



FAU Studien aus der Philosophischen Fakultät 28

**Ka Yu Wong**

# A Tradition-Historical Study of Mal 1.1-2.16: Traditions, Significance and Messages





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## **Band 28**

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Ka Yu Wong

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**A TRADITION-HISTORICAL STUDY OF MAL 1.1-2.16:  
TRADITIONS, SIGNIFICANCE AND MESSAGES  
(EINE TRADITIONSGESCHICHTLICHE STUDIE  
VON MAL 1.1-2.16:  
TRADITIONEN, BEDEUTUNG UND BOTSCHAFTEN)**

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## Abstract

This study investigates the significance of the use of traditions in the book of Malachi (“Mal”). Whilst it is a general scholarly consensus that Mal is rich of traditional materials, only a few studies focus on how the traditions used in the book affect our understanding of its messages. However, those few studies have the aims (e.g. proving the centrality of the theme of covenant, exploring the scribal activities, etc.) other than searching for the significance of the use of traditions in the formulation of the messages of Mal, and they adopt diversified methods (in theory and/or in practice). By adopting a systematic and text-based method, the present study seeks to fill this lacuna by exploring (a) what traditions were used, (b) how the traditions were used and (c) for what purpose(s) those traditions were used in Mal 1.1-2.16.

This study finds that in the said section of Mal, different traditions were utilized in various manners (interpretation, actualization and application) to, on the one hand, address the issues as mentioned in the book and on the other hand, revive the authority and relevance of the traditions.

As to the scope of this research, it consists of the superscription (Mal 1.1) and the first three “court disputations” (dialectic discourses) of the book (Mal 1.2-5; 1.6-2.9; 2.10-16). Given that numerous traditions are utilized and expressed in different ways therein, the said pericopes are selected as case studies.

This dissertation consists of four chapters. Chapter 1 is the introduction with the literature review and statement of problem. Chapter 2 concerns methodological considerations and the historical and literary aspects of Mal. Chapter 3 is the tradition-historical analysis of Mal 1.1-2.16. Chapter 4 summarizes the findings and concludes the contribution of this study.



# Kurzfassung

Die vorliegende Studie untersucht die Bedeutung der Verwendung von Traditionen im Maleachibuch („Mal“). Während es allgemeiner wissenschaftlicher Konsens ist, dass Mal reich an traditionellen Materialien ist, konzentrieren sich nur wenige Studien darauf, wie diese verwendeten Traditionen in diesem Buch unser Verständnis seiner Botschaften beeinflussen. Aber verfolgten diese wenigen Studien andere Ziele (z.B. der Nachweis der zentralen Bedeutung des Bundesthemas, die Untersuchung der Aktivitäten der Schreiber usw.) als die Suche nach der Signifikanz der Verwendung von Traditionen bei der Formulierung der Botschaften von Mal, und sie verwenden unterschiedliche Methoden (in Theorie und/oder Praxis). Mit Hilfe einer systematischen und textbasierten Methode versucht die vorliegende Studie, diese Forschungslücke zu schließen, indem sie untersucht, (a) welche Traditionen verwendet wurden, (b) wie diese verwendet wurden und (c) zu welcher Zwecke diese Traditionen in Mal 1,1-2,16 verwendet wurden.

Diese Studie kommt zu dem Ergebnis, dass in dem besagten Abschnitt von Mal verschiedene Traditionen auf unterschiedliche Arten (Auslegung, Verwirklichung und Verwendung) verwendet wurden, um einerseits die im Buch genannten Probleme zu behandeln und andererseits die Autorität und Relevanz der Traditionen wiederzubeleben.

Der Umfang dieser Studie umfasst die Überschrift (Mal 1,1) und die ersten drei "Gerichtsdisputationen" (dialektische Reden) des Buches (Mal 1,2-5; 1,6-2,9; 2,10-16). Da darin zahlreiche Traditionen auf unterschiedliche Weise verwendet und zum Ausdruck gebracht werden, werden die genannten Perikopen als Fallstudien ausgewählt.

Diese Dissertation besteht aus vier Kapiteln. Kapitel 1 ist die Einleitung mit dem Literaturüberblick und der Problemstellung. Kapitel 2 befasst sich mit methodischen Überlegungen und den historischen und literarischen Aspekten von Mal. Kapitel 3 ist die traditionsgeschichtliche Analyse von Mal 1,1-2,16. Kapitel 4 fasst die Ergebnisse zusammen und schließt den Beitrag dieser Studie ab.



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# Preface

This book is a slightly revised version of my doctoral dissertation, which was submitted to Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU) in June 2023.

It has been an old but true saying that no doctoral project can be accomplished without lots of companions and help. This one is not an exception. First of all, I have to express my whole-hearted thanks to my two Doktorväter: Professor Dr. Jürgen van Oorschot of Fachbereich Theologie, FAU, and Professor Dr. Nicholas H.F. Tai of Lutheran Theological Seminary, Hong Kong (LTS). It is my honour to receive this double blessings. Their wisdom and timely guidance, extraordinary care and patience, and unreserved support and encouragement made this project possible. Special thanks to Professor van Oorschot for his company and hospitality in this journey. There is no doubt that he is a renowned scholar and experienced supervisor. His advice is always insightful and precise. Apart from the serious academic works, he is also a faithful pastor and caring father. Likewise, I have to express my sincere thanks to Professor Tai, who has demonstrated a perfect merger of the German scholarship and the pastoral ministry in the context of Hong Kong. My gratitude towards both of them cannot be fully expressed by words.

I am also indebted to Dr. Göran Larsson and Dr. Francis Borchardt, who had read my earlier drafts and gave their valuable comments thereon. The kind words and continuing care from Dr. Larsson are always encouraging.

Many flashbacks of the sweetness and bitterness during this long journey have come to my mind. I have to offer my biggest “Thank You!” with hug to Mission EineWelt (MEW) which supported my one year’s study in 2017-8 and my writing holidays in 2019 in Germany. Special thanks to the Co-directors of MEW, Rev. Dr. Gabriele Hoerschelmann and Rev. Dr. Hanns Hoerschelmann, who were my former teachers at LTS, for their care and support (and also the delicious dinners) which surely made me feeling home in Neuendettelsau. The uncountable assistance and warmest greetings from Frau Dorothea Baltzer-Griesbeck, who helped me to go through the visa application and other procedures during my stay in Germany, cannot be missed in this remark. I am particularly thankful to Rev. Thomas Paulsteiner of MEW, not only for his friendship and administrative support but also for picking me up at the freezing train station when I missed the last train in the snowy night.

## *Preface*

My living in Augustana-Hochschule is definitely one of my mostly mentioned experience, in which I not only tasted the real German culture but also gained the valuable friendships from (just to name a few) Konrad Aller and Nicola Aller, Linda Krefß-Kost, Jule Becker, Kathrin Zaha-Lee, Janina Wölfel, Johannes Geyer, Michael Greder, etc.. Das Leben ist bunt mit euch!

It has been my privilege and pleasure to serve as a voluntary pastor in my home congregation. The unreserved support from the brothers- and sisters-in-Christ there, including the care and timely support from the pastor-in-charge Rev. Jason Hung and his wife Ruby, and other colleagues in the church, is always my “supply line” in this studying path.

I am grateful to LTS for its provision of the student allowance. The schoolmates and staffs there witnessed my mixed feelings in these years.

Every literature is the product of that era, and this one is no exception. Since the beginning of my doctoral study in 2015, Hong Kong has gone through lots of important events. Between 2020 and 2022, the whole world was facing the challenge of the pandemic. Theological seminaries as well as libraries were temporarily closed. I had to proceed with my research under such circumstances. As traveling to Germany and conducting research there was not possible then, the core of my dissertation was drafted in my bedroom and sitting room. It is clear that without the abundant provision and motivation from God our Lord, it was impossible for me to finish this project. Soli Deo gloria!

Finally, I am indebted to my family: My children, Sophia and Eliya, have an interesting childhood as their daddy stayed at home most of the time, reading and typing all day and sometimes murmuring in biblical Hebrew. Their laughter was the fountain of my joy during the dull days of studies. My most heartfelt thanks go to my wife, Elsa, who has been my constant companion, for her love and support in this marathon-like journey of research. This book is dedicated to her, my dearest.

## Note on Abbreviations, References, Definitions and Glossary of Terms <sup>1</sup>

Unless otherwise specified:

- the chapter and verse numbers of the biblical references and quotations refer to those in the Masoretic Text (MT) as appeared in the form of BHS. Basically the English translation is provided by me. When other translations are referred to, they shall be specified in brackets, for example, “(NRSV)”.
- For the sake of convenience, the terms “**Old Testament**” and “**Hebrew Bible**” are used interchangeably in this study. The differences in the rationales between these two terms, and the fact that the term “Hebrew Bible” may give rise to other issues (e.g. certain parts of it are in Aramaic but not Hebrew, and an important tradition of the *TANAK* is the Greek Septuagint, etc.), are noticed.
- As noted in the beginning of Chapter 1, it is mindful that at the time of composition / redaction of, say, the book of Malachi (“**Mal**”), other authoritative works which were later known as “Hebrew Bible”, “biblical book(s) / text(s)” or “canonical books” were unlikely to be perceived or named as such in those days. Purely for the sake of convenience, the terms “biblical” and “inner-biblical” are used for the purpose of this study.
- The terms “**earlier text**”, “**evoked text**” and “**source text**” are used interchangeably in this study. Similarly, the terms “**later text**”, “**receiving text**”, “**recipient text**” and “**receptor text**” are used interchangeably.
- All URLs are updated and last accessed in June 2023.

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<sup>1</sup> As to the format and categorization adopted in this section, reference is made to J. Svartvik, *Mark and Mission: Mk 7:1-23 in its Narrative and Historical Contexts*, Coniectanea Biblica New Testament Series 32, Stockholm: Almqvist & Wiksell International, 2000, ix-x.

## **Abbreviations of the canonical and deuterocanonical books of the Bible**

### **Hebrew Bible / Old Testament**

Gen	Genesis	Isa	Isaiah
Exod	Exodus	Jer	Jeremiah
Lev	Leviticus	Lam	Lamentations
Num	Numbers	Ezek	Ezekiel
Deut	Deuteronomy	Dan	Daniel
Josh	Joshua	Hos	Hosea
Judg	Judges	Joel	Joel
Ruth	Ruth	Amos	Amos
1 Sam	1 Samuel	Ob	Obadiah
2 Sam	2 Samuel	Jon	Jonah
1 Kings	1 Kings	Mic	Micah
2 Kings	2 Kings	Nah	Nahum
1 Chr	1 Chronicles	Hab	Habakkuk
2 Chr	2 Chronicles	Zeph	Zephaniah
Ezra	Ezra	Hag	Haggai
Neh	Nehemiah	Zech	Zechariah
Esth	Esther	Mal	Malachi
Job	Job		
Ps	Psalms		
Prov	Proverbs		
Eccl	Ecclesiastics		
Song	Song of Songs		

## **Deuterocanonical Works**

Tob	Tobit	Bar	Baruch
Jdt	Judith	1 Macc	1 Maccabees
Wis	Wisdom	2 Macc	2 Maccabees
Sir	Sirach		

## **Abbreviations of Works of Reference**

AB	The Anchor Bible
ABD	<i>Anchor Bible Dictionary</i> . Edited by D.N. Freedman. 6 vols. New York, 1992.
AIL	Ancient Israel and its literature
An Bib	Analecta Biblica
ANE	Ancient Near East
AOTC	Abingdon Old Testament Commentaries
ATANT	Abhandlungen zur Theologie des Alten und Neuen Testaments
ATD	Das Alte Testament Deutsch
AYB	The Anchor Yale Bible
AzTh	Arbeiten zur Theologie
BASOR	<i>Bulletin of the American Schools of Oriental Research</i>
BAT	Botschaft des Alten Testaments
BBR	<i>Bulletin for Biblical Research</i>
BDB	<i>The New Brown, Driver, Briggs, Gesenius Hebrew and English Lexicon: with an Appendix Containing the Biblical Aramaic</i> . Edited by F. Brown, and E. Robinson et al. Peabody, MA: Hendrickson, 1979.
BBB	Bonner biblische Beiträge
BHK	<i>Biblia Hebraica</i> . Edited by R. Kittel. Stuttgart: Württembergische Bibelanstalt, 1905-1906, and many later editions.
BHQ of the Twelve	<i>Biblia Hebraica Quinta 13: The Twelve Minor Prophets</i> . Edited by Anthony Gelston. Stuttgart: Deutsche Bibelgesellschaft, 2010.
BHS	<i>Biblia Hebraica Stuttgartensia</i> . Edited by K. Elliger. Stuttgart: Deutsche Bibelgesellschaft, 1984.

*Abbreviations of Works of Reference*

<i>Bib</i>	<i>Biblica</i>
<i>BibLeb</i>	<i>Bibel und Leben</i>
BibOr	Biblica et Orientalia
BKAT	Biblischer Kommentar, Altes Testament
<i>BN</i>	<i>Biblische Notizen</i>
BO	Berit Olam: Studies in Hebrew Narrative and Poetry
<i>BSac</i>	<i>Bibliotheca Sacra</i>
<i>BT</i>	<i>The Bible Translator</i>
<i>BTB</i>	<i>Biblical Theology Bulletin</i>
BThSt	Biblich-Theologische Studien
BWANT	Beiträge zur Wissenschaft vom Alten und Neuen Testament
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CBC	The Cambridge Bible Commentary
CBET	Contributions to Biblical Exegesis and Theology
CBQ	<i>Catholic Biblical Quarterly</i>
<i>CBR</i>	<i>Currents in Biblical Research</i>
CorBC	Cornerstone Biblical Commentary
COT	Commentaar op het Oude Testament
CTM	Calwer Theologische Monographien
<i>CTR</i>	<i>Criswell Theological Review</i>
<i>CurTM</i>	<i>Currents in Theology and Mission</i>
DCH	<i>The Dictionary of Classical Hebrew</i> . Edited by D.J.A. Clines. Sheffield: Sheffield Academic Press, 1993.
<i>EBC</i>	<i>Expositor's Bible Commentary</i> (Revised)
Edition C/AT	Der Edition C Bibelkommentar Altes Testament
ESV	English Standard Version

*Note on Abbreviations, References, Definitions and Glossary of Terms*

<i>EvT</i>	<i>Evangelische Theologie</i>
FAT	Forschungen zum Alten Testament
FAT II	Forschungen zum Alten Testament 2. Reihe
FOTL	Forms of the Old Testament Literature
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
GBS	Guides to Biblical Scholarship
GKC	<i>Gesenius' Hebrew Grammar</i> . Edited by E. Kautzsch. Translated by A.E. Cowley. 2nd ed.. Oxford: Clarendon Press, 1910.
<i>HALOT</i>	<i>The Hebrew and Aramaic Lexicon of the Old Testament</i> . Edited by L. Koehler, W. Baumgartner, and J.J. Stamm. Translated and edited under the supervision of M.E.J. Richardson. 5 vols. Leiden: Brill, 1994–2000.
<i>HAR</i>	<i>Hebrew Annual Review</i>
HAT	Handbuch zum Alten Testament
HB	Hebrew Bible
<i>HBT</i>	<i>Horizons in Biblical Theology</i>
HCOT	Historical Commentary on the Old Testament
HolOTC	Holman Old Testament Commentary
HThKAT	Herders theologischer Kommentar zum Alten Testament
HTS	Harvard Theological Studies
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
ICC	International Critical Commentary
IEKAT	Internationaler Exegetischer Kommentar zum Alten Testament
IECOT	International Exegetical Commentary on the Old Testament
Int	Interpretation Commentary Series

*Abbreviations of Works of Reference*

ITC	International Theological Commentary
JAS	Journal of Ancient Judaism Supplement Series
JAOS	<i>Journal of the American Oriental Society</i>
JBL	<i>Journal of Biblical Literature</i>
JBL Monograph Series	Journal of Biblical Literature Monograph Series
JETS	<i>Journal of the Evangelical Theological Society</i>
JNES	<i>Journal of Near Eastern Studies</i>
JSHRZ	Jüdische Schriften aus hellenitisch römische Zeit
JOT	<i>Journal for the Study of the Old Testament</i>
JThS	<i>Journal of Theological Studies</i>
JOTSup	Journal for the Study of the Old Testament: Supplement Series
KAT	Kommentar zum Alten Testament
KJV	King James Version
LHB/OTS	Library of Hebrew Bible/Old Testament Studies
LOTST	Library of Second Temple Studies
LXX	Septuagint
MT	Masoretic Text
NAC	New American Commentary
NASB	New American Standard Bible
NCBC	New Century Bible Commentary
NEchtB	Neue Echter Bibel
NET Bible	New English Translation. Biblical Studies Press, 1996-2006.
NIB	<i>The New Interpreter's Bible</i> . 12 vols. Edited by L.E. Keck. Nashville: Abingdon Press, 1994-
NICOT	New International Commentary on the Old Testament

*Note on Abbreviations, References, Definitions and Glossary of Terms*

NIDB	<i>New Interpreter's Dictionary of the Bible</i>
NIDOTTE	<i>New International Dictionary of Old Testament Theology and Exegesis</i> . Edited by W.A. van Gemeren (gen. ed.). 5 vols. Grand Rapids: Zondervan, 1997.
NIV	New International Version
NIVAC	NIV Application Commentary
NJPS	Tanakh: The Holy Scriptures: The New JPS Translation according to the Traditional Hebrew Text
NKJV	New King James Version
NRSV	<i>The New Oxford Annotated Bible: New Revised Standard Version: with the Apocrypha: an Ecumenical Study Bible</i> . Edited by M. Coogan et al. Fully rev. 4th ed. Oxford; New York: Oxford University Press, 2010.
NSBT	New Studies in Biblical Theology
OBO	Orbis Biblicus et Orientalis
OTE	<i>Old Testament Essays</i>
OTG	Old Testament Guides
OTL	Old Testament Library
OtSt	Oudtestamentische Studiën
RB	<i>Revue biblique</i>
RelSRev	<i>Religious Studies Review</i>
ResQ	<i>Restoration Quarterly</i>
RevExp	<i>Review and Expositor</i>
SBLDS	Society of Biblical Literature Dissertation Series
SBLEJL	Society of Biblical Literature Early Judaism and Its Literature
SBLMS	Society of Biblical Literature Monograph Series
SBLSP	Society of Biblical Literature Seminar Papers

SBT	Sources for Biblical and Theological Study
SEÅ	<i>Svensk Exegetisk Årsbok</i>
SJT	<i>Scottish Journal of Theology</i>
SOTSMS	Society for Old Testament Studies Monograph Series
ST	<i>Studia theologica</i>
SwJT	<i>Southwestern Journal of Theology</i>
TDOT	<i>Theological Dictionary of the Old Testament.</i> Edited by G.J. Botterweck, and H. Ringgren et al. Translated by J.T. Willis. Grand Rapids: Eerdmans, 1974.
TLOT	<i>Theological Lexicon of the Old Testament.</i> Edited by E. Jenni and C. Westermann. Translated by M.E. Biddle. 3 vols. Peabody, Mass.: Hendrickson Publishers 1997.
TOTC	Tyndale Old Testament Commentaries
TTE	<i>The Theological Educator</i>
TU	Texte und Untersuchungen zur Geschichte der altchristlichen Literatur
TWOT	<i>Theological Wordbook of the Old Testament.</i> Edited by Harris, R. Laird, Gleason L. Archer, Jr., and Bruce K. Waltke, eds. 2 vols. Chicago: Moody, 1980.
TynBul	<i>Tyndale Bulletin</i>
VT	<i>Vetus Testamentum</i>
VTSup	Supplements to Vetus Testamentum
VWGTh	Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie
WBC	Word Biblical Commentary
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>

*Note on Abbreviations, References, Definitions and Glossary of Terms*

ZNThG

*Zeitschrift Für Neuere Theologiegeschichte*

ZBK

Zürcher Bibelkommentare

## Definitions and Glossary of Terms

The following abbreviations and glossary of terms are selected and set out here due to their diversified meanings in scholarly discussions. In order to avoid misreading of the present work, their respective definitions and/or meanings are specified below (and some of them are also set out in the body of this dissertation). For the sake of brevity, those commonly used abbreviations and expressions (e.g. MT, LXX, etc.) are not included herein.

“**allusion**”, in the context of inner-biblical relationship among different texts, see the discussion in section 2.1.2.2 herein.

**canonical criticism**” refers to the method of investigation / analysis on the basis (presumption) that the canonical Bible as a “literary whole, emphasizing the intrinsic theological significance of the biblical documents for the contemporary community of faith.”<sup>2</sup> For the purpose of this study, the understanding of Childs is preferred, i.e. “the authority of the final canonical form of the OT/HB as a completed process and an end product — normative scripture historically conditioned.” Hence, the canonical text is distinguished from its “later interpretation since the final canonical form of the OT/HB text occurred at some specific point in time.”<sup>3</sup>

“**court disputation**” refers to the type of genre in which the metaphor of court proceedings is used as the literary setting; it is a kind of “legal metaphor”. Unlike the genre of “*rib*” / “disputation”, “court disputation” projects and/or postulates the existence of a dispute between different parties in a court-like setting. Unlike the genre of “covenant lawsuit”, “court disputation” projects and/or postulates an earthly court-like setting and therefore, for examples, the heavens and the earth are not called upon as witnesses of the lawsuit. Instead of resorting to breach(es) of the covenant with YHWH in general, in a “court disputation”, the accusations are formulated as more specific breaches of the *torah* and/or offences; and instead of being silent, the accused answers / defends the accusations. See the discussion in section 2.5 herein.

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<sup>2</sup> A.E. Hill, *Malachi: A new translation with introduction and commentary*, AB 25D, New York: Doubleday, 1998, 20.

<sup>3</sup> Hill, *Malachi*, AB 25D, 21, citing Childs, *Introduction to the Old Testament as Scripture*, Philadelphia: Fortress, 1979, 75-77.

**“covenant lawsuit”** (Ger. *Bundesrechtsstreit, Prozess um den Bund, Prozess um das Bundesrecht*) refers to the genre based on the imagery / metaphor of legal process in which Israel is accused of violation(s) of the covenant with YHWH and/or the covenantal law(s) commanded by YHWH, and YHWH responds to the same. It is a kind of *rîb* (genre of disputation). “The form is said to consist of such elements as: (1) preliminary motions; (2) judge’s interrogation; (3) indictment; (4) declaration of guilt; (5) threat and/or condemnation; and (6) ultimatum.”<sup>4</sup>

**“Deuteronomic”**: “pertaining to the book of Deuteronomy”.<sup>5</sup>

**“Deuteronomistic”**: “pertaining to the books (or characteristic features) of the so-called Deuteronomic History”.<sup>6</sup>

**“disputation”**, see “*rîb* (pattern)” below.

**“fn”** means “footnote”

**“form”**, in the context of form criticism and genre study, the distinction between “form” and “genre” as suggested by Anthony F. Campell is adopted. Campell refers to John Barton’s dictionary article entitled “Form Criticism: Old Testament”: The German word “*Form*” refers to “the structure or shape of an individual message or unit”; and for genre, the German word “*Gattung*” refers to “a general class or genre” (*ABD* 2:839).<sup>7</sup> In general, “form” refers to a combination of words that constitutes a particular way of expression. More often than not, such an expression conveys the literary and/or theological message with a particular historical and/or literary contextual setting (“*Sitz im Leben*”).

**“*Gattung*”**, see “form” above.

**“genre”**, see “form” above.<sup>8</sup>

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<sup>4</sup> Michael H. Floyd, *Minor Prophets, Part 2*, FOTL, Grand Rapids, MI: Eerdmans, 2000, 629. Nevertheless, Floyd describes this genre classification as “highly problematic”.

<sup>5</sup> Hill, *Malachi*, AB 25D, xxvi.

<sup>6</sup> Hill, *Malachi*, AB 25D, xxvi.

<sup>7</sup> Anthony F. Campell, “Form Criticism’s Future,” in M. Sweeney and E. Ben Zvi, eds., *The Changing Face of Form Criticism in the Twenty-First Century*, Grand Rapids, MI: Eerdmans, 2003, 15-31, at 23-25 and fn 31. See also K. Weyde, *Prophecy and Teaching: Prophetic Authority, Form Problems, and the Use of Traditions in the Book of Malachi*, Berlin, New York: Walter de Gruyter, 2000, 54 and fn 19.

<sup>8</sup> See also F.W. Dobbs-Allsopp, *Eerdmans Dictionary of the Bible*, s.v. “GENRE,” 493, “A classification of literary composition characterized by particular elements of form and content.”

“**Ger.**” refers to German (term / translation).

“**historical criticism**”, which is used interchangeably with “historical-critical method / approach / analysis” in this study, refers to the method of investigation / analysis of “the local historical factors shaping the biblical text in order to reconstruct original moments in the life of ancient Israel. The goal of historical criticism is the writing of “the history of Israel,” a chronologically ordered narrative objectively interpreting the nature and relationship of biblical events (Soulen [1981: 88]).”<sup>9</sup>

“**literary criticism**” refers to the method of investigation / analysis that “the Bible is a literary object portraying the human predicament (cf. D. Robertson [1977: 2–7]). Above all, the Bible is considered “classic” literature to be read and understood as the voice of human experience speaking urgently to us (Alter [1992: 23]). By way of approach, the literary critic employs any method that “works” with other literature (explaining D. Robertson’s [1976: 547] assessment that literary critics employ “very different and even incompatible methodologies”).”<sup>10</sup>

“**Mal**” refers to the book of Malachi.

“**Malachi**” refers to the proper name of the (notional) prophet, and in some cases the (notional) author of Mal.

“**motif**” refers to ““a smaller substantive unit which, while not yet comprising a whole plot, nonetheless presents a material, situational element.” This element may be an item or a person, portrayed not in isolation but in a context or situation. It is preformed, not bound to a single text, and can therefore be examined in its historical development, significance, and use in various traditions.”<sup>11</sup>

“**redaction criticism**” refers to the method of investigation / analysis of a text with the aim to reconstruct “the compositional and editorial process by which earlier texts are taken up to be reread, reinterpreted, edited, and rewritten in relation to the concerns of later times.”<sup>12</sup>

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<sup>9</sup> Hill, *Malachi*, AB 25D, 19.

<sup>10</sup> Hill, *Malachi*, AB 25D, 19.

<sup>11</sup> Knight, *Rediscovering the Traditions of Israel*, 12, referring to Elisabeth Frenzel, *Stoff-, Motiv- und Symbolforschung*, 3rd ed., Stuttgart: Metzner, 1970, 28.

<sup>12</sup> M.A. Sweeney, *The Twelve Prophets*, Berit Olam, Collegeville, MN.: Liturgical Press, 2000, vol.1, xx.

“**rib (pattern)**”, which is described as “**disputation**” by some scholars, refers to “a dispute or controversy between two or more parties in which different points of view are expressed in a formal (and often confrontational) manner”.<sup>13</sup> See the discussion in sections 2.5.1 and 2.5.2.<sup>14</sup>

“**superscription**” (Ger. *Überschrift*) refers to “[a] statement prefixed to a text that may be either a literary work in its entirety (e.g. Amos 1:1 in the case of a prophetic book); or a section of a literary work (e.g. Prov 10:1a in the case of Prov 10:1-24:34); or an individual composition in a collection of such compositions (e.g., as in the case of many psalms in the Psalter). A superscription sometimes gives a title for the text to which it is prefixed, but it may contain various other things in addition to or instead of a title”.<sup>15</sup>

“**the Former Prophets**” refers to the four books in the Hebrew Bible, namely Joshua, Judges, Samuel and Kings.

“**the Latter Prophets**” refers to the four books in the Hebrew Bible, namely Isaiah, Jeremiah, Ezekiel and the Twelve.

“**the Law**”, also known as “the Torah” (with “T” in capital letter), refers to the collection of books being categorized as the first part of the Hebrew Bible; it consists of five books, namely, Genesis, Exodus, Leviticus, Numbers and Deuteronomy (collectively also known as “the Pentateuch”).

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<sup>13</sup> Hill, *Malachi*, AB 25D, xxvii, referring to W.E. March, “Prophecy”, in *Old Testament Form Criticism*, San Antonio, TX.: Trinity University Press.1974, 141-177 at 168.

<sup>14</sup> In the context of prophetic books, Floyd defines “prophetic disputation” (Ger. *Prophetisches Disputationswort*, *Prophetisches Streitgespräch*) as, *inter alia*, “[a] type of prophetic speech based on adaptation of a convention of public debate involving representatives of two or more contending opinions.” “Prophets adopted this convention in order to contend with popular opinions contrary to their own claims regarding Yahweh’s involvement in particular historical situations. In these adaptation there is actually no exchange between speakers but only the reflection of such an exchange. The prophet makes a summary statement of the popular attitude and then takes issue with it. These two basic elements may be ordered and expressed in a wide variety of ways, but in taking issue with popular opinion the prophet usually employs oracular speech of Yahweh.” Floyd, *Minor Prophets*, 638. Floyd also defines “prophetic speech” (Ger. *Prophetische Rede*) as, *inter alia*, “[a] type of prophecy defined in terms of the rhetorical conventions characterizing the verbal interaction of a prophet with a live public audience.” Floyd, *Minor Prophets*, 643.

<sup>15</sup> Floyd, *Minor Prophets*, 649. See also Hill, *Malachi*, AB 25D, 136, “The superscription serves to classify the oracle(s) or prophetic text and identify author, audience, date, and sometimes the occasion prompting the utterance. Not all the prophetic superscriptions contain each of these elements.”

“**the Prophets**” refers to the collection of books being categorized as the second part of the Hebrew Bible; the Prophets consists of the Former Prophets and the Latter Prophets.

“**the redactors**” refers to the author(s) and / or redactor(s) of a text in question. It is appreciated that there are conceptual differences between authoring, composing, editing and redacting a text. It is also noticed that the process of composition, redaction vis-à-vis transmission of a biblical text might have lasted for a long period of time and therefore, the concept of “the redactors” may be vague or even notional. Nevertheless, for the sake of facilitating the discussion, unless otherwise specified, the term “the redactors” is adopted, representing the people who participated in the aforesaid process.

“**the *torah***” (in italics) can be translated as the “law”, “instruction” or “teaching” in English, subject to the context.

“**tradition**”: In terms of literary phenomenon, a biblical “tradition” refers to a particular word, “form” (combination of words, see above) or other manners of literary expression which appears in the Hebrew Bible, usually for more than once. It therefore does not include the (hypothetical) oral traditions at the pre-text stage. In terms of content, a biblical “tradition” carries its connotation, that is, a particular theme and/or message. See section 2.1.1.1 herein for further discussion.

“**Tradition-historical criticism / method**” is the English translation of the German term “*Traditionskritik / Traditionsgeschichte*” (the two terms are used interchangeably in this study).<sup>16</sup> For the purpose of this research, it refers to the analytical process which handles the contents of the traditions transmitted (*traditum*) with the aim to understand how an earlier “tradition” (in literary expression(s), see above) was utilized in a later text. Hence, the starting point and basis is the *traditum* as evidenced by the biblical texts though whenever necessary, the investigation shall also involve the analysis of the process of transmission (*traditio*). As mentioned above, for the purpose of this study, “tradition” does not include the (hypothetical) earlier oral tradition(s). Hence, it is different from *Überlieferungskritik / Überlieferungsgeschichte*. “The traditio-historical method represents one of the steps in modern biblical

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<sup>16</sup> Sometimes it is also referred to as “traditio-historical method”.

exegesis. Generally it follows directly on TEXTUAL CRITICISM, SOURCE CRITICISM, and FORM CRITICISM, making full use of their results concerning the unified or composite character of the text in question, the historical background and nature of any sources, the text's genre and life setting, and the like."<sup>17</sup> As to the methodology of this study, see section 2.1 herein.

**“the Twelve”** refers to the book of the Twelve (also known as “the Minor Prophets”) in the Latter Prophet of the Hebrew Bible. For the present study, “the Twelve” is used as a common name and by no means to rule out the individuality of the books therein.

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<sup>17</sup> Douglas A. Knight, *AYBD*, s.v. “TRADITION HISTORY,” 6:635. See also Joachim Vette, “Bibelauslegung, historisch-kritische (AT)” (February 2008): <http://www.bibelwissenschaft.de/stichwort/15249/>.

# 1 Introduction

## Chapter outline

- 1.1 Aim of this study
- 1.2 Delimitation, Presumption and Literature Review
  - 1.2.1 Context of this research
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    - 1.2.1.2 Presumption: Mal as an independent book
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  - 1.2.2 Literature Review
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- 1.4 Contribution of this research
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## 1.1 Aim of this study

There have been numerous scholarly studies of the book of Malachi (“**Mal**”), considering it either as an individual book or as part of the book of the Twelve (“**the Twelve**”). Even though there is a general consensus that Mal is rich in traditional materials,<sup>18</sup> only several studies were undertaken to explore the significance of the use of traditions therein (see the literature review below). A majority of those specific studies adopts (synchronic) “intertextuality” rather than (diachronic) tradition-historical approaches and therefore, the issue of the direction of influence is often neglected. Further or alternatively, scholars have used their methods and terminologies inconsistently, and/or paid insufficient attention on how and for what purpose(s) the traditional materials are used to formulate the messages of Mal.

The aim of this study is to investigate the significance of the use of traditions in Mal. It shall be demonstrated that through the tradition-historical method,<sup>19</sup> one would notice that in Mal, different traditions were utilized in various manners (interpretation, (re)actualization and application) to answer the issues and/or situations as mentioned in the

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<sup>18</sup> See e.g. R.L. Smith, *Micah-Malachi*, WBC 32, Waco, TX: Word, 1984, 300 (“The language and ideas of Malachi are deeply influenced by the Deuteronomic materials.”); Hill, *Malachi*, AB 25D, 18 (“[The prophet Malachi] possessed a knowledge of both the Deuteronomic (1:8; cf. Deut 15:21) and Priestly (3:10; cf. Num 18:21) legal traditions”, “...Malachi demonstrates considerable continuity with the covenantal message of earlier Hebrew prophets”); Weyde, *Prophecy and Teaching*, 12; D. Stuart, “Malachi”, in Thomas E. McComiskey ed., *The Minor Prophets: An Exegetical and Expository Commentary*, Grand Rapids, MI: Baker Academic, 2009, 1257-1258; R. Kessler, *Maleachi: Übersetzt und ausgelegt*, HThKAT, Freiburg im Breisgau: Herder, 2011, 55, “Die Auffassung, dass die Maleachi-Schrift von vorneherein schriftlich konzipiert ist, lässt sich nach meinem Dafürhalten bereits aus der Analyse der Hauptgattung und des Gesamtaufbaus herleiten. Ausgelöst wurde die neue Betrachtungsweise allerdings vor allem durch die Beobachtung, dass es in Maleachi zahllose intertextuelle Bezüge zu anderen Schriften der Hebräischen Bibel gibt. In der Tat bestätigt dies in hohem Maß die These der Schriftlichkeit der Malachi-Schrift.”; idem, “The Unity of Malachi in its Relation to the book of the Twelve,” in R. Albertz, J. Nogalski, and J. Wöhrle, eds., *Perspectives on the Formation of the Book of the Twelve: Methodological Foundations, Redactional Processes, Historical Insights*, BZAW 433, Berlin, Boston: De Gruyter, 2012, 223-236, 228; and M.R. Jacobs, *The books of Haggai and Malachi*, NICOT, Grand Rapids, MI: Eerdmans, 2017, 140 (“Through shared vocabulary and perspectives on various traditions, the book of Malachi reflects a number of traditions evident in the Old Testament.”).

<sup>19</sup> Concerning the definition of “tradition-historical method” and the methodology adopted for this study, please see Chapter 2. For avoidance of doubt, in general, the German terms *Traditionskritik* and *Traditionsgeschichte* (and their respective English translations “tradition-historical criticism” and “tradition-historical method”) shall be used interchangeably in this study.

book. This study concludes with the following thesis statement: The significance of the use of traditions in Mal is that by interpretation, (re)actualization and application, different traditions were transformed to formulate the messages of Mal and as a result, on the one hand, the said messages were vested with the authority from the traditions and, on the other hand, the traditions established in the past were revitalized to address the new situations and provide directions and visions for the future of the faith communities.

The said transformation generated new meanings and messages to answer the new contexts as depicted in the book of Malachi. By adopting the tradition-historical method, this study shall explore *what* traditions (as contained in different parts of the Hebrew Bible) were used,<sup>20</sup> *how* they were used and *for what purpose(s)* those traditions were used in collaboration with the literary genre the book.<sup>21</sup> Accordingly, the analyses of the traditions and the relationships among biblical passages of the same / similar traditions shall be considered. Details of the methodological considerations shall be discussed in Chapter 2.<sup>22</sup>

For the sake of clarification, in this study, unless otherwise specified,

- (a) the abbreviation “**Mal**” shall be used to represent the book of Malachi, and “**Malachi**” shall be used as a proper name of the (notional) prophet;<sup>23</sup>
- (b) the inner-biblically related passages shall also be referred to as “**inner-biblical references**”; and in general, the biblical texts that contain elements of tradition(s) shall be referred to as “**traditional materials**” in the relevant contexts;
- (c) whilst it is appreciated that the collection of authoritative works, which are subsequently named as “Hebrew Bible” or “canonical

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<sup>20</sup> Unless otherwise specified, for the sake of convenience and in alignment with modern scholarship, the terms “Old Testament” and “Hebrew Bible” are used interchangeably in this study. The differences in the rationales between these two terms, and the fact that the term “Hebrew Bible” may give rise to other issues (e.g. certain parts of it are in Aramaic, and an important tradition of the Old Testament is the Greek Septuagint, etc.), are noticed. Refer, e.g. Douglas A. Knight, *Rediscovering the Traditions of Israel*, 3<sup>rd</sup> ed., Atlanta: Society of Biblical Literature, 2006, xiii.

<sup>21</sup> The literary genre of the book of Malachi, i.e. “court disputations” as proposed by this study, shall be discussed in Chapter 2.

<sup>22</sup> As to the definitions of the terminologies, please refer to “Note on Abbreviations, References, Definitions and Glossary of Terms”.

<sup>23</sup> This study argues that the word מַלְאכִי in Mal 1.1 should be considered as a proper name (“Malachi”) rather than a common noun (“my messenger”), see below and Chapter 2.

books”, was still undergoing when Mal was being composed,<sup>24</sup> for the sake of convenience, it is considered that “biblical” and “inner-biblical” remain appropriate terms for the purpose of this study, given that the related references to be analyzed in Chapter 3 are within the scope of the Hebrew Bible today;

- (d) it is mindful that the formation of Mal (as other books in the Hebrew Bible) might have gone through a long-term process of editing / redaction,<sup>25</sup> and there was unlikely any unified, common edition or canonical form of the Hebrew Bible before the second century C.E.;<sup>26</sup> yet out of practical considerations, in this study, it is *presumed* that during the said process of editing / redaction, the texts of Mal and other biblical references that we shall discuss are in the same form as the Masoretic Text (MT) that is used in this research; and
- (e) in this research, MT (as presented in BHS)<sup>27</sup> is used as the base text for discussion (subject to textual criticisms).

