memory plays a central role in it. The Mojeños claim that their ancestors were autonomous people and that autonomy is their legacy. They recall how the covenant with the Jesuits provided them with a political institution to exercise autonomy — the *Cabildo* — that they chose to preserve even in the absence of the missionaries. One could think here of the Israelites' claims of their Abrahamic ownership of Canaan and how the Law given by YHWH in the Sinai provided them with basic institutionality.

In view of their current challenges, the Mojeños also recall past threats to their territory and their lives as directly linked to their self-conception as heirs of autonomous people. Similarly, some of the CF passages in Jeremiah remind their audience that the ancestors of Israel and Judah were people redeemed from their servitude in Egypt. Yet, one should bear in mind that Jeremiah's speech addresses a situation in which Judeans saw this founding notion of their collective identity challenged by the Babylonian deportation.

The document quoted above also alludes to a narrative that helped the Mojeños preserve the hope of a better situation amidst the dire problems they faced during the nineteenth and twentieth centuries CE. It says, "The Search for the *Loma Santa* is the act of resistance, our peoples' mobilization, after the expulsion of the Jesuits. It is their abandonment of the missional

¹⁵⁶ Sub Central de Cabildos Indigenales del TIM, "Estatuto Autonómico Del Territorio Indígena Multiétnico - TIM" (CEJIS, CIPCA, 2018), 11–12. The translation is mine.

towns born from the reductional alliance. It allowed us to reappropriate our forests, grasslands, rivers, and lakes and to preserve for ourselves what rightfully belongs to us.”¹⁵⁷

According to Zulema Lehm Ardaya, the *Loma Santa* is a myth that seems to be rooted in Mojeño and other indigenous pre-Hispanic traditions interlaced with very strong Christian millenarian elements.¹⁵⁸ In fact, *Loma Santa* literally means holy mound, and, according to the myth, one of the traits to distinguish it from any other mound is the presence of a cross on top of it. To understand the implications of the term, one should take into account that floods are, in the Mojeño mindset, the biggest natural disasters people have had to face throughout their history. So, finding elevated grounds in their mostly flat landscape to build their homes and set up a farming plot within is always considered a blessing. At the same time, the *Loma Santa* seems an idealized version of the Jesuit reductions.¹⁵⁹ Therefore, it represents the ultimate haven, an enduring mound that provides everything the Mojeños need for their life as a people.

Given its partially Christian background, it is almost certain that the myth of the *Loma Santa* incorporates some elements related to the Israelite/Judean notion of the promised land. After all, it can evoke the “land flowing with milk and honey,” a place that had everything the Hebrews needed to live as YHWH’s people. In this regard, one also needs to consider that such an image seems to have been used to mobilize them out of Egypt, the place where, according to their traditions, they once found food and safety in times of famine. Furthermore, Lehm Ardaya thinks that millenarian ideologies like the *Loma Santa* myth prompted many Mojeños to abandon the missionary towns and resettle across their ancient land when these became oppressive environments.¹⁶⁰

¹⁵⁷ Sub Central de Cabildos Indigenales del TIM, “Estatuto Del TIM,” 12.

¹⁵⁸ Lehm A., “El Movimiento de Búsqueda de La Loma Santa.”

¹⁵⁹ Lehm A., “El Movimiento de Búsqueda de La Loma Santa,” 344.

¹⁶⁰ Lehm A., “El Movimiento de Búsqueda de La Loma Santa,” 324.

In Jeremiah's rhetoric around the CF, the possession of the land seems, for the most part, tangible proof that YHWH's covenant with the people is in force. Consequently, allusions to it within the context of the Babylonian deportations can be taken as an attestation of the mobilizing power this seemingly ancient narrative preserved. However, it seems that this time that was not enough. One should bear in mind that within the CF oracles in Jeremiah, the emphasis is on the observance of the YHWH's commandments rather than the mere possession of the land. The restoration oracles seem to depict a generational change that entails a radical change of hearts — that is, mindset — that Godself brings about in the People within the framework of a new covenant. Moreover, this seems to have been linked to the lawful opportunity the Judeans in Babylonia had to return and reoccupy their lands.

Earlier this year (2023), the Mojeños achieved a major landmark in the political struggle for the possession of their ancestral land. They got from the Bolivian government the promulgation of a law that officially established the integral unity of their territory, thus providing them some sense of legal security regarding their ancient dwellings. However, given the current precariousness of the Bolivian judicial system and the Bolivian State's lack of presence in this region, problems for the Mojeños are far from over. Threats to their cultural identity posed by their current situation discussed in the introduction of this essay are still there. And they need to face them, now with the handicap that the Loma Santa myth weakened due to the effective possession of their land.

At this point, it is worth remembering that even after the Judean returnees managed to establish a steady presence in their ancestral land, they still needed to endure the unfavorable cultural context they encountered after fifty or more years of their absence in Judah. And, if one recalls their history, the following centuries were not exceptional in this regard, except perhaps

for a short period under the Hasmonean rule. Yet, it seems that speeches like Jeremiah's CF oracles allowed Yahwistic returnees to keep their collective identity strong, even when they were a minority in the land.

Key elements of Jeremiah's use of the CF must be recalled for a final assessment aimed at providing inspiration for the Mojeños in their fight to preserve their identity. First, the speech around the CF in Jeremiah seems to prompt people to assume responsibility for their history based on both their ancient traditions and more recent events. Second, it recalls the painful consequences people experienced in the past and are currently experiencing because of their abandonment of the core principles stated in their traditions. Third, the speech provides reassurance by promising better days than the current ones. Fourth, it gives people purpose by talking about a future that surpasses previous expectations.

Hence, Jeremiah's rhetoric around the CF is rooted in tradition, yet it also projects people to an open future. The fact that such a future is depicted as a gift from YHWH works as a dissipator of the anxiousness that might arise due to the uncertainty that comes with considering a situation that is still to come true. After 538 BCE, this rhetoric talks about the work YHWH has begun among the Judean returnees. That is, YHWH has already brought some of them back to their land, YHWH has already given some of them hearts that made them obedient to the law, but most of all, YHWH is already making them YHWH's people. All in all, this is an ongoing process, one prone to be taken as a task.

The Mojeños could grab inspiration from the Judean rhetoric recorded in Jeremiah, maybe elaborating the Loma Santa myth beyond its original notion. Notwithstanding, one should not overlook the fact that a speech like the CF passages in Jeremiah might have encouraged a negative attitude toward outsiders based on people for the sake of preserving their distinctive

cultural traits. In this regard, at least for now, it is significant that the Mojeño achievement of legally securing their land includes other indigenous peoples too.

Concerns about the effects of Climate change have made the Church pay more attention to the increasing stress they entail for people's cultural identities, especially those of the indigenous peoples of the Amazon Forest. Without any intention of downplaying the terrible consequences this global environmental transformation is already having, members of the Church should still be able to face it as an opportunity. The new circumstances demand new answers that the Church might help provide. Regarding the preservation of indigenous identities, it seems a healthy tension between tradition and openness to change must be promoted. For the baptized or believers among them, it could mean helping them elaborate their speech of peoplehood to include among their traditions a distinctive source of memory and purpose, YHWH, God of Israel and Judah.

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