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<sup>24</sup> The criticism of Athas on the use of the term and concept of “canon” in Gibson’s work is noted. Athas contends that “[w]hile pre-final forms of many biblical materials would certainly have ‘circulated’ at this time, and Malachi’s frequent allusions demonstrate a developing canonical consciousness, it is still difficult to know whether we may talk about a ‘canon’ at this time.” See G. Athas, “Review on Jonathan Gibson, *Covenant Continuity and Fidelity: A Study of Inner-Biblical Allusion and Exegesis in Malachi*,” *Journal of Semitic Studies* 63 (2018): 510–512.

<sup>25</sup> See, e.g. Eugene Ulrich, *The Dead Sea Scrolls and the Origins of the Bible*, Grand Rapids, MI: William B. Eerdmans, 1999, 52.

<sup>26</sup> Timothy M. Law, *When God Spoke Greek: The Septuagint and the Making of the Christian Bible*, Oxford: OUP, 2013, 7.

<sup>27</sup> K. Elliger and W. Rudolph, eds., *Biblia Hebraica Stuttgartensia*, Stuttgart: Deutsche Bibelgesellschaft, 1967/77. For “BHQ of the Twelve”, it stands for Anthony Gelston, ed., *Biblia Hebraica Quinta: The Twelve Minor Prophets*, Stuttgart: Deutsche Bibelgesellschaft, 2010. Given that most of the scholarly works and discussions on Mal in the recent decades are based on BHS, and the fact that for the text of Mal, there is no significant difference between BHS and BHQ (except the collection of textual variants), it is considered that BHS is an appropriate base text for the purpose of this study. Another important consideration is that up until now, the publication of BHQ has not covered all the books of the Hebrew Bible. Therefore, for the sake of coherence in analyzing the related inner-biblical references, the use of BHS as the base text is preferred.

## 1.2 **Delimitation, Presumption and Literature Review**

The second part of the Hebrew Bible is the Prophets, which is divided into the Former Prophets (Joshua, Judges, Samuel and Kings) and the Latter Prophets (Isaiah, Jeremiah, Ezekiel and the Twelve). It is believed that the Twelve, being the last book of the Latter Prophets, was a collection of works. Most of them started to be composed between the 8<sup>th</sup> and 6<sup>th</sup> centuries B.C.E. (with the exceptions of Joel, Jonah, Zech 9-14 and Mal).<sup>28</sup> It is likely that Mal was composed between 6<sup>th</sup> and 5<sup>th</sup> century B.C.E..<sup>29</sup>

In both the MT and the LXX traditions, Mal is the last book of the Twelve, which in turn is the last book of the Prophets in the Hebrew Bible. My interest in Mal started from reading the following words of Michael E. Stone,

“...What were the origin and / or function of the coda at the end of Malachi and its relation to the coda at the end of Deuteronomy? ... Certainly, Malachi evokes Mosaic traditions in general terms, as does Deuteronomy, in addition to a prophetic tradition. ....”<sup>30</sup>

Whilst Stone was thinking of the canonical issues, the aforesaid words also shed light on, first, the relationship between Mal 3.22-24 and the book of Deuteronomy (in particular, e.g. Deut 34.10-12), and secondly, the synthesis and “synergy” of the Mosaic tradition and the prophetic tradition. That ignited the motivation of conducting the present study to investigate (a) the relationships between Mal and other biblical texts (which bear similar literary, thematic and/or theological, etc. features), and (b) how such relationships affect the exegesis of Mal.

Since Mal is at stake, this introduction shall, firstly, provide my brief view on several issues that have bearing on the understanding of the book as well as this study.<sup>31</sup> Secondly, a literature review is given to illustrate the gap of research that this study shall fit in. For the sake of easy reference, an overview of this dissertation is given at the end of this chapter.

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<sup>28</sup> Lester L. Grabbe, *A History of the Jews and Judaism in the Second Temple Period, Vol.1: Yehud: A History of the Persian Province of Judah*, London: T & T Clark, 2004, 85-89, 94-96; David L. Petersen, *Zechariah 9-14 and Malachi: A commentary*, OTL, Louisville, KY: Westminster John Knox Press, 1995, 4-5.

<sup>29</sup> As to the dating of Mal, see section 2.2.2.

<sup>30</sup> M.E. Stone, *Ancient Judaism: New Visions and Views*, Grand Rapids, MI: William Eerdmans, 2011, 130-131.

<sup>31</sup> Given that this research is more relevant to the literary and theological contexts of Mal, its historical context shall only be briefly dealt with in Chapter 2.

## 1.2.1 Context of this research

### 1.2.1.1 Delimitation

In this study, tradition-historical analysis shall be conducted on Mal 1.1-2.16, which consists of the superscription (Mal 1.1) and the first three units of dialectic discourses (which I define as “court disputations”) of the book,<sup>32</sup> that is, Mal 1.2-5; 1.6-2.9 and 2.10-16. The reasons in support of the scope of this study are as follows:

1. The superscription and the first three “court disputations” of the book are selected as case studies as their richness and complexity are sufficient for demonstrating how the materials from various traditions were skilfully used in Mal and what the significance of using the traditions is.
2. The coherence among these three “court disputations”, together with the superscription expressed in alignment with the prophetic tradition (an oracle to “Israel”), make Mal 1.1-2.16 a distinctive unit for study. Starting from the challenge of YHWH’s (covenantal) love towards “Jacob” (Mal 1.2-5), the disputations continue with the accusations concerning the breaches of “the covenant of Levi” (Mal 1.6-2.9), “the covenant of our fathers” and the marriage covenant (Mal 2.10-16). Such breaches involve various aspects of the words of YHWH for which numerous traditions are invoked in different manners for the purpose of substantiating the accusations.
3. Through the tradition-historical analysis of Mal 1.1-2.16, there is sufficient proof in support of:
  - (a) the validity of the tradition-historical method as set out in Chapter 2: The suggested criteria and analytical process are effective for finding the relevant source texts<sup>33</sup> and evaluating their significances in relation to the text of Mal.
  - (b) the validity of the results of the analyses, namely, *what* traditions are utilized in those passages of Mal, *how* those traditions were utilized and *for what purposes* they were handled in such manners.

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<sup>32</sup> As to the structure of the whole book and the genre of the six units of dialectic discourses thereof, please see Chapter 2.

<sup>33</sup> For the purpose of this study, the terms “earlier text”, “evoked text” and “source text” are used interchangeably. Similarly, the terms “later text”, “receiving text”, “recipient text” and “receptor text” are used interchangeably.

- (c) the (compositional / redactional) purposes and theologies of the said part of the book: It shall be demonstrated that the materials from different traditions were used with the intent to regulate the corrupted practices as well as the disdainful attitude of the people (priests and laity) towards YHWH. The traditions, which were likely perceived as possessing the divine authority, were utilized to prove their misfeasance and restate the importance of keeping the words of YHWH.

### 1.2.1.2 **Presumption: Mal as an independent book**

#### 1.2.1.2.1 **Textual tradition**

As mentioned above, numerous traditions were employed in Mal for its own theological agenda. In saying so, it implies that the use of traditional materials is for the sake of Mal (and not serving any purpose beyond the ambit of the book). Hence, first of all, it is necessary to demonstrate that Mal is an independent book and not the continuation of or annex to any other books.

In around 190 B.C.E.,<sup>34</sup> “the Twelve Prophets” was mentioned in Ben Sira 49.10.<sup>35</sup> It has been assumed as referring to the Twelve as a unified collection of twelve individual prophetic books. Each of them begins with its own superscription or narrative introduction that indicates the identity of a particular prophet.<sup>36</sup>

The said assumption of one unified collection is debatable as it is well possible that those individual books were copied separately. Fuller considers that the manuscripts evidence from Cave 4 (4QXII<sup>a</sup> & <sup>b</sup>) includes all of the Twelve, though “none of the scrolls which originally contained the entire collection preserves the fragments of more than nine of the books (XII<sup>g</sup>) and usually fewer than that.”<sup>37</sup> On this issue, based on the findings of Tov, von Weissenberg states that 4QXII<sup>b</sup>, 4QXII<sup>g</sup>, the

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<sup>34</sup> Law, *When God Spoke Greek*, 53.

<sup>35</sup> “May the bones of the Twelve Prophets send forth new life from where they lie, for they comforted the people of Jacob and delivered them with confident hope.” (NRSV)

<sup>36</sup> See, for examples, Sweeney, *The Twelve Prophets*, BO, vol.1, xv.

<sup>37</sup> Russell E. Fuller, “The Form and Formation of the Book of the Twelve: The Evidence from the Judaean Desert,” in James W. Watts, and Paul R. House, eds, *Forming Prophetic Literature: Essays on Isaiah and the Twelve in Honor of John D.W. Watts*, JSOTSup 235, Sheffield: Sheffield Academic Press, 1996, 86-101, at 91.

Murabba‘at manuscript (MurXII) and the Greek scroll from Nahal Hever (8HevXIIgr) are “the only witnesses positively confirming the transition from one book to another, in other words, there is a text of two books preserved on the same fragment. Where such a transition is preserved, it is expressed with vacats (empty lines) in between individual books.”<sup>38</sup> She considers that “[t]hree to seven manuscripts - depending on how the fragments are identified and classified - currently preserve fragments of only one book.” Thus, one cannot rule out the possibility that “the books of the Twelve were also copied as independent books.” “With the manuscripts of the Twelve at Qumran, we are far from being able to state that the Twelve Minor Prophets were consistently copied on a single scroll in the second century B.C.E.”<sup>39</sup>

Then in the first century C.E., in *Against Apion* I.8, Flavius Josephus mentioned twenty-two books of the divine records, out of which thirteen books were written down by the prophets. The combination of the said thirteen prophetic books has hardly been in agreement among scholars. In *Jewish War*, Josephus wrote that other than Isaiah, there were prophets, “twelve in number”, did the same thing as Isaiah, i.e. wrote down in books all they had prophesized (10.35). VanderKam opines that this passage most likely refers to the Twelve.<sup>40</sup>

Apart from the above, Sweeney suggests that “4 Ezra 14:41 considers the Twelve to be one of the twenty-four holy books transcribed by Ezra”. In Talmudic tradition, the Twelve has been considered, on the one hand, as a single prophetic book “the Twelve Minor Prophets” (*bBaba Batra* 14b, after Jeremiah, Ezekiel and Isaiah) but on the other hand, for the purpose of division and binding of scrolls, they were twelve individual books and therefore, separated from each other by three blank lines (in comparison

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<sup>38</sup> Hanne von Weissenberg, “The Twelve Minor Prophets at Qumran and the Canonical Process: Amos as a “Case Study,” in Nóra Dávid et al, eds., *The Hebrew Bible in light of the Dead Sea scrolls*, FRLANT 239, Göttingen: Vandenhoeck & Ruprecht, 2012, 357-375, 363, citing Emanuel Tov, *Scribal Practices and Approaches Reflected in the Texts found in the Judean desert*, Leiden; Boston: Brill, 2004, 75 table 10.

<sup>39</sup> von Weissenberg, “The Twelve Minor Prophets at Qumran and the Canonical Process,” 365, *contra* J.D. Nogalski, “Intertextuality and the Twelve,” in J. Watts and P. House, eds., *Forming Prophetic Literature*, 102-124, 102.

<sup>40</sup> James VanderKam and Peter Flint, *The meaning of the Dead Sea scrolls: Their significance for understanding the Bible, Judaism, Jesus, and Christianity*, Edinburgh: T & T Clark, 2005, 167.

with four blank lines for separating the twenty-four books of the Hebrew Bible)(*bBaba Batra* 13b).<sup>41</sup>

In sum, the present study considers that the proper starting point is to treat Mal as an independent book in the sense that it has its own history of composition and transmission. Whilst certain parts of the Twelve are related with each other linguistically and/or thematically, and it is more likely than not that eventually they were collected and treated as a collection (“the Twelve”) after a long and complicated process of composition and redaction (details of which remain far from clear),<sup>42</sup> there has been a long tradition, which is supported by the above-mentioned evidence, that Mal has been considered as distinct from other eleven books, probably from the time of its composition.

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<sup>41</sup> Sweeney, *The Twelve Prophets*, xv-xvi. In *Babylonian Talmud: Tractate Baba Bathra*, Folio 13B states: “Between each book of the Pentateuch is to be left a space of four lines, so too as between one prophet and the next. In the case of the minor prophets, the space needed be only three lines”, see Jacob Neusner, ed., *The Babylonian Talmud: A Translation and Commentary* (on CD), Peabody, MA: Hendrickson, 2011. See also 4 Ezra 1.39-41 which writes, “Now, father Ezra, look with triumph at the nation coming from the east. The leaders I shall give them are Abraham, Isaac, and Jacob, Hosea and Amos, Micah and Joel, Obadiah and Jonah, Nahum, Habakkuk, and Zephaniah, Haggai and Zechariah, and Malachi, who is also called the Lord’s Messenger.” (Revised English version)

<sup>42</sup> Suggestions have been made by, e.g. P.R. House, *The Unity of the Twelve*, Sheffield: JSOT Press, 1990; O.H. Steck, *Der Abschluß der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThSt 17, Neukirchen-Vluyn: Neukirchener Verlag, 1991; J.D. Nogalski, *Literary Precursors to the Book of the Twelve*, BZAW 217, Berlin: de Gruyter, 1993; J.D. Nogalski, *Redactional Process in the Book of the Twelve*, BZAW 218, Berlin: de Gruyter, 1993; B.A. Jones, *The Formation of the Book of the Twelve: A Study in Text and Canon*, SBL Dissertation Series 149, Atlanta, GA: Scholar Press, 1995; J. Watts and P.R. House, eds., *Forming Prophetic Literature*; J.D. Nogalski, and M.A. Sweeney, eds., *Reading and Hearing the Book of the Twelve*, Atlanta: Society of Biblical Literature, 2000; P.L. Redditt, and A. Scharf, eds., *Thematic Threads in the Book of the Twelve*, BZAW 325, Berlin, New York: de Gruyter, 2003; J. Wöhrle, *Die frühen Sammlungen des Zwölfprophetenbuches: Entstehung und Komposition*, BZAW 360, Berlin: de Gruyter, 2006; and idem, *Der Abschluss des Zwölfprophetenbuches: Buchübergreifende Redaktionsprozesse in den späten Sammlungen*, BZAW 389, Berlin: de Gruyter, 2008, etc.. For more recent discussion, see e.g. E. Ben Zvi and J.D. Nogalski, *Two Sides of a Coin: Juxtaposing Views on Interpreting the Book of the Twelve / Twelve Prophetic Books*, Analecta Gorgiana 201, Piscataway, New Jersey: Gorgias Press, 2009; R. Albertz, J.D. Nogalski, and J. Wöhrle, eds., *Perspectives on the Formation of the Book of the Twelve: Methodological Foundations, Redactional Processes, Historical Insights*, BZAW 433, Berlin, Boston: de Gruyter, 2012; J.T. LeCureux, *The Thematic Unity of the Book of the Twelve*, Sheffield: Sheffield Phoenix Press, 2012; J. Wöhrle and L.-S. Tiemeyer, eds., *The Book of the Twelve: Composition, Reception, and Interpretation*, VTSup 184, Leiden; Boston: Brill, 2020.

### 1.2.1.2.2 Problems of the “*mas’ôt series*” hypothesis

Mal is usually linked with the book of Haggai (“**Hag**”) and the book of Zechariah (“**Zech**”). They are collectively categorized as “post-exilic” prophetic books. This nomenclature reflects the traditional dating of these three books.

Having said that, apart from the possible proximity of the estimated time of redaction (which differs significantly among scholars) and the historical context of the Persian period, there is no obvious connection between Hag and Mal in linguistic or thematic terms.<sup>43</sup>

For Zech, even though Petersen suggests that Mal is the third oracle of the “*mas’ôt series*” (see below), he also notes that it is “decidedly different” from Zech 9-11 and Zech 12-14.<sup>44</sup> Mal is more prosaic than Zech 9 and 10.<sup>45</sup> In terms of literary style, Mal makes up of dialectic discourses between YHWH and the people rather than persistent eschatological statements.<sup>46</sup> The six rounds of “court disputations” formulate the agenda of Mal and therefore, it is not a continuation of the message of Zech 9-14.

Pierce contends that “interrogative elements” is one of the five literary connectors linking Hag, Zech and Mal together (“HJM corpus”). Nevertheless, he is somewhat self-contradictory in that on the one hand, he distinguishes “interrogative elements” from “elements of prophetic dispute” and on the other hand, he refers to Mason (without disapproval) who considers the question / answer schema in Mal as “prophetic dispute”. Furthermore, he notes that in Zech 6.9-16 and Zech 9-11, there is “[n]o

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<sup>43</sup> If any, the only possible link is the use of  $\text{רָב}$  in Hag 1.1 and Mal 1.1. Meyers and Meyers go too far to suggest that the same constitutes an envelop construction linking the three postexilic books, see Carol L. Meyers and Eric M. Meyers, *Zechariah 9-14*, AB 25C, New York: Doubleday, 1993, 90.

<sup>44</sup> Petersen, *Zechariah 9-14 and Malachi*, 29.

<sup>45</sup> Hill regards Mal as “oracular prose”, that is, “a combination of prosaic and rhetorical features approaching poetic discourse but distinctive of prophetic style”, see Hill, *Malachi*, AB 25D, 23-26. Although Meyers and Meyers agree with Hill that by applying the “Andersen-Freedman prose-particle system of counting”, Hag and the whole Zech (except chapters 9 and 10) falls within the range of prose, they state that Zech 9 has a unique poetic character and Zech 10 has considerably less prose particles than other chapters. See Meyers and Meyers, *Zechariah 9-14*, AB 25C, 29-32.

<sup>46</sup> Petersen, *Zechariah 9-14 and Malachi*, 29.

interrogative employed, although the element of prophetic dispute is clear”.<sup>47</sup> In this regard, Meyers and Meyers observe that <sup>48</sup>

“despite the overwhelming presence of interrogation in these three canonical books [Hag, Zech and Mal], the discrete section of Zechariah known as Second Zechariah stands quite apart. Only in one instance in Second Zechariah does a question appear. That text (13:6), however, is in fact an indirect use of a question, which comes in the hypothetical reporting of someone else’s query, and so perhaps should be discounted as an example of interrogation in Second Zechariah. With or without Zech 13:6, the absence of the use of questions as a literary strategy in this prophetic work is striking.”

Accordingly, the alleged connections among Hag, Zech and Mal via the “interrogative elements” is doubtful.

The present study considers that even though “interrogative elements” are found in Hag, Zech and Mal, they appear in different forms (words and phrases) and serve different functions. The majority of the rhetorical questions in Zech 1-8 are posed by YHWH with the presumption that the readers / audience would respond affirmatively (or as expected in accordance with the designs of the questions).<sup>49</sup> In contrast, in response to the words of YHWH, the questions posed in Mal serve as rebuttals to the opening statements (“accusations”) of the dialectic discourses (the “court disputations”, see Chapter 2), which is not the genre adopted in Hag or Zech.

Regarding the “*mas’ôt* series” argument, the fact that *שׁוֹמֵר* appears in Zech 9.1, 12.1 and Mal 1.1 is neither here nor there. Both Hill and Snyman correctly point out that *שׁוֹמֵר* is also frequently used in other prophetic books in the very same fashion as that of Zech 9.1 and 12.1 (omitting the definite article, e.g. Isa 13.1; 15.1; 17.1; 19.1; 21.1, 13; 22.1; 23.1; 30.6; Nah 1.1; cf. Hab 1.1 with the

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<sup>47</sup> Ronald W. Pierce, “Literary Connectors and a Haggai/Zechariah/Malachi Corpus,” *JEST* 27/3 (1984):277-289 at 284-5. In another article of Pierce, on the one hand, he contends that the thematic development is carried by the interrogative materials through the HZM corpus and on the other hand, he notes that “the question / answer schema is broken periodically by several brief interludes (Hag 1:12-15; 2:20-23; Zech 6:9-15; Mal 4:4-5) and one major oracular section (Zech 9-14).” See Ronald W. Pierce, “A Thematic Development of the Haggai/Zechariah/Malachi Corpus,” *JETS* 27/4 (1984): 401-411 at 401. Leaving aside the validity of his explanations about such interludes, one would question the existence of any common theme or theological focus that goes through Hag, Zech and Mal.

<sup>48</sup> Meyers and Meyers, *Zechariah 9-14*, AB 25C, 34-35.

<sup>49</sup> Some of the questions are formulated to receive negative answers, e.g. Zech 8.6 “Thus says YHWH of hosts: Even though it seems impossible to the remnant of this people in these days, should it also seem impossible to me, says YHWH of hosts?”

definite article). Hill therefore opines that Bentzen's assumption of relationship among Zech 9-11, 12-14 and Mal due to the use of the term מִשָּׂא is a fallacy.<sup>50</sup>

When one compares Zech 9.1, Zech 12.1 and Mal 1.1, it is not difficult to find that the so-called similarity among them is limited to the first three words only:<sup>51</sup>

Zech 9.1	מִשָּׂא דְבַר יְהוָה בְּאַרְצָךְ חֲדָרְךָ וּדְמִשְׁקֵךְ
Zech 12.1	מִשָּׂא דְבַר יְהוָה עַל יִשְׂרָאֵל נְאֻם יְהוָה
Mal 1.1	מִשָּׂא דְבַר יְהוָה אֶל יִשְׂרָאֵל בֵּיד מְלָאכִי

Childs notices that Zech 9.1, 12.1 and Mal 1.1 are only superficially similar. The מִשָּׂא in Zech 9.1 is not a superscription but part of a larger poetic oracle. For Zech 12.1, it “clearly functions as a superscription and parallels a form shared by many other prophetic superscriptions”. For Mal 1.1, instead of על (“upon”, “over”, “concerning”), אל (“to”, “towards”, “for”)<sup>52</sup> is used.<sup>53</sup> Childs considers that the lacking of a verb with דְבַר יְהוָה is a feature of late Hebrew prose (e.g. 2 Chr 35.6).<sup>54</sup> The use of בֵּיד is paralleled to Jer 50.1, Hag 1.1 and Chronicles.<sup>55</sup> Childs concludes that the expressions in these three verses share similar features of post-exilic literature but Zech 9-11, Zech 12-14 and

<sup>50</sup> A. Bentzen, *Introduction to the Old Testament*, vol.2, 2<sup>nd</sup> ed., Copenhagen: Gad, 1952, 158, 161, cited in Hill, *Malachi*, AB 25D, 13 and fn 1.

<sup>51</sup> S.D. Snyman, *Malachi*, HCOT 20, Leuven, Paris, Bristol, CT: Peeters, 2015, 23.

<sup>52</sup> Cf. Jer 14.1 (דְבַר יְהוָה אֶל יִרְמְיָהוּ); 46.1 (דְבַר יְהוָה אֶל יִרְמְיָהוּ); Hag 1.1 (דְבַר יְהוָה חֲגִי הַנְּבִיא אֶל זֹרְבַבְל); Zech 4.6 (דְבַר יְהוָה אֶל זֹרְבַבְל); 1 Kings 16.1 (וַיְהִי דְבַר יְהוָה אֶל יְהוּא).

<sup>53</sup> B.S. Childs, *Introduction to the Old Testament as Scripture*, Philadelphia: Fortress, 1979, 491-2. Hill agrees with Childs on this issue. See Hill, *Malachi*, AB 25D, 13. In this regard, Snyman considers that מִשָּׂא has the function of “a superscription to a prophetic utterance and as such became a *terminus technicus* for prophetic oracles announced by prophets”. See Snyman, 23.

<sup>54</sup> Childs, *Introduction to the Old Testament as Scripture*, 492. In this regard, Hill agreed with Meyers and Meyers that the combination of מִשָּׂא with דְבַר יְהוָה was a distinctive feature of late biblical prophecy, see Hill, *Malachi*, AB 25D, 133, referring to Meyers and Meyers, *Zechariah 9-14*, AB 25C, 91.

<sup>55</sup> Glazier-McDonald adds to the list Hag 1.3; 2.1; 1 Chr 11.3; 2 Chr 29.25; 35.6, see Beth Glazier-McDonald, *Malachi: The Divine Messenger*, SBLDS 98, Atlanta, GA: Scholars Press, 1987, 26. Hill adds that for those texts with בֵּיד as “part of an oracular introduction indicating a genitive of authorship relationship”, the noun in construct always appears together with a proper name. He gives the examples of Exod 9.35; 35.29; Lev 8.36; Num 9.23; 1 Kings 16.12; 2 Chr 10.15; Isa 20.2; Jer 50.1; Hag 1.1, 3; 2.1, 10. See Hill, *Malachi*, AB 25D, 135.

Mal have independent literary history. Therefore, “the present independent status of Malachi does not arise from an arbitrary decision which separates it from the book of Zechariah. Rather, such a status is deeply rooted in the book’s own tradition”.<sup>56</sup> Hill agrees.<sup>57</sup>

Coggins notes that there are links between Zech 9.1, 12.1 and Mal 1.1. These three collections “had been shaped in a deliberately similar way”. However, such similarity does not extend to the contents of them. Insofar as we are able to trace, Zech 9-14 have stood together with Zech 1-8 rather than standing alone or with Mal. Coggins agrees with Childs that there is “a surprising compatibility” between Zech 1-8 and Zech 9-14 in terms of themes. The book of Zechariah is not a purely arbitrary joining of two bunches of unrelated prophetic oracles.<sup>58</sup>

On this issue, one should not overlook the suggestions of Schart. He disagrees with Bosshard and Kratz who contends that the thematic difference is enough evidence to divide Mal into two layers, i.e. the oldest layer (Ger. *Grundschrift*) is Mal 1.2-5; 1.6-2.9 and 3.6-12, and another layer is 2.17-3.5 and 3.13-21. Schart considers it as a very weak argument as “[d]ifferent oracles addressing different topics do not necessarily produce a source-critically relevant tension.”<sup>59</sup> Schart proposes that Zech and Mal did not form a literary stratum from the very beginning. He points out that the “lexemes and concepts prominent in Zech. 14 are not mentioned in the basic layer of Malachi”, such as YHWH as king, holiness, aggression of nations, etc..<sup>60</sup> In fact, Zech 14 would form a “glorious and satisfying end of the book.”<sup>61</sup> Leaving aside his hypothesis of “the book of the Twelve” (which remains highly debatable among scholars), Schart correctly points

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<sup>56</sup> Childs, *Introduction to the Old Testament as Scripture*, 492.

<sup>57</sup> Hill, *Malachi*, AB 25D, 13. See also P.L. Redditt, *Haggai, Zechariah, Malachi*, NCBC, Grand Rapids, MI: Eerdmans, 1995, 110-111.

<sup>58</sup> Richard J. Coggins, *Haggai, Zechariah, Malachi*, Sheffield: JSOT Press, 1987, 68.

<sup>59</sup> Aaron Schart, “Putting the Eschatological Visions of Zechariah in Their Place: Malachi as a Hermeneutical Guide for the Last Section of the Book of the Twelve,” in Mark J. Boda and Michael H. Floyd, eds. *Bringing Out the Treasure: Inner Biblical Allusion in Zechariah 9-14*, JSOTSup 370, London, New York: Sheffield Academic Press, 2003, 333-343, at 334-335.

<sup>60</sup> Schart, “Putting the Eschatological Visions of Zechariah in Their Place,” at 339 fn 11.

<sup>61</sup> Schart, “Putting the Eschatological Visions of Zechariah in Their Place,” 339-340. At p.340, he writes, “Zech. 14 is in my view written to form the end of the Joel-Obadiah corpus. All the tensions within the Book of the Twelve are solved, and a scenario for the end time is established which is complex enough to include all aspects of the future of all the prophets within the book. Why is it that something follows Zech. 14? Why does Yahweh need to send his messenger after his last prophet Zechariah has summed up the history of prophecy in such an elegant manner?”

out the lexical and thematic distinctiveness (and also discontinuity) between Zech and Mal.

In maintaining his hypothesis of “the book of the Twelve”, Schart argues that the main reasons for adding Mal to the end of Zech 14 include:<sup>62</sup>

- (a) redirecting “the focus from the tremendous end time vision to the small-scale problems of the proper *halachah*”;
- (b) redirecting the focus from the future to the present situation;
- (c) mentioning the result of Edom which is lacking in Zech;
- (d) emphasizing on the judgment of every individual but not only the nations; and
- (e) emphasizing that the eschatological visions must be counter-balanced by Torah-practice.

One would wonder whether, for example, offering profaned sacrifices should be regarded as a “small-scale problems” in the context of Mal. As to the other reasons suggested by Schart (above), they tend to highlight the thematic disconnection between Mal and Zech. They are valid if one tries to explain why the twelve books in the Twelve are arranged in the order as they appear in MT (rather than how they were composed and redacted as “a” book called the Twelve). It reinforces the argument of this study that Mal is a book distinct from other books of the Twelve.

Pause here, in further response to “the book of the Twelve” hypothesis, it is noted that there is no concrete evidence that when Mal was composed, the redactors had the corpus of other eleven books of the Twelve before them. The allegation of their knowledge of all those eleven books as well as their intention to compose an editorial ending for the same is, at least, an overstatement if not lack of substantiation. In this regard, the first issue that the supporters of “the book of the Twelve” hypothesis need to resolve is that there are different traditions of the order of the twelve books. If one simply assumes that Mal (in particular Mal 3.22-24) is the redactional ending of the “*mas’ôt* series”, or the post-exilic prophetic books, or the Twelve as “a” book (rather than Mal only), it will neglect the fact that the order of those twelve books was not a fixed tradition among all Jewish communities (at least, not from the very beginning).<sup>63</sup>

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<sup>62</sup> Schart, “Putting the Eschatological Visions of Zechariah in Their Place,” 339-342.

<sup>63</sup> It is well known that the respective sequences of the twelve books in MT and LXX are different. Moreover, in the Qumran fragment 4Q<sup>XIIa</sup>, Malachi is not the last book of the Twelve. “This ms. is noteworthy for the position of Jonah after Malachi, suggesting that the

Besides, if one assumes that 4QXII<sup>a</sup> is the *Vorlage* or prototype which was later modified to MT, it implies that the sequence of the twelve books was the result of subsequent rearrangements.<sup>64</sup> Alternatively, if MT and/or LXX represent a scriptural tradition(s) that developed independently from 4QXII<sup>a</sup>, it means that there was no unified tradition that Mal, from the very outset, had been the last book in the Twelve.<sup>65</sup> All these point to a reasonable conclusion that we should not lightly accept that Mal (especially Mal 3.22-24) was composed or “added” for the sake of editing and concluding the “*mas’ôt* series” or the Twelve as a whole.

This study contends that there is insufficient evidence to suggest that in its compositional history, Mal had been considered as part of Zech (or vice

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order of the XII was still fluid at this period (compare the order in the LXX).” Anthony Gelston, *The Twelve Minor Prophets*, BHQ, Stuttgart: Deutsche Bibelgesellschaft, 2010, 6\*. See also E. Ben Zvi, “Twelve Prophetic Books or “The Twelve”: A Few Preliminary Considerations,” in J. Watts & P. House, eds., *Forming Prophetic Literature*, 125–156, 134 fn 24, which mentions that apart from the Masoretic order, there are four different sequences of the twelve books; and von Weissenberg, “The Twelve Minor Prophets at Qumran and the Canonical Process,” 363–364. In this regard, whilst Guillaume argues that it is not certain whether (or further, it is impossible that), in 4QXII<sup>a</sup>, the text after Malachi is Jonah (and therefore, the Malachi-Jonah sequence is a “maximalist reconstruction of the evidence” (p.5), he also accepts that “it is sure that Malachi 3 is not the end of the scroll.” (p.9). P. Guillaume, “The unlikely Malachi-Jonah sequence (4QXII<sup>a</sup>),” *The Journal of Hebrew Scriptures* 7 (2007): 2–10: <https://jhsonline.org/index.php/jhs/article/view/5643/4696>. Similarly, Pajunen and Weissenberg consider that in the manuscript 4Q76, Mal was followed by another composition but this text was in all likelihood not Jonah. Hence, they argue that Mal was not always the last book of a collection of the Twelve and that those twelve books could be copied independently or as various “sets of books.” Mika S. Pajunen and Hanne von Weissenberg, “The Book of Malachi, Manuscript 4Q76 (4QXIIa), and the Formation of the “Book of the Twelve,”” *JBL* 134 (2015): 731–751.

<sup>64</sup> See, e.g., Ben Zvi, “Twelve Prophetic Books or “The Twelve”: A Few Preliminary Considerations,” 135.

<sup>65</sup> As Fuller writes, he inclines to think that “the arrangement of the Books in the LXX XII reflects the order that the translator found in his Hebrew *Vorlage* and that this was an arrangement of the collection which was perhaps older than the organization later found in the MT. The order of books in the MT collection would then represent a rearrangement, which either occurred after the LXX translation was completed or, alternatively, may represent a variant organization of the XII, which was later chosen by the temple scribes as the authoritative form of the scroll.” For 4QXII<sup>a</sup>, it is “a mid second century B.C.E. manuscript, which almost certainly preserves a third, variant order of at least the end of the collection.” He therefore concludes that “the period of time before the “official” scroll was created by the temple scribes was a period in which, based on the manuscript evidence, there was variation in the internal organization of the collection.” See Russell Fuller, “The Sequence of Malachi 3:22–24 in the Greek and Hebrew Textual Traditions: Implications for the Redactional History of the Minor Prophets,” in Albertz et al., eds., *Perspectives on the Formation of the Book of the Twelve*, 371–379, at 376–377.

versa) or as the continuance of Zech 9-14. In particular, there is insufficient evidence to prove, on the balance of probabilities, that the poetic oracle in Zech 9.1 and the superscriptions of Zech 12.1 and Mal 1.1 came out from the same hands,<sup>66</sup> or that they were intended to be a series of three units of oracles with the same label (the “*mas’ôt* series”). The phrase מִשָּׂא דְבַר יְהוָה only reflects the common prophetic formula in the post-exilic prophetic literature. It is rather forceful for Snyman to question that if the “*mas’ôt* series” argument sounds, why the redactors still separated Zech 9-14 from Mal? One could still keep the total number of the books to the symbolic figure of twelve even if Zech 9-14 and Mal were paired up as a book (containing all three מִשָּׂא דְבַר יְהוָה) and Zech 1-8 formed another one. Furthermore, “[t]he content and historical distance between Zechariah 9-14 and Malachi make it highly improbable that they were ever considered as part of one single collection.”<sup>67</sup>

Indeed, *if* the alleged same redactors bothered to redact a “*mas’ôt* series” by inserting the phrase מִשָּׂא דְבַר יְהוָה, it would have been more reasonable for them to group the “*mas’ôt* series” as one book. There is no point for them to, on the one hand, join the first two parts of the series (Zech 9-11, 12-14) to other writings (Zech 1-8) but on the other hand, isolate the last part (i.e. Mal) and made it a separate book under the name of another prophet (this study considers that “Malachi” is a proper name, see below).<sup>68</sup> The fact is that Mal has its own superscription (Mal 1.1) which makes it clearly separated from Zech 9-14.<sup>69</sup> It is a strong indication that the two books came out from the hands of different redactors or, alternatively, *if* they were from the same redactors, it would even be a stronger proof that the redactors intended to have two books, namely, Zech and Mal, rather than Zech 1-8 and a series of three *mas’ôt* passages (with clear literary and thematic discontinuity between Zech 14 and Mal 1).<sup>70</sup>

<sup>66</sup> For Zech 9.1, as argued by Childs (see above), it is part of a larger poetic oracle rather than a superscription. See also Glazier-McDonald, *Malachi*, 26.

<sup>67</sup> Snyman, 23. See also Floyd, *Minor Prophets*, 562.

<sup>68</sup> Such a notional scenario is based on the assumption that the said redactor(s), who composed the “*mas’ôt* series”, was also responsible for separating Mal from Zech in such circumstances.

<sup>69</sup> In countering the argument of “the book of the Twelve” (as a unified book), Ben Zvi holds, among the others, that “[t]he most significant and unequivocal internal evidence, namely that of the titles (or incipits) of the prophetic books, sets them on the same level with Isaiah or Jeremiah or Ezekiel, namely as separate prophetic books.” Ben Zvi, “Twelve Prophetic Books or “The Twelve”: A Few Preliminary Considerations,” 137.

<sup>70</sup> Floyd considers that “Zechariah is a prophetic book that has two additions, each of which is a *masšā’*, but Malachi is a prophetic book that is itself a *masšā’*. See Floyd, *Minor Prophets*, 563.

Mal 1.1 not only contains the phrase *משא דבר יהוה* but also the proper name “Malachi” (or, if one translates it as “my messenger”, the figure representing the first recipient of the oracles), which is distinguishable from Zech 9.1 and 12.1 as the latter do not contain any name or figure. In this regard, whilst Petersen holds a strong view in support of the “*mas’ôt* series” argument, he admits that the introductory formula in Mal 1.1 is different from its two predecessors. Apart from using different prepositions (על in Zech 12.1 and אל in Mal 1.1, with the latter specifies the addressee), Mal 1.1 states how the divine oracle is transmitted to Israel, that is, ביד מלאכי (“by the hand of / through Malachi”). This expression ביד is also used in other prophetic books, e.g. Jer 50.1; Hag 1.1; 2.1 and Isa 20.2. It is therefore reasonable to consider that Mal was composed as an independent book, and the “Malachi” in Mal 1.1 was projected as a prophetic (human) figure through whom (ביד מלאכי) the words of YHWH were transmitted.

In the context of Mal 1.1, no matter whether מלאכי is understood as a proper name “Malachi” or an appellative “my messenger”, the prophetic role and human nature of this figure remain the same.<sup>71</sup> With reference to 2 Chr 36.15 in which the word “messenger” is used to refer to prophets, Petersen holds that the use of the language ביד not only provides Mal with the prophetic authority but also a figure “as the vehicle by means of which these speeches had been conveyed and, presumably, preserved.” That explains why this collection formed a prophetic book, which is separated from the forgoing anonymous collections (Zech 9-14) and is attributed to this “Malachi”.<sup>72</sup>

In any event, the distinctiveness of Mal 1.1 (from Zech 9.1 and 12.1) is conspicuous. It is a superscription that serves as the beginning of the book (Mal), which is distinguishable from other books or materials. When one also considers the differences in terminologies and theological concerns between Mal and Zech (and Hag), it is clear that Mal was not composed / redacted as part of another book.<sup>73</sup> For the purpose of the present study, it is justified to say that Mal is a work of unity and coherence which is distinct

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<sup>71</sup> P. Verhoef, *The Books of Haggai and Malachi*, NICOT, Grand Rapids, MI.: W.B. Eerdmans, 1987, 155-6, 191.

<sup>72</sup> Petersen, *Zechariah 9-14 and Malachi*, 165-66. See also Glazier-McDonald, *Malachi*, 26-27.

<sup>73</sup> It is mindful that the line between:

(a) redaction of the available materials into a book; and

(b) composition of a book by merging, amending and revising the available materials

is not always clear. There is a spectrum, ranging from merely placing the materials together without any amendment to largely revising or even redrafting the materials.

from other eleven books of the Twelve.<sup>74</sup> The redactors of Mal intentionally made use of, *inter alia*,

- (a) terms of significant traditions (for examples, as Gibson argues, the “identifiable covenant terminology” with “key covenant concepts”);<sup>75</sup>
- (b) the genre of “court disputation”, which is a kind of legal metaphor but distinguishable from the classical *rîb* pattern and covenant lawsuit (see the discussion in Chapter 2); and
- (c) two representative figures (i.e. Moses and Elijah) who were of overwhelming theological importance to the intended readers / audience.

All these features are consistent with the observation of Childs that Mal has its own literary history and tradition.<sup>76</sup> On that basis, there are good reasons to presume that the composition / redaction of the Twelve was a subsequent process which involved placing Mal at the end of the collection without altering its texts in any significant manner.

Purely for the sake of discussion, even *if* Zech 9.1, 12.1 and Mal 1.1 were deliberately shaped by inserting a common phrase משא דבר יהוה, it does not necessarily follow that at the very beginning, Mal was not composed / redacted as an individual book. In the light of the above-mentioned reasons and the textual evidence available to us,<sup>77</sup> it is more likely that Mal has been an independent book all along. There is insufficient evidence to prove the otherwise.

### 1.2.2 Literature review

In 1983, Fishbane published his article as to, *inter alia*, the relationship between Mal 1.6-2.9 and the Priestly Blessing (“the PB”) in Num 6.23-27.<sup>78</sup>

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<sup>74</sup> Refer Hill, *Malachi*, AB 25D, 18-23.

<sup>75</sup> J. Gibson, *Covenant Continuity and Fidelity: A Study of Inner-Biblical Allusion and Exegesis in Malachi*, London, New York: Bloomsbury T & T Clark, 2016, 1.

<sup>76</sup> Childs, *Introduction to the Old Testament as Scripture*, 491-492.

<sup>77</sup> In comparison with other books of the Twelve as well as in the Hebrew Bible, the texture of Mal is relatively stable.

<sup>78</sup> M. Fishbane, “Form and Reformulation of the Biblical Priestly Blessing,” *JAOS* 103 (1983): 115-121, which is reprinted in M. Fishbane, *Biblical Text and Exegetical Culture*, FAT 154, Tübingen: Mohr Siebeck, 2022, 137-146. It was republished with some modifications in M. Fishbane, *Biblical interpretation in ancient Israel*, Oxford: Clarendon Press; New York: Oxford University Press, 1985, 329-334.

It is a remarkable article as Fishbane provides some details of his method of analysis. Having considered

- (a) “the commonplace nature of the words and verbs emphasized” in both texts; and
- (b) those words and verbs occur “in clusters which either dominate or transform the meaning of” the later text,

he finds that Mal 1.6-2.9 is a “great (and hitherto unnoticed) counterexample” of reinterpretation of the PB.<sup>79</sup> It is a “systematic utilization of the language of the PB and an exegetical transformation of it.”<sup>80</sup> He suggests that the key terms of the PB were alluded to and played upon in Mal 1.6-2.9. The dense clustering of the same indicates that the connections are more than causal similarities. In addition to the terminological comparison, Fishbane also tries to explain the purpose of reformulation of the PB by the redactors of Mal.<sup>81</sup>

Although Fishbane correctly distinguishes intended allusions from unintended, causal similarities, he provides no criteria to differentiate the two. One can observe that his focus is on the (re)application and density of the terms which are same as (or strikingly similar to) those in the alluded texts. Regretfully, he does not suggest how to infer the intention of the redactors from the occurrence of the same / similar terms in different literary contexts, nor does he go further to investigate the significance of the use of the same / similar forms, motifs, themes and traditions (as evidenced by the repeated use of those terms and forms, etc.) in different texts.

After Fishbane, the same text (Mal 1.6-2.9) was studied by Utzschneider who adopted an apparently related but in fact very different method.<sup>82</sup> He describes his method as “intertextuality” (Ger. *Intertextualität*): When one text (“the receiving text”, Ger. *Rezipierender Text*) is significantly

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<sup>79</sup> Later, he described it as “a remarkable post-exilic example of the aggadic exegesis of Num.6:23-7.” See Fishbane, *Biblical interpretation in ancient Israel*, 332.

<sup>80</sup> Fishbane, “Form and Reformulation of the Biblical Priestly Blessing,” 118.

<sup>81</sup> “In brief, the prophet has taken the contents of the PB, delivered by the priests, with its emphasis on blessing, the sanctity of the divine Name, and such benefactions as protection, gracious / favourable countenance, and peace – *and negated them!* The priests have despised the divine Name and service, and this has led to a threatened suspension of the divine blessing.” Fishbane, “Form and Reformulation of the Biblical Priestly Blessing,” 118. See 3.3.12.2 in Chapter 3 for further discussion of Fishbane’s analysis.

<sup>82</sup> Helmut Utzschneider, *Künder oder Schreiber? Eine These zum Problem der „Schriftprophetie“ auf Grund von Maleachi 1,6-2,9*, Frankfurt am Main, New York: P. Lang, 1989.

influenced in form and subject matter by another text (“the source text”, Ger. *Quellentext*), their intertextuality is established. Utzschneider argues that the key references for linkage are the catchwords (Ger. *Stichwörter*), which are common to both the source text and the receiving text, and the “significance” (Ger. *Signifikanz*) of those catchwords. In terms of intertextuality, “significance” means the appearance of the catchwords in both texts due to a free and formative influence. For that purpose, the thematic connection is also important. Only when the whole or part of the source text makes sense in the thematic structure of the receiving text, it is probable to establish an intertextuality.<sup>83</sup> All these imply the necessity of the intention of redactors.

Having said that, Utzschneider contends that one cannot describe the historical relationship between two texts clearly, i.e. which one is the receiving text and which one is the source text.<sup>84</sup> The tradition-historical approach is not in his consideration and little attempt is made to figure out the direction of dependence. He therefore also takes into account the intertextual references which are possibly later than Mal (or, at least, the dating of them are not that clear), for examples, Ps 113.3-4; Neh 9.32, etc..

In her study published in 1987, Glazier-McDonald finds, among the others, that Malachi’s use of the phrase “law of Moses my servant” shows the prophet’s awareness of the tradition that Moses was the mediator of YHWH’s instructions. As the way that Moses served YHWH was most pleasing to YHWH, it is possible to infer that the day of YHWH is the time when the Mosaic law is upheld and His people serve Him well (cf. 3.4, 3.17-18).<sup>85</sup> Pause here, one would notice that Glazier-McDonald does not elaborate how the phrase “law of Moses my servant” can relate to the tradition of Moses as the mediator of YHWH. It is not clear why she chooses “mediator” (instead of “YHWH’s servant”, promulgator of *torah* or prophet, etc.) to describe the role of Moses or the Mosaic tradition in the context of Mal. Neither does she illustrate how the day of YHWH can be related to the service of Moses which she describes as “most pleasing to Him”.

Having said that, Glazier-McDonald points out, rather correctly, that the Mosaic law functions as an unchanging authority for the whole

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<sup>83</sup> Utzschneider, *Künder oder Schreiber?* 42-43.

<sup>84</sup> Utzschneider, *Künder oder Schreiber?* 44.

<sup>85</sup> Glazier-McDonald, *Malachi*, 249-250.

community. Malachi<sup>86</sup> warned that obedience to the law was the only sure way of blessing, and disobedience resulted in curse (cf. 2.8-9; 3.7, 9, 10-12, 3.22). The thematic connection between Mal 3.22 and the prophecy in Mal as a whole is clear – “the necessity of keeping the law”. This verse is “the prophetic crescendo establishing an important critical perspective in the light of which Malachi’s disputation assumes its proper place.”<sup>87</sup> In other words, the tradition of the Mosaic law has influenced the messages in Mal.

Regarding the Elijah tradition, Glazier-McDonald finds that “Elijah addressed “all Israel” (1 Kgs 18:20)”. On Mount Carmel, Elijah challenged the people to reorient their lives to YHWH. In Mal, the task of Elijah is to turn the hearts of fathers “together with” (לע) the hearts of children (Mal 3.24).<sup>88</sup> This interpretation links Mal 3.23-24 with 3.22 since turning to YHWH involve submission to His will through observing the Mosaic law.<sup>89</sup> Glazier-McDonald’s interpretation / translation of לע is debatable. Besides, in respect of Elijah, one would question why she refers to Mount Carmel but not Horeb, given that Mal 3.22-24 is at stake. Also, she does not address on the relationship (if any) between Moses and Elijah in the context.

In sum, even though a number of traditional materials are identified in Glazier-McDonald’s study, she does not sufficiently explain the function(s) and purpose(s) of the use of such materials. Her aforesaid arguments are yet to be substantiated. That illustrates the importance of adopting an appropriate methodology in handling the traditions embedded in Mal.

In her study of the priests and Levites in Mal, O’Brien attempts to ascertain what information is provided by Mal for understanding the priestly groups and the priestly terminology during the post-exilic period.<sup>90</sup> By source-critical method, O’Brien finds that the book “exhibits familiarity not only with Pentateuchal sources of D and P but also with a broad corpus of Israel’s historical and prophetic traditions”, which was overlooked by most of the previous studies. She points out that “[a]lthough several scholars have traced isolated terminological affinities between Malachi and P in order to prove that Malachi is aware of P, few have considered *how* Malachi uses P.” She suggests that Mal “interacts with sources and redirects their

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<sup>86</sup> According to my understanding, here, “Malachi” means the (notional) author of the book.

<sup>87</sup> Glazier-McDonald, *Malachi*, 248, 251-2.

<sup>88</sup> Glazier-McDonald, *Malachi*, 256, referring to *Gesenius’ Hebrew and Chaldee Lexicon*, Grand Rapids, MI: Wm. B. Eerdmans, 1949, 628-9.

<sup>89</sup> Glazier-McDonald, *Malachi*, 257.

<sup>90</sup> Julia M. O’Brien, *Priest and Levite in Malachi*, SBLDS 121, Atlanta, GA: Scholars Press, 1990, xiv.

language to the prophet's own ends."<sup>91</sup> Whilst acknowledging the role played by the various traditions of Israel (Pentateuchal, historical and prophetic) under the redactors' hands, O'Brien does not go further on this aspect.

Then in 1993, Lescow and Krieg published their respective monographs.<sup>92</sup> As commented by Weyde, both of them maintain that there was a basic text (Ger. *Grundschrift* / *Grundtext*) which was later expanded,<sup>93</sup> and they show increasing interest in the traditions upon which the message of Mal is based.<sup>94</sup> Weyde considers the emphasis on traditions is "a logical consequence of their method", for

"according to Lescow the characteristics of the passages in Malachi show that prophecy had changed into a kind of teaching, while Krieg contends that the oldest part of this book (*Grundtext*) came into being at a time when prophecy had disappeared. As mentioned, both interpret this book as the product of exclusively literary activity. This means that sayings and writings of the past - in other words the traditions - gained more importance for the message in this book than in previous prophecy."<sup>95</sup>

Having said that, Lescow only pays attention to a few topics.<sup>96</sup> Similarly, Krieg only discusses a few references and as commented by Weyde, "mostly concerned with some isolated words and phrases and their occurrences - or similar occurrences - in other traditions."<sup>97</sup> In this regard, Gibson adds that Krieg provides no discussion as to how to differentiate between an intended allusion and conventional language in case of terminological similarity.<sup>98</sup>

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<sup>91</sup> O'Brien, *Priest and Levite in Malachi*, 111.

<sup>92</sup> Th. Lescow, *Das Buch Maleachi: Texttheorie, Auslegung, Kanontheorie; mit einem Exkurs über Jeremia 8, 8-9*, Arbeiten zur Theologie 75, Stuttgart: Calwer Verl., 1993; Matthias Krieg, *Mutmassungen über Maleachi: Eine Monographie*, ATANT 80, Zürich: Theol. Verl., 1993.

<sup>93</sup> As observed by Weyde, Lescow argues that Mal became a "Themapredigt" and then further supplemented with six "Predigten"; and Krieg contends that it was heavily reworked and reorganized by a later redactor. See Weyde, *Prophecy and Teaching*, 31, 33. It should be remarked that Krieg dates the basic text of Mal to the second half of the third century and therefore, his views about the *Gattung* (Hellenistic "Chrie") and the historical setting of the messages are completely different from the present study. See Krieg, *Mutmassungen über Maleachi*, 197ff.

<sup>94</sup> Weyde, *Prophecy and Teaching*, 37.

<sup>95</sup> Weyde, *Prophecy and Teaching*, 38.

<sup>96</sup> Gibson, *Covenant Continuity and Fidelity*, 12.

<sup>97</sup> Weyde, *Prophecy and Teaching*, 38.

<sup>98</sup> Gibson, *Covenant Continuity and Fidelity*, 12.

Also in the 1990s, Nogalski published his studies in respect of formation of and intertextuality in the Twelve.<sup>99</sup> His main concern is how the redactors brought the individual materials together to form the collection. In searching for that process, on the basis of “catchwords” found,<sup>100</sup> he suggests the possibilities as to the relationship among the books (in their final or proto- forms) of the Twelve. For example, he contends that there are at least twelve words and phrases that are common to Zech 8.9-13 and Mal 1.1-14.<sup>101</sup> As he dates Mal before Zech 9-14, he argues that there was a “Proto-Zechariah” which existed side by side with Mal. If one compares several “motifs” in the two passages, it would be noticed that they “paint a picture in which the two passages present contrasting images.”<sup>102</sup>

For the methodology, Nogalski emphasizes on the existence of common “catchwords”. As commented by Gibson, Nogalski “acknowledges the need to differentiate between words in neighbouring writings being attributable to ‘accident’ or to ‘collection principle’ or to ‘redaction principle’. Although he speaks of ‘objective criteria’ for making distinctions among these three categories, he does not provide any.”<sup>103</sup> Only in the book chapter of 1996, Nogalski defines “intertextuality” as “the interrelationship between two or more texts which *evidence suggests* (1) was deliberately established by ancient authors / editors or (2) was presupposed by those authors / editors” (italics are original).<sup>104</sup> He attempts to “recapture the intention of those responsible for the development of the Book of the Twelve.”<sup>105</sup> To Nogalski,

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<sup>99</sup> James D. Nogalski, *Literary Precursors to the Book of the Twelve*, BZAW 217, Berlin: De Gruyter, 1993; idem, *Redactional Process in the Book of the Twelve*, BZAW 218, Berlin: De Gruyter, 1993; idem, “Intertextuality and the Twelve.”

<sup>100</sup> He considers that “the Book of the Twelve manifests a very consistent catchword phenomenon between the writings.” Nogalski, *Literary Precursors to the Book of the Twelve*, 13.

<sup>101</sup> In Nogalski, *Redactional Process in the Book of the Twelve*, 187 fn.21, he lists out the said words and phrases: “your hands (Zech 8:9, 13; Mal 1:9, 10, 13); people (Zech 8:11, 12, 20, 22; Mal 1:4); fruit (Zech 8:12; Mal 1:12); curse (Zech 8:13; Mal 1:14); nations (Zech 8:13, 22, 23; Mal 1:11); evil (Zech 8:14; Mal 1:8); father (Zech 8:14; Mal 1:6); return (Zech 8:15; Mal 1:4); gates (Zech 8:16; Mal 1:10); love (Zech 8:17, 19; Mal 1:3); I hate (Zech 8:17; Mal 1:3); entreat the face (Zech 8:21, 22; Mal 1:9)”; cf. in “Intertextuality and the Twelve”, at 123, he states that “Zechariah 8.9-23 manifests more than twenty words and phrases in common with the beginning of Malachi”. As Gibson points out, these words are “common words in the Hebrew Bible, and thus a deliberate link between two such texts is not self-evident.” Gibson, *Covenant Continuity and Fidelity*, 18.

<sup>102</sup> Nogalski, *Redactional Process in the Book of the Twelve*, 197.

<sup>103</sup> Gibson, *Covenant Continuity and Fidelity*, 17, referring to Nogalski, *Literary Precursors to the Book of the Twelve*, 13, 15, 17.

<sup>104</sup> Nogalski, “Intertextuality and the Twelve,” 102.

<sup>105</sup> Nogalski, “Intertextuality and the Twelve,” 103.

the Twelve “exhibits at least five different types of intertextuality: quotations, allusions, catchwords, motifs, and framing devices.”<sup>106</sup> There is no sharp distinction among them, and “some are more objective than others”.<sup>107</sup> In addition, for the purpose of determining genuine quotation and allusion, Nogalski suggests some “subjectivity cross-checks” that are equivalent to “criteria”, i.e. “word frequency, word pairings, motifs development, literary homogeneity, and specific text combinations”.<sup>108</sup> His distinction between objective and subjective criteria is less than clear. In this regard, Gibson criticizes that “close examination of Nogalski’s catchwords between Mal.1.1-14 and Zech.8.9-23 reveals that his ‘criteria’ allow for synonyms and not just exact words or cognates, and even where exact words are present they do not always have the same referent.”<sup>109</sup>

In his commentary of 1995, Petersen rightly points out that no comprehensive effort had been made to explore the influence on Mal by any texts or traditions. Nevertheless, he remarks that “several studies have identified important perspectives that appear in Malachi.” For example, there is “a relatively strong consensus that Deuteronomistic traditions (e.g. language of covenant, vocabulary frequent in Deuteronomy) are prominent in Malachi.”<sup>110</sup> Although Petersen is in mind of some sort of tradition-historical analysis (for example, Elijah has become an eschatological figure in Mal), he is silent as to the methodology as well as the significance of the use of tradition.

Berry finds that there are a “sheer number of allusions (or instances of intertextuality)” to canonical traditions in Mal. In Table 1 of his book chapter, he lists out not only words but also themes that he considers alluding to other parts of the Hebrew Bible, including those passages that are usually dated later than Mal.<sup>111</sup> It is clearly a synchronic “intertextuality” approach as he contends that “[w]hether or not the writer, editor, or

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<sup>106</sup> Nogalski, “Intertextuality and the Twelve,” 103, cf. idem, *Literary Precursors to the Book of the Twelve*, 12ff.

<sup>107</sup> Nogalski, “Intertextuality and the Twelve,” 103.

<sup>108</sup> Nogalski, “Intertextuality and the Twelve,” 109. The analysis in Gibson, *Covenant Continuity and Fidelity*, 18 is referred to herein.

<sup>109</sup> Gibson, *Covenant Continuity and Fidelity*, 18-19, fn 85, 86.

<sup>110</sup> Petersen, *Zechariah 9-14 and Malachi*, 32-33. This view is clearly disagreed by O’Brien, who distinguishes Deuteronomic language from the language of covenant-making and covenant-violation. O’Brien, *Priest and Levite in Malachi*, 86-88.

<sup>111</sup> Donald K. Berry, “Malachi’s dual design: The close of the canon and what comes afterward,” in J. Watts and P. House, eds., *Forming Prophetic Literature*, 270-272. For examples, Nah 1.1 (“oracle”), 2 Chr 36.15-16 (“messengers”), Neh 13.10-14 (“storehouse”), and Neh 3.15-17 (“locust”), etc..

redactor *intentionally encoded* each allusion, each correspondence to biblical texts merits acceptance as part of a network of images orienting the message of Malachi..." (italics added).<sup>112</sup> One would wonder how those writings composed later than Mal can reflect "(1) the book's [i.e. Mal's] dependence on scripture or (2) the book's awareness of scripture or (3) the awareness by the producer(s) of the book of the general situation reflected in writings of the same age as Malachi", as Berry claims.<sup>113</sup> Furthermore, it appears that Berry is somewhat self-contradictory as, on the one hand, he recognizes that "[l]ittle is gained by collecting bits and pieces of every tenuous claim ever made for Malachi's relationship with other books and overwhelming the reader by the weight of accumulated evidence."<sup>114</sup> On the other hand, he maintains that "[e]very point of correspondence means something."<sup>115</sup>

Berry raises a number of examples that one can hardly find the intentional elements from the common terminologies used in two texts. For example, he links the opening phrase "I have loved you" in Mal 1.1 with Hos 11.1 and Isaiah's song of the vineyard (Isa 5.1-7), and then develops the discussion about love through election in Mal (rejection of Esau, and Esau represents Cain, Lot and Saul, etc.) and "the misfortunate circumstance of being the second choice."<sup>116</sup> He does not suggest any criteria for selection of intertextual words, phrases and themes,<sup>117</sup> nor propose any measure to ascertain whether the appearance of those words, phrases and themes is the intentional efforts of the author / redactors or merely the "coincidental parallels" as he mentions.<sup>118</sup> His work reflects a synchronic study of the common themes in the Hebrew Bible rather than Mal's dependence on other parts of the scripture.

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<sup>112</sup> Berry, "Malachi's dual design," 272. It is interesting to note that according to what he writes, the method involves both diachronic and synchronic elements: "For such purposes, concepts from the domain of comparative literary studies, such as dependence, influence, allusion, and intertextuality, serve as essential tools."

<sup>113</sup> Berry, "Malachi's dual design," 272.

<sup>114</sup> Berry, "Malachi's dual design," 270.

<sup>115</sup> Berry, "Malachi's dual design," 272.

<sup>116</sup> Berry, "Malachi's dual design," 274-275. Another remarkable example is at 276, in which he describes the words "shut the door" in Mal as a parallel to the calling for a halt to all worships in Isa 1.13 and Ezekiel's vision that the eastern gate of the temple remained shut (Ezk 44.1-2).

<sup>117</sup> For the word "messenger" (Mal 1.1; 3.1), he admits the cross connections that he mentions "fit together loosely" but still contends that "such shadowy intertextuality provides much of the distinct message of the book." Berry, "Malachi's dual design," 274-275.

<sup>118</sup> He considers that "coincidental parallels" are "inevitable". Berry, "Malachi's dual design," 270.

In his commentary of 1998, Hill gives a list of words and phrases in Appendix C (under the title “Intertextuality in the Book of Malachi”).<sup>119</sup> Whilst it is his intention to gather words, phrases and clauses that suggest “Malachi’s interdependence with other portions of the OT/HB”, he emphasizes that the said list “does not necessarily presuppose the reliance of the book of Malachi upon the corresponding citation, nor does it attempt to distinguish categorically between an intertextual allusion and a quotation.”<sup>120</sup> Accordingly, the criteria for selection of the words and phrases, and the discussion about direction of dependence are lacking. Furthermore, as commented by Gibson, “the nature and textual basis of [Hill’s] examples vary significantly... Hill’s list therefore appears random and *ad hoc*.”<sup>121</sup>

Not until 2000, a rather comprehensive study of Mal from the “tradition” perspective (with a reasoned methodology) was published. The discovery of Weyde starts from the intensified use of the divine speech formulas in Mal, from which he seeks to prove that those formulas “mark the use of a divine message attested elsewhere in the traditions” and the implication of it is that “the traditions are quite essential to the message in Malachi: they form the foundation of the message; the traditions are actualized and applied in some way or other.” When one compares Mal with other prophetic books, “there is a change compared with previous prophecy since the message in this book is dependent on the traditions.”<sup>122</sup>

In Weyde’s view, other peculiar features of Mal include the frequent appearance of the divine speech formulas and the recurring question-and-answer literary style. Coupled with the phenomenon that it is difficult to differentiate the prophetic monologues and the divine speeches,<sup>123</sup> Weyde suggests that the authority and message of Mal “are founded on the traditions, in which previously spoken divine words are recorded. The formulas marking divine speech have a legitimatizing function; they emphasize the linking of the message to the traditions and give authority to it.” One may assume that “the prophet has reworked and interpreted divine words which he received from the traditions”. Accordingly, Weyde

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<sup>119</sup> Hill, *Malachi*, AB 25D, 401-412.

<sup>120</sup> Hill, *Malachi*, AB 25D, 401.

<sup>121</sup> Gibson, *Covenant Continuity and Fidelity*, 15.

<sup>122</sup> Weyde, *Prophecy and Teaching*, 5.

<sup>123</sup> Weyde, *Prophecy and Teaching*, 10-12.

seeks to analyze the dependency on the traditions and the actualization of the same in Mal.<sup>124</sup>

Similar to the idea of inner-biblical exegesis of Fishbane, Weyde suggests that “to say that traditions are “used” means that they are actualized and applied.”<sup>125</sup> As to the methodology, Weyde considers that by observing the forms of speech used in Mal, one can acquire new insights as to the related texts and traditions.<sup>126</sup> In analyzing the occasions when traditions may have been used in Mal, Weyde considers that “the prophet” might have utilized “conventional language without having one specific tradition in mind”.<sup>127</sup> Having said that, Weyde does not set out his criteria for distinguishing intentional actualization / application of traditions from mere use of conventional language,<sup>128</sup> save that he emphasizes on the finding of “vocabulary cluster” and “same form” as suggested by Sommer and Aejmelaeus.<sup>129</sup>

Weyde is fully aware of the distinction made by Sommer between “allusion”, which is diachronic in nature and author-oriented, and “intertextuality”, which is synchronic in nature and reader-oriented.<sup>130</sup> He claims that his study involves “a diachronic component” and “historically oriented”. As the prophet used the traditions “with a specific purpose”, even though it is difficult to resolve the “question of intention” and find out the “historical situation which formed the background of the prophet’s message”, such issues are “not to be neglected”.<sup>131</sup> Bearing such statements in mind, it

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<sup>124</sup> Weyde, *Prophecy and Teaching*, 12-13. It is fair for Weyde to point out the limitation of his study (at p.13): “The previous remarks have shown that this enterprise may be rather difficult, since there are indications that the prophet has reworked the material he uses. It will therefore be asked, not only what are these traditions but also how are they actualized; the possibility that they have been changed must be included in our approach.”

<sup>125</sup> Weyde, *Prophecy and Teaching*, 50.

<sup>126</sup> In Gibson, *Covenant Continuity and Fidelity*, 14 fn 58, Gibson summarizes the forms of speech listed out by Weyde: “accusations (1.6-14; 2.8, 11, 14; 3.7, 8), announcements of punishments, both conditional and unconditional, against addressees or other persons (2.2-3, 9; 3.5, 19[4.1]), including one against Edom (1.4); exhortations (2.15, 16; 3.7, 10, 22[4.4]), admonitions (2.15, 16), announcements of salvation, both conditional and unconditional (3.7, 10-11, 17, 20[4.2], 23-24[4.5-6]); and finally, rhetorical questions (1.2, 8, 9, 13; 2.10; 3.8).”

<sup>127</sup> Weyde, *Prophecy and Teaching*, 50.

<sup>128</sup> Gibson, *Covenant Continuity and Fidelity*, 19.

<sup>129</sup> Weyde, *Prophecy and Teaching*, 52, in which he cites with approval B.D. Sommer, “Exegesis, allusion and intertextuality in the Hebrew Bible: A response to Lyle Eslinger,” *VT* 46 (1996): 479-489, 485, and A. Aejmelaeus, “Der Prophet als Klageliedsänger Zur Funktion des Psalms Jes 63,7-64,11 in Tritojesaja,” *ZAW* 107 (1995): 31-50, 32.

<sup>130</sup> Weyde, *Prophecy and Teaching*, 52-53, citing Sommer, “Exegesis, allusion and intertextuality in the Hebrew Bible”, 484ff.

<sup>131</sup> Weyde, *Prophecy and Teaching*, 53.

appears inconsistent for Weyde to assert that “[o]ne may add that these two methods [“allusion” and “intertextuality”] are not as different as often assumed” and “the intertextual aspect, as defined by Sommer and Nogalski, should not be excluded, insofar as the message in Malachi presumably makes use of terms, phrases, and themes occurring in other texts; it reflects conventional language”.<sup>132</sup> As commented by Gibson, “Weyde is aware of the charge that his approach is a ‘conglomeration of methods’, but he defends himself by claiming that methods should only be regarded as ‘guidelines’. ...It is unclear whether Weyde sees the [terminological similarity] exerting ‘influence’ on the message of Malachi.”<sup>133</sup>

The perplexing methodology results in a number of problematic findings. For example, as Mal 2:7a contains the words “lips”, “mouth” and “knowledge”, Weyde considers that “the statement about the priest in Mal 2:7a comes very close to what is said about the wise in Prov 15:7 and 18:15b.” Then no less than a free association, he goes further and states that “[a]lso antitheses occur in both Prov 15:7 and Mal 2:7f; in the former passage the wise is contrasted with the fool; in the latter the ideal priest is presented in contrast with the priests who are addressed”.<sup>134</sup> Without any clear determination of the dating of Prov 15 and 18 or the direction of influence, he concludes that “Mal 2:7a makes use of conventional language” and “reflect influence from the wisdom traditions.”<sup>135</sup> Adopting this “dating / direction of influence apathetic” approach, passages like Eccl 5.5-6,<sup>136</sup> Chronicles and Nehemiah,<sup>137</sup> etc. are also considered by Weyde as related texts.

In his work published in 2016, Gibson contends that the centrality of the theme in Mal is covenant. He considers Mal as “a catechism on covenant relationship with Yahweh”, which is expressed by way of disputational speeches.<sup>138</sup> “The six disputations that comprise the main body of the book contrast YHWH’s faithfulness with Israel’s unfaithfulness.” The book is concluded “in the final verses as YHWH commands Israel to be faithful to the covenant by remembering the Law of Moses (3.22[4.4]) and as he promises to bring about generational covenant faithfulness by sending the

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<sup>132</sup> Weyde, *Prophecy and Teaching*, 53.

<sup>133</sup> Gibson, *Covenant Continuity and Fidelity*, 20.

<sup>134</sup> Weyde, *Prophecy and Teaching*, 196.

<sup>135</sup> Weyde, *Prophecy and Teaching*, 197.

<sup>136</sup> Weyde, *Prophecy and Teaching*, 197-198.

<sup>137</sup> Weyde, *Prophecy and Teaching*, 200-201.

<sup>138</sup> Gibson, *Covenant Continuity and Fidelity*, 1, citing Hill, *Malachi*, AB 25D, 37.

eschatological prophet Elijah before the great and awesome Day of YHWH (3.23-24[4.5-6]).<sup>139</sup>

As to the methodology, referring to Miller, Gibson discerns “(1) a reader-oriented approach, which tends to rely solely on a synchronic analysis of texts where two texts are read together without concerns for direction of dependence; and (2) an author-oriented approach, which is interested in a diachronic analysis of texts, whereby one text is understood to be dependent on another.”<sup>140</sup> Gibson considers that the term “intertextuality” should be avoided as it is confusing.<sup>141</sup> Instead, he adopts the terms “inner-biblical allusion” and “inner-biblical exegesis” (with the umbrella term “inner-biblical interpretation” covering both) as the same “focus on the diachronic aspect of earlier source texts being appropriated by the prophet Malachi.”<sup>142</sup>

For “inner-biblical interpretation”, he distinguishes “exegesis” from “allusion”. “Inner-biblical exegesis” is defined as “an intentional, explicit reuse of keywords or a phrase from an earlier work, which may include the element of exegesis or reinterpretation of the source text within the quoting text.” In contrast, “allusion” is “an intentional, implicit reuse of keywords or a phrase from an earlier work, which begins to exert interpretive significance in the alluding text”. Gibson states that the line between inner-biblical exegesis and inner-biblical allusion is “admittedly porous, but the qualitative difference between them is the element of reworking”.<sup>143</sup>

In Chapter 2, the five criteria proposed by Gibson for evaluating textual correspondences, and the differences in the methodologies respectively adopted by the present study and Gibson’s work, shall be elaborated. At this juncture, it is preferable to firstly set out the common grounds shared by Gibson’s study and the present research:

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<sup>139</sup> Gibson, *Covenant Continuity and Fidelity*, 1-2.

<sup>140</sup> Gibson, *Covenant Continuity and Fidelity*, 31, citing Geoffrey D. Miller, “Intertextuality in Old Testament Research,” *CBR* 9 (2010): 283-309, at 284-288.

<sup>141</sup> “For example, Sanders pinpoints three main ways in which the term ‘intertextuality’ is currently used: ‘the inter-relation of blocks of text (large or small) in close proximity; the function of older literature cited or in some way alluded to in later literature; and the interrelation of text and reader’.” Gibson, *Covenant Continuity and Fidelity*, 32, citing James A. Sanders, “Intertextuality and Canon,” in S.L. Cook and S.C. Winter, eds., *On the Way to Nineveh: Studies in Honor of George M. Landes*, Atlanta: Scholars Press, 1999, 316-333 at 316.

<sup>142</sup> Gibson, *Covenant Continuity and Fidelity*, 32.

<sup>143</sup> Gibson, *Covenant Continuity and Fidelity*, 41-42, in fn 74, citing Sommer, *A Prophet Reads Scripture: Allusion in Isaiah 40-66*, Stanford, CA: Stanford UP, 1998, 17: “An exegetical text clarifies or transforms an earlier text; and allusive text utilizes an earlier text”.

- (a) Both avoid the term of (and the method represented by) “intertextuality” and seek to have more precise categorization of and criteria for inner-biblical references.
- (b) The categories of “quotation”, “allusion” and “echo”, etc. are a matter of spectrum rather than discrete divisions.
- (c) Mal is a unified book which consists of six units of discourses (Gibson defines them as “prophetic disputations” and I suggest that their genre is “court disputation”, see Chapter 2).
- (d) Literary speaking, the position of Mal in the Twelve does not affect its individuality or unity of its text.
- (e) The author / redactors of Mal had made use of the previously existing materials for the purpose of generating new messages in this newly composed book, i.e. Mal. Accordingly, identifying the inner-biblically related texts can help us to ascertain the messages conveyed in Mal.

Notwithstanding that Gibson provides a rather comprehensive treatment of the whole book of Mal, when one scrutinize his work, it would not be difficult to notice that he does not apply his method as consistent as he claims. For example, even though he contends that Mal 2.15 alludes to Gen 2.23-24, he also notices that the “only common lexeme is  $\text{נָאָם}$ , a word which out of context could lead to any number of texts in the Hebrew Bible.” For the lacking of lexical parallel, he explains, *inter alia*, that “a number of lexemes do not have to be present in order for there to be a link to an earlier text. ...The prophet has alluded to the first marriage ...in his own unique way, applying it to his current context.” As to the contextual parallel, he asserts that “although the creation imagery of Mal.2.10 is directly related to the creation of Israel, it nevertheless prepares for an allusion to Genesis.”<sup>144</sup> Such explanations no doubt attract the queries as to the criteria (or, how “flexible” the criteria can be) for assessing an inner-biblical allusion. More examples like these shall be given in our discussions (and the footnotes) in Chapter 3 whenever the same are relevant to the present study.

The present study differs from the work of Gibson in various aspects. By identifying the nature of the related texts in the Hebrew Bible and the directions of textual dependency between Mal and such related texts, Gibson aims to prove that “covenant” is the central theme of Mal. In general, this study agrees that “covenant” is an important concept underlying the whole book of Mal. Nevertheless, whether it constitutes the “central” theme of the book remains debatable since there are several major

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<sup>144</sup> Gibson, *Covenant Continuity and Fidelity*, 137-138.

themes in the book. Examples include “theology proper (i.e. Malachi as a theology of Yahweh), covenant relationship, religious purity and social justice, and eschatology”, etc..<sup>145</sup> One may argue with the same force that the central theme of Mal is, say, significance of the Mosaic laws or tradition, theophany of YHWH, etc..

Unlike Gibson, the core of the present research is not searching for the central theme. As the title of this dissertation indicates, it aims to explore the significance of the use of traditions in Mal and, in turn, how the traditions are interpreted, applied and / or actualized to formulate the text of the book and convey the messages. For that purpose, tradition-historical method (as defined in Chapter 2) is adopted and Mal 1.1-2.16, which consists of the superscription and the first three units of dialectic discourses of the book, shall be analyzed as case studies. Accordingly, after the analysis of each pericope, one can ascertain *what* traditional materials are relevant, *how* they are utilized and what purpose(s) are served and / or message(s) are transmitted by using the traditions. In the concluding chapter, we shall review the effectiveness of the method and evaluate the validity of the results.

Thus, unlike Gibson, this study shall not presume that the concept of “covenant” is the central theme of Mal. Even though the covenantal theme probably forms the backdrop of the book, in investigating the theme(s) and issue(s) of each pericope, we shall keep an open mind and “covenant” is not necessarily the yardstick.

As the six units of discourses constitute the main body of Mal, this study shall discuss the genre of these discourses (see Chapter 2), which has the bearing on the interpretation of the book. Such a discussion is lacking in Gibson’s work.<sup>146</sup>

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<sup>145</sup> Hill, *Malachi*, AB 25D, 27.

<sup>146</sup> Gibson simply states (without elaboration) that the pericopes are delimited “by the internal literary form of the disputation speeches, which involve at least three key elements: opening prophetic declaration, rebuttal and refutation.” Gibson, *Covenant Continuity and Fidelity*, 28. Besides, unlike the present study, Gibson does not explore the issue about “the book of the Twelve” hypothesis and its implication to the individuality of Mal. The only relevant statements (without further discussion) are: “First, Malachi is an independent-but-related prophetic book within the Twelve Prophets, and in turn within the Hebrew canon. The recognition of its independence allows for an investigation into the book’s inner-biblical interpretation within its own confines; and its canonical placement at the end of the Law and the Prophets invites an analysis of its inner-biblical connections with other parts of the Hebrew canon.” Gibson, *Covenant Continuity and Fidelity*, 24.

The study of Lear, which “seeks to investigate certain compositional practices used by ancient scribes to create texts”,<sup>147</sup> was published in 2018. In evaluating the probability of connection between two texts and determining the direction of influence, she claims that she basically adopts the criteria of Tooman and Carr.<sup>148</sup> In practice, whilst she has a number of valid observations, on some occasions, the ways that she assess the similarities between two texts and allusions are perplexing. For example, she considers that the phrase “and has married the daughter of a foreign god” (ובעל בת אל נכר) in Mal 2.11 is “an ironic pun, a phonetic parallel to Gen 24:47, בת בתואל בן נחור, “the daughter of Bethuel, son of Nachor.” She suggests that “Bethuel presented the correct lineage to provide a wife for the child of God’s promise and covenant, Isaac.” By doing so, the scribe of Mal “created an ironic contrast”: “Rather than correctly marrying someone from the correct family, ...the men of Judah have married foreign women.”<sup>149</sup> One may wonder whether there are any objective criteria for evaluating such “ironic pun / phonetic parallel” and,<sup>150</sup> further or alternatively, how an investigator can resist the temptation of eisegesis in adopting such an approach.

Another example is Ezek 24.16-17, for which Lear claims that as it is the only passage that contains all three “words for crying” (“tears”, “weeping” and “groaning”) used in Mal 2.13, it is a “tentative” case of “reuse” even though “[i]t is not immediately clear why the scribe of Malachi would have reused this passage.” (thematically different) Nevertheless, she considers that “[i]n the light of the fact that Ezekiel is reused elsewhere in Malachi ...and the large concentration of reused texts in Mal 2:10-16”, it is more likely that Mal is dependent on Ezek 24.16-17.<sup>151</sup> In terms of both evidential support and inferential reasons, her said finding is questionable.

Further examples shall be given in my discussions (and the footnotes) in Chapter 3 whenever necessary. In all, it should be noted that unlike the

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<sup>147</sup> Sheree Lear, *Scribal composition: Malachi as a test-case*, FRLANT 270, Göttingen: Vandenhoeck & Ruprecht, 2018, 11.

<sup>148</sup> Lear, *Scribal Composition*, 21-23, citing W.A. Tooman, *Gog of Magog: Reuse of Scripture and Compositional Technique in Ezekiel 38-39*, FAT II 52, Tübingen: Mohr Siebeck, 2011, 27-35; D. Carr, “Method in determination of direction of dependence: An empirical test of criteria applied to Exodus 34,11-26 and its parallels,” in M. Köckert and E. Blum, eds., *Gottes Volk am Sinai: Untersuchungen zu Ex 32-34 und Dtn 9-10*, Gütersloh: Gütersloher Verlag, 2001, 107-141, 126.

<sup>149</sup> Lear, *Scribal Composition*, 38.

<sup>150</sup> Actually, the whole Chapter 3 of Lear’s work is on “Wordplay in Malachi”.

<sup>151</sup> Lear, *Scribal Composition*, 48-49.

present study, the focus of Lear's investigation is on the scribal practices but not the (interpretative) significance of the use of traditional materials.

In sum, from the literature review above, one would notice the diversified approaches adopted by the scholars in handling the traditional materials in Mal. The differences are mainly contributed to by the various methods and terminologies adopted, the divergent views on the textual and canonical issues (e.g. whether Mal is in unity and whether it is an individual book); and the manners (and problems) when they put their methods in practice.<sup>152</sup>

Hence, the lacuna in scholarship remains there: Whilst there is a general consensus that Mal is rich in traditional materials, very few scholars pay attention to analyze the same by an appropriate method. Although many commentators do resort to other parts of the Hebrew Bible and identify certain strikingly similar terminologies, most of them are piecemeal efforts only. In particular, the importance of the direction of dependence and the significance of the manners by which the traditions were used are more often than not underestimated (if not ignored). Accordingly, a scientific tradition-historical approach, which is based on (a) the texts (e.g. words, forms, etc.), (b) a coherent set of terminologies (e.g. lexical, form, thematic and contextual, etc. parallels) and evaluating criteria (e.g. identical or similar terms, scattering or a cluster of terms, etc.) and (c) consideration of the (diachronic) direction of influence / dependence, is called for. Such a tradition-historical method can enhance our understanding of the purpose(s) and message(s) of the text of Mal as a result of the use of traditions therein.

### 1.3 **Statement of Problem**

In sum, the research question for the present study is: **What is the significance of the use of traditions in Mal to the messages of the book?**

In order to put the investigation into practice, the said research question is elaborated in this way:

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<sup>152</sup> It must be remarked that the aforesaid criticisms of the scholars' approaches do not necessarily mean that they apply their selected methods for their (respective) purposes mistakenly. They adopt their methods for their own objectives and based on their presuppositions respectively. Some methods do not aim at proving the unity of Mal or establishing the links among different periscopes of it, and some methods do not concern the direction of dependence between Mal and the inner-biblically related texts.

## 1 Introduction

1. *What* are the traditions used in formulating the text of Mal 1.1-2.16? In this regard, one has to ascertain what (which) inner-biblically related passages appear in the text of Mal. The methodological consideration is set out in Chapter 2. A collateral issue, that is, the genre of the six units of discourses in Mal and its significance, shall be discussed in that chapter as well.
2. In what manners (*how*) those traditions (as expressed in the related biblical texts) were used? In Chapter 3, I shall analyze the text of Mal 1.1-2.16 from the tradition-historical perspective. Focus shall be placed on, *inter alia*, the relationship (for examples, mere background, allusion, echo, or combination, etc.) between the probable inner-biblically related references and the text of Mal.
3. For what purposes (*why*) those traditions were used? Further or alternatively, how the redactors made use of traditions to answer their situations? <sup>153</sup> It brings out the purposes and message of each pericope.

### 1.4 Contribution of this research

This research highlights the significance of the use of traditions in Mal. We can discern the message(s) of a receptor text more precisely if we manage to understand the connotations of the traditional materials in the source text and the purpose(s) of using the same. In the process of exploring the exegetical meanings of Mal 1.1-2.16, this study shall also demonstrate the effectiveness of the tradition-historical method in handling biblical texts that are rich in traditional materials.

Other contributions include:

1. the analysis of the literary genre of the six units of discourse with reference to the court procedures in the Persian period;
2. the finding of the importance of the direction of dependence in ascertaining the influence of the traditions (as expressed in the evoked text(s)); and
3. the finding of the various ways that the traditions are handled (interpretation, application, actualization, combination or reformulation, etc.) in formulating the text of Mal.

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<sup>153</sup> As to how the subsequent redactors used the previously existing traditions to make their new points, see, e.g. Nicholas H.F. Tai, *Prophetie als Schriftauslegung in Sacharja 9-14: traditions- und kompositionsgeschichtliche Studien*, Stuttgart: Calwer Verlag, 1996.

All these constitute sufficient contribution to advance the existing knowledge and enrich the current scholarly debates for the purpose of a doctoral degree.

## **1.5 Overview of this dissertation**

This dissertation shall be divided into four chapters:

1. Introduction (see above)
2. Methodologies and the book of Malachi  
Methodologies, Historical context, Structure and thematic markers of the book, and Literary genre of the six units of discourses
3. Tradition-historical analysis of Mal 1.1-2.16
4. Summary of findings & Conclusion



## 2 Methodology and the Book of Malachi

### Chapter outline

#### 2.1 Methodology

##### 2.1.1 Tradition-historical method

##### 2.1.1.1 “Tradition-historical method”

##### 2.1.1.2 Limitations of the method

##### 2.1.2 “Inner-biblical exegesis” and the related concepts

##### 2.1.2.1 “Intertextuality” vs “Literary cross-reference”

##### 2.1.2.2 “Inner-biblical allusion” or “inner-biblical exegesis”?

##### 2.1.2.3 Criteria for ascertaining (intended) inner-biblical references

##### 2.1.3 Direction of literary dependence

##### 2.1.4 Inner-biblical exegesis and tradition-historical method in the present research

#### 2.2 Historical context of Mal

##### 2.2.1 Name and Authorship

##### 2.2.2 Dating

##### 2.2.3 Historical background

#### 2.3 Textual unity of Mal

#### 2.4 Structure and thematic markers of Mal

##### 2.4.1 Structure of the book

##### 2.4.2 Thematic markers

#### 2.5 Literary genre of the six units of discourses

##### 2.5.1 Disputational, instructional or ...?

##### 2.5.2 *Rîb* and Covenant lawsuit

##### 2.5.3 Controversy and Trial

##### 2.5.4 Trial procedures in the early Persian period

##### 2.5.5 Reading Mal in the setting of Persian trial procedures

## 2 *Methodology and the Book of Malachi*

### 2.5.6 Significance of the genre of Mal

## 2.1 Methodologies

In Mal, the recurrent themes about *torah*, breach of the sacrificial rules by the priests, covenants (covenant with Levi, “covenant of our Fathers”, marriage covenant, etc.), the use of the “love and hate”, “father and son”, “blessings and curses” languages, the terms “offering”, “altar”, “reverence”, “return”, etc. constitute a composite of thematic threads in the book. One can soon notice that such traditional languages and thematic threads may find their counterparts or related texts in other parts of the Hebrew Bible. Many scholars notice the link between Mal and the Deuteronomistic writings (see Chapter 3). Some argue that the redactors of Mal drew authority from the existing materials and traditions in order to establish the (prophetic) authority for their own messages in Mal.<sup>154</sup> As I point out in Chapter 1, apart from *what* traditions are used, *how* and for what purpose(s) (*why*) the traditional materials were used to formulate the text of Mal are also in issue.

Concerning methodological consideration, this study shall begin from the usual textual and literary analysis (i.e. translation, text-critical issues, structure and theme) of the text of Mal in its canonical form (MT in BHS version) with the presupposition that the current (final) form is a coherent work.<sup>155</sup> Particular attention shall be placed on those words, forms,<sup>156</sup> phrases, motifs,<sup>157</sup> themes and contexts where inner-biblical references are

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<sup>154</sup> For example, Weyde, *Prophecy and Teaching*, 5.

<sup>155</sup> In using the word “coherent” here, it means that the text of Mal in BHS is logically ordered, in unity and with sufficient clarity. The present study shall take this final form as it is. Having said that, whenever necessary, comments in relation to textual criticism shall be given in the course of discussion.

<sup>156</sup> Knight defines “form” as “the structure or artistic character of an *individual text*”, which is different from “*Gattung*” as the latter refers to “a *text type*, derived inductively from independent units similar in form.” Douglas A Knight, *Rediscovering the Traditions of Israel*, 3<sup>rd</sup> ed., Atlanta: Society of Biblical Literature, 2006, 10. For the purpose of this research, the distinction between “form” and “genre” as suggested by Anthony F. Campell is adopted. Campell refers to John Barton’s dictionary article entitled “Form Criticism: Old Testament”: For “form”, the German word “*Form*” refers to “the structure or shape of an individual message or unit”; and for “genre”, the German word “*Gattung*” refers to “a general class or genre” (see *ABD* 2:839). See Anthony F. Campell, “Form Criticism’s Future,” in M. Sweeney and E. Ben Zvi, eds., *The Changing Face of Form Criticism in the Twenty-First Century*, Grand Rapids, MI: Eerdmans, 2003, 15-31, at 23-25 and footnote 31. See also Weyde, *Prophecy and Teaching*, 54 and fn 19.

<sup>157</sup> Knight defined “motif” as “a smaller substantive unit which, while not yet comprising a whole plot, nonetheless presents a material, situational element.” This element may be an item or a person, portrayed not in isolation but in a context or situation.” Knight, *Rediscovering the Traditions of Israel*, 12, citing Elisabeth Frenzel, *Stoff -, Motiv- und Symbolforschung*, 3rd ed., Stuttgart: Metzlersche Verlagsbuchhandlung, 1970, 28.

found and of interpretative significance. Whenever necessary, issues arising from source, historical and redaction criticisms shall also be analyzed during this stage.

Then upon the basis of the results of the aforesaid analyses (Knight describes them collectively as “tradition criticism”), tradition-historical criticism shall be conducted to investigate the traditions used in Mal. Knight considers that the aim of this second step (“historical synthesis”) is to trace the tradition back as far as possible and reconstruct a relative chronology of the growth of the tradition (“tradition history”).<sup>158</sup> The results gathered from the tradition-historical analyses shall enhance us to explore for what purpose(s) traditional materials are used and what messages are given as a result of the use of the traditions.

### 2.1.1 Tradition-historical method

#### 2.1.1.1 “Tradition-historical method”

Instead of simply adopting the term “tradition-historical criticism / method”, which attracts different understandings among scholars, this study prefers to set out the methodological approach by the descriptions below. Having said that, for the sake of easy reference, the approach herein shall be defined by using the German term *Traditionskritik* / *Traditionsgeschichte* and the English translation “tradition-historical criticism / tradition-historical method”.<sup>159</sup>

For the present purpose, “tradition-historical criticism / method” refers to the investigation and analysis of a “tradition” (*traditum*)<sup>160</sup> so as to ascertain

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<sup>158</sup> Knight, *Rediscovering the Traditions of Israel*, 24.

<sup>159</sup> For avoidance of doubt, the terms *Traditionskritik* and *Traditionsgeschichte* (and their respective English translations “tradition-historical criticism” and “tradition-historical method”) shall be used interchangeably in this study.

<sup>160</sup> For the purpose of this study, a biblical “tradition” refers to a particular word or “form” (combination of words, see above), or other manner of literary expression which appears in the Hebrew Bible, usually for more than once. It therefore does not include the (hypothetical) oral traditions at the pre-literary stage. In other words, *Traditionsgeschichte* here is different from *Überlieferungskritik* / *Überlieferungsgeschichte*. On this issue, Knight tries to delineate the scope of the two German terms, namely, “*Überlieferungsgeschichte*” and “*Literaturgeschichte*”. Unfortunately, it seems that he has mixed them up. Whilst he uses the English term “tradition history” as the translation of “*Überlieferungsgeschichte*”, he fails to suggest any English translation for “*Literaturgeschichte*”. A literal translation of “literature history”, “history of literature” or “literature criticism” has been rarely used in the biblical scholarship in English. With respect, it is no longer valid to uphold the observation of Knight that traditionally, German biblical scholars use the term “*Überlieferungs-*

how the redactors made use of their knowledge of the traditional materials to create new text in the new context. *Traditionsgeschichte* is the appropriate German term to describe an investigation with the aim to understand the history of tradition of a text. It focuses on the contexts (intellectual, theological and religious historical) of the textual contents.<sup>161</sup> The presumption is that traditions are “developed and shaped over the course of their transmission by the group or groups who have a direct interest in their preservation and for whom the said traditions play vital role”. Thus, “they are functional in meeting the evolving needs of the group.”<sup>162</sup>

The present study seeks to find out, *inter alia*, what traditions are reflected in the text of Mal, how those traditions appear in other parts of the Hebrew Bible, (upon ascertaining the direction of dependence) how the traditions are utilized / expressed in Mal, and for what purpose(s) the use of traditions can serve. The evidence of traditions is mainly from the biblical texts but not the hypothetical pre-literary (oral) traditions.<sup>163</sup> In other words, for our purpose, “traditions” are expressed in literary form in the biblical texts by way of words, forms, phrases, themes and/or motifs, etc. that appear (usually) more than once in the Hebrew Bible.<sup>164</sup> Special attention is paid

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*geschichte*” to cover the whole history of a literature, “from its earliest beginnings as independent units of oral tradition, through its development, growth, and composition at the oral and written levels, and on to its redaction and finalization in its present form.” (Knight, *Rediscovering the Traditions of Israel*, 17-18, see also fn 8 as to the long list of references to the German authors) The fact is that in modern scholarship, “*Überlieferungsgeschichte*” has no longer been used in such a broad sense due to the more detailed “divisions of labour” by virtue of the emergence of “*Redaktionsgeschichte*”, “*Literaturgeschichte*” and “*Traditionsgeschichte*”. Nowadays, “*Überlieferungsgeschichte*” is mainly used to refer to the investigation of the possible shape and development of materials in the oral transmission phase. See Joachim Vette, “Bibelauslegung, historisch-kritische (AT)” (February 2008): <http://www.bibelwissenschaft.de/stichwort/15249/>.

<sup>161</sup> Joachim Vette, “Bibelauslegung, historisch-kritische (AT)”.

<sup>162</sup> Refer Robert A. Di Vito, “Tradition-historical criticism,” in Steven L. McKenzie and Stephen R. Haynes, eds., *To Each Its Own Meaning: An Introduction to Biblical Criticisms and Their Application*, Louisville, KY: Westminster/John Knox Press, 1993, 90-104, at 91.

<sup>163</sup> One would bear in mind the argument of Di Vito, who contends that one could not assume that an oral tradition is fixed as it was transmitted through re-composition and re-creation. It is therefore difficult to distinguish primary from the secondary elements of a tradition. Thus, he advances that it is questionable whether (or, to what extent) we can reconstruct pre-literary stages of a tradition through a (subsequent) written text. Robert A. Di Vito, “Tradition-historical criticism”, 98.

<sup>164</sup> Reference is made to John Barton, “Form Criticism: Old Testament”, *ABD* 2:839. As to the definition of “tradition” for the purpose of this study, see “Note on Abbreviations, References, Definitions and Glossary of Terms”. On this issue, it is problematic for Knight to argue that once a tradition is put into writing, it is removed from its normal life setting

to common forms rather than individual words, as it can minimize the influence of subjectivity on the inferential process and avoid unsubstantiated imagination as to any hypothetical verbal forms or materials. In this regard, Di Vito considers that form criticism is the indispensable means of tradition history as it “investigates precisely the crucial literary history of a text thought to contain ancient tradition, as well as traditional formulas that occur within it.”<sup>165</sup>

Given that the subject matter under investigation is the biblical texts, it should be remarked that in general, it is presumed that the genre of a text can reflect its societal setting (*Sitz im Leben*) and, from the literary perspective, a text can reflect its situation in literature (*Sitz in der Literatur*).<sup>166</sup> In other words, the *Sitz im Leben* as depicted by a text is the situation of life that the redactors intended to depict. It may or may not reflect the situation in terms of historicity.<sup>167</sup> Accordingly, in the present

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and therefore, (a) it loses its ability to develop and adapt; and (b) it ceases to be a tradition. Knight considers that tradition history should not include the composition and redaction of literature even though it contains materials about a tradition. If one wishes to use an inclusive term to cover the whole history of a literature from the earliest oral tradition to the subsequent stages of composition, redaction and finalization, “*Literaturgeschichte*” is an appropriate one. See Knight, *Rediscovering the Traditions of Israel*, 22. The problem of Knight’s argument is, first, it is unsounded for “*Literaturgeschichte*” to include also oral / pre-literary materials. Secondly, Knight mistakenly assumes that putting a tradition into literary setting would necessarily remove it from its contextual setting in life. In other words, he considers that literature is not part of the life setting, not even for the readers / audience of the literature. This study considers that writing is a way to fix and preserve a tradition as at a particular point of time. It assists to maintain the stability of a tradition for further transmission and development, and it does not necessarily exclude a parallel transmission of the same tradition in verbal manner (though the latter is more fluid and apt to alteration).

<sup>165</sup> Di Vito, “Tradition-historical criticism”, 92. Sweeney and Ben Zvi describe form criticism as the “fundamental exegetical methods in the field of biblical studies.” It has been conceived as an “inherently historical or diachronic discipline that focuses on the identification and analysis of typical patterns of language that appear and function within and give shape and expression to the overall form of a text. Standard aspects of form-critical exegesis include an analysis of the individual form or structure of a text, the identification of its genres or typical features of expression, the societal function or setting of both the form and the genre of the text, and the application of these aspects to the overall reading and interpretation of the text in question.” Sweeney and Ben Zvi., *The Changing Face of Form Criticism in the Twenty-First Century*, 1.

<sup>166</sup> The idea of differentiation between the terms *Sitz im Leben* and *Sitz in der Literatur* is borrowed from M. Sweeney and E. Ben Zvi, eds., *The Changing Face of Form Criticism for the Twenty-First Century*, 3.

<sup>167</sup> Anthony F. Campbell, “Form Criticism’s Future”, in Sweeney and Ben Zvi, *Ibid.*, 15-31. At p.22 fn 29, on the fragility of the concept of setting, Campbell cites the following words of

study, when the connotation(s) of a traditional term or form is explored, or the purpose(s) and meaning(s) of using traditional materials is investigated, doing the best as we can, the connotation(s), purpose(s) and meaning(s) that we can identify are those in the literary setting rather than historical setting.

As to the application of the method, Rendtorff suggests ascertaining “the smallest units in which the tradition was fixed” (for the first time), and efforts shall be made to trace “the different themes and motifs of the traditions and their paths up to their taking form.”<sup>168</sup> In practice, the steps taken by Richter in his study of Judg 3-9 (as analyzed by Knight) are illustrative,<sup>169</sup>

“First a literary criticism on the basis of the standard criteria; secondly a Gattung criticism, including a form analysis followed then by a determination of Gattung and Sitz im Leben. When these steps have been carried out for each of the smallest units and elements, tradition criticism sets in to establish whether the identified Gattungen, formulas, and premolded schemas are indicative of previous traditions. Here in this reductive process he tries to locate signs of tension between traditional elements, any alterations which may have occurred in the course of time, and also the transmitters responsible for each stage. Finally, at the conclusion of his discussion of each of the four tradition complexes, these findings are gathered together and assessed in a concise, chronological sketch of the successive traditio-historical strata from the earliest beginnings on to the final form.”

Vette points out that the following questions often give direction for a tradition-historical investigation:<sup>170</sup>

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Burke O. Long in “Recent Field Studies in Oral Literature and the *Question of Sitz im Leben*”, *Semeia* 5 (1976): 35-39, at 44:

“The attempt to suggest settings or setting for a biblical genre on the basis of written texts should be made. Without this, the link between literature and life is lost. But such reconstructions ought to be treated with much more than usual reserve and joined with a good deal more serious sociological research. ...I cannot conceive of an anthropologist reconstructing the typical occasion for a literary piece on the basis of its *literary* features alone. If he were to do so, he would be more often wrong, totally wrong, than right”.

<sup>168</sup> Rolf Rendtorff, “Traditio-Historical method and the documentary hypothesis,” *World Congress of Jewish Studies*, 5,1 (1969): 5-11, at 5-6, 8; see also W.E. Rast, *Tradition History and the Old Testament*, Guides to Biblical Scholarship, Philadelphia: Fortress, 1972, 55.

<sup>169</sup> Knight, *Rediscovering the Traditions of Israel*, 140, in which he took Richter’s approach as a case study (Wolfgang Richter, *Traditionsgeschichtliche Untersuchungen zum Richterbuch*, Bonner biblische Beiträge 18, (1<sup>st</sup> ed., 1963) 2<sup>nd</sup> ed., Bonn: Hanstein, 1966).

<sup>170</sup> Vette, “Bibelauslegung, historisch-kritische (AT)”. For the said four questions, Vette refers to O. Steck, *Exegese des Alten Testaments*, 13. Aufl., Leitfaden der Methodik, Neukirche-Vhuyn, 1993, 134f.

- (a) Does the text carry a (traditional) concept?
- (b) Which larger context does the said concept come from?
- (c) What is the intention to take up the said concept in the (later) text?
- (d) In what way does the text possibly go beyond its given spiritual world?

For the purpose of this study, the analyses of Mal 1.1-2.16 are divided into four units, namely, the superscription (Mal 1.1) and three units of dialectic discourses (Mal 1.2-5; 1.6-2.9; 2.10-16). For each pericope, after the usual exegetical procedures (i.e. translation, text-critical issues, literary criticism, etc.), investigations shall be carried out to ascertain the inner-biblically related texts (i.e. the texts that carry the same / similar traditions as those appear in the text of Mal),<sup>171</sup> and the manners and purposes of using those traditions in the text of Mal.

During the process of transmission of a tradition (*traditio*), a literary expression might, from time to time, be amended for various causes.<sup>172</sup> In order to ascertain whether a (biblical) text is related to the text of Mal under investigation, the analytical process of “inner-biblical exegesis” (see below) shall be followed to investigate the connections and inter-relationships among scriptural passages.<sup>173</sup>

### 2.1.1.2 Limitations of the method

For the present purpose, as to the limitations of the methodology, first, in an analytical exercise like this, one has to be cautious of the “self-serving logic” or circular argument. That is: Upon plain reading of a text, a hypothesis or a working assumption is drawn that the text contains materials of a certain tradition. Then upon that assumption, as a matter of “reader response” (in subjective sense), one is tempted to draw more connections between the two texts and at the end of the day, one concludes that as traces of a certain tradition appear in the text, it evidences that the

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<sup>171</sup> In this study, such related texts are also referred to as the “inner-biblical references” or, occasionally, “traditional materials”.

<sup>172</sup> Knight, *Rediscovering the Traditions of Israel*, 5.

<sup>173</sup> The so-called “intertextual” method or analysis is more commonly known but in fact, the meaning of this term is often misunderstood (see below). Furthermore, as the present study concerns the diachronic relationships among biblical passages, “inner-biblical analysis / exegesis” is the most precise and appropriate expression. Please see the further discussion below.

tradition influenced the composition of the text.<sup>174</sup> In order to minimize the said logical flaw, this study adopts a set of text-based and strict criteria in determining whether a probable case of allusion is established. Secondly, we have to face the limitation that we are handling texts composed by the ancient communities who (re)interpreted their understandings of the faith and history, and then reduced the same into literary works. Hence, uncertainties and even inconsistencies as to the possible settings of a tradition may exist. Doing the best as we can, insofar as it is practicable, any tentative inferences from one text shall be crosschecked with other texts of related traditions so as to achieve the highest possible objectivity and consistency.

### 2.1.2 “Inner-biblical exegesis” and the related concepts

#### 2.1.2.1 “Intertextuality” vs “Literary cross-reference”

From the methodological perspective, it is essential to differentiate the various terminologies about the relationships among biblical texts. It is also necessary to illustrate how the analytical process for tracing and linking related biblical passages (which is described as “inner-biblical exegesis” but not “intertextuality”, see below) is compatible to and, in fact, constitutes part of the “tradition-historical criticism / method”.

As mentioned in Chapter 1, Miller discerns “(1) a reader-oriented approach, which tends to rely solely on a synchronic analysis of texts where two texts are read together without concerns for direction of dependence; and (2) an author-oriented approach, which is interested in a diachronic analysis of texts, whereby one text is understood to be dependent on another.”<sup>175</sup> The synchronic reader-oriented approach is commonly named as “intertextuality” (see the literature review about Utzschneider in Chapter 1), and the diachronic author-oriented approach is usually named as “inner-biblical exegesis / allusion / interpretation (see the literature review about Fishbane, Weyde and Gibson, etc. in Chapter 1). As the term “intertextuality” has been used to express different meanings,<sup>176</sup> Miller even

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<sup>174</sup> In “Mose,” *EvT* 28 (1968), 301–28, Herrmann addresses on the problems of tradition-historical research and the treatment of Moses by Noth. Knight summarizes it as that “the traditio-historical method develops an inner logic which allows hypotheses to be confirmed and used as self-evident stepping-stones for making further conjectures, which assume the garb of “conclusions””. See Knight, *Rediscovering the Traditions of Israel*, 155–156.

<sup>175</sup> Miller, “Intertextuality in Old Testament Research,” 284–288.

<sup>176</sup> For example, Sanders summarizes that there are three main ways to use the term “intertextuality”: “the inter-relation of blocks of text (large or small) in close proximity; the

claims that “[i]t is impossible to speak of “intertextual method” in biblical studies”.<sup>177</sup>

Similarly, Meek contends that “intertextuality” is a problematic label if one’s hermeneutical presuppositions include authorial intent and diachronic element. If one faithfully adheres to the “intertextual” method, he / she requires “to consider not only the written text but also the unwritten oral traditions that may lie behind it.” A conceptual problem therefore appears as any assertion of textual relationship can always be discounted by the possibility that the two texts did not rely on each other but were originated from separate unwritten traditions. Besides, “intertextuality” does not concern diachronic trajectory.<sup>178</sup> Meek therefore states, “What matters for intertextual theorists is the “network of traces”, not their origin or direction of influence. ...Thus, intertextuality is a strictly synchronic discussion of wide-ranging intertextual relationships that necessarily precludes author-centred, diachronic studies.” It does not even concern how to lay down the criteria to determine the relationships among texts.<sup>179</sup>

Upon the aforesaid bases, Meek argues that whenever a scholar asserts that the connection between two texts is “intended” by the author or redactor(s) (i.e. the author-centred approach) but not solely due to the affiliation by the readers (the reader-centred approach), it is no longer an “intertextual” method.<sup>180</sup>

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function of older literature cited or in some way alluded to in later literature; and the interrelation of text and reader”. Sanders, “Intertextuality and Canon,” 316, as cited by Gibson, *Covenant Continuity and Fidelity*, 32.

<sup>177</sup> Miller, “Intertextuality in Old Testament Research,” 285

<sup>178</sup> The differences between the reader- / reception-oriented intertextuality, which considers the texts primarily as synchronous networks, and the author- / editorial- / source-oriented textual history is also pointed out by Vorster. See Willem Vorster, “Intertextuality and Redaktionsgeschichte,” in Sipke Draisma, ed., *Intertextuality in Biblical Writings: Essays in honour of Bas van Iersel*, Kampen: Uitgeversmaatschappij J.H. Kok, 1989, 13-26, cited in Gerlinde Baumann, *Gottes Gewalt im Wandel: Traditionsgeschichtliche und intertextuelle Studien zu Nahum 1,2-8*, WMANT 108, Neukirchen-Vluyn: Neukirchener Verlag, 2005, 21; cf. Baumann’s own approach, 15-38. The tension between “intertextuality” and the diachronic concerns was also illustrated by Richard Aczel, “Intertextualitätstheorien und Intertextualität,” in Ansgar Nünning, ed., *Metzler Lexikon Literatur- und Kulturtheorie: Ansätze - Personen - Grundbegriffe*, Stuttgart, Weinheim: Springer-Verlag, 1998, 241-243, 242f, cited in Baumann, *Gottes Gewalt im Wandel*, 17 fn 62.

<sup>179</sup> R.L. Meek, “Intertextuality, Inner-Biblical Exegesis, and Inner-Biblical Allusion: The Ethics of a Methodology”, *Biblica* 95 (2014): 280-291, 281, 283-4.

<sup>180</sup> Meek, *ibid.*, 284.

In respect of the relationship between “intertextuality” and biblical exegesis, Beyer observes that the focus of “intertextuality” is on the reception of a text. It is a reader-centred paradigm. Only when a text is read by a recipient who has the knowledge to associate the text with other materials (not restricted to texts), the potential intertextuality features of the text can be actualized. Accordingly, different recipients would have different interpretive possibilities. It means that the horizon of intertextuality of a text depends on (and is also restricted by) the knowledge and perception of the recipient. By an intertextual reference, an earlier text gains its (new) significance by way of reception of the recipient but before that, the meaning of the earlier text had never encountered with that of the later text. Hence, “intertextuality” is not a scientific concept and such a method escapes from any methodological control.<sup>181</sup> In other words, the so-called “intertextuality features” is no more than a fluid notion.

Beyer therefore finds that the broad concept of intertextuality (as suggested by Kristeva)<sup>182</sup> is not appropriate for the “source-location” (*Quellenlage*) study of the Old Testament.<sup>183</sup> If one aims to search for the meaning of a text with regard to its historical context and the intention of its author / redactors,<sup>184</sup> it will be conceptually contradicted with the diversity of meanings brought forward (irrespective of the contexts of the related texts in the history) by the intertextuality method. The historical significance of a text (and the theological meaning arose from it) is likely to be removed by the intertextuality study. Further complication is caused by different canonical traditions as different outcomes shall be generated even by the same method of (synchronic) “intertextual” canonical reading.<sup>185</sup>

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<sup>181</sup> Andrea Beyer, *Hoffnung in Bethlehem. Innerbiblische Querbezüge als Deutungshorizonte im Ruthbuch*, BZAW 463, Berlin, Boston: de Gruyter, 2014, 10, 12, fn 56.

<sup>182</sup> Beyer, *Hoffnung in Bethlehem*, 4 fn 9; cf. Gibson, *Covenant continuity and fidelity*, 30-31, fn 32.

<sup>183</sup> Beyer, *Hoffnung in Bethlehem*, 11.

<sup>184</sup> “Old Testament exegesis is the endeavor to determine the historical, scientific, and documentable meaning of texts which have been transmitted in the Old Testament. Exegesis, therefore, confronts the *task* of determining the meaning and the intention of statements in the encountered text. It does so within the text’s historical sphere of origin, and in the different phrases of its Old Testament development, so that today the text manifests its historical character.” O.H. Steck, *Old Testament Exegesis: A Guide to the Methodology*, translated by James D. Nogalski, Atlanta, GA: Scholars Press, 1998, 3.

<sup>185</sup> Beyer, *Hoffnung in Bethlehem*, 8-12.

For the purpose of this study, I shall investigate what traditional materials were used in Mal, how they were used and why they were so used.<sup>186</sup> Insofar as the evidence is available, the biblical passages showing the development of the relevant traditions shall also be considered. In addition to the literary (and, if possible, historical) contexts of such passages, attempt shall be made to ascertain their influence on the composition / redaction of Mal. In order to do so, one has to resolve the issue of direction of textual dependence and therefore, resort to the diachronic author-oriented perspective.

Then the question is: How the literary cross-reference to other texts can be utilized to enhance our understanding of the development of traditions? Bearing this aim in mind, Beyer suggests that such a cross-reference method shall be somewhat similar to the historical-critical method and (redactional) layers analysis in the traditional biblical criticisms. The classical theological instruments of form and *Gattung* criticisms still apply.<sup>187</sup> Beyer finds that Genette's concept of five types of "Transtextuality" (Ger. "*Transtextualität*") to biblical studies does not provide any methodological instrument for collection of the information about the text itself (and therefore fails to verify any suggestion of connections among different texts).<sup>188</sup> She suggests that literary analysis comes to play. It elicits, more or less, hints from:

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<sup>186</sup> Here, the word "use" is employed in its broad sense and as an inclusive expression. From the perspective of textual relationship, the "use" of traditional materials includes citation, allusion, echo, combination and reformulation, etc.. From the perspective of compositional and/or redactional purpose and function, "use" includes utilization as the background, interpretation, application and (re)actualization, etc. of a tradition.

<sup>187</sup> Beyer, *Hoffnung in Bethlehem*, 14-15, 19. Prior to Beyer, both Tai and Weyde have already emphasized on the importance of the form-critical features. See Tai, *Prophetie als Schriftauslegung in Sacharja 9-14*, 8, „Damit ist unsere Aufgabe klar: Durch eine vorgängige Analyse, die besonders formgeschichtlich geprägt ist, wollen wir den Text in seinem Aufbau und in seinem Gedankengang verstehen und nach analogen Texten suchen, die genauso aufgebaut sind. Dann wollen wir mit Hilfe einer traditionsgeschichtlichen Analyse die Bezugstexte feststellen und die Art und Weise der Aufnahme beschreiben und vor allem die Intention der Aufnahme darlegen.“ See also Weyde, *Prophecy and Teaching*, 49-54.

<sup>188</sup> In Beyer, *Hoffnung in Bethlehem*, 15-20, she analyzes the five types of "Transtextuality" in Gérard Genette, "Palimpseste", *Die Literatur auf zweiter Stufe*, Aus dem Französischen von Wolfram Bayer und Dieter Hornig, übersetzt nach der 2. ergänzten Auflage, Frankfurt a.M. 1993, (Französische Originalausgabe 1982, Palimpsestes. La littérature au second degré). According to Beyer, the problem of Genette's categorization of "Transtextuality" is that it only identifies and classifies the literary cross-references. It does not shed light on the nature of the relationship between the texts. As a result, it is not always easy to determine what the textual phenomenon is, and at what level of cross-reference a text lies. Beyer therefore suggests that the classical exegetical methods can address the problems.

- (a) borrowing of words (“Intertextuality” / Ger. “*Intertextualität*”),
- (b) structure and genre of the text (“Para- and Architextuality” / Ger. “*Para- und Architextualität*”), and
- (c) common themes (as a rough basis for “Meta- and Hypertextuality” / Ger. “*Meta- und Hypertextualität*”).
- (d) Besides, common motifs, similar terminologies, views and statements may take part in establishing “transtextual” references.

All these indications can be summarized under the generic term “literary cross-references” (Ger. “*literarische Querbezüge*”). The focus is on how a text was integrated with reference to older texts and as a result, it appears as a traditional literature and consistently with the older texts.<sup>189</sup>

Similar approach is adopted by Meek, save and except that he uses the term “inner-biblical exegesis” and unlike Beyer, he does not have the same interest on a systematic classification of the literary references. For Meek, “inner-biblical exegesis” aims to explore whether or not (and in what manner) the subject text quotes or modifies a previous text for its own purpose. Upon the presumption of a diachronic relationship between the subject text (the receptor text) and its earlier text (the source text), and that the author / redactor of the receptor text intended to cause the readers / audience to think of the source text (by inclusion, explicit citation, implicit citation, echo, etc.), this method involves an investigation of the intention and skills of the author / redactor.<sup>190</sup>

For the purpose of this study, the criteria for evaluating whether a cross-referencing link is of the same tradition as and relevant to the text of Mal include existence of the same or similar terms, forms, themes, motifs, and contexts, etc., and the diachronic relationship among the texts (see below).

<sup>189</sup> Beyer, *Hoffnung in Bethlehem*, 19-21.

<sup>190</sup> Meek, 287-290. In the context of formation of the Pentateuch, whilst Zahn uses the term “innerbiblical exegesis”, she defines it in a different sense. Her focus is on how the subsequent interpretations of an earlier text are presented. What matters is neither the nature of the textual alteration nor the sources of the rewriting (and hence, it does not serve the purpose of the present study) but the techniques by which the exegetical rewriting is presented in the textual situation. She considers that there are two modes of presentation: “Revision” refers to “secondary additions to or alterations of a given textual unit, embedding interpretation within the very text being interpreted”, and “reuse” points to “redeployment of the interpreted text, with exegetical modifications, in a new composition”. See Molly Zahn, “Innerbiblical Exegesis – The view from beyond the Bible,” in Jan C. Gertz, and Bernard M. Levinson, et al, eds., *The Formation of the Pentateuch: Bridging the academic cultures of Europe, Israel, and North America*, Tübingen: Mohr Siebeck, 2016, 107-120, at 109, 112.

It is advanced that such a cross-referencing analysis constitutes part and parcel of the tradition-historical criticism.<sup>191</sup>

### 2.1.2.2 “Inner-biblical allusion” or “inner-biblical exegesis”?

As to the categorization of literary cross-references in the context of biblical studies, Sommer distinguishes “allusion” from “exegesis”. He quotes the definition of Earl Miner and considers that<sup>192</sup>

“Allusions require “an echo of sufficiently familiar yet distinctive and meaningful elements” and “an audience sharing the tradition with the poet,” according to Miner, since, without these, the borrowed material in the later work (i.e. the material in the later work, elements of which derive from the source) will not be recognized as such.”

The problem is that Sommer accepts that “allusion” also includes “unconscious borrowing”. He considers that “expression in the same linguistic forms and phrases that were impressed in [the later authors’] hearts” can also provide “new insight into the alluding text.”<sup>193</sup> In this regard, this study respectfully differs as the alleged “unconscious borrowing” would then be, in effect, no different from the conventional language used by individuals (or even the group that the author belonged to) at the material times.<sup>194</sup> If the use of the “sufficiently familiar yet distinctive and meaningful elements” (using the words of Miner as quoted by Sommer) is not intended by the author of the later text, any effect caused to the later text is merely coincidental and has nothing to do with the author’s design and/or arrangement. That is not the meaning of “allusion” adopted by this study (see further discussion below).

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<sup>191</sup> Cf. In analyzing Tai’s method of addressing the “traditions- und kompositions-geschichtliche” issues of Zech 9.9-10, Weyde agrees that a form-critical and tradition-historical approach should supplement investigations of vocabulary similarities. For every observation of textual connection, hard evidence should be given in support. K. Weyde, “Inner-biblical interpretation: Methodological reflections on the relationship between texts in the Hebrew Bible,” *SEÅ* 70 (2005) 287-300, 295-296, in which he analyzes the approach of Tai in *Prophetie als Schriftauslegung in Sacharja 9-14*, 37ff.

<sup>192</sup> Sommer, *A Prophet Reads Scripture*, 10, citing Earl Miner, s.v. “Allusion,” in Alex Preminger, ed., *Encyclopaedia of Poetry and Poetics*, Princeton, N.J.: Princeton University Press, 1965, 18.

<sup>193</sup> Sommer, *A Prophet Reads Scripture*, 208-209, note 17.

<sup>194</sup> As described by Sommer (*ibid*), who cites the words of Moshe Seidel (“Parallels between the Book of Isaiah and the Book of Psalms,” *Sinai* 38 [1955-56], 149), “The words of a person reads and hears and repeats become his own, enter his verbal storehouse. When needed they become, even if he does not know it, the clothing for the thoughts to which he gives birth.”

Weyde tries to summarize the three-stage approach of Sommer in analyzing “the act of interpreting an allusion”:<sup>195</sup>

“Following Z. Ben-Porat, [Sommer] contends that in the allusion the reader first recognizes an identifiable element or pattern (a marker) in one text, which belongs to another independent text, while in the second stage the reader identifies the evoked text. In the third stage he examines the modification of certain elements of the evoked text in the alluding text. In this process a nexus is established between two texts, “which may allow many elements of the evoked text to alter one’s understanding of the alluding text as a whole.””

Sommer defines “exegesis” as “an attempt to analyze, explain, or give meaning to (or uncover meaning in) a text.” “An exegetical text clarifies or transforms an earlier text; an allusive text utilizes an earlier text” but the line between exegesis and allusion is “permeable”.<sup>196</sup> Concerning how a later text connects to an earlier text “at a formal level”, Sommer suggests three ways, i.e. by “explicit citation”, “implicit reference” and “inclusion”. He defines the same as follows:

- (a) “explicit citation” refers to “the later text uses some formula to make manifest that it is referring to, depending on, disagreeing with, or explaining an older text. The name of the older text is often given”, such as “as it is written in the Teaching of Moses” (e.g. 1 Kings 2.3);<sup>197</sup>

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<sup>195</sup> Weyde, “Inner-biblical interpretation,” 288. See Sommer, *A Prophet Reads Scripture*, 11-12. In fact, Sommer also mentions Ben-Porat’s fourth stage (but readers “do not always require” to reach it), that is, after “the marker’s evocation of the marked”, readers further connect the two texts by recalling “other signals within each text which affect the interpretation of the alluding text”. By then, “[a]dditional thematic patterns in the text which initially had not seemed related now come into play, further enriching one’s understanding not only of the sign containing the marker but the alluding text as a whole.” In this regard, one has to be cautious against the temptations of “reader response” and “circular argument” (see 2.1.1.2 above).

<sup>196</sup> Sommer, *A Prophet Reads Scripture*, 17-18.

<sup>197</sup> Sommer, *A Prophet Reads Scripture*, 21. In comparison, Genette raises the idea of “Hypertextuality” (Ger. “*Hypertextualität*”) where text B overlays text A in a way that is not that of the commentary. “Hypertextuality” appears in two forms, namely as an imitation or as a transformation. See Genette, “Palimpseste”, 14ff, cited in Beyer, *Hoffnung in Bethlehem*, 16. In this regard, see also K. Mattison, “Hypertextuality Theory and Interpretation in and of the Pentateuch,” 135(1) *ZAW* (2023): 2-15, at p.7, Mattison notes that Genette’s treatment of “Hypertextuality” “focusing on texts that are *visibly, massively, and explicitly* hypertextual – cases in which “an entire work B deriv[es] from an entire work A.””

- (b) “implicit reference” means that “[m]arkers (usually borrowed vocabulary) point the reader to the older text, though only if the reader is familiar with them”,<sup>198</sup>
- (c) “Inclusion” concerns “incorporating whole sections of an old work” into a later text (e.g. materials in Samuel and Kings are found in Chronicles);<sup>199</sup> and
- (d) in addition, Sommer mentions “echo”, which refers to the situations where “elements of an earlier text reappear in a later one” but the meaning of those identifiable signs of the earlier text “has little effect” upon the reading of the later text.<sup>200</sup>

In response to Sommer, Weyde rightly contends, *inter alia*, that an allusion can also involve an exegetical move: Whilst Sommer considers that Mal 1.6-2.9 implicitly cites the Priestly Blessing in Num 6.23-27, Fishbane argues that it is a “thorough exegetical transformation” of the latter and therefore, Mal 1.6-2.9 is a “remarkable post-exilic example of the aggadic exegesis” of the Priestly Blessing.<sup>201</sup> This observation is noteworthy as it highlights the often overlooked characteristic of “allusion”, that is, in case of intended allusion, by alluding to an earlier text, the redactors was giving meaning to the earlier text in the new (literary and historical) contexts, whether by way of clarification and/or transformation (Sommer’s definition of “exegesis”).

Weyde advances that if the later text does not “interpret” the earlier one, “it seems most appropriate to define this reference to the [earlier] text in terms of allusion and not exegesis.”<sup>202</sup> The conceptual difficulty of his argument is that there can hardly be a “mere allusion” in the biblical text. Whenever the redactors alluded to an earlier text, no matter whether they

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<sup>198</sup> Sommer, *A Prophet Reads Scripture*, 21. In comparison, Genette categorizes the quotations (under quotation marks, with or without exact reference to the source) as “Intertextuality” (Ger. “*Intertextualität*”), and any “literal borrowing” without indication of quotation as “Plagiarism” (Ger. “*Plagiat*”, refers to the adoption of literary work but not the aspect of deception), Genette, “Palimpseste,” 10, cited in Beyer, *Hoffnung in Bethlehem*, 16.

<sup>199</sup> Sommer, *A Prophet Reads Scripture*, 22.

<sup>200</sup> Sommer, *A Prophet Reads Scripture*, 16. In fact, Sommer also mentions (at 14-15) the idea of “influence”, which refers to “affiliative relations between past and present literary texts and/or their authors. ...Influence-study generally entailed the practice of tracing a text’s generic and thematic lineage. ...” (citing Louis Renza, s.v. “Influence,” in *Critical Terms for Literary Study*, Frank Lentricchia and Thomas McLaughlin eds., Chicago: University of Chicago Press, 1990, 186). Given the vagueness of this idea, the present study would not use the term “influence” as defined by Sommer.

<sup>201</sup> Weyde, “Inner-biblical interpretation,” 291, citing Fishbane, *Biblical Interpretation in Ancient Israel*, 332.

<sup>202</sup> Weyde, “Inner-biblical interpretation,” 293.

intended to explain the earlier text in its original context (narrow sense of “interpretation”) or not, their intent was to generate new meanings from the earlier text by causing its occurrence in the later text (“interpretation” in broader sense).<sup>203</sup> If the term “exegesis” is only applicable to describe “interpretation” in a narrow sense, then it will be very difficult, if not impossible, to find a true case of “exegesis” in the Hebrew Bible.

Hence, for the purpose of the present study, in describing the analytical process by which the relationship between two biblical texts is discerned, I prefer to use the term “inner-biblical exegesis” rather than the arbitrary division of “inner-biblical exegesis” and “inner-biblical allusion” (as contended by Sommer and Gibson).<sup>204</sup>

For avoidance of doubt, here, an “inner-biblical exegesis” includes both aspects of the following analytical process, namely:<sup>205</sup>

- (a) how the receptor text clarifies the ambiguities and reinterprets the source text with a view to derive new meanings from it (e.g. how Mal 1.3-4 handles the former texts relating to Edom); and, whenever applicable,
- (b) (leaving aside the meaning of the source text) how the receptor text applies and / or refers to the source text so that the receptor text can address the situations of its intended readers / audience (e.g.

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<sup>203</sup> The idea is similar to Fishbane’s “aggadic exegesis”, which does not aim to “supplement gaps in the *traditum*” but “characteristically draws forth latent and unsuspected meanings from it.” It shows how a legal or other text “can transcend its original focus, and became the basis for a new configuration of meaning”. Hence, “aggadic exegesis ranges over the entire spectrum of ideas, genres, and texts of ancient Israel. It is these which form the basis of its textual transformation, reapplications, and reinterpretations.” Fishbane, *Biblical Interpretation in Ancient Israel*, 282-283.

<sup>204</sup> I have also considered the respective approaches of Mason and Schmid. See, e.g., R.A. Mason, “The Use of Earlier Biblical Material in Zechariah 9-14: A Study in Inner Biblical Exegesis,” Ph.D. dissertation, University of London, 1973, reprinted in Boda and Floyd, eds., *Bringing Out the Treasure*, 1-208; idem, “Some Examples of Inner Biblical Exegesis in Zech. IX - XIV,” in Elizabeth A. Livingstone, ed., *Studia Evangelica Vol. VII: Papers presented to the Fifth International Congress on Biblical Studies held at Oxford, 1973*, TU 126, Berlin: Akademie-Verlag, 1982, 343-354; *Preaching the Tradition: Homily and Hermeneutics after the Exile; based on the ‘addresses’ in Chronicles, the ‘speeches’ in the Books of Ezra and Nehemiah and the post-exilic prophetic books*, Cambridge: Cambridge University Press, 1990; and K. Schmid, “Innerbiblische Schriftauslegung. Aspekte der Forschungsgeschichte,” in R.G. Kratz, T. Krüger and K. Schmid eds., *Schriftauslegung in der Schrift: Festschrift für Odil Hannes Steck zu seinem 65. Geburtstag*, BZAW 300, Berlin, New York: Walter de Gruyter, 2000, 1-22.

<sup>205</sup> Refer Meek, 285.

how Mal 1.2 mingles the concept of brotherhood of Jacob and Esau with the covenantal love and election).

In practice, after discovering the possible connection between two biblical texts due to their shared or similar terminologies, forms, etc., we shall ask a question: How can we verify it? In effect, the underlying question is: How can we prove that the redactors intentionally used the inner-biblical reference in the later text?

### 2.1.2.3 Criteria for ascertaining (intended) inner-biblical references

The existence of “explicit citation” and “implicit citation”, etc. (above) is clearly an indicator but the same cannot remove the doubt of parallel use of the materials from the same tradition or “conventional language”, etc.<sup>206</sup> In discussing the meaning of “mantological exegesis” as advanced by Fishbane, Meek suggests that as with haggadic exegesis, particular attention is paid to the “repetition of linguistic and thematic elements and their reappropriation in a different context or to a different situation.”<sup>207</sup> The burden is on the one who suggests the direction of influence to prove the provenance (origin, source, background, etc.) of a text.<sup>208</sup> These statements are also applicable in discerning the intention of the redactors when an inner-biblical connection is noticed.<sup>209</sup>

In evaluating the evidence whether “verbal correspondence”<sup>210</sup> between two texts is intentional or a mere parallel for some other reason(s), Gibson proposes five criteria as “cumulative steps towards establishing a link between two texts”, namely, (1) “Lexical coordinates”,<sup>211</sup> (2) “frequency and

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<sup>206</sup> Weyde, *Prophecy and Teaching*, 50.

<sup>207</sup> Meek, 287. For avoidance of any confusion, it should be remarked that Meek’s definition of “inner-biblical exegesis” is comparable to Sommer’s definition of (inner-biblical) “allusion”, which not only includes discovery of the identifiable common elements in both texts but also covers investigation of how those elements in the “evoked text” were modified in the “alluding text”. Refer Sommer, *A Prophet Reads Scripture*, 13-15, 17ff.

<sup>208</sup> Meek, 288.

<sup>209</sup> Similarly, Gibson suggests that “[m]apping inner-biblical connections between two texts involves three aspects: (1) evaluating the evidence for correspondence between texts; (2) determining the direction of dependence between texts; and (3) defining the kind of correspondence between texts.” Gibson, *Covenant Continuity and Fidelity*, 33.

<sup>210</sup> It is not clear why Gibson uses the word “verbal” when textual cross-reference is at stake. Gibson, *Covenant Continuity and Fidelity*, 33.

<sup>211</sup> Gibson describes it as the first “point of contact” without which “the element of subjectivity will tend to undermine the strength of any proposed connection.” More weight

distribution of the shared lexemes”,<sup>212</sup> (3) “peculiar occurrences of shared lexemes”,<sup>213</sup> (4) “shared phrases”,<sup>214</sup> and (5) “contextual and thematic awareness of both texts”.<sup>215</sup> For the last criterion, Gibson writes, “Observing the context of both passages involves their historical, literary and rhetorical contexts, and more immediately, the surrounding themes and concepts.”<sup>216</sup> One would notice that apart from the emphasis on “exclusive words” and “lexical clusters”, these five criteria are largely similar to the “literary cross-references” approach of Beyer.<sup>217</sup> In comparison, Beyer also takes into account the common motifs and views.

Beyer points out that it is necessary to discern whether a cross-reference is author-intended or reader-linked. One should distinguish these two situations as clear as possible. To ascertain such an intention from textual observation, the crux is what criteria should be set to weight the cross-references, and how those criteria are related to each other.<sup>218</sup> Beyer suggests that in classifying cross-references, it is implicitly assumed that the issue of textual layers has been taken into account. She put forward a

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should be given to proper noun, rare word and a common word in a specific context. Gibson, *Covenant Continuity and Fidelity*, 33-34.

<sup>212</sup> Special weight is given when the words are exclusive to the two texts, and “*accumulation of locutions* from a particular text/book” (italics original; “locution” is “an umbrella term for a word, phrase, or expression”. Gibson, *Covenant Continuity and Fidelity*, 34-35, fn 51).

<sup>213</sup> “[R]are words or lexical clusters” increases “the likelihood of correspondence between two texts, especially if the rare terms or clusters are exclusive to the two texts.” Gibson, *Covenant Continuity and Fidelity*, 35. The idea of “clusters” is similar to the suggestion of Fishbane in discussing Mal 1.6-2.9 (and Gibson gives the example of Mal 1.3-4), see Fishbane, “Form and Reformulation of the Biblical Priestly Blessing,” 118.

<sup>214</sup> Gibson considers that “syntactical correspondence” and “lexical parallels” increases the possibility of a link. However, “in some cases the source text may be reworked in such a way as to change the syntactical sequence of words, for example, for rhetorical purposes.” In such cases, the syntax of the source text is intentionally broken “since that is part of the *transformative or reinterpretative process*.” (italics original) Taking the example of the relationship between Mal 1.6-2.9 and Num 6.23-27, Gibson (largely reflects the opinion of Fishbane) considers that “[t]he key elements in the source text are dislocated from their original context and relocated into their new context by inversion.” Gibson, *Covenant Continuity and Fidelity*, 35-36, and fn 58.

<sup>215</sup> Gibson, *Covenant Continuity and Fidelity*, 37-38.

<sup>216</sup> Gibson, *Covenant Continuity and Fidelity*, 37.

<sup>217</sup> Beyer, *Hoffnung in Bethlehem*, 19-21. See also the summary of Meek: The criteria of proof include “...“otherwise unattested forms, words or phraseology, as well as more common expressions which are utilized in a uniquely peculiar way”, similar context or structure, “transformation and reactualization of a common element”, and thematic similarities.” Meek, 288, citing C. Edenburg, “How (Not) to murder a King: Variations on a Theme in 1 Sam 24; 26”, *SJOT* 12 (1998): 64-85,72.

<sup>218</sup> Beyer, *Hoffnung in Bethlehem*, 21-22.

detailed proposal of “inner” and “outer” criteria.<sup>219</sup> In short, the “outer” criteria are how the earlier text is relevant (the extent of relevance) to the historical and literary context of the later text (and its author / redactors). Whether the cross-reference also appears in other texts has to be considered. For the “inner” criteria, it mainly concerns the appearance of the elements of the cross-reference (in similar or different combinations) in other texts, and whether the absence of the cross-reference would have affected the meaning of the receptor text to a significant degree.

Such a systematic and comprehensive proposal brings along an issue of standard of proof: How many criteria needed to be fulfilled so as to verify a cross-reference? (Why that many but not more or less?) In this regard, Beyer remarks that in assessing whether or not, and with what probability, a reference to an earlier text is intended, one can rarely find a comparable. It is inevitable to make decision on a case-by-case basis. If the criteria do not give any clear result, a cross-reference remains possible but it is

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<sup>219</sup> Beyer, *Hoffnung in Bethlehem*, 22-25. For “outer” criteria, the probability to establish a cross-reference (but not necessarily the “weight”, that is, the substance of the cross-reference) is increased if:

- (1) its content can be related:
  - (a) to the situations of the (receptor) text as at the time of its composition so that in the widest sense it is historically consistent.
  - (b) to the authors, editors or tradents (of the receptor text) and the tendencies of the same upon literary-historical and “tendency-critical” analysis; and
  - (c) to the texts (ideally, around the same time) which represent the same tendency or perspective as that of the assumed cross-reference.
- (2) the cross-reference also appears elsewhere (in other texts) even though these texts are not related to each other.

For (1), Beyer describes it as the “convergence” between the content of the cross-reference and the associated world outside the text. For (2), it is the “convergence” among different texts with similar concerns.

The third kind of “convergence” refers to the “inner” criteria, namely, the “weight” of a cross-reference, which is increased if:

- (3) several cross-references of similar intention appear within a text;
- (4) an allusion to another text appears in a combination of different references and such a combination also appears in different (other) texts;
- (5) it is a quotation, which reveals a clearer intention than some common vocabularies; the intention of cross-reference is more obvious if the same cross-reference also appears in texts of different linguistic, syntactic, semantic, etc. contexts; and
- (6) if it is placed in the essential location of a text, or its immediate context is emphasized by the text or the structure of the book; an allusion that plays an interpretative role is far more significant than the common words with marginal importance in the text.
- (7) The “probability” and “weight” of a cross-reference is increased if, without the meaning it brings, the text would become “empty”, or if the cross-reference adds new aspects of meanings to the text.

unlikely supported by strong arguments. Further clarification is then necessary.<sup>220</sup>

Beyer's proposal provides a rather extensive list of literary features that one needs to take notice of in the course of textual observation. If possible, further information should be gathered to reinforce the more traditional criteria, such as same / similar vocabularies, forms, themes and motifs, etc.. Having said that, as we know, some biblical books provide us with little information about the world in which the texts were composed / redacted (Mal is one of them). But even without the data about the "outer" criteria, it is not impossible to establish cross-reference links mainly (if not only) by the "inner" criteria.<sup>221</sup> Does it mean that different weights should be given to the "inner" criteria (which, according to Beyer, goes to "weight" of the cross-reference) and the "outer" criteria (which concerns "probability" of the existence of a cross-reference)? That goes to a more fundamental question: In differentiating "weight" from "probability", what exactly these terms refer to?

For Beyer, "probability" refers to the probability to prove that a cross-reference was made intentionally for the purpose of generating new meanings (rather than a mere coincidence or purely for literary "polishing"), and "weight" refers to the importance of the meanings given by the cross-reference to the new text.<sup>222</sup> Hence, if the presumed cross-reference is indispensable for understanding the text, this single criterion is sufficient to substantiate the intention of cross-reference. It would also be sufficient if the presumed cross-reference is in the prominent position of the structure of the text and it meets at least one of the suggested criteria. In all, the above-mentioned criteria provide a "rough sorting" (Ger. *grobe Sortierung*) and enable a general review and assessment.<sup>223</sup>

In her study of Mal, Lear describes the inner-biblical cross-reference links as the "reuse" of older or antecedent texts. To evaluate the possibilities of

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<sup>220</sup> Beyer, *Hoffnung in Bethlehem*, 25; in fn 102 the words of Sommer are cited, "The weighing of such evidence (and hence the identification of allusions) is an art, not a science." (Sommer, *A Prophet Reads Scripture*, 35).

<sup>221</sup> For examples, the themes of YHWH as "gracious and merciful...", the "Day of YHWH", etc. See, e.g. Jakob Wöhrle, "So Many Cross-references! Methodological Reflections on the Problem of Intertextual Relationships and their Significance for Redaction Critical Analysis," in Albertz et al., eds., *Perspectives on the Formation of the Book of the Twelve*, 3-20, at 3-4.

<sup>222</sup> Special thanks to Dr. Andrea Beyer for the Information given in the discussion at her office in Erlangen, Germany, on 16 January 2018.

<sup>223</sup> Beyer, *Hoffnung in Bethlehem*, 25.

dependency between two texts, she refers to the five “principles” as suggested by Tooman, namely, (1) uniqueness / infrequency of appearance in other text(s), (2) distinctiveness with specific semantic value in a particular (receptor) text, (3) multiplicity of elements shared by two texts, (4) thematic correspondence, (5) inversion, i.e. “when a locution in one text is found in inverted order in a borrowing text”.<sup>224</sup> It is observed that the said “principles” have been covered (and more thoroughly elaborated) by Beyer and Gibson as discussed above.

In terms of methodological considerations, generally speaking, the present study is in alignment with the “literary cross-references” approach of Beyer. In practice, insofar as the same are applicable, the terminologies of “lexical / thematic / contextual parallel” etc. as suggested by Gibson shall be used as common expressions here. There is no doubt that certain modifications and additions to the aforesaid approach and terminologies are necessary in handling different passages. In such circumstances, reasoned justifications shall be given.

In sum, no matter “citation”, “allusion”, “echo” or “combination / reformulation”, etc., all these ways of expression of traditions point to the intention of the redactors, that is, the redactors intended to cause their readers and/or audience to relate the text that they were redacting (the receptor text) to a previous text (the source text). It was intended that by this relational process, the readers and/or audience would perceive the receptor text in the way as expected by the redactors. The proof of the said intention is based on the information obtained from the literary analysis of the text (refer the “inner” and “outer” criteria as Beyer suggests). Such information indicates the literary features (e.g. lexical, form, syntactical, motif, thematic and contextual, etc. parallels) that are discussed by Sommer, Meek, Weyde, Beyer, Gibson and Lear, etc..

### 2.1.3 Direction of literary dependence

Having distinguished various concepts and terminologies about the relationships among texts with common literary features, the next question is: How to define the literary dependency between the texts?

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<sup>224</sup> Lear, *Scribal composition*, 21-22, referring to Tooman, *Gog of Magog*, 27-31.

In criticizing Fishbane's four categories "inner-biblical exegesis" (scribal, legal, haggadic and mantological),<sup>225</sup> Eslinger points out that the same was founded on the "diachronic assumption of historical-critical literary history". If the presumption of the literary history of the relevant texts is mistaken, the analyses of the "inner-biblical exegesis" shall be a fallacy. The literary history of the Bible is presumed on the basis of the known events in the Israelite history but one should take notice that the latter is, in turn and in part, based on the former. Eslinger refuses to accept any "assumed vector of influence" and highlights that "Each claim for Pentateuchal priority requires demonstration, not assumption". Having said that, he does not suggest any other practicable method. His only advice is that in applying the historical-critical scholarship, one should be conscious about the non-scientific element of it.<sup>226</sup>

In the context of reconstructing the formation of the Twelve, Wöhrle gives a note of caution that there are many possibilities for two different texts to have the common features. "Intertextuality" is not necessarily the only explanation. "They can be caused by similar cultural, historical, and social circumstances. They can be traced back to common formulations, common motifs, or to quotations of a common source text. And as mentioned above, even in the case of intentional intertextual relationships three different kinds of literary dependency are possible."<sup>227</sup> Hence, he suggests that:<sup>228</sup>

- (a) Any common features are subject to redaction critical analysis of the individual books.
- (b) Even if individual books show comparable redactional processes, it does not necessarily trace back to the same hands. "It has to be shown that the individual additions of a certain redactional layer detected in several books form an overall structure. Only in this case, is it [*sic. it is*] possible to say with sufficient certainty that the common features of secondary passages found in different books

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<sup>225</sup> Michael A. Fishbane, *Biblical interpretation in ancient Israel*, Oxford, New York: Oxford University Press, 1985.

<sup>226</sup> Lyle Eslinger, "Inner-Biblical Exegesis and Inner-Biblical Allusion: The Question of Category," *VT* 42 (1992): 47-58, 52-56.

<sup>227</sup> Wöhrle, "So Many Cross-references!", 7. The three different kinds of dependency are (at p.6):

- text A is dependent upon text B
- text B is dependent upon text A
- text A and text B trace back to the same author"

<sup>228</sup> Wöhrle, "So Many Cross-references!", 7-8, 10.

lead one to the conclusion that these passages were added by one and the same hand.”

- (c) Then one has to outline and compare the intention of these passages to see if they were (intended to be) inter-related.

Wöhrle contends that in doing so, the composition critical analysis serves as the cross-check of the redaction critical assumption. The said approach combines the diachronic and synchronic approaches.<sup>229</sup>

The problem of Wöhrle’s suggestion is that practically speaking, more often than not, scholars can hardly reach any consensus as to how to differentiate the primary layer from the secondary (or further) additions. It is not uncommon to find divergent opinions as to whether there is any change of themes, perspectives, focuses and/or use of lexicons, and what weight should be given to such changes. The judgment depends very much on the perception and/or interpretation of individual scholars. Hence, in practice, Wöhrle’s suggestion is no more than a gentle reminder that in determining whether a literary connection is intentional or not, and in tracing the direction of literary dependence, insofar as it is feasible (i.e. supported by concrete evidence), the redactional layers and compositional process should be taken into account.

It is not the purpose of the present study to explore whether the passages that are inner-biblically related to Mal came from the same hands. As mentioned above, this study aims at finding out *what* traditional materials are used in Mal 1.1-2.16, *how* they are used and for what purposes (or alternatively, *why*) they are so used to serve the theological agenda of the book. In practice, in the course of evaluating the probability and weight of a *prima facie* case of inner-biblically related reference, this study shall consider the literary features that connect the two texts (lexical, form, thematic, contextual, etc. parallels, or any unusual absence or inversion of the same, etc.). It follows that the likelihood of literary dependency (including but not limited to the reference to the connotation(s) of a tradition, the effect(s) generated by the use of the tradition and the intended purpose for utilizing the same) shall be tentatively ascertained, subject to the determination of the direction of dependence. As to the diachronic relationship (of dependency) of two texts, one has to ask: Which one is the source text and which one is the receptor text? In this regard, scholarly opinions as to the dating of the relevant texts shall be consulted and examined.

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<sup>229</sup> Wöhrle, “So Many Cross-references!”, 8.

#### 2.1.4 Inner-biblical exegesis and tradition-historical method in the present research

From the discussion above, one can see that by analyzing inner-biblically related texts, one may be able to find out their common features (especially those in relation to traditions) and traces of the relationship among the texts. Then by evaluating the evidence about dating of the texts, the direction of dependence can be inferred. In other words, the synchronic reading of the related texts and the diachronic reconstruction of their transmission history are based on the *presumption* that the recurrent occurrence of the shared or similar literary expression (words, forms, motifs, themes, and / or contexts, etc.) reflects the transmission and continuance of a tradition.<sup>230</sup>

This study advances that apart from being a process for analyzing the related scriptural passages, “inner-biblical exegesis” has its position in theology: The process of compilation and redaction of biblical books on the strength of a variety of traditional materials is, in effect, also a process of recollection, reinterpretation and reformulation of the contents of faith of the faith communities (*presumably* Israelites of different generations, in particular the redactors). Such contents arose from their perceptions and memories of the words and acts of YHWH, which were inherited by the later generations, and then remembered, interpreted and received somewhat differently to encounter new situations at later times. In view of this “evolutionary” relationship among biblical passages, “inner-biblical exegesis” finds its place in the tradition-historical method: It explores the histories of exegeses (in broad sense) of the traditions (contents of faith) of the ancient Israelites.

In sum, “inner-biblical exegesis” is the most appropriate terminology to describe the analytical process adopted in this study. Here, I distinguish “analytical process” from “methodological approach” (even though from time to time, I use a generic term “method” to include both of them). “Inner-biblical exegesis” is a process to (a) survey and identify the related

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<sup>230</sup> Cf. von Rad suggests that for our prophetic exegesis (Ger. “*Prophetenexegese*”), we still have much to learn from this slow process of enrichment of the prophetic tradition. “Dieser produktive Traditionsprozeß läßt sich in den Prophetenbüchern auf Schritt und Tritt beobachten. Ohne Zweifel muß es unsere Prophetenexegese noch mehr lernen, diese langsame Anreicherung der prophetischen Überlieferung unter einem anderen Gesichtspunkt zu betrachten als dem der „Unechtheit“ und einer unerfreulichen Entstellung des Ursprünglichen”. G. von Rad, *Theologie des Alten Testaments, Band II, Die Theologie der prophetischen Überlieferungen Israels*, 4. Auflage, München: Chr. Kaiser Verlag, 1965, 54.

biblical texts; (b) assess their similarities and differences; and (c) evaluate how the later text modified and/or made use of the earlier text. Its function is to collect the evidence and produce the findings that serve as the foundation for the “methodological approach” that follows: On the strength of the said foundation, we can draw inferences as to the purpose / intention for using the traditional materials. From the messages generated as a result of such analyses, we can have a new perspective for interpreting the receptor text. In this sense, one may consider “inner-biblical exegesis” as the first stage of the tradition-historical method.

Last but not the least, given that investigations of inner-biblical references depend very much on textual stability, as mentioned in Chapter 1, BHS is selected as the base text. Suffice to add that in this study, reference is also made to BHQ of the Twelve<sup>231</sup> though, up until now, the publication of BHQ has not covered all the books of the Hebrew Bible.

## 2.2 Historical context of Mal

### 2.2.1 Name and Authorship

As discussed in Chapter 1, unlike Zech 9.1 and 12.1 which do not contain any name or figure associated with authorship, Mal 1.1 not only contains the common phrase *דבר יהוה* but also *ביד מלאכי* (“by the hand of Malachi / my messenger”). Petersen opines that Mal 1.1 states how the divine oracle was transmitted to Israel. The expression of *ביד* for “prophetic intermediation” also appears in other prophetic books, e.g. Jer 50.1 and Hag 1.1.<sup>232</sup> As *מלאכי* is depicted as a human figure, in terms of function, it does not matter whether it should be translated as a personal name “Malachi” or an anonymous figure “my messenger”. Having said that, as it was redacted as an independent book with prophetic authority and the recipient of the oracles were posed as a prophet, it is more appropriate to translate *מלאכי* as a personal name “Malachi” rather than “my messenger”.<sup>233</sup>

<sup>231</sup> Anthony Gelston, ed., *Biblia Hebraica Quinta: The Twelve Minor Prophets*, Stuttgart: Deutsche Bibelgesellschaft, 2010.

<sup>232</sup> Petersen, *Zechariah 9-14 and Malachi*, 165-66. It should be noted that the phrase *דבר יהוה* *ביד* appears in the Hebrew Bible for 11 times (Exod 9.35; Num 17.5; 27.23; 1 Kings 12.15; 2 Kings 21.10; Isa 20.2; Hag 1.1, 3; 2.1; 1 Chr 11.3; 2 Chr 35.6).

<sup>233</sup> For the commentators who reach the same conclusion, see e.g. W. Rudolph, *Haggai, Sacharja 1-8, Sacharja 9-14, Maleachi*, KAT XIII/4, Gütersloh: Gerd Mohn, 1976, 247; B. Childs, *Introduction to the Old Testament as Scripture*. Philadelphia: Fortress Press, 1979, 493; P.A. Verhoef, *The Books of Haggai and Malachi*, NICOT, Grand Rapids, MI: W.B. Eerdmans, 1987, 191-192; B. Glazier-McDonald, *Malachi: The Divine Messenger*, SBLDS 98, Atlanta, GA:

This study agrees with Clark that the purpose of using the proper name “Malachi” in the first sentence of the book is to make it clear that this is the beginning of an independent book.<sup>234</sup> Having said that, whether this “Malachi” was intended to be associated with the promised messenger in Mal 3.1 is not that clear. In particular, if “his messenger” in LXX reflects the original reading, the connection between this “his messenger” and the promised messenger in Mal 3.1 would be less obvious. Given that “Malachi” in Mal 1.1 is depicted as a historical figure who receives the divine oracles in contrast to the eschatological figure in Mal 3.1, it is unlikely that they refer to the same person. The suggestion of Childs is reasonable, in that “[i]n its canonical shape, 3.1 serves as a word-play on the prophet’s name in the superscription.”<sup>235</sup>

### 2.2.2 Dating

Due to the insufficiency of evidential proof, it is not easy to propose a date for Mal. Many scholars place Mal in the early Persian period, in particular, after the rebuilding of the Second Temple and before the activities of Ezra and Nehemiah. The scriptural evidence includes Mal 1 which accuses the priests for despising the name of YHWH by offering polluted food on the altar (and the table) through their hands. In response, YHWH prefers someone to shut the doors so that no priest would kindle fire on His altar

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Scholars Press, 1987, 27-29; and A. Hill, *Malachi: A new translation with introduction and commentary*, AB 25D, New York: Doubleday, 1998, 135.

Most rabbinic references treat “Malachi” in Mal 1.1 as the proper name of a prophet, and some identify “Malachi” with more specific figures like Ezra and Mordecai (*Meg.* 10b, 15a; *Hul.* 139b), see J.D. Nogalski, *The Book of the Twelve: Hosea-Jonah*, Smyth & Helwys Bible Commentary, Macon, GA: Smyth and Helwys, 2011, 991; L. Ginzberg, *The Legends of the Jews*, vol.4, *Bible times and characters from Joshua to Esther*, Philadelphia: The Jewish Publication Society of America, 1954, 354 (“...Ezra, or, as the Scriptures sometimes call him, Malachi.”); idem, vol.6, *Notes to volumes III and IV From Moses in the wilderness to Esther*, Philadelphia: The Jewish Publication Society of America, 1946, 432 note 5 (“An old Jewish tradition identifies the prophet Malachi (“My messenger” or “messenger of God”) with Ezra; comp. Megillah 15a; Targum and Jerrome on Mal.1.1. Megillah, *loc. cit.*, however, also gives the different view that Malachi was identical with Mordecai, ...”); 441 note 33 (“Megillah 15a; Targum Mal. 1.1, and Jerome in his introduction to his commentary on Malachi. Comp. notes 5 and 38.”); 442 note 38 (“Megillah 15a. In [*sic.*] was in connection with this activity for the purity of the Jewish race, that Ezra-Malachi (on the identity of the “scribe” with the “prophet”, see note 33) addressed his words of reprimand against those who married “foreign women”, found in Mal. 2.10. ...”).

<sup>234</sup> D.G. Clark, “Elijah as Eschatological High Priest: An Examination of the Elijah Tradition in Mal 3:23-24,” Ph.D. dissertation, Indiana: University of Notre Dame, 1975, 10-11.

<sup>235</sup> Childs, *Introduction to the Old Testament as Scripture*, 492-3.

(Mal 1.7-14). Mal 3.1 mentions “his temple” (היכלו) and Mal 3.10 asks the people to bring the full tithe into “the storehouse” (בית האוצר)<sup>236</sup> so that there may be food “in my house” (בביתי). All these indicate that a system of priestly offering at the temple was in operation, probably for a period of time already. It means that the book should be dated after 515 B.C.E..<sup>237</sup>

The book of Ezra-Nehemiah states the concern of the remnants to comply with the law (e.g. Neh 8.13-18; 13.15-18, 28-31). In particular, the leaders of the people, together with the priests and the Levites, visited Ezra (“the scribe”) in order to study the law that YHWH had commanded through Moses (Neh 8.13-18;<sup>238</sup> cf. Mal 3.22). Nehemiah accused the family of the then high priests for defiling “the priesthood and the covenant of the priests and the Levites” (Neh 13.29; cf. Mal 2.4-5, 8).<sup>239</sup> He took action to “cleanse them from everything foreign”, and re-established the system of supplies to the temple (Neh 13.10-13) and the system of duties of the priests and the Levites (Neh 13.31). Hence, the concerns of a purified priesthood, the covenant with the priests and Levites and a proper system of offering (cf. problem of tithing in Mal 3.8-12) are common to the book of Ezra-Nehemiah and Mal.<sup>240</sup>

Having said that, some scholars suggest that it is unlikely that the problems of priests and Levites as illustrated by Mal reflect the situations shortly after the governance of Ezra and Nehemiah, given that they had taken stringent measures to correct the same (provided that the scripture reflects the true historical picture). Accordingly, it is reasonable to infer that Mal projects a picture before the time of Ezra and Nehemiah.<sup>241</sup> Snyman considers that the silence about return from the exile and completion of the Second Temple makes a date closer to 515 B.C.E. improbable. The fact that Mal does

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<sup>236</sup> The word אוצר is used for the storehouse in the temple in e.g. Neh 12.44; 13.12; 2 Chr 8.15.

<sup>237</sup> Snyman, 1.

<sup>238</sup> See also Neh 9.13-14.

<sup>239</sup> For the problem of mixed marriages, see also Ezra 9-10, cf. Mal 2.10-16.

<sup>240</sup> Petersen, *Zechariah 9-14 and Malachi*, 5.

<sup>241</sup> See e.g. Snyman, 2. Besides, Fox points out that one of the most important concerns in the book of Ezra-Nehemiah is absent in Mal, that is, the keeping of the Sabbath. He therefore argues that “placing Malachi shortly before or as a contemporary of Ezra and Nehemiah requires one to believe that either (A) a prophet highly concerned with Israel’s cultic life (cf. Mal 1:6–2:9; 3:1–7) somehow forgot to deal with Sabbath issues, or (B) Sabbath observance was fine when Malachi preached but suffered a rapid degradation in a few short years before Ezra and Nehemiah arrived. Either of these options seems highly unlikely.” M.R. Fox, *A Message from the Great King: Reading Malachi in Light of Ancient Persian Royal Messenger Texts from the Time of Xerxes*, Winona Lake, IN: Eisenbrauns, 2015, 17.

not mention Ezra or Nehemiah, nor the book of Ezra-Nehemiah mentions Mal (or the prophet “Malachi”, if any), makes it more probable that there is a historical distance between these books (and between these figures, if they are real figures).<sup>242</sup>

Some suggest that the word “governor” (מִשְׁלָטָה) in Mal 1.8 is also an indicator as it is a word used to describe the ruling official of a region in the Persian period.<sup>243</sup> In this regard, J.M.P. Smith contends that the said title was taken over by the Persians from the Babylonians (cf. Jer 51.28, 57; Ezek 23.6 and Esth 3.12) and “doubtless passed it on to the Seleucid dynasty” during which it was “applied to the chief priests in Judaea.” Hence, it does not convey any specific information about the date of the book.<sup>244</sup>

Snyman considers that the shattering of Edom (Mal 1.4) may refer to the campaigns of Nabonidus in around 552 B.C.E.,<sup>245</sup> which is lack of sufficient support. Rather, J.M.P. Smith points out that “the exact period at which the expulsion of the Edomites by the Nabataeans took place is as yet unknown.”<sup>246</sup>

Linguistically, Hill suggests that the grammar of Mal stands between classical and late biblical Hebrew prose and therefore, the date of composition is in the late 6<sup>th</sup> or early 5<sup>th</sup> century B.C.E.,<sup>247</sup> which is agreed by Petersen.<sup>248</sup> Furthermore, having analyzed considerable historical factors, Hill gives a specific dating of Mal as at the time shortly after the defeat of Persian in the Battle of Marathon in 490 B.C.E..<sup>249</sup>

Whilst redaction criticism shows that there may be some editorial additions and/or alterations made thereafter, for the bulk of Mal, this study considers that the reasonable range is from early to mid-5<sup>th</sup> century B.C.E.. The text of Mal indicates that the new temple had been in use for a period of time and the laxity of priests and Levites had become an intolerable

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<sup>242</sup> Snyman, 2.

<sup>243</sup> Refer e.g. Hag 1.1, 14; 2.2, 21; Ezra 8.36; Neh 2.7, 9; 3.7, etc.. See also Petersen, *Zechariah 9-14 and Malachi*, 5.

<sup>244</sup> H.G. Mitchell, and J.M.P. Smith, and J.A. Bewer, *A critical and exegetical commentary on Haggai, Zechariah, Malachi and Jonah*, ICC, Edinburgh: T. and T. Clark, 1912, 6.

<sup>245</sup> Snyman, 2.

<sup>246</sup> J.M.P. Smith, 5.

<sup>247</sup> A. Hill, “Dating the Book of Malachi: A Linguistic Reexamination,” in C. Meyers and M. O’Connor, eds., *The Word of the Lord Shall Go Forth: Essays in Honour of David Noel Freedman in Celebration of His Sixtieth Birthday*, Winona Lake, IN: Eisenbrauns, 1983, 77-89, 84, 86. Hill suggests a range between 515 and 458 B.C.E..

<sup>248</sup> Petersen, *Zechariah 9-14 and Malachi*, 6.

<sup>249</sup> Hill, *Malachi*, AB 25D, 55, 74 fn 5.

problem. It is less probable that the generation who had participated in the rebuilding of the temple and witnessed its completion would soon stoop to that extent. Although a number of commentators have considered this range tend to be a close estimation,<sup>250</sup> as any issue of dating, diversified opinions can always be found.<sup>251</sup> Even so, a late dating in the 4<sup>th</sup> century B.C.E. or thereafter is unlikely. As Nogalski observes,<sup>252</sup>

“By contrast, the material in Malachi (especially when compared with passages in Zech 12 and 14) paints a relatively positive picture of “the nations” (see 1:10-14) so that the more turbulent times of the fourth century do not seem as likely a setting. In the early decade of the fourth century, numerous rebellions in the surrounding regions and in Egypt created a less stable environment leading to the overthrow of the Persians by Alexander in 332 BCE. Malachi’s positive portrayal of the nations would hardly seem possible during periods when major hostilities were taking place close to Israel’s border.

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<sup>250</sup> A. von Bulmerincq, *Der Prophet Maleachi, Band I: Einleitung in das Buch des Propheten Maleachi*, Dorpat: Mattiesen, 1921, 140 (485-445 B.C.E.); Glazier-McDonald, *Malachi*, 14-18 (475-450 B.C.E.); Horst, Redditt and Hill suggest the range of 515 to 458 B.C.E. (F. Horst, *Die zwölf kleinen Propheten. Nahum bis Maleachi*, 3<sup>rd</sup> ed., HAT 1/14, vol.2, Tübingen: Mohr Siebeck, 1964, 263; Paul L. Redditt, *Haggai, Zechariah, and Malachi*, NCBC, Grand Rapids: Wm. B. Eerdmans, 1995, 150; A. Hill, *Malachi*, AB 25D, 81-83); similarly, Floyd suggests late sixth to mid-fifth century (Floyd, *Minor Prophets*, 575) and Gibson proposes a date in the first half of the fifth century B.C.E. (Gibson, *Covenant Continuity and Fidelity*, 28-29, citing Hill, etc.); Petersen dates Mal to the late 6<sup>th</sup> or early 5<sup>th</sup> century B.C.E. (Petersen, *Zechariah 9-14 and Malachi*, 5-6); Reventlow opines that Mal should be dated to 460-450 B.C.E. (H.G. Reventlow, *Die Propheten Haggai, Sacharja, und Malachi*, ATD 25/2, Göttingen: Vandenhoeck & Ruprecht, 1993, 130); Meinhold considers that the foundation layer of the book was formed in the first half of the 5<sup>th</sup> century B.C.E. (A. Meinhold, *Maleachi*, BKAT 14/8, Neukirchen-Vluyn: Neukirchener Verlag, 2006, XXII-XXIII); Nogalski suggests 450-400 B.C.E. (Nogalski, *The Book of the Twelve: Hosea-Jonah*, 992-3); Snyman suggests 485-445 B.C.E. on the basis that Ezra arrived Jerusalem in 397 B.C.E. (Snyman, 2); and Fox advances that Mal should be dated at the time of Xerxes, that is, several years after 483 BCE, when Xerxes “had full control of the Empire and began amassing the largest army of the ancient world in order to conquer Greece and avenge Darius’s defeat” (Fox, *A Message from the Great King*, 19).

<sup>251</sup> Rudolph goes further to 450-420 B.C.E. (Rudolph, *Haggai, Sacharja 1-8, Sachrja 9-14, Maleachi*, 249); Verhoef finds that it should be between Nehemiah’s two visits to Jerusalem, i.e. 445 to shortly after 433 B.C.E. (Verhoef, 156-160); and Krieg dates this book as late as in the second century B.C.E. (Krieg, *Mutmaßungen über Maleachi*, 193-227, in particular 209ff). Whilst contending a pre-exilic date of c.a. 605-500 B.C.E. (with reference to the destruction of Edom and hopes of its rebuilding), O’Brien contends that there is insufficient evidence to permit any precise dating of Mal, see O’Brien, *Priest and Levite in Malachi*, 113-33.

<sup>252</sup> Nogalski, *The Book of the Twelve: Hosea-Jonah*, 992-3.

These elements suggest a time when the internal dynamics of Judah and Jerusalem were more press than the international situation.”

We shall see that on most occasions, the related inner-biblical references are dated earlier than Mal and therefore, the issue of direction of dependency is relatively clear.

### 2.2.3 Historical background

As we know, the social and religious, etc. settings as illustrated by a biblical text may not match the historical findings. As Rogerson succinctly points out, “in case where the only evidence for the social background to a text is the text itself some attempt at reconstruction is necessary, unless the decision is taken to ignore any pointers in the text to extra-linguistic factors.”<sup>253</sup> His approach and presumption are noteworthy:

“In order to avoid the circularity of analysing the book's literary structure as a basis for seeking its social setting, a process in which social and historical-critical judgements [*sic.*] inevitably affect the decisions regarding literary structure and development, a different approach will be followed here. It will be assumed that even if the book of Malachi is a purely literary production and that access to a prophet ‘Malachi’ is impossible to achieve, the book's production will still have had a social background which will have affected it in some way. Even if the book is an instance of *Schriftprophetie* and even if it is the result of several stages of redaction, these literary processes will not have happened in a social vacuum. The particular issues addressed will most likely have been provoked by social situations. We are entitled to ask why the particular issues that surface in the texts have been dealt with and not other issues; and we are entitled to think around the social issues that the texts deal with and to draw tentative conclusions.”<sup>254</sup>

In terms of international situation, as quoted from Nogalski's work above,<sup>255</sup> it is likely that Mal was composed at a relatively stable period. Coggins considers that the death of Cambyses in 522 B.C.E. (shortly after his attempted invasion into Egypt in 525 B.C.E.) resulted in a series of riots for more than a year. Eventually, Darius I Hystaspes stepped into the throne (522/1-486 B.C.E.), which was the backdrop of the book of Haggai

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<sup>253</sup> John W. Rogerson, “The social background of the book of Malachi,” in Peter J. Harland and Robert Hayward, eds., *New Heaven and New Earth: Prophecy and the Millennium: Essays in Honour of Anthony Gelston*, Leiden, Boston, Köln: Brill, 1999, 171-179, 171.

<sup>254</sup> Rogerson, “The social background of the book of Malachi,” 172.

<sup>255</sup> Nogalski, *The Book of the Twelve: Hosea-Jonah*, 992-3.

and Zechariah 1-8.<sup>256</sup> Probably in around the mid-5<sup>th</sup> century B.C.E., as a result of the Persian policy in respond to the revolts in Egypt, Judah was separated from Samaria and became a province.<sup>257</sup> As Petersen observes.<sup>258</sup>

“Persian interaction with Judah would have been heavily influenced by its interests in the security of that area. In the sixth century B.C.E., as a part of this policy, Persia had supported the reconstruction of the temple. In the fifth century, Persia continued to support those Yahwists who could ensure local loyalty toward the Persians and a measure of stability in Judah.”

Jerusalem is described in the book of Nehemiah as the “holy city” where (some of?) the leaders of the province, and some of the Judahites and Benjaminites lived. For the priests, the Levites, the temple servants and the descendants of the Solomon’s servants, etc., they lived in the “cities of Judah” (Neh 11.1-3). Archaeological evidence shows that in the Persian period, Judah was a small province with no more than around 30 000 people.<sup>259</sup> About 1/10 of the population lived in and around Jerusalem, and they mainly lived on the old City of David hill and around the Temple Mount. Even though Jerusalem was the only urban site in Judah and probably many returnees resided there, the city remained poor throughout the Persian period. For the remaining 90 per cent of the inhabitants, they mostly settled in small unwallled villages.<sup>260</sup>

The general situation of poverty in Jerusalem during the Persian period is remarkable as it is related to the messages in, for examples, Mal 3.11, and probably Mal 1.7-8 as well. Rogerson suggests that if the post-exilic community in Judah had already transformed from agriculture into horticulture, animal husbandry might have become marginalized. As a result, it would be very difficult to pick out and offer only the healthy animals (for sacrificial purposes) from the already small flocks. That explains why the priests were willing to compromise.<sup>261</sup> Albeit sounds

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<sup>256</sup> Coggins, *Haggai, Zechariah, Malachi*, 11.

<sup>257</sup> Petersen, *Zechariah 9-14 and Malachi*, 14, referring to E. Meyers, “The Persian Period and the Judean Restoration: From Zerubbabel to Nehemiah,” in P. Miller et al. eds., *Ancient Israelite Religion: Essays in Honour of Frank Moore Cross*, Philadelphia: Fortress, 1987, 509-521, at 516-17.

<sup>258</sup> Petersen, *Zechariah 9-14 and Malachi*, 22.

<sup>259</sup> Petersen notes that in the Hebrew Bible, more often than not (except in Aramaic in Ezra 5.8 (“the province of Judah”)), “Judah” does not refer to the province in technical sense but a region or geographical nomenclature. For examples, Ezra 4.1 “When the adversaries of Judah and Benjamin...”; and Ezra 4.6 “the inhabitants of Judah and Jerusalem”, etc.. See Petersen, *Zechariah 9-14 and Malachi*, 17.

<sup>260</sup> Grabbe, *A History of the Jews and Judaism in the Second Temple Period 1*, 28-30.

<sup>261</sup> Rogerson, “The social background of the book of Malachi,” 177-178.

attractive, one has to note that the said suggestion is no more than a mere speculation.

The rebuilding of the Second Temple was completed and dedicated in the sixth year of Darius I (refer Ezra 6.14-16, about 516/5 B.C.E.). Coggins opines that what happened thereafter is largely unknown to us until the return of Ezra to Jerusalem some 60 years later (“After this” in Ezra 7.1). Whether Ezra’s mission in Jerusalem is earlier than that of Nehemiah is another issue in debate but it is not necessary for us to resolve it here.<sup>262</sup> Suffice to say that the priestly services and sacrificial activities at the Second Temple are likely to take place during that period of time.

From Mal 2.10-16, Rogerson infers that idolatry worships (as a result of the mixed marriages) had already escalated to communal or institutionalized level in that “provision was being made for the worship of another god or gods either in some part of the courtyard in the second temple or in a dedicated sanctuary apart from the temple.”<sup>263</sup> Whilst this inference is also highly speculative, there is some weight in his argument that the use of the word “abomination” (תועבה in Mal 2.11) is a term “almost always applied to religious actions repugnant to God.”<sup>264</sup> Together with the illustration of the failures of the priests in keeping the sacrificial laws, the call to “Remember the teaching of my servant Moses” and the resort to the “statutes and ordinances” that YHWH commanded Moses at Horeb (Mal 3.22) are no doubt the proper concluding words for the book.

Even though there are still quite some unsettled issues concerning the historical background of Mal, as Petersen rightly points out, the book could be properly read and understood without appeal to any specific historical context.<sup>265</sup>

### 2.3 Textual unity of Mal

In Chapter 1, we have already discussed about the reasons in support that Mal is an independent book. Indeed, there is a general consensus as to the essential unity of Mal. Verhoef observes that “[t]he book reveals uniformity in language and vocabulary, it presupposes the same historical

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<sup>262</sup> Coggins, *Haggai, Zechariah, Malachi*, 15.

<sup>263</sup> Rogerson, “The social background of the book of Malachi,” 172-174.

<sup>264</sup> Rogerson, “The social background of the book of Malachi,” 173. See also the discussion in 3.4.5.

<sup>265</sup> Petersen, *Zechariah 9-14 and Malachi*, 5.

background, and it is notably characterized by a typical style of dialogue”.<sup>266</sup>

Mal is rich in rhetorical skills, such as parallelism, chiasmus, similes and metaphors, rhetorical questions and antithesis, etc.. Even though Wendland has gone too far to suggest that such skills render the prophecies as poetic,<sup>267</sup> on the basis of literary-structural analysis, it is justified for him to state, first, that “the rhetorical question is the keystone of the dialectic style” and secondly, “the discourse structure of [Mal] is in fact quite elaborate, for it features two distinct, yet overlapping types of formal organization, linear as well as concentric in nature.”<sup>268</sup> Similarly, Baldwin suggests that “there is a logical progression from election and privilege (1:2-5) to the inevitability of judgment (3:13-4:3).”<sup>269</sup>

Hill considers that the covenantal relationship between Israel and YHWH is the central theme of the book. Three covenants are specifically mentioned, i.e. the covenant of Levi (Mal 1.2-9), the covenant of the fathers and the covenant of marriage (Mal 2.10-16). Together with the messenger of the covenant (3.1) and the covenantal terminologies used,<sup>270</sup> “[t]he covenantal themes of [Mal] are so thoroughly integrated and logically presented within the prophet’s discourse that any attempts at rearranging the material in the text prove most unconvincing” and “the deletion of the so-called nonoriginal passages in 1:11-14 and 2:11b-13a” is precluded.<sup>271</sup>

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<sup>266</sup> Verhoef, *The Books of Haggai and Malachi*, 163.

<sup>267</sup> For those who contends that the corpus of Mal is a prose rather than poetry, see e.g. Hill, “Dating the Book of Malachi,” 78.

<sup>268</sup> E.R. Wendland, “Linear and concentric patterns in the rhetorical structure and style of Malachi,” in E.R. Wendland, *Prophetic Rhetoric: Case Studies in Text Analysis and Translation*, 2<sup>nd</sup> ed., Dallas: SIL International, 2014, 354-382.

<sup>269</sup> J.G. Baldwin, *Haggai, Zechariah, Malachi: An introduction and commentary*, TOTC 28, Downers Grove, Ill.: Inter Varsity Press, 1972, 229. Having said that, Baldwin considers that “[Mal] does not employ any particular literary structure in order to convey his meaning”, which is disagreed by this study. It is suggested that the six units of discourses in Mal are of the genre of “court disputation”, and they are arranged in an almost symmetric pattern according to their respective issues. See the discussions on the structure and genre below.

<sup>270</sup> Mal 2.7 also mentions that priest is the messenger of YHWH of hosts.

<sup>271</sup> A.E. Hill, “Malachi, Book of,” in *ABD*, New York: Doubleday, 1992, IV: 478-485 at 482. Instead of treating the said covenantal relationships as the central theme of Mal, this study considers it as the background of the messages and the common ground between the redactors of Mal and its intended readers / audience. The centrality of the prophecies (as illustrated by the six units of court disputations), if any, is the violations of different aspects of the words of YHWH, which points to the attitude of the Israelites.

From the perspective of literary-structural analysis, Wendland suggests that Mal 1.12-14 “closely matches the structural constitutes of verses 6-11.” For examples:<sup>272</sup>

Mal 1.7 Offering polluted food on YHWH’s altar; thinking that YHWH’s table may be despised.	Mal 1.12b You say that the food on YHWH’s table may be despised.
Mal 1.8 Offer blind, lame or sick animals in sacrifice.	Mal 1.13a Bring those taken by violence, or as lame or sick for offering.
Mal 1.10 YHWH says, “I will not accept an offering from your hands.”	Mal 1.13b YHWH says, “Shall I accept that from you hand?”
Mal 1.11 YHWH’s name is great among the nations	Mal 1.14 YHWH is a great king and His name is feared among the nations.

Then Mal 2.1-9 properly concludes this second unit of discourse by addressing the malpractices of the priests again, which echoes Mal 1.6-9.<sup>273</sup> In Chapter 3, I shall give my analysis of, *inter alia*, the literary structure of Mal 1.6-2.9. Here, suffice to say that Wendland rightly points out the unity of Mal 1.6-2.9.

Then concerning the relationship between Mal 1.6-2.9 and Mal 2.10-16, Stuart suggests that they are linked by a number of catchwords, such as “father” (Mal 1.6; 2.10), “altar” (Mal 1.7, 10; 2.13), “favour / accept” (רצה, Mal

<sup>272</sup> Wendland, “Linear and concentric patterns in the rhetorical structure and style of Malachi,” 366.

<sup>273</sup> Wendland, “Linear and concentric patterns in the rhetorical structure and style of Malachi,” 367.

1.8, 10, 13; 2.13), “covenant” (Mal 2.4, 5, 8, 10, 14), “offspring” (Mal 2.3, 15) and “guard / presence” (2.7, 15, 16).<sup>274</sup>

For Mal 1.6-2.9 and Mal 2.17-3.5, they are linked by the words “covenant”, “messenger”, “the way” as well as the related theme. Mal 2.4-7 states that YHWH’s “covenant with Levi” was a “covenant of life and peace”, and a priest is “a messenger of YHWH of hosts”. However, the priests (“you” in plural, Mal 2.8) have turned aside from “the way” (הדרך), in contrast with “the messenger of the covenant” (“my messenger”) in Mal 3.1 who is sent by YHWH and shall prepare the “way” (דרך) before YHWH of hosts.<sup>275</sup> Mal 3.1, 2 repeat that YHWH is coming (בוא, בואו), which connects with the sending of the prophet Elijah before coming of the great and terrible day of YHWH (בוא, Mal 3.23).

“The day” is probably a concept that links the 4<sup>th</sup> and 6<sup>th</sup> units of discourses (i.e. Mal 2.17-3.5 and 3.13-21) and the conclusion (Mal 3.22-24) of the book: “the day of his coming” (Mal 3.2), “the days of old and as in former years” (Mal 3.4), “the days of your fathers (ancestors)” (Mal 3.7), “the day is coming” and “the day that comes” (Mal 3.19), “on the day when I act” (Mal 3.21), and “before coming of the great and terrible day of YHWH” (Mal 3.23). The intrinsic cohesion among these units of discourses by virtue of the concept of “the day” is clear. For the eschatological elements in relation to “the day”, the co-related word הנה appears in Mal 3.1 (x 2); 3.19 and 3.23, which provides another lexical connection among the 4<sup>th</sup> and 6<sup>th</sup> units of discourses as well as the concluding end of Mal.<sup>276</sup>

In sum, the discussion above demonstrates that the whole book of Mal is well structured and purposively crafted as a book of unity with considerable intrinsic cohesion.

Kessler rightly argues that “Malachi existed as “a completed work” and was added as such at the end of the Book of the Twelve.”<sup>277</sup> Having considered the model as suggested by Bosshard and Kratz (which is accepted by

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<sup>274</sup> Stuart, “Malachi”, 1327.

<sup>275</sup> Wendland, “Linear and concentric patterns in the rhetorical structure and style of Malachi,” at 374.

<sup>276</sup> הנה also appears in Mal 2.3.

<sup>277</sup> R. Kessler, “The Unity of Malachi in its Relation to the book of the Twelve,” in Albertz et al., eds., *Perspectives on the Formation of the Book of the Twelve*, 223-236, 226.

Steck<sup>278</sup> but commented by Meinhold as “hypothesenfreudig”<sup>279</sup>), the “three possible explanations” as advanced by Noglaski,<sup>280</sup> and the model of Wöhrle,<sup>281</sup> Kessler finds that “no redactional work was necessary to incorporate Malachi into the (emerging) Book of the Twelve.”<sup>282</sup> He rightly points out that “Malachi’s allusions are not exclusive to texts of prophets from the Book of the Twelve. To the contrary, the allusions to other prophetic texts from Jeremiah and Ezekiel are much closer.” Hence, it is not justified to assert that “Malachi was formulated with (only) the other books of the Twelve in mind”.<sup>283</sup> The prophet (or, in my words, the redactors of Mal) must have known “a great number of traditions from the Pentateuch” as well as “texts from all layers of the pentateuchal traditions.”<sup>284</sup> On this issue, Wöhrle’s suggestion is unsustainable as three out of the four characteristics of his “layer of the foreign nations II” (*Fremdvölkerschicht II*) are absent in Mal 1.4-5.<sup>285</sup> “The few verses Wöhrle mentions cannot bear the weight they are asked to bear.”<sup>286</sup>

Furthermore, having considered that the superscription (Mal 1.1) “fits perfectly with the text” and that Mal 3.23-24 “are an interpretation of open questions in Malachi”, i.e. “Who is the messenger? What is meant by the day that comes?”, which “could not have been added to any other writing

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<sup>278</sup> They consider Mal as the mere *Fortschreibung* of the Haggai-Zechariah- corpus. E. Bosshard and R.G. Kratz, “Maleachi im Zwölfprophetenbuch,” *BN* 52 (1990): 27-46; O.H. Steck, *Der Abschluß der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThSt 17, Neukirchen-Vluyn: Neukirchener, 1991.

<sup>279</sup> A. Meinhold, “Maleachi / Maleachibuch,” *TRE* 22 (1992): 6-11, 7, cited by Kessler, “The Unity of Malachi,” 225.

<sup>280</sup> J.D. Nogalski, *Redactional Processes in the Book of the Twelve*, BZAW 218, Berlin: de Gruyter, 1993, 210-211, cited by Kessler, “The Unity of Malachi,” 225.

<sup>281</sup> J. Wöhrle, *Der Abschluss des Zwölfprophetenbuches: Buchübergreifende Redaktionsprozesse in den späten Sammlungen*, BZAW 389, Berlin: de Gruyter, 2008, 255-263, 275, discussed by Kessler in “The Unity of Malachi,” 226. Wöhrle does not consider Mal as a *Fortschreibung* but an independent book inserted by the redactors of the layer of the “foreign nations II” (“Fremdvölkerschicht II”, the English translation is borrowed from Kessler) with heavy redaction.

<sup>282</sup> Kessler, “The Unity of Malachi,” 226.

<sup>283</sup> Kessler, “The Unity of Malachi,” 229-230.

<sup>284</sup> Kessler, “The Unity of Malachi,” 232.

<sup>285</sup> Namely, “the enslavement of Jews by foreign nations, the expectation of an invasion of the neighboring territories, and the promise of a transformation of nature in favor of better agricultural conditions.” Kessler considers that even the remaining characteristic is not quite clear as it is not an announcement of judgment but appraisal. “[I]n Mal 1:2-5, judgment is not announced on Edom but has already occurred.” Kessler, “The Unity of Malachi,” 230.

<sup>286</sup> Kessler, “The Unity of Malachi,” 233.

of the Twelve”, Kessler concludes that Mal was written as an “independent book” and later added to the Twelve.<sup>287</sup>

## 2.4 Structure and thematic markers of Mal

### 2.4.1 Structure of the book

The book of Malachi is well-structured. There is a general scholarly consensus that between the superscription and two epilogues, that is, from Mal 1.2 to 3.21, there are six units of “discourses”.<sup>288</sup> Hence, the structure of Mal shall be analyzed with regard to the said six units of discourses. Since the influential work of Pfeiffer who delineates Mal into six rounds of proposition-opposition-concluding words schema,<sup>289</sup> most of the commentators have suggested similar structures (with some variations as to the delimitations). Generally speaking, the present study is in alignment with the suggestion of Pfeiffer. The six units of discourses are delimited mainly by their respective themes (see my suggestion below). The significance of the repetitive use of יהוה צבאות (אמר) as a structural clue is noted,<sup>290</sup> which is in addition to its function as a clue for the divine authority.<sup>291</sup> In Mal, יהוה צבאות (אמר) appears 24 times in total, which are scattered in the six units of dialectic discourses as follows:

- (a) Unit 1 (Mal 1.2-5): Mal 1.4;
- (b) Unit 2 (Mal 1.6-2.9): Mal 1.6, 8, 9, 10, 11, 13, 14; 2.2, 4, 7, 8;
- (c) Unit 3 (Mal 2.10-16): Mal 2.12, 16;
- (d) Unit 4 (Mal 2.17-3.5): Mal 3.1, 5;

<sup>287</sup> Kessler, “The Unity of Malachi,” 234-235.

<sup>288</sup> Scholars differ significantly as to the nature of such “discourses” and therefore, different nomenclatures have been used, e.g. disputations (*Disputationsworte*), discussions (*Diskussionsworte*), controversies (*Streitgespräche*), dialectic discourses, prophetic discourses, “diatribe-like” discourses, etc.. See the further discussion in 2.5 below.

<sup>289</sup> E. Pfeiffer, “Die Disputationworte im Buch Maleachi: Ein Beitrag zur formgeschichtlichen Struktur,” *EvT* 19 (1959): 546-68.

<sup>290</sup> Hill considers that “the MT textual divisions are inconsistent in recognizing the significance of the phrase *YHWH šēbā ’ôt* as a structural clue in framing the disputations of Malachi’s oracles. In fact, the form of the disputation is largely ignored in the MT paragraphing.” Hill, *Malachi*, AB 25D, 28.

<sup>291</sup> Weyde considers that the repeated use of this “divine speech formula” denotes “the use of a divine message attested elsewhere in the traditions” and the implication of it is that “the traditions are quite essential to the message in Malachi: they form the foundation of the message; the traditions are actualized and applied in some way or other.” Weyde, *Prophecy and Teaching*, 5.

Call for return (Mal 3.6-7): Mal 3.7;

- (e) Unit 5 (Mal 3.8-12): Mal 3.10, 11, 12;
- (f) Unit 6 (Mal 3.13-21): 3.14, 17, 19 and 21,

This study suggests that the genre of these six units of discourses is “court disputation” (see below). Hence, they should be read in the literary setting of court litigation. Accordingly, the following structure is suggested. It is largely similar to the thematic and rhetorical outlines as proposed by Hill (which is likely derived from the structure outline of Pfeiffer),<sup>292</sup> save that:

- (a) Hill considers that rhetorically, Mal 2.17-3.5 is the centre of the book, and Mal 3.1-5 is a rebuttal to the refutation “How have we wearied [Him]?” (Mal 2.17b).<sup>293</sup> This study contends that whilst Mal 3.1-5 relates to and therefore is included in Unit 4 of the discourses, its main theme is corresponding to Mal 1.6-2.9. Mal 3.1-4 accuses and announces judgment against the descendants of Levi (for failing to present offerings of righteousness). Then Mal 3.5 extends the judgment to other lawbreakers.
- (b) Regarding the centre of the book, it should be the dialectic interaction and wordplay of “return” between YHWH and the Israelites in Mal 3.6-7, which is corresponding to the theme in Unit 1 (YHWH has loved Jacob). In Mal 3.22, this call for return reappears.
- (c) Hill considers that Mal 3.6-7 ought to be coupled with 3.8-12 and rhetorically corresponds with Mal 2.10-16 (“Disputation indicting faithless people”).<sup>294</sup> This study finds that Mal 2.10-16 mainly concerns the Israelites’ faithlessness by profaning the covenant and the sanctuary. They married with the “daughter of a foreign god”, which results in the breach of the covenant with their “wife of youth”. Whilst Mal 3.7 also talks about the misfeasance of the ancestors of the Israelites, the gist of Mal 3.6-7 concerns YHWH’s love with a call to return. Hence, this study places Mal 3.6-7 at the end of Unit 4. Then Mal 3.8ff starts a new topic (a new accusation) relating to tithes and offerings.

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<sup>292</sup> Hill, *Malachi*, AB 25D, xxxv-xxxvi. Reference is also made to Erich Zenger, ed., *Einleitung in das Alte Testament*, 8. Auflage (herausgegeben von Christian Frelvel), Stuttgart: Kohlhammer, 2012, 696, with my modifications.

<sup>293</sup> Hill, *Malachi*, AB 25D, xxxvi.

<sup>294</sup> Hill, *Malachi*, AB 25D, xxxvi.

	1.1	Superscription
A	1.2-5	Unit 1: YHWH has loved Israel (in contrast with His judgment against Edom). Israel replied, “In what way have you loved us?”
B	1.6-2.9	Unit 2: Debate and YHWH’s verdicts against the priests as they have despised the name of YHWH by offering defiled food, and neglected His commandment (2.1, 4), covenant (2.4,5) and <i>torah</i> (2.6, 7, 8, 9)
C	2.10-16	Unit 3: Debate with the Israelites for profaning the covenant (2.10, 14) by profaning the sanctuary and faithless in marriage
D	2.17-3.5	Unit 4: <sup>295</sup> (2.17) Wearying YHWH by challenging His justice.
B’		(3.1-5) YHWH’s verdict against the descendants of Levi (sudden coming of “my messenger” / “the messenger of the covenant” to the temple to refine and purify them) and those who breached the laws.
A’	3.6-7 <sup>296</sup>	<b>Preservation of the children of Jacob proves that YHWH does not change. Call for return (3.7 שׁוּב appears for three times) but they replied, “How shall we return?”</b>
C’	3.8-12	Unit 5: Debate with the whole nation as they are robbing the tithes from YHWH; Promise of blessings.
D’	3.13-21 [NRSV	Unit 6: Debate about speaking against YHWH by challenging His justice.

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<sup>295</sup> Whilst containing three themes (D, B’ and A’), this study considers Unit 4 as a separate unit as it consolidates the preceding themes and condenses them into a pivotal question: “How shall we return?”

<sup>296</sup> It is interesting to note that in terms of structure, if A’ (3.6-7) is placed before B’ (3.1-5), it would be more neat and tidy in the sense that A’ to D’ are corresponding to the respective themes in A to D. As this study chooses BHS as the base text and no attempt shall be made to re-arrange and/or re-construct an alternative eclectic text, this issue shall not be taken further for the present purpose.

- 3.13-4.3] YHWH's verdict of the eschatological judgment (the coming of "the day") – justice shall be done: salvation of the righteous and the destruction of the wicked.
- 3.22 Epilogue 1: Remember the *torah* of "my servant Moses", "the statutes and ordinances that I commanded him at Horeb for all Israel"  
[NRSV 4.4]
- 3.23-24 Epilogue 2: Coming of the prophet Elijah to cause the return (שוב) of the hearts of fathers to their sons and vice versa.  
[NRSV 4.5-6]

### 2.4.2 Thematic markers

In the aforesaid six units, the (repetitive) appearances of certain words (which I describe as "thematic markers") bring out the themes that are interwoven throughout the book. These "thematic markers" are part of the traditional (Deuteronomistic, priestly, prophetic, etc.) elements that are used in Mal.<sup>297</sup> For examples:

- (a) "YHWH of the hosts" (יהוה צבאות, Mal 1.4, 6, 8, 10, 11, 12, 14; 2.2, 4, 7, 8, 12, 16, etc.);
- (b) "reverence / fear" (ירא, Mal 1.6 (מורא), 14; 2.5 (מורא); 3.5, 16 x 2, 3.20, 3.23);
- (c) "covenant" (ברית, Mal 2.4, 5, 8, 10, 14; 3.1), "commandment" (מצוה, Mal 2.1, 4), "statutes and ordinances" (חקים ומשפטים, Mal 3.22), "*torah*" (instruction / law / teaching)(תורה, Mal 2.6, 7, 8, 9; 3.22), "justice / judgment / ordinance" (משפט, Mal 2.17; 3.5, 22);
- (d) "faithless" (בגד, Mal 2.10, 11, 14, 15, 16);
- (e) "return" (turn back / repentance)(שוב, Mal 2.6, 3.7 x 3, 3.24);<sup>298</sup> and
- (f) other words such as "love" (אהב) and "hate" (שנא, Mal 1.2-3), "blessing" (ברכה, Mal 2.2) and "curse" (ארר, Mal 1.14; 2.2 x 2; 3.9), etc..<sup>299</sup>

<sup>297</sup> Further discussion shall be given in Chapter 3.

<sup>298</sup> Mal 1.4 ונשוב ונבנה ("build again / rebuild") and Mal 3.18 means ושבתם ("(you shall) once more") are not taken into account as strictly speaking, they have nothing to do with the concept of "return / repentance" in the contexts.

<sup>299</sup> T.W. Eddinger, *Malachi: A Handbook on the Hebrew Text*, Waco, Texas: Baylor University Press, 2012, 4.

## 2.5 Literary genre of the six units of discourses<sup>300</sup>

It is important to ascertain the nature of the literary genre of the six units of discourses in Mal for the reasons that:

- (a) It shows the intention of the redactors in articulating the messages. This study argues that as the genre of “court disputation” is used as a common thread to go through the book, it links up the six discourses with Mal 3.22-24 (by which it also proves that Mal 3.22-24 is an inseparable part of the book and these three verses properly serve as the conclusion).
- (b) The nature of the genre provides the literary setting that affects our interpretative perspective of the said discourses.

As mentioned in 2.4.1 above, scholars have used different terms to describe the six units of discourses in Mal, such as “disputations”, “discussions”, “controversies” and “diatribe-like discourses”, etc.. It signifies the diversity in scholarly opinions on this issue. Other oft-quoted terminologies, such as “*rib* pattern”, “covenant lawsuit”, “legal metaphor” and “prophetic disputation speech”, etc.(see below) add the complexity to the discussions.

Given that different scholars have different approaches and understandings of these terminologies, it is necessary to illustrate what “court disputation” means here and why this term is preferred to describe the genre of the six units of discourses in Mal. It should be remarked that at the end of the day, the question is a definitional one: Upon reading of the text, how can one say that the genre of a particular unit of discourse should be categorized as, for examples, “*rib* pattern” or “lawsuit”? What are the criteria?

### 2.5.1 Disputational, instructional or ...?

Regarding the genre of the six units of discourses in Mal, broadly speaking, the scholarly opinions can be classified into two categories: “disputational” and “instructional”.

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<sup>300</sup> A revised version of this section was published (in Chinese) as a book chapter entitled 《爭辯 (*Rib*)、盟約訴訟 (Covenant Lawsuit) 還是法庭辯論 (Court Disputation)? 《瑪拉基書》作為舊約法律隱喻 (Legal Metaphor) 的個案研究》 (“*Rib*, covenant lawsuit or court disputation? Malachi as a case study of legal metaphors in the Old Testament”), in 何善斌 et al. eds., 《載道·證道：周兆真院長榮休論文集》 (*Word in Life and a Life in the Word: A Festschrift in honor of President Simon C. Chow*), Hong Kong: Lutheran Theological Seminary, 2022, 333-358.

As to “disputational”, Pfeiffer can be considered as a pioneer who led to a common consensus that Mal consists of six units of discourses. He argues that these six discourses can be classified as “disputation words” (Ger. *Disputationsworte*), which normally contained three elements.<sup>301</sup>

- (a) An established proposition (Ger. *eine hingestellte Behauptung*).
- (b) The respondent’s opposition (Ger. *die Einreden des Partners*).
- (c) The key and concluding words.

Boecker refines Pfeiffer’s argument and proposes that the said six units should be classified as “discussion words” (Ger. *Diskussionsworte*) or “disputative discussions” (Ger. *Streitgespräche*). They reflect normal pattern of human communication.<sup>302</sup> Then G. Wallis observes that different parties participated in the speeches of different units which constitute “argumentative speeches” (*Streitreden*).<sup>303</sup>

For “instructional”, Glazier-McDonald considers that Malachi’s prophecy is in the “catechetical” format. The question and answer schema is particularly striking due to its rationalized and didactic cast. Besides, the concise statement of fact before each question serves as the essence of the prophetic teaching.<sup>304</sup> Lescow characterizes the basic units as “prophetic instructional discussions” (Ger. *prophetische Lehrgespräche*), which made up of an opening speech, *torah* and concluding word (Ger. *Redeeröffnung/Einrede, Tora* and *Schlusswort*). It emphasizes the importance of *torah* as the answer to the questions of Judean community in the Persian period.<sup>305</sup>

Whilst one should appreciate Lescow’s highlight of the importance of *torah* in the said discourses, the description of “instructional discussion” (*Lehrgespräche*) fails to reflect sufficiently the argumentative elements in them (same problem for the terms “discussion words” (*Diskussionsworte*) as suggested by Boecker, and “catechetical” format as suggested by Glazier-

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<sup>301</sup> E. Pfeiffer, “Die Disputationworte im Buch Maleachi: Ein Beitrag zur formgeschichtlichen Struktur,” *EvT* 19 (1959): 546-68.

<sup>302</sup> Hans-Jochen Boecker, “Bemerkungen zur formgeschichtlichen Terminologie des Buches Maleachi,” *ZAW* 78 (1966): 78-80.

<sup>303</sup> G. Wallis, “Wesen und Struktur der Botschaft Maleachis,” in Fritz Maass, ed., *Das ferne und nahe Wort: Festschrift Leonhard Rost zur Vollendung seines 70. Lebensjahres am 30. November 1966 gewidmet*, BZAW 105, Berlin: Töpelmann, 1967, 229-37.

<sup>304</sup> Glazier-McDonald, *Malachi*, 19, 21.

<sup>305</sup> Th. Lescow, “Dialogische Strukturen in den Streitreden des Buches Maleachi,” *ZAW* 102 (1990): 194-212.

McDonald).<sup>306</sup> More importantly, these descriptions fail to explain the judgmental speeches in, for examples, Mal 3.1-5 and Mal 3.19-21.

Achtemeier correctly raises the idea of the setting of court case but she fails to provide good reasons in support. She contends that the main genres are prophetic disputation and prophetic torah. The questions and answers in Mal reflect the social setting of a court case which is “tried before the priest in the temple, with the prophet playing the role of the priest in his imagination.”<sup>307</sup> However, why the genres of prophetic disputation and prophetic torah are relating to legal setting? Where is the evidence that Mal refers to the situation in Deut 17.8-13?<sup>308</sup> On what basis she says that the prophet acts as the priest in the temple to hear the case? Why the case is opened by YHWH if He is the defendant (initially)? ..., etc. All these foundational elements are not set out by Achtemeier when she suggests the literary setting of a court case.

Petersen points out that some of the said six units do not have a straightforward structure of three parts as suggested by Pfeiffer. One cannot find a regular pattern of question and answer from the same. Instead, the common features are that two parties engage in direct discourse on a particular topic. Sometimes only the words of one side (often the questioning party) are quoted. Petersen considers that those dialogues are stylized and therefore, they are likely to be literature created with didactic intention rather than verbatim transcripts of real discussions. With reference to the diatribe in Hellenistic literature, Petersen categorizes the said six literary units in Mal as “diatribe-like” discourses.<sup>309</sup> He emphasizes that he does not claim that Judeans in Persian period invented the diatribe. Whilst contending that there are similarities between

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<sup>306</sup> Glazier-McDonald was correct to differentiate “discussion” from “disputation”, “A discussion implies talking about something in a deliberate fashion with varying opinions offered constructively and, usually, amicably, in order to settle an issue or decide upon a course of action. On the other hand, a dispute implies an argument in which there is a clash of opposing opinions, often presented in a heated manner.” Glazier-McDonald, *Malachi*, 21.

<sup>307</sup> E. Achtemeier, *Nahum-Malachi*, Int, Atlanta, GA: John Knox, 1986, 172.

<sup>308</sup> Achtemeier, *Nahum-Malachi*, 172.

<sup>309</sup> Petersen, *Zechariah 9-14 and Malachi*, 31. He defined “diatribe-like” discourse in this way: “In Hellenistic Greece, the diatribe was similar to a dialogue, except that only one party spoke. The other party was quoted or referred to in imaginative ways by the primary speaker. Questions were prominent, used as a way to allow the speaker to make a point. Hyperbolic claims were often put into the mouth of the persons presumably being quoted. The dialogue was often stylized, hence creating a literature that was at least one step removed from ordinary human discussion. The discourse was brief, the language vivid, and the intention often didactic.”

Yahwistic and Greek cynic diatribes, he is mindful to remark that he does not attempt to prove any lineal connection between the two.<sup>310</sup> His cautious remarks exactly highlights the inadequacy of his argument, that is, it is anachronistic to apply the concept of a Hellenistic literary style to analyze a Hebrew scripture in Persian period.

Zenger suggests that each of the said six units consists of four elements:<sup>311</sup>

- (a) a statement made by YHWH as the beginning;
- (b) an objection or reproachful question raised by the audience;
- (c) YHWH reaffirms and/or elaborates the initial statement with reasons; and
- (d) the unit is closed with a concluding statement (e.g. announcement of judgment, promise of salvation, etc.).

The said suggestion is attractive but not without criticism. For examples, at the beginning of Unit 3 (see above), it is unsustainable to say that Mal 2.10 is a statement made by YHWH (“Is it not one father for all of us? Is it not one God created us? Why then are we faithless with each other, profaning the covenant of our fathers? ...”). Also, for Unit 4, Mal 2.17 would not be a statement from YHWH (“You have wearied YHWH with your words. ... and he [third person masculine singular] delighted in them.” ...). In both cases, the literary setting is that someone accuse and/or testify about the breach of covenant (and laws) by “we” (Mal 2.10; “Judah”, Mal 2.11) and “you” (Mal 2.13, 14, 17), and then YHWH (or the prophet on His behalf) gives the concluding statement / judgment (Mal 2.16 “For he hates divorce...”; Mal 3.iff “See, I am sending my messenger to prepare the way before me, ...”).

Apart from the “disputational” and “instructional” approaches, a somewhat different attempt is made by Fox, who tries hard to argue that the (judicial / legal) “disputation” or “lawsuit” models as suggested by other scholars only address some units of Mal but fail to consider the form of the whole book.<sup>312</sup> On the basis of the word “messenger” which appears four times in Mal, together with the allusion to the messengers in the Ancient Near East in general and the royal messengers in the Persian times in specific, Fox contends that (royal) “messenger” is the root metaphor in Mal.<sup>313</sup> An

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<sup>310</sup> Petersen, *Zechariah 9-14 and Malachi*, 31, fn 90.

<sup>311</sup> Zenger, *Einleitung in das Alte Testament*, 695.

<sup>312</sup> Fox, *A Message from the Great King*, 9-14.

<sup>313</sup> Fox, *A Message from the Great King*, 20-27.

obvious fallacy of Fox's argument is that within the said four times of appearance of the word "messenger" in Mal, only two of them relate to the coming messenger (Mal 3.1) who, as Fox argues, alludes to the "royal messenger" in the Persian era.<sup>314</sup> Besides, one can see that Fox's thesis is significantly dependent on his dating of the book (at the time of Xerxes) which remains a very much controversial issue. The fragile link between the "messenger" in Mal 3.1 and its allusion to the historical data about Xerxes' royal messenger is uncorroborated by any other evidence.

Whilst there is some truth for Fox to assert the metaphor that YHWH is "the superlative king, the king of nations, and king of lands" and in that sense, "Malachi" is a royal messenger carrying a royal message, it does not necessarily make the genre or literary form of the whole book to become a "royal message". The redactors' knowledge of the said "royal messenger" system and their intention to utilize this concept in Mal are yet to be proved.

In reading Mal 1.6-2.9, Fox points out numerous metaphors of YHWH, such as "the Great King of all nations", the subject of universal worship, "YHWH of the host", a comparable (reference) to "the governor of Yehud", subject of the political as well as cultic offerings in Yehud, etc..<sup>315</sup> As such, it seems more appropriate for one to assert a "root metaphor" (if any) of YHWH as the great king and that the messenger metaphor is only incidental to it. As Schart points out, "it is questionable whether the messenger metaphor is indeed the root metaphor that triggers all the other metaphors in the book or whether it is the other way around."<sup>316</sup> In fact, in terms of proportion, it goes without saying that the legal and covenantal languages used in Mal far exceed the alleged "root metaphor" of (royal) messenger as contended by Fox. Focus should be placed on the use of the argumentative and judgmental languages in the six units of discourses instead.

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<sup>314</sup> Fox, *A Message from the Great King*, 98-102. The other two times are Mal 1.1, which is the superscription, and Mal 2.7 which concerns the duties to provide people with instructions / teachings (תורה) by the priests.

<sup>315</sup> Fox, *A Message from the Great King*, 84-91.

<sup>316</sup> A. Schart, "Review of Biblical Literature: R. Michael Fox, *A Message from the Great King: Reading Malachi in Light of Ancient Persian Royal Messenger Texts from the Time of Xerxes*, Siphrut: Literature and Theology of the Hebrew Scriptures 17, Winona Lake, IN: Eisenbrauns, 2015", RBL 11/217 (2017):

<https://www.bookreviews.org/bookdetail.asp?TitleId=11074>. It should be noted that the comments of Schart are made on Fox's monograph, *A Message from the Great King*, which is an edited version of Fox's doctoral dissertation "Don't Shoot the Messenger: Reading Malachi in the light of ancient Persian royal messengers in the time of Xerxes," Ph.D. dissertation, Fort Worth, TX: Brite Divinity School, 2014.

In sum, upon the basis of the analysis above, it is more appropriate to describe the genre of six units of discourses in Mal as “disputational” rather than “instructional”. In particular, in view of their contentious (rather than merely dialectic) nature as evidenced by the rebuttals / refutations and demands for particulars (or evidence in support) of the accusations. Having said that, it would be overgeneralized to use the term “disputations” or “disputational speeches / words”. The elements of accusations of violation of laws (made by the accusing party) and denials with request for evidential support (made by the defending party) are undermined. The need for a precise term to reflect the legal relationship between the parties is called for.

### 2.5.2 *Rîb and Covenant lawsuit*

Following Achtemeier’s suggestion of the form of court case, O’Brien contends that Mal as a whole is a covenant lawsuit.<sup>317</sup> She agrees with Graffy’s argument that the oracles in Mal are not classical disputation speech,

Graffy argues that while indeed the *tone* of Malachi is that of disputation, the speeches seek not to reject the people’s quoted opinion – as in other examples of the genre – but rather endeavor to convince the listeners of the original stated point.<sup>318</sup>

O’Brien considers that the previous treatments of disputation speech have focused on literary structure and tone but not form criticism, especially the issue of *Sitz im Leben* of the genre. She correctly points out the continuity in theme throughout the oracles and the legal and covenantal characteristics of the book (for examples, Mal 2.8 “covenant of the Levi”; Mal 2.10 “covenant of our fathers”; Mal 2.14 “the wife of your covenant”).<sup>319</sup> She rightly notes the contribution of Harvey, who finds the *rîb* pattern in Mal 1.6-2.9 and manages to explain the questions-answers schema with the covenant terminology and theme in the *Sitz im Leben* of lawsuit. “Malachi

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<sup>317</sup> O’Brien, *Priest and Levite in Malachi*, 63.

<sup>318</sup> O’Brien, *Priest and Levites in Malachi*, 58, referring to Adrian Graffy, *A Prophet Confronts His People: The Disputation Speech in the Prophets*, *Analecta Biblica* 104, Rome: Pontifical Biblical Institute Press, 1984, 16.

<sup>319</sup> O’Brien, *Priest and Levites in Malachi*, 59-60, in which she refers to S. McKenzie and H. Wallace, “Covenant Themes in Malachi,” *CBQ* 45 (1983): 549-63.

does not fit classical patterns of covenant making precisely because its form is that of the lawsuit for covenant violation.”<sup>320</sup>

O’Brien applies Harvey’s analytical method on the whole book of Mal. She divides it into a Prologue (Mal 1.2-5), five Accusations (Mal 1.6-2.9; 2.10-16; 2.17-3.5; 3.6-12 and 3.13-21), a Final Admonition (Mal 3.22) and a Final Ultimatum (Mal 3.23-24). For the Accusations, she adopts Harvey’s structure and attempts to fit the passages into the pattern of Preliminaries, Interrogation, Indictment, Declaration of guilt and Ultimatum / Punishment.<sup>321</sup> Even though some of the Accusations do not contain all these elements, she explains that “Malachi’s employment of the *rîb* structure is not wooden nor does every element of the *rîb* appear in every unit, and yet the *rîb* structure and mentality prove integral to Malachi’s message.”<sup>322</sup> In this regard, this study suggests that when one refers to the trial procedures in the Persian era and reasonably assumes that the redactors of Mal had referred to the said procedures as the literary *Sitz im Leben* for the discourses, the lack of certain elements in some of the discourses can be satisfactorily explained: As each case depends on its own facts, the trial procedures differ correspondingly.

Unlike the classical *rîb*, which is often in the form of a short prophetic oracle,<sup>323</sup> the *rîb* in Mal are well-structured and theologically rich passages. The extensive coverage of the violations of the covenants takes aim at the priests and all Israel(ites). The offences involved not only concerns social

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<sup>320</sup> O’Brien, *Priest and Levites in Malachi*, 61-62. O’ Brien states, “J. Harvey, on the other hand, has demonstrated that portions of Malachi follow the classical form of the *rîb* or covenant lawsuit. The *rîb*, which finds its parallels in ancient Near Eastern sacral law, takes the following form:

1. Preliminaries;
2. The interrogation of the judge, in which the judge asks abrupt questions that expect no response;
3. The Indictment, during which in historical terms the accused is charged with disobeying the stipulations of the covenant – especially with following strange gods;
4. Declaration of guilt (usually in this section, the accused is reminded that ritual acts cannot compensate for guilt);
5. Threats and condemnations, associated with the curses invoked when the covenant was made;
6. A declaration of war or an ultimatum threatening punishment if covenant violations are not redressed.”

(referring to J. Harvey, *Le plaidoyer prophétique contre Israël après la rupture de l’alliance*, Scholasticat de l’Immaculée-Conception, Paris: Desclée de Brouwer, 1967, especially Chapter 4.)

<sup>321</sup> O’Brien, *Priest and Levites in Malachi*, 63-79.

<sup>322</sup> O’Brien, *Priest and Levites in Malachi*, 79.

<sup>323</sup> O’Brien, *Priest and Levites in Malachi*, 80.

justice but also relates to temple offering, tithes, lack of reverence towards YHWH (Mal 3.5) and speaking harsh words against YHWH (Mal 3.13), etc.. The lawsuit setting is no longer in the divine council (or merely judgmental speech, i.e. the accused plays no role except being accused) but a court of law in which YHWH and His people are in direct debate. It is of particular significance as it highlights the lack of honour and reverence of the people (including the priests!) towards YHWH (e.g. Mal 1.6, in contrast with Mal 3.16 some people still revere YHWH; and Mal 1.14 the name of YHWH shall be revered among the nations).<sup>324</sup> In this regard, O'Brien does not explain why the redactors of Mal amended the classical *rîb* as exemplified above, in particular that the accused interrogates almost every statement (defined as "Preliminaries" by O'Brien) of YHWH. This study suggests that when one compares such literary techniques with the trial procedures in the early Persian era (in particular the defence process), it can help to shed some light on the said issue.

In sum, O'Brien demonstrates with proof that Mal 1.6-3.21 is formulated in *rîb* pattern and is in the form of covenant lawsuit, with Mal 1.2-5 and 3.22-24 thematically connected and fit into the proper places. Thus, the whole book is in unity.<sup>325</sup> It is justified for her to contend that "[w]hen interpreted within the lawsuit framework, much of the book's language and movement becomes intelligible. ... Using this form, the prophet makes clear his conviction that Israel stands under punishment for covenant violation."<sup>326</sup> This contention refutes the suggestions that since Mal consists of a number of different genres, it is not valid to capture such varieties by one single description of a particular genre.<sup>327</sup>

Floyd criticizes the suggestions of O'Brien as the common factors (assertion plus question-and-answer) and the common elements (indictment, interrogation, declaration of guilt, etc.) serve different functions in different units of discourses. Giving the examples of Mal 2.8-12 and 2.14-16, Floyd considers that "they serve to describe behavior from which the people are urged to cease and desist" rather than "offenses" or "punishment" as labelled by O'Brien.<sup>328</sup> For the purpose of this study, it is suffice to say that it is legitimate for O'Brien to categorize Mal 2.8-9 as "Ultimatum / Punishment" and Mal 2.10-16 as the Second Accusation (from

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<sup>324</sup> Cf. O'Brien, *Priest and Levites in Malachi*, 80-81.

<sup>325</sup> O'Brien, *Priest and Levites in Malachi*, 81-82.

<sup>326</sup> O'Brien, *Priest and Levites in Malachi*, 79.

<sup>327</sup> Snyman, 9-10.

<sup>328</sup> Floyd, *Minor Prophets*, 564-565.

Preliminaries to Ultimatum / Warning),<sup>329</sup> in particular if “married the daughter of a foreign god” in Mal 2.11 points to idolatry worship as she contends.<sup>330</sup> Whilst there is some force in Floyd’s argument that the label “Preliminaries” is too vague to cover the extraneous elements such as Mal 1.6a and 2.10a,<sup>331</sup> it does not necessarily render the whole setting of lawsuit collapsed. The said elements can be better described by the accuser’s speech (“accusation”) in the Neo-Babylonian / Persian trial procedure.

Besides, Floyd argues that Mal is a book of compositional integrity but generic diversity.<sup>332</sup> He divides it into (a) an introduction (Mal 1.2-5), followed by (b) two speeches (Mal 1.6-2.9 and Mal 2.10-16) both begin with a “prophecy of punishment” (Mal 1.6-14; 2.10-12) and end in a “prophetic call to repentance” (Mal 2.1-9; 2.13-16), and then (c) another two speeches which are respectively a “prophetic call to repentance” (Mal 2.17-3.12) and a “prophetic report” (Mal 3.13-24).<sup>333</sup> For these various forms as suggested by Floyd, if one may borrow the words of O’Brien, such arguments “have drawn little distinction between a book’s form (genre) and its style or rhetorical devices.”<sup>334</sup> What Floyd concerns are the functions and purposes of different passages rather than the genre(s) of the same in the *Sitz im Leben* sense.

Having said the above, the clear inadequacy of O’Brien’s argument is that all along, she has not clearly described what “covenant lawsuit” means. She takes the idea from Harvey and in view of the presence of the covenant terminology and theme in Mal, she concludes that the *rîb* in Mal is in the form of “covenant lawsuit.”<sup>335</sup> Nevertheless, if the concept of lawsuit is based on the ancient Near East sacral law (as suggested by Harvey), it sounds somewhat self-contradictory for O’Brien to state that “[a]lthough ancient Near Eastern treaty documents were probably unknown to [the author of Malachi], ....”<sup>336</sup>

Whilst O’Brien has demonstrated that the *rîb* in Mal is a transformation of the classical form of *rîb* with the elements of direct debate and extensive use of covenant terminology, the question remains: What sort(s) of lawsuit setting the redactors tried to project? Is it the ancient Near East sacral law,

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<sup>329</sup> O’Brien, *Priest and Levites in Malachi*, 63.

<sup>330</sup> O’Brien, *Priest and Levites in Malachi*, 67-72.

<sup>331</sup> Floyd, *Minor Prophets*, 565.

<sup>332</sup> Floyd, *Minor Prophets*, 567.

<sup>333</sup> Floyd, *Minor Prophets*, 568.

<sup>334</sup> O’Brien, *Priest and Levites in Malachi*, 59.

<sup>335</sup> O’Brien, *Priest and Levites in Malachi*, 61-63.

<sup>336</sup> O’Brien, *Priest and Levites in Malachi*, 81.

ancient Near East treaty, prophetic lawsuit in Israel's tradition (the definition of which is also diversified) or something else?

### 2.5.3 **Controversy and Trial**

Scholarly opinions have been differed as to the literary genre of the six units of discourses in Mal. All along, they have tried hard to find out:

- (a) the common elements that constitute the particular form of expression of these units, and/or
- (b) a regular pattern which is applicable to *all* six units.

Insufficient attention has been given to the substance (themes) of the discourses, and whether (and how) the particular form serves the purpose of connecting the six discourses with the concluding words in Mal 3.22-24.

It is observed that those discourses involve disputes among different parties. Unit 1 is about the challenge of the Israelites (remnants) against YHWH's (covenantal) love towards them. Units 2 to 6 relate to the clear breaches of the laws of temple offering, purity, idolatry worship and marriage, tithes and reverence to YHWH. Coupled with YHWH's judgmental speeches, there is a strong sense of disputation among the parties in the legal context.

Then the issue is: How to define "disputation in the legal context"? One may start with Gunkel's list of manners through which the prophets interacted with their fellow people,<sup>337</sup> or more specifically, Westermann's descriptions of "legal procedure" / "judgment procedure" in which "God speaks as a judge directly and without any introduction (by a messenger formula)."<sup>338</sup> More detailed "judicial procedure" can be found in Isa 1.18-20; 3.13-15 in which, as observed by Westermann, "[b]oth are introduced with a summons to the court proceedings (as Isa. 43:20), then the complainant presents his case."<sup>339</sup>

Graffy considers that disputation speech consists of three elements: introduction, quotation of the people's (opponents') words, and refutation of their words. At critical time, such a genre allowed the prophet to

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<sup>337</sup> Hermann Gunkel, *Die Israelitische Literatur*, (1925; reprint) Darmstadt: Wissenschaftliche Buchgesellschaft, 1963, 37.

<sup>338</sup> C. Westermann, *Basic Forms of Prophetic Speech*, trans. Hugh C. White, London: Lutterworth, 1967; repr. Louisville, KY: WJKP, 1991, 199. In this regard, Westermann gives the examples of Hos 4.1-3; 5.3-15; Jer 2.5-29.

<sup>339</sup> See *ibid*, 200, where Westermann also comments on Isa 5.1-7; Mic 6.1-5, etc..

confront his people directly in order to correct their mistaken views.<sup>340</sup> Sweeney suggests that the “disputation” genre is based on a two-part structure, which includes “a statement of the opponent’s viewpoint and argumentation in which the speaker attempts to refute that viewpoint and argue for another.”<sup>341</sup>

In this regard, by way of lexicographical analysis of the relevant terms in the Hebrew Bible, Bovati makes an attempt to distinguish the procedure of controversy (*rîb*) from that of trial (*mišpāṭ*).<sup>342</sup> The gist of his study is that by defining “the structural elements of the controversy as a juridical procedure,” one can have a better understanding of those parts in the Hebrew Bible that use the literary settings of controversy and trial to interpret the relationship between YHWH and His people.<sup>343</sup>

Regarding the definition of *rîb*, Bovati states that,<sup>344</sup>

“The *rîb* is a controversy that takes place between two parties on questions of law. For the contest to take place, the individuals in question must have had a previous juridical bond between them (even if not of an explicit nature), that is, it is necessary that they refer to a body of norms that regulates the rights and duties of each. This underlying relationship between the individuals affects not just the origin but also the progress of a dispute that is substantiated by juridical argument and requires a solution in conformity with the law.”

According to Bovati, the goal of the *rîb* is to make the two parties “in truth and in justice, renew their relationship, perhaps even more intensely, and lay the foundation for a peace agreement that will shape relations between those concerned in a new way.”<sup>345</sup> Generally speaking, a *rîb* consists of three elements: “(1) acknowledgement of a misdeed (mentioning of a wrongful act), (2) accusation, and (3) appropriate punishment.”<sup>346</sup> An “accusation”

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<sup>340</sup> A. Graffy, *A prophet confronts his people: The disputation speech in the prophets*, Rome: Biblical Institute Press, 1984, 1-2.

<sup>341</sup> M.A. Sweeney, *Isaiah 1-39, with an Introduction to Prophetic Literature*, FOTL 16, Grand Rapids and Cambridge: Eerdmans, 1996, 519.

<sup>342</sup> Pietro Bovati, *Re-establishing justice: Legal terms, concepts and procedures in the Hebrew Bible*, JSOTSup 105, translated by Michael J. Smith, Sheffield: JSOT 1994, 8.

<sup>343</sup> Bovati, *Re-establishing justice*, 79.

<sup>344</sup> Bovati, *Re-establishing justice*, 30.

<sup>345</sup> Bovati, *Re-establishing justice*, 31.

<sup>346</sup> Bovati, *Re-establishing justice*, 51.

can be made in the interrogative form (instead of declaratory form), that is, by way of “questioning.”<sup>347</sup>

Concerning the procedure for trial, it is divided into three stages: (1) the start of the trial; (2) the debate; and (3) judgment / verdict and punishment.<sup>348</sup> The debate consists of the accusation and the defence. Bovati argues that “there is no such thing as a ‘neutral’ defence: *defence is to accuse the accuser.*”<sup>349</sup>

Bovati emphasizes that the questioning in the procedure of controversy (*rîb*) is different from that in trial, in that the latter was directed by the judge who was also the prosecutor. The questioning by the judge aims to verify the facts and find out who should be liable for the dispute “so that the judge can hand down the verdict in accordance with truth and justice”. In the context of Mal, the questions posed directly by YHWH to the people can be found in, e.g. Mal 1.6b; 1.8; 3.8, etc.. The defence raised by the priests and the Israelites (by way of challenging questions, e.g. Mal 1.2a; 1.6b; etc.) in effect implies that YHWH is framing up false allegations against them. Such defence put Him to strict proof of His accusations.

Bovati finds that the “verb עשה is used to describe an unjust act, a crime, a misdeed” and its relevant verbs and nouns frequently appear in the Hebrew Bible,<sup>350</sup> e.g. Mal 2.11 “committed” (נעשתה). For the verb מצא, it is used to describe discovery of a crime or a criminal, e.g. Mal 2.6 “not found on his lips” (לא נמצא בשפתיו). Other words and phrases relating to controversy and/or trial include:

- (a) Mal 2.14b: “a witness between you and ...” (העיד בינך וביני);
- (b) Mal 3.5a: “I will draw near to you for judgment; I will be swift to bear witness against the sorcerers...” ( וקרבתני אליכם למשפט והייתי עד (ממהר במכשפים); and
- (c) Mal 3.15, 19: “wickedness / evildoers” (רשעה),<sup>351</sup> etc.

At the end of a trial, the judge would grant the judgment (verdict) with the decree of punishment (to the evildoers) and compensation (to the suffering innocents). Having analyzed the link between juridical activity and the

<sup>347</sup> Alternatively, an “accusation in *rîb* may be a simple formula or may take the form of a complete argument” which aims to make the accused to admit his misdeed. Bovati, *Re-establishing justice*, 78.

<sup>348</sup> Bovati, *Re-establishing justice*, 390.

<sup>349</sup> Bovati, *Re-establishing justice*, 331.

<sup>350</sup> Bovati, *Re-establishing justice*, 117.

<sup>351</sup> Bovati, *Re-establishing justice*, 118.

metaphor of light in different parts of the Hebrew Bible, Bovati observes that, “The rising of the sun, which, as is well known, is expressed in Hebrew by the verb [יָצָא], seems to be one of the metaphors suggesting the advent of justice promoted by right judgment.”<sup>352</sup> Such a metaphor also appears in Mal 3.20a, “But for you who revere my name the sun of righteousness shall rise, ...” (though the verb used is זָרַח)<sup>353</sup> Bovati continues that,

“This shows that the fundamental opposition between light and darkness, as well as standing in general for the symbolic force of the pairs life-death, good-evil, also refers to the opposition between salvation and punishment. Since the break of the day is the equivalent of the moment in which judgment in accordance with justice takes place, light becomes the symbol of the victory of the law.”<sup>354</sup>

Upon that basis, it is coherent to read Mal 3.20-21 as the respective consequences of the righteous persons (suffering innocents) and evildoers under the judgment granted by YHWH.<sup>355</sup> It also points to a perfect connection with Mal 3.22 being a call to remember the *torah* of Moses and the statutes and ordinances that YHWH commanded Moses at Horeb “for all Israel”.

In sum, with reference to the definition of *rîb*, the procedure of trial and the lexicographical analysis as put forward by Bovati, I have demonstrated that Mal contains a number of the characteristic words of *rîb* and trial. In view of the judgmental speeches in the book (e.g. 2.1-9), in particular Mal 3.17-21, this research suggests that Mal reflects the procedure of trial rather than that of controversy (*rîb*)(according to Bovati’s categorization).<sup>356</sup> It is

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<sup>352</sup> Bovati, *Re-establishing justice*, 365-366.

<sup>353</sup> The verb יָצָא in 3.20b applies to “you” (plural), not the sun.

<sup>354</sup> Bovati, *Re-establishing justice*, 368. He provides the following scriptural verses as reference: 2 Sam 23.3-4; Isa 2.4-5; 5.20; 9.1-6; 58.8-10; Mic 7.9; Ps 97.11; 112.4; Job 11.17; 22.27-30; 38.12-15.

<sup>355</sup> Bovati, *Re-establishing justice*, 377: “... anyone who has done evil (in the sense of having transgressed the law and committed a crime) is made to undergo – through an action undertaken by the judicial authority – proportionate suffering; those who have not done evil have their right satisfied, are repaid for any inquiry received, and have the exercise of their liberty guaranteed.”

<sup>356</sup> Bovati also notes that sometimes, it is not easy to distinguish between controversy and trial in the Hebrew Bible. Even so, he maintains that “even if the Hebrew lexicon seems to swing ambiguously between the sphere of the law court and that of the controversy, it is necessary to keep the two structures logically apart to interpret the facts and expressions found in the Bible correctly.” See Bovati, *Re-establishing justice*, 215. Given that Bovati stresses on the differences between the two procedures, i.e. *rîb* and trial, such an academic (and somewhat artificial) distinction is justified in his context. Having said that, for the purpose of the present study, as the primary aim is to demonstrate that Mal contains a

interesting to note that Mal 3.7 and 3.22-24 bears the features of an offer of “pardon” which aims to reconcile and settle the dispute between the parties. We shall see its theological implication at the end of this section.

#### 2.5.4 **Trial procedures in the early Persian period**

If we say that the six units of discourses in Mal are of the nature of “covenantal lawsuit” or “disputation in court settings”, apart from lexical, literary and thematic analyses, is there any evidence to show that it is likely that the redactors had in mind of a legal setting and / or court litigation? This study proposes that with reference to the court procedures in the early Persian period (compatible with the dating of Mal as suggested above), it can shed new light on the analysis of the literary genre of the said six units of discourses.<sup>357</sup>

Here, it must be emphasized that the present exegetical study neither relies on the dating of Mal nor depends on the (probably) historical settings of its messages. Even without taking the historical factors into account, merely upon literary reading of the book, one can form the view that the six units of discourses contain dialectic and / or argumentative elements in relation to breaches of covenant and *torah*. Upon that basis, this study attempts to elicit a new perspective for understanding the genre of Mal, which is of interpretative significance, by referring to the trial procedures in the early Persian period.

As discussed above, the reasonable dating of Mal is from early to mid-fifth century B.C.E.. Since the disputations in the six units of discourses concern breaches of the laws given by YHWH (and therefore, breaking the covenant with Him), attempt is made to refer to the litigation procedures and, whenever appropriate, the literary style of the speeches in the courts of the relevant (Persian) period. The primary aim of it is not to prove that Mal was composed in that period but to demonstrate that it is more likely than not that the redactors intended to express their messages through the literary setting of court disputation – YHWH is debating with and judging

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number of characteristic words of *rîb* and trial (according to Bovati’s definitions), I use “*rîb* and/or trial” when it is not necessary to draw any concrete line between the two procedures.<sup>357</sup> Cf. the approach of Magdalene in analyzing the book of Job, “Consequently, I suggest that, by examining the rules of legal procedure throughout the Neo-Babylonian period, one can easily identify the legal metaphors in the book of Job. This, in turn, might allow us to solve several of the book’s enigmas, legal, literary, and theological. See F. Rachel Magdalene, *On the Scales of Righteousness: Neo-Babylonian Trial Law and the Book of Job*, Brown Judaic Studies 348, Providence, R.I.: Brown Judaic Studies, 2007, 5-6.

His people. The *torah* of Moses and the covenant made at Horeb (Mal 3.22) are the foundation of the trial as the same constitute the (legal) relationship between the parties.

In the Neo-Babylonian period, the king was the supreme judge who decided the very important lawsuits. Appeals taken by citizens could be brought before the king or the royal courts.<sup>358</sup> It is documented that the office of “judges of the King” in Neo-Babylon was continued in the Persian period. Those judges administered justice by trying cases and granting decisions.<sup>359</sup> Oelsner, Wells and Wunsch note that as supported by the documents, the legal institutions of the Neo-Babylonian Empire remain more or less the same during the Achaemenid period.<sup>360</sup> Hence, it is justified for this study to refer to the trial procedures in the Neo-Babylonian period even though the probable dating of Mal is in the Persian era.

According to Ezra 7.25-26, Artaxerxes I ordered Ezra to appoint “magistrates and judges” to execute the law of YHWH and the law of the king:

“...All who will not obey the law of your God and the law of the king, let judgment be strictly executed on them, whether for death or for banishment or for confiscation of their goods or for imprisonment.”

Even though it remains debatable as to how far this passage reflects the historical picture of the laws applicable in Yehud at the relevant times and what “the law of YHWH” refers to,<sup>361</sup> given that a system of judges had already been in operation in the Neo-Babylonian era, the continuance of it at the time of Ezra would not be a surprise. From the above two verses, it is reasonable to infer that the redactors of Ezra had the idea of the judicial system of the Persian Empire, in particular in the region of Yehud.

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<sup>358</sup> J. Oelsner, B. Wells and C. Wunsch, “Neo-Babylonian period,” in R. Westbrook, ed., *A History of Ancient Near Eastern Law*, vol. 2., Leiden: Brill, 2003, 911-974, at 918.

<sup>359</sup> Shalom E. Holtz, “Judges of the King” in Achaemenid Mesopotamia,” in J. Curtis and St. John Simpson, eds., *The World of Achaemenid Persia: History, Art and Society in Iran and Ancient Near East*, London, New York: I.B Tauris, 2010, 481-489.

<sup>360</sup> Oelsner, Wells and Wunsch, “Neo-Babylonian period,” 912. Magdalene finds that “[i]t is long established that no changes of consequence to legal procedure occurred after the Persian conquest of the Babylonian until the legal reforms instituted towards the end of the reign of Darius I.” Having said that, even after the reform, “the litigation documents reflect no major procedural changes.” Magdalene, *On the Scales of Righteousness*, 34-35.

<sup>361</sup> See, e.g. Magdalene, *On the Scales of Righteousness*, 36-37.

In her analysis of the book of Job, Magdalene contends that the Neo-Babylonian legal system is highly relevant to the legal world of the author of Job. The two reasons given by her are also applicable to Mal,<sup>362</sup>

“First, this particular Mesopotamian legal system was deeply connected to a tradition of litigation procedure that existed throughout the ancient Near East for almost three millennia. ... Second, the Neo-Babylonian and/or Persian empires had colonial control over Israel in the period in which the book of Job was most likely composed. It is quite plausible to suggest, then, that the legal system in use by these empires had direct influence on that of Israel during the period when the author of Job created this work.”

For the present research, one would wonder whether the redactors of Mal had the knowledge of the said judicial system. In order to explore the answer, it is necessary for us to compare the contents and literary patterns of Mal with the Neo-Babylonian trial procedures which were later adopted by the Persian Empire. Such a comparison is made on the assumption that the “authors typically draw their literary metaphors from their social world”.<sup>363</sup> There is no doubt that it would not be a “perfect match” as, instead of purely “imitating” the Persian court procedures, the redactors of Mal had their own theological agenda. It is sufficient for the purpose if significant similarities can be discovered to establish the probable dependency of the literary settings (*Sitz im Leben*) of Mal upon the trial procedures of its time.<sup>364</sup>

The typical litigation procedures in Neo-Babylon period include, among the others, the following:<sup>365</sup>

- (a) the accusation by the plaintiff (the accuser),<sup>366</sup>
- (b) a demand upon the defendant (the accused);
- (c) the investigation (interrogation) by the hearing tribunal or their agents;

<sup>362</sup> Magdalene, *On the Scales of Righteousness*, 28-29.

<sup>363</sup> Magdalene, *On the Scales of Righteousness*, 27.

<sup>364</sup> Cf. the approach in Magdalene, *On the Scales of Righteousness*, 11.

<sup>365</sup> Oelsner, Wells and Wunsch, “Neo-Babylonian period”, 922-925; Magdalene, *On the Scales of Righteousness*, 66; Shalom E. Holtz, *Neo-Babylonian Court Procedure*, Leiden, Boston: Brill, 2009, Chapter Eight and Chapter Nine; “Judicial and Legal Systems i. Achaemenid Judicial and Legal Systems”, in the website of *Encyclopeida Iranica*: <http://www.iranicaonline.org/articles/judicial-and-legal-systems-i-achaemenid-judicial-and-legal-systems>.

<sup>366</sup> There is a text showing that during the reign of Darius I, a plaintiff came to the court before the judges to state her case regarding a house, Holtz, “Judges of the King” in Achaemenid Mesopotamia,” 487.

- (d) the summons upon the defendant,<sup>367</sup> which might include arrest or seizure of property;
- (e) the declaration or oath taken by the defendant to defend the case, or even to counterclaim against the plaintiff;
- (f) a second accusation by the plaintiff in which further evidence could be adduced, or the testimony of a corroborating plaintiff's witness;
- (g) the taking of additional evidence, including statements from third-party witnesses, documentary evidence, etc.,<sup>368</sup>
- (h) the verdict (and appeal, if taken); and eventually,
- (i) the execution of the verdict.

Magdalene remarks that the rules of procedure and evidence in the Neo-Babylonian legal system were quite flexible:<sup>369</sup>

“Trial procedure was somewhat fluid.... one cannot always clearly delineate pre-trial, trial, and post-trial phases of litigation. Furthermore, it appears that not every procedure available to the court was employed in every case (although one might postulate that every step did occur, but often some of the procedures or phases were not recorded for various reasons).”

Scholars opine that unlike the Near Eastern tradition of trial procedure, in which a case could be closed in favour of the defendant simply because he/she had taken oath before the gods, numerous records show that litigations in Achaemenid period required more and rational evidence to prove the case.<sup>370</sup> In other words, both the plaintiff and the defendant had to provide concrete evidence and reasoning to support their respective

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<sup>367</sup> There is evidence that a summons dated to the first year of Cyrus required a person to come and “argue a case” before the judges of the king, Holtz, ““Judges of the King” in Achaemenid Mesopotamia,” 484.

<sup>368</sup> Magdalene, *On the Scales of Righteousness*, 66.

<sup>369</sup> Magdalene, *On the Scales of Righteousness*, 66. It should be remarked that whilst there was no division between civil and criminal procedures (Oelsner, Wells and Wunsch, 921), for different types of cases, the adjudicatory process could be somewhat different. There is also the possibility that such “differences” are due to the brevity of the records. Besides, one should take notice of the limitation of the archaeological findings in that most of the records are relating to temple courts. Therefore, it is not clear whether there were significant differences between the procedures in the temple courts and the secular courts. See Magdalene, *On the Scales of Righteousness*, 42-43.

<sup>370</sup> Oelsner, Wells and Wunsch, “Neo-Babylonian period”, 923-924.

cases.<sup>371</sup> It is particularly relevant to the procedure of second accusation of plaintiff in which further evidence could be adduced. On this point, one may draw an analogy with the second accusation of (or made on behalf of) YHWH (see below).

There are records of trials that the temple was the victim of theft or corruption committed by its employees. A temple could be a litigant in a property dispute with a private individual.<sup>372</sup> One may compare such cases with the accusations against the priests for the profaned offerings, and those against the people (Mal 3.9 “the whole nation of you”) for robbing YHWH in their tithes. Being the plaintiff as well as the supreme judge, YHWH is arguing cases and delivering verdicts against different parties.

### 2.5.5 Reading Mal in the setting of Persian trial procedures

With reference to the above-mentioned trial procedures, it is suggested that the book of Malachi can be analyzed in this manner:

1.1	Superscription
1.2-5	Unit 1: YHWH’s accusation and demand: “I have loved you” (1.2 a $\alpha$ ) Defence: “In what way have you loved us?” (1.2a $\beta$ ) YHWH’s second accusation with further evidence: “And I have loved Jacob but Esau I have hated” (1.2b-5)
1.6-2.9	Unit 2: YHWH’s accusation and demand: “O priests, despisers of my name.” (1.6a-b $\alpha$ ) Defence: “How have we despised your name?” (1.6 b $\beta$ )

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<sup>371</sup> Magdalene, *On the Scales of Righteousness*, 84, “According to B. Wells, the party on whom the burden of proof fell now had to produce additional rational evidence in order to win the case” (referring to B. Wells, *The Law of Testimony in the Pentateuchal Codes*, Beihefte zur Zeitschrift für Altorientalische und Biblische Rechtsgeschichte 4, Wiesbaden: Harrassowitz, 2004, 108-30, esp. 128-9).

<sup>372</sup> Oelsner, Wells and Wunsch, “Neo-Babylonian period”, above, at 921.

YHWH's second accusation with further evidence: "By offering, upon my altar, defiled food." (1.7a $\alpha$ )

Defence: "How have we defiled you?" (1.7a $\beta$ )

YHWH's additional accusations and evidence: "When you say, "The table of YHWH is despised." (1.7b-9)<sup>373</sup>

YHWH's verdict: "I will not accept an offering from you hand"; "Cursed be the cheat..." (1.10-14)

YHWH's further verdict:<sup>374</sup> "And indeed I have cursed it..."; "You have corrupted the covenant of Levi"; "I will make you despised, and abased before all the people" (2.1-9)

2.10-16

Unit 3:

Accusation made on behalf of YHWH against the Israelites for their faithlessness (גלג, 2.10, 11) by profaning "the covenant of our fathers" and the sanctuary of YHWH, and marrying "the daughter of a foreign god" (2.10-13)

Defence: Why? (2.14a)

Second accusation and further evidence against the Israelites for their faithlessness (גלג, 2.14, 15, 16): YHWH has been "a witness between you and the wife of your youth, against whom you have been faithless (2.14b-16)

2.17-3.5

Unit 4:

Accusation: "You have wearied YHWH with your words." (2.17a)

Defence: "How have we wearied [Him]?" (2.17a)

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<sup>373</sup> Mal 1.9 can be considered as the third party's evidence recited by YHWH, "And now implore the favour of God, that he may be gracious to us."

<sup>374</sup> Cf. J.D.W. Watts, "Introduction to the Book of Malachi," *RevExp* 84 (1987): 373-81, 376; Noglaski, *Redactional Process in the Book of Twelve*, 195.

Second accusation: “By saying, “All who do evil are good in the sight of YHWH, and he delights in them. ...” (2.17b)

YHWH’s verdict: Sending of “my messenger”, “the messenger of the covenant” to the temple to purify the descendants of Levi. “Then I will draw near to you for judgment. ...” (3.1-5)

**YHWH’s offer to pardon the Israelites:** “Return (שׁוּבוּ) to me, and I will return to you.”<sup>375</sup>

Israelites’ reply: “How shall we return?” (3.6-7)

3.8-12

Unit 5:

YHWH’s accusation: “...you are robbing me!” (3.8a $\alpha$ )

Defence: “How are we robbing you?” (3.8a $\beta$ )

YHWH’s second accusation with further evidence: In your tithes and offerings!” (3.8b-9)

**YHWH’s offer to pardon:** Bring the full tithe into the storehouse and see if YHWH would pour down the blessing (3.10-12)

3.13-21

Unit 6:

YHWH’s accusation: “You have spoken harsh words against me” (3.13a)

Defence: “How have we spoken against you?” (3.13b)

YHWH’s second accusation with further evidence: “You have said, “It is vain to serve God. ...”” (3.14-15)

YHWH’s verdict: Those who revere YHWH shall be His special possession (3.16-17); difference between the righteous and the wicked, those who serve YHWH and those who do not serve Him (3.18-21)

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<sup>375</sup> Refer the end of 2.5,3 above.

3.22-24            **YHWH's offer to pardon** (with the implication of full execution of the verdicts in the imminent future): If the Israelites "Remember" the *torah* of Moses and their hearts turn (return (שוב), Mal 3.24) to YHWH, He will not come and strike the land with curse.

The above analysis not only put the six units of discourses in Mal into its *Sitz im Leben*, that is, the literary setting of "court disputation" but also provides a new perspective and analytical framework to explain the apparently irregular patterns of the discourses. Just like the real litigations in the early Persian era, the six units of discourses in Mal show that each case depends on its own facts and not every case goes through all the court procedures. That explains why these discourses cannot be squarely fit into any of the "strait jacket" literary pattern as suggested by various scholars before.

This study further suggests that these six units of discourses can be perceived as framed in the litigation setting so that the same can be linked to the conclusion in Mal 3.22-24. The various breaches of the commandments of YHWH are proved in the series of court disputations in Mal 1.2-3.21. At the end of the day, there is still an offer to pardon from YHWH, calling the Israelites to remember the *torah*, "statutes and ordinances" commanded through Moses and prepare for the coming of Elijah prior to the execution of the verdict of the supreme judge and the king of the earth, "YHWH of hosts".<sup>376</sup> Hence, the last three verses of the book are in unity with other parts of Mal.<sup>377</sup>

### 2.5.6 Significance of the genre of Mal

The genre of "court disputation" has bearing on the theological implication and interpretative perspective. Bovati's words are noteworthy: "... the

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<sup>376</sup> As to the theological implications of the frequent use of the address "YHWH of Hosts" in the post-exilic prophetic books, see J.T.S. Chung, *The Lord of Hosts and His Messengers: The significance of YHWH Zebaoth in Haggai, Zechariah 1-8, and Malachi*, Göttingen: Cuvillier Verlag Göttingen, 2011.

<sup>377</sup> O'Brien considers that "an understanding of the Book of Malachi as bearing an adapted *rib* form suggests that many passages usually treated as secondary additions to the book may indeed be integral to it." Examples include Mal 1.11; 2.12; 3.22 and 3.23-24. O'Brien, *Priest and Levites in Malachi*, 81-82.

fundamental intention of the accusation in a *rîb* (between two parties)” is “not punishment but a right relationship with the other; the desire is that the accused should reform and live in a just relationship, ....” “To accuse means, then, to want the other to escape from the unjust situation by an act of truth and justice...”<sup>378</sup>

As mentioned above, a *rîb* can be settled by compromise / reconciliation, and one of the ways is for the accuser to grant a pardon to the accused. In general, an accuser can decide (and certainty is not bound) to grant a pardon after the accused confesses his guilt and expresses his attitude of conversion by gestures and promises. An accuser has the right to grant pardon on certain conditions and it is for him to decide whether the conditions have been met or not.<sup>379</sup> Bovati particularly points out that sometimes a pardon is offered by the accuser even before the accused is able to recognize his own misdeed and beg for a pardon. “Seen from this angle, pardon is a prior act, already in some ways unilaterally granted by the offended party, and only waiting for the opportunity to make itself seen when the guilty receives it.”<sup>380</sup>

In this regard, one may refer to Mal 3.6-7 in which YHWH offers to pardon the Israelites (even though the trial is coming to the end and YHWH’s accusations are overwhelming), “Return to me, and I will return to you.” Prior to that, in Mal 3.5, YHWH says that He will send “my messenger” (Mal 3.1) to purify the descendants of Levi “until they present offerings to YHWH in righteousness.” In other words, they shall be pardoned (after the condition of being purified is fulfilled) and continue to offer sacrifices for “Judah and Jerusalem” (Mal 3.4). Then on the issue of tithe, even though the charge is that the whole nation is robbing God (Mal 3.8-10), YHWH again offers a pardon on the condition that if the Israelites bring the full tithe into the storehouse, “I will rebuke the locust for you, ... and your vine in the field shall not be barren” together with an overflowing blessing from the heaven (Mal 3.10-11).

Against this background of the legal procedure of reconciliation, Mal 3.22-24 can be read as another offer to pardon in which YHWH offers that He shall send Elijah to cause the hearts of fathers to return to the sons, and vice versa, so that His coming and striking the land with a curse can be pardoned. It is the answer to the Israelites’ question in Mal 3.7, “How shall we return?” The condition of the pardon is that the Israelites have to

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<sup>378</sup> Bovati, *Re-establishing justice*, 90-91.

<sup>379</sup> Bovati, *Re-establishing justice*, 156-157.

<sup>380</sup> Bovati, *Re-establishing justice*, 158.

“Remember!” (imperative)<sup>381</sup> the *torah* of Moses and the statutes and ordinances granted at Horeb, which implies that they have to remember the covenant made between YHWH and their ancestors (cf. the address of “Jacob” in Mal 1.2 and “children of Jacob” in Mal 3.6).

In other words, the messages of Mal can be analyzed and understood from the perspective of the genre of “court disputation”. In the literary setting of litigation, the covenantal, Deuteronomistic and priestly terminologies together with various traditions are used to formulate the messages in Mal. In the following chapter, by way of inner-biblical exegesis, I shall explore what traditional materials were used by the redactors to compose Mal 1.1-2.16 and establish the authority of it.

In sum, this section has demonstrated that:

1. in addition to the literary analysis, the reference to the trial procedures in the Neo-Babylonia / Persian period contributes to the perspective of understanding the genre and messages of the six units of discourses in Mal; and
2. if one accepts that these discourses are of the genre of “court disputations”, this study suggests that the function of this literary genre is to, on the one hand, emphasize the Israelites’ multiple breaches of the words of YHWH and persistent denial of their liabilities, and on the other hand, pave the way for the concluding messages in Mal 3.22-24. Bearing the literary setting of court litigation in mind, there is an impact on the readers / audience by calling them to return to YHWH before the full execution of His verdict.

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<sup>381</sup> Cf. Mal 3.16 those who revered YHWH and thought of His name were written into the book of remembrance. It should also be noted that the verbs “return (שוב)” in the offer to pardon in Mal 3.7-8, and “bring (בוא)” in the offer to pardon in Mal 3.10-12 are also in imperative form.

## 3 Tradition-historical Analysis of Mal 1.1-2.16

### Chapter outline

#### 3.1 Mal 1.1

Text, translation & text-critical issues

Structure & theme

Inner-biblical references

3.1.1 מֵשָׁא and the prophetic tradition

3.1.2 דְּבַר יְהוָה, מֵשָׁא and 2 Kings 9.25-26

3.1.3 “Israel”

3.1.4 “the word of YHWH to Israel by the hand of Malachi”

Purpose & message

#### 3.2 Mal 1.2-5

Text, translation & text-critical issues

Structure & theme

Inner-biblical references

3.2.1 “And I have loved Jacob but Esau I have hated” (Mal 1.2-3)

3.2.1.1 “Love-hate” language and tradition of “election”

3.2.1.2 Covenantal love and obligations

3.2.1.3 Obad and Mal

3.2.2 Traditions of YHWH’s judgment: “Desolation”, “ruins”, “jackals” and Edom (Mal 1.3-4)

3.2.2.1 שְׂמֵמָה, חֲרָבָה and YHWH’s judgment against cities / land / nations

3.2.2.2 “Jackals” and שְׂמֵמָה

3.2.2.3 שְׂמֵמָה, חֲרָבָה and Edom in Jer and Ezek

3.2.2.4 Mal 1.3 and Joel 4.19

3.2.2.5 Combined use of the judgmental terminologies

### 3 Tradition-historical Analysis of Mal 1.1-2.16

3.2.3 “YHWH of hosts”, messenger formula(s) and the prophetic tradition (Mal 1.4)

3.2.3.1 “YHWH of hosts”

3.2.3.2 Messenger formula(s) and the prophetic tradition

3.2.4 Tradition of YHWH’s judgment: עד עולם and זעם

3.2.5 “And your eyes will see it... Great is YHWH...”

3.2.6 “the territory of Israel”

Purpose & message

### 3.3 Mal 1.6-2.9

Text, translation & text-critical issues

Structure & theme

Inner-biblical references

3.3.1 “father” and “son”, YHWH and Israel (Mal 1.6)

3.3.1.1 The covenantal nature of the relationships

3.3.1.2 Traditional materials in Isa 63

3.3.2 “honour” (כבוד), “father”, and “honour” (כבוד) of YHWH (Mal 1.6)

3.3.2.1 Judgment against Eli’s family in 1 Sam 2.27f

3.3.2.2 Priests and glory of YHWH

3.3.3 “master” and “servant”, “respect” (מורא), “fear” (ירא), and priests (Mal 1.6)

3.3.3.1 Parallel use of father-son and master-servant metaphors

3.3.3.2 “respect” / “fear” YHWH

3.3.4 “despise” (בזה) and the name of YHWH (Mal 1.6)

3.3.5 “offer” (נגש), “present / offer” (קרב), “bring” (בוא)

(Mal 1.7, 8, 11, 13)

3.3.6 “accept” (רציה), “a male” (זכר), “vows” (נדר), “blind” (עור), “lame” (פסח), “sick” (חלה) and “blemished” (משחת) animals

(Mal 1.8, 10, 13, 14)

3.3.6.1 Lev 22.17-25 Criteria of an acceptable vow offering

- 3.3.6.2 Lev 21 Criteria of the acceptable personnel
- 3.3.6.3 Deut 15.19-23 and Lev 27.1-13
- 3.3.7 “entreat the favour of God” (חלו נא פני אל) (Mal 1.9)
- 3.3.8 YHWH will “not accept” (לא + רצה) an “offering” (מנחה) (Mal 1.10)
- 3.3.8.1 Hos 8.11-13
- 3.3.8.2 General tradition of rejection of offerings by YHWH: Jer 14.7-16, Isa 1.10-17 & Amos 5.21-24
- 3.3.9 “a pure offering” (מנחה טהורה) (Mal 1.11)
- 3.3.10 Tradition of “this commandment” (המצוה הזאת) (Mal 2.1, 4a)
- 3.3.10.1 Deut 6.20-25 & 11.18-22, 26-28
- 3.3.10.2 Deut 15.4-6
- 3.3.10.3 Deut 19.9 & 30.11, 16
- 3.3.11 “if not” and “listen”, “take” to “heart” (Mal 2.2)
- 3.3.11.1 Lev 26.14-15
- 3.3.11.2 Deut 28.15f
- 3.3.11.3 1 Sam 12
- 3.3.11.4 Jer 26.4-9
- 3.3.11.5 “take” the words of YHWH to “heart”
- 3.3.12 “curse” (ארר) and “blessing” (ברך) (Mal 2.2-3)
- 3.3.12.1 Deut 28.15-20
- 3.3.12.2 I will curse your blessings” and Num 6.23-27
- 3.3.13 “priests”, Levites and “covenant with Levi” (Mal 2.4b-8)
- 3.3.13.1 Num 25.10-13
- 3.3.13.2 Deut 33.8-11
- 3.3.13.3 Both Num 25.10-13 and Deut 33.8-11
- 3.3.13.4 Other remarkable suggestions
- 3.3.14 Tradition of “corrupt” (שחת) + “turn aside from the way” (סרתם מן הדרך) (Mal 2.8)

### 3 Tradition-historical Analysis of Mal 1.1-2.16

3.3.15 “showing partiality” (נִשְׂאִים פָּנִים) in torah (Mal 2.9)

Purpose & message

#### 3.4 Mal 2.10-16

Text, translation & text-critical issues

Structure & theme

Inner-biblical references

3.4.1 “faithless” (בגד) (Mal 2.10, 11, 14, 15, 16)

3.4.2 Deut 32.6ff

3.4.3 “profane” (חלל), cut off (כרת), sanctuary (קדש) and Lev 20.1-5 (Mal 2.10-12)

3.4.4 “faithless” + “Judah” and Jer 3.8, 11 (Mal 2.11)

3.4.5 “abomination”, “profane”, “sanctuary”, “covenant”, “foreigner” and Ezek 44.4-14 (Mal 2.11)

3.4.6 “YHWH has been a witness between you and the wife of your youth” and Gen 31.44-50 (Mal 2.14)

Purpose & message

In this chapter, I shall:

1. identify the possible inner-biblically related texts that are of significance for the understanding of Mal 1.1-2.16.
2. analyze those texts with a view to verify their relationships with Mal and in the event that there is sufficient evidence, explore the issue of textual dependence. When the discussion of an issue is particularly extensive and whenever deemed necessary, a short conclusion shall be provided.
3. then insofar as it is practicable, place those inner-biblically related texts into their respective (*presumed*) socio-religious contexts with an attempt to reconstruct the development of the relevant history of tradition up until the redaction of Mal.

The methodological considerations have been set out in Chapter 2. As there is no intention to make this work a commentary of any sort, it would neither be a comprehensive nor an exhaustive text-tracing exercise.<sup>382</sup> In sum, by conducting the tradition-historical analysis of the first three pericopes of Mal as case studies, we shall find out *what* traditional materials were likely used, *how* they were handled in formulating the theological propaganda and for what purposes (*why*) such materials were selected and utilized.

Here, the *presumption* is that in composing / redacting Mal, the ancient redactors alluded to and/or in other ways handled earlier (traditional) materials because they were in mind that the intended readers / audience were aware of the same. Accordingly, it is justified to further *presume* that those texts which are identified as inner-biblically related to Mal were known to the redactors and, more likely than not, recognized by the redactors and their intended readers / audience as words with divine authority.<sup>383</sup> By referring to such earlier authoritative texts (citation,

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<sup>382</sup> Reference is made to Petersen's analysis of the approach of Mason's dissertation. See D.L. Petersen, "Zechariah 9-14: Methodological Reflections," in Boda and Floyd, eds., *Bringing out Treasure*, 211.

<sup>383</sup> As to the use of traditional materials (and their corresponding authority) to compose newly written messages, reference is made to the following words of Meyers and Meyers, *Zechariah 9-14*, AB 25C, 47-48, which deserve quotation at length: "The composite nature of the material functions in much the same way as its intertextuality. It acknowledges the varying forms of authoritative literature, especially but not exclusively prophetic literature, with which the prophet ... is wrestling as he tries to make sense of his world and give hope to his community. ...The diversity of forms symbolizes the fullness of an authoritative cultural tradition only because the prophet shares that tradition with his audience. The composite nature of the work bridges two gaps. One is the gap between past texts and the present one, for although the new oracles transform the old ones, they do not

allusion, etc.), the later text could,<sup>384</sup> on the one hand, gain its authenticity and authority therefrom and on the other hand, generate new meanings by interpretation, application and actualization so as to answer the new situations.<sup>385</sup>

The presumptions above are well-founded. As Weyde observes, various formulas of divine speech (“the divine speech formulas”) appear for numerous times in Mal.<sup>386</sup> According to my counting (somewhat different from Weyde’s): Three times as אמר יהוה (Mal 1.2, 13; 3.13); 21 times as אמר יהוה צבאות (Mal 1.4, 6, 8, 9, 10, 11, 13, 14; 2.2, 4, 8, 16; 3.1, 5, 7, 10, 11, 12, 17, 19, 21) and one time as אמר יהוה אלהי ישראל (Mal 2.16). The verb אמר is used for 14 times to introduce quotations of the addressees (Mal 1.2, 5, 6, 7 x 2, 12, 13; 2.14, 17 x 2; 3.7, 8, 13, 14). Weyde suggests that as a “dominant means of

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reject their authenticity (cf. Fishbane 1980: 354–55); the shared multiplicity of genres serves to sustain the authority of the older texts. The other gap is that between prophet and audience, because the former claims to be speaking Yahweh’s message to people warned to be suspicious of those making such claims. Therefore, the audience’s awareness of the prophet’s appropriation of the wider sort of recognized revelatory materials serves to authenticate his position and give validity to his message. ...*That is, the citations of and allusions to earlier biblical materials depend on both prophet and audience being aware of those materials. Although the canon was not yet complete in the fifth century, there was surely an impressive collection of Pentateuchal and Prophetic (former and latter) materials, as well as significant parts of the Writings, that the community recognized as being authoritative and sacred revelation (see Freedman 1991).* Furthermore, the probability that many in the community were more than passingly familiar with the contexts of the authoritative texts seems strong. Thus *the rhetorical success of Second Zechariah, in composing a text replete with instances of intertextuality, depends on the audience’s ability to bridge the gap between old and new texts. This in turn authenticates the new text, leading it to partake of the revelatory qualities of the old and thus to validate both the message and the messenger who addresses the fifth-century world in Yehud.*” (my emphasis by italics)

Applying the same analysis to the present study, “the prophet” (i.e. the redactors of the later text) selected materials from authoritative literature / traditions and composed them in a particular manner so that (a) the earlier texts were utilized to form the new authoritative text, (b) answer the new situations and (c) make the words of “the prophet” as authentic and authoritative as his predecessors. For avoidance of doubt, unlike Meyers and Meyers, the term and approach of “intertextuality” is not adopted by this study. As discussed in Chapter 2, “inner-biblical exegesis” is adopted herein. Having said that, it is considered that the words of Meyers and Meyers above are also applicable to the “inner-biblical exegesis” here.

<sup>384</sup> As mentioned before, for the purpose of this study, the terms “earlier text”, “evoked text” and “source text” are used interchangeably. Similarly, the terms “later text”, “receiving text”, “recipient text” and “receptor text” are used interchangeably.

<sup>385</sup> As Meyers and Meyers suggest, “The intertextuality promotes continuity of a fixed, received tradition without freezing it; it generates flexibility and adaptability and so sustains the life and creativity of that tradition.” Meyers and Meyers, *Zechariah 9-14*, AB 25C, 48. The said words of Meyers and Meyers are applicable to “inner-biblical exegesis” here as well.

<sup>386</sup> Weyde, *Prophecy and Teaching*, 3.

expressing DD [Direct Discourse]”, these אמר יהוה occupy the non-initial position (except Mal 1.4).<sup>387</sup> Such a frequent use of the divine speech formulas together with the biblical texts alluded to highlight (1) the connections between Mal and the traditional materials that were regarded as possessing divine authority, and (2) the intention of the redactors of Mal to rely upon those materials.<sup>388</sup>

Weyde argues that in comparison with its parallel text(s) which does not use the words אמר יהוה, a prophetic text that employs the divine speech formula(s) is quoting an antecedent word of YHWH.<sup>389</sup> For Weyde, his concerns are how the redactors of Mal established the divine authority of the book by employing the divine speech formulas, and how they equated the book with the prophetic words in the past by actualizing the traditions.<sup>390</sup> The concerns of the present study are somewhat different, namely, to explore:

1. *what* traditional materials are likely used in Mal (including how those traditions had been developed as evidenced by the biblical texts, insofar as there is sufficient evidence); the use of the divine speech formulas is not the only criteria for discerning if traditional materials are used;
2. *how* those traditional materials are interpreted and utilized in Mal (which was composed as a new “oracle” at the time of its composition / redaction); and if sufficient evidence is made available, *how* the (divine) authority of the messages of the book is established (or considered as authenticated) by the use of traditions; and
3. *what* messages are conveyed and *what* purposes are achieved through the interpretation, application and actualization of traditions, which point to *why* those traditional materials were so used.

For the sake of the present study, no attempt shall be made to re-construct another eclectic text of Mal as a whole. Issues arising from textual criticism

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<sup>387</sup> Weyde, *Prophecy and Teaching*, 3.

<sup>388</sup> As Weyde observes, if it is correct to say that the use of the divine speech formula points to “the use of a divine message attested elsewhere in the traditions... the implication of this suggestion is that the traditions are quite essential to the message in Malachi: they form the foundation of the message; the traditions are actualized and applied in some way or other.” Weyde, *Prophecy and Teaching*, 5.

<sup>389</sup> Weyde, *Prophecy and Teaching*, 4.

<sup>390</sup> Weyde, *Prophecy and Teaching*, 5.

shall be discussed only if the same are of significance for our purpose. With reference to the approach of Hill,<sup>391</sup> in this dissertation, the translation and analysis of the text of Mal shall be based upon Masoretic Text (MT) (as presented in BHS). Reference shall also be made to BHQ<sup>392</sup> and BHK.<sup>393</sup> Whenever necessary, other primary witnesses shall be consulted in accordance with the order of importance as suggested by McCarter,<sup>394</sup> i.e. Greek,<sup>395</sup> Aramaic,<sup>396</sup> Syriac<sup>397</sup> and Latin.<sup>398</sup> For 4QXII<sup>a</sup>,<sup>399</sup> which preserves Mal 2.10-3.24, it shall be considered in a few places. Other reference materials include Field's edition (1875) of Origen's Hexapla.<sup>400</sup>

Regarding the secondary witnesses (Coptic, Ethiopic, Armenian, Arabic),<sup>401</sup> Tov considers that these translations were of limited value for the textual criticism of the Hebrew Bible.<sup>402</sup> Hence, secondary source shall be consulted only if strictly necessary.

For each of the pericopes below, the following shall be investigated and/or set out:

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<sup>391</sup> Hill, *Malachi*, AB 25D, 3-12.

<sup>392</sup> Anthony Gelston, ed., *Biblia Hebraica Quinta: The Twelve Minor Prophets*, Stuttgart: Deutsche Bibelgesellschaft, 2010.

<sup>393</sup> R. Kittel and P. Kahle, eds, *Biblia Hebraica (BHK<sub>3</sub>)*, Stuttgart: Württembergische Bibelanstalt, 1951. Hill notes that the textual apparatus of BHS and BHK for Mal also cite "the Hebrew manuscripts of the Kennicott, de Rossi and Ginsburg editions of the Hebrew Bible." See Hill, *Malachi*, 3-4.

<sup>394</sup> P. Kyle McCarter, Jr., *Textual Criticism: Recovering the Text of the Hebrew Bible*, Philadelphia: Fortress Press, 1986, 20; Hill, *Malachi*, 3.

<sup>395</sup> Alfred Rahlfs, ed., *Septuaginta*, Stuttgart: Deutsche Bibelgesellschaft, 2006.

<sup>396</sup> Kevin J. Cathcart, and Robert P. Gordon, eds., *The Targum of the Minor Prophets: Translated, with a Critical Introduction, Apparatus, and Notes*, The Aramaic Bible 14, Wilmington, DE: Michael Glazier, 1989. See also Robert P. Gordon, *Studies in the Targum to the Twelve Prophets: From Nahum to Malachi*, SupVT 51, Leiden, New York, Köln: Brill, 1994.

<sup>397</sup> George M. Lamsa, *Holy Bible from Ancient Eastern Text: George M. Lamsa's Translations from the Aramaic of the Peshitta*, San Francisco: Harper & Row, 1957.

<sup>398</sup> Fischer, Bonifatius, and Weber, Robert. *Biblia sacra: iuxta Vulgatam versionem*. Ed. 4th emendatam / cum sociis B. Fischer ...[et al.] ; praeparavit Roger Gryson. Stuttgart: Deutsche Bibelgesellschaft, 1994.

<sup>399</sup> Beate Ego et al., eds., *Biblia Qumranica, 3B: Minor Prophets*, Leiden: Brill, 2005; Russell Fuller. "Text-Critical Problems in Malachi 2:10-16." *JBL* (1991) 110: 47-57.

<sup>400</sup> Fridericus Field, *Origenis Hexaplorum quae supersunt; sive veterum interpretum Graecorum in totum Vetus Testamentum fragmenta / 2: Jobus - Malachias, auctarium et indices*, Oxonii: Clarendoniano, 1875.

<sup>401</sup> McCarter, *Textual Criticism*, 20.

<sup>402</sup> E. Tov, *Textual Criticism of the Hebrew Bible*, Minneapolis: Fortress, 1992, 15.

- (a) English translation of the text and discussions of the text-critical issues (if necessary);
- (b) structure and theme;
- (c) the related inner-biblical references; and
- (d) the purpose and message.

As mentioned in the methodological part (Chapter 2), the aim of the inner-biblical exegesis is to identify and evaluate the biblical texts that are probably referred to in the text of Mal (in particular Mal 1.1-3.21 here). This work is not intended to be a commentary, as Mason states (in his study of Zech 9-11),<sup>403</sup>

“many of the issues raised by commentators are here either ignored, relegated to a secondary role or discussed only when they have an immediate bearing on the investigation in hand. No systematic review of the history of such critical opinion is offered although many references to the work of commentators are made as the discussion proceeds.”

### 3.1 Mal 1.1

#### Text, translation & text-critical issues

מִשָּׁא דְּבַר־יְהוָה אֶל־יִשְׂרָאֵל בְּיַד מַלְאָכִי:	1.1	An oracle, <sup>404</sup> the word of YHWH to Israel by the hand of Malachi. <sup>405</sup>
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<sup>403</sup> Mason, “Introduction,” in Boda and Floyd, eds., *Bringing Out Treasure*, 4.

<sup>404</sup> מִשָּׁא can be translated as “oracle” (as in Isa 13.1; 15.1; 17.1; Jer 23.33) or “burden” (as in Isa 22.25). In other contexts, this word occurs in construct relationship with the words stating the subject of the content of the oracle. However, for Zech 9.1; 12.1 and Mal 1.1, it is used in parallel with “the word of YHWH”. It makes this superscription consisting of two parts, with מִשָּׁא stating the nature of the book, followed by a noun phrase in apposition to it, i.e. more narrowly defines מִשָּׁא as the word with divine authority. Hence, it is more appropriate to translate מִשָּׁא as “oracle” here. See Hill, *Malachi*, AB 25D, 133; Floyd, *Minor Prophets*, 578-579; Eddinger, *Malachi*, 7-8.

<sup>405</sup> As discussed in Chapter 1, this dissertation contends that מַלְאָכִי in Mal 1.1 should be considered as a personal name (proper noun) rather than translated as “my messenger”.

## Structure & theme

As discussed in Chapter 1, this is the superscription of the book.<sup>406</sup> The relationship of דבר יהוה and מִשָּׁא is appositional, and some commentators suggest that the “word of YHWH” is defined by the oracle formula מִשָּׁא.<sup>407</sup> The use of a superscription of מִשָּׁא דבר יהוה is instructive to the status of the book: It is a prophetic oracle with divine authority given through the prophet of YHWH.<sup>408</sup>

## Inner-biblical references

### 3.1.1 מִשָּׁא and the prophetic tradition

The suggestion of Weyde that in the post-exilic times, the word מִשָּׁא “was applied to a broad range of activity carried out by the temple personnel, or others connected to the temple” is lack of sufficient evidential support.<sup>409</sup> According to the Chronicles, some of the Levites were scribes (2 Chr 34.13), and some of the Levites and priests were portrayed as prophets in discharging their duties, such as speaking to the people when the spirit of God came upon (2 Chr 20.14ff), judging disputed cases and giving instructions on disputes concerning “bloodshed, law or commandment, statutes or ordinances” (בין דם לדם בין תורה למצוה להקים ולמשפטים) (2 Chr 19.10), teaching all Israel (2 Chr 35.3; Neh 8.9), and interpreting the law (Neh 8.7-8).<sup>410</sup> Having said that, apart from the three מִשָּׁא in the post-exilic prophetic books (Zech 9.1; 12.1; Mal 1.1), the only place which links מִשָּׁא with priests or

<sup>406</sup> Floyd considers Mal 1.1 as a “prophetic superscription” (Ger. *Prophetische Überschrift*), which is defined, *inter alia*, as “[a] type of superscription prefixed to a prophetic book or section of a prophetic book”. Floyd, *Minor Prophets*, 579, 643.

<sup>407</sup> Hill, *Malachi*, AB 25D, 133, refers to R.L. Smith, *Micah-Malachi*, 301; Verhoef, 188; Meyers and Meyers, *Zechariah 9-14*, AB 25C, 90. Just the other way round, Sweeney, considers that the meaning of *masšā'* is defined by the phrase “the word of YHWH to Israel by Malachi”, Sweeney, *The Twelve Prophets*, BO, 717.

<sup>408</sup> “The presence of the phrase [the word of YHWH] is intended to show that the recipient of the “word of Yahweh” is legitimate and, consequently, that the word itself (that is, the prophetic statements) is authoritative. Linking “an oracle” with “the word of Yahweh” serves to strengthen the force and validity of the prophetic words at a time when such speech was rare.” Meyers and Meyers, *Zechariah 9-14*, AB 25C, 91. See also *TDOT* 3:111; G.M. Tucker, “Prophetic Superscriptions and the Growth of a Canon”, in G.W. Coats and B.O. Long eds., *Canon and Authority: Essays in Old Testament Religion and Theology*, Philadelphia: Fortress, 1977, 56-70.

<sup>409</sup> Weyde, “Inner-biblical interpretation,” 297, who refers to M. Gertner, “The Masorah and the Levites. An essay in the history of a concept,” *VT* 10 (1960): 241-284, 252.

<sup>410</sup> Refer Weyde, “Inner-biblical interpretation,” 297, who refers to R. Mason, *Preaching the tradition: Homily and hermeneutics after the exile*, Cambridge: Cambridge University Press, 1990, 64ff, 79ff.

Levites is 2 Chr 24.27. It is stated in 2 Chr 24.20-27 that at the time of King Joash, Zechariah, son of the priest Jehoiada, “stood above” and spoke to the people when “the spirit of God took possession” of him (2 Chr 24.20)(cf. Judg 6.34; 1 Chr 12.19). It indicates the divine source and authority of Zechariah’s speech.<sup>411</sup> Notwithstanding that, it is not clear whether or not the same is part of the “many oracles (רַב הַמְּשָׁא)” against Joash as stated in 2 Chr 24.27. Hence, the link between the usage of the word מְשָׁא and the temple personnel in the post-exilic period remains obscure.

In comparison, the connotation of מְשָׁא points to the prophetic tradition is less debatable.<sup>412</sup> The intention to connect Mal with the tradition of prophetic oracles is clear.<sup>413</sup> In their analysis of Zech 9.1, Meyers and Meyers find that “[t]he intent of the term is clearly to give authority to the words of Yahweh that follow”,<sup>414</sup> and “*maśśā*’ followed by “word of Yahweh” is in keeping with the general practice of late biblical prophecy to provide additional terms of authority to the divine word and to give the impression of verbatim transmission.”<sup>415</sup> The compound title of מְשָׁא and דְּבַר יְהוָה “serves to bolster the prophet’s message as a hopeful and reliable word from God”.<sup>416</sup>

### 3.1.2 דְּבַר יְהוָה, מְשָׁא and 2 Kings 9.25-26

The use of the phrase דְּבַר יְהוָה without a verb is considered by Childs as a feature of late Hebrew prose (e.g. 2 Chr 35:6, etc.).<sup>417</sup> Meyers and Meyers consider that the use of the phrase “word of Yahweh” aims to “show that the recipient of the “word of Yahweh” is legitimate and, consequently, that the word itself (that is, the prophetic statements) is authoritative. Linking

<sup>411</sup> “Thus says God: Why do you transgress the commandments of YHWH, so that you cannot prosper? Because you have forsaken YHWH, and [hence] he has forsaken you.” (2 Chr 24.20)

<sup>412</sup> See, for examples, use of מְשָׁא without the definite article in Isa 13.1; 15.1; 17.1; 19.1; 21.1, 13; 22.1; 23.1; 30.6; Zech 9.1; 12.1; Nah 1.1; cf. the exception in Hab 1.1. See also Hill, *Malachi*, AB 25D, 13 and fn 1.

<sup>413</sup> Michael H. Floyd, “The *maśśā*’ as a type of prophetic book,” *JBL* 121 (2002): 401-422, at 415-418.

<sup>414</sup> It can “identify the nature of the divine communication at the beginning of a biblical book, as in “the oracle that the prophet Habakkuk saw” (Hab 1:1).” Meyers and Meyers, *Zechariah 9-14*, AB 25C, 89.

<sup>415</sup> Meyers and Meyers, *Zechariah 9-14*, AB 25C, 90, citing E.M. Meyers and C.L. Meyers, *Haggai, Zechariah 1-8: A New Translation, with Introduction and Commentary*, AB 25B, New York: Doubleday, 1987, 91.

<sup>416</sup> Hill, *Malachi*, AB 25D, 141.

<sup>417</sup> Childs. *Introduction to the Old Testament as Scripture*, 492.

“an oracle” with “the word of Yahweh” serves to strengthen the force and validity of the prophetic words at a time when such speech was rare.”<sup>418</sup>

Verhoef suggests that מִשָּׁא is “virtually a technical synonym” of דְּבַר יְהוָה, giving 2 Kings 9.25-26 as the example.<sup>419</sup> This observation is remarkable as in 2 Kings 9.25-26, Jehu was reciting the oracle (הַמִּשָּׂא) of YHWH against Ahab (for the blood of Naboth, see 1 Kings 21.19, 21-22). Jehu described this oracle as “word of YHWH” (דְּבַר יְהוָה), which was given to Elijah (דְּבַר יְהוָה אֵל) (אֵל יְהוָה).<sup>420</sup> Elijah was sent to announce this judgment against Ahab for killing Naboth and taking possession of Naboth’s vineyard. After hearing such “word of YHWH” from Elijah, surprisingly, Ahab humbled himself before YHWH and for that reason, YHWH announced that He would not bring the disaster in Ahab’s days but in his son’s days (1 Kings 21.27-29). The repentance of Ahab, coupled with the role played by Elijah in this incident, should be read and compared with Mal 3.23-24,

“Behold, I will send you Elijah the prophet before the coming of the great and terrible day of the YHWH. He will cause the hearts of the fathers to turn to the sons and the hearts of the sons to the fathers so that I will not come and strike the land with a destruction.”

As the aforesaid two verses do not fall within the ambit of this study, no detailed analysis shall be provided here. Suffice to say that if Mal 3.23-24 alludes to 1 Kings 21.27-29, Mal 1.1 and Mal 3.23-24 are echoing each other due to their respective allusions to the passages relating to Elijah. The use of מִשָּׁא and דְּבַר יְהוָה in apposition as synonyms in Mal 1.1 is probably an arrangement with the intent to allude to 2 Kings 9.25-26 (the word מִשָּׁא appears first and דְּבַר יְהוָה later). It denotes that in the past, the “word of YHWH came to Elijah” who announced the judgment (“oracle”) against Ahab. The result was the repentance of Ahab and the postponement of punishment. In comparison, at the time of Mal, the “oracle”, “the word of YHWH” is given “to Israel by the hand of Malachi” (who is projected as a prophetic figure). It is expected that the coming of the (eschatological) “Elijah the prophet” “will cause the heart of the fathers to turn to the sons

<sup>418</sup> Meyers and Meyers, *Zechariah 9-14*, AB 25C, 91.

<sup>419</sup> Pieter Verhoef, *The Books of Haggai and Malachi*, NICOT, Grand Rapids, MI: W.B. Eerdmans, 1987, 188. See also Meyers and Meyers, *Zechariah 9-14*, AB 25C, 90, “The relationship of “oracle” to “word of Yahweh” seems to be one of equivalence rather than of possession”.

<sup>420</sup> Similar phrase appears in 1 Kings 19.9. After the theophany at “Horeb” (1 Kings 19.8ff, cf. Mal 3.22), the “word of YHWH [came] to him [Elijah]” (דְּבַר יְהוָה אֵלָיו).

and the heart of the sons to the fathers so that [YHWH] will not come and strike the land with a destruction” (Mal 3.24).

### 3.1.3 “Israel”

The allusion to Elijah’s story in the books of Kings also has the bearing on the understanding of “Israel” (e.g. 1 Kings 21.22). There, “Israel” does not only represent the northern kingdom but also bear the sinful connotation. In Mal, the proper noun “Israel” appears for five times in 1.1, 5; 2.11, 16 and 3.22. In particular, Mal 2.11 writes that “abomination has been committed in Israel and in Jerusalem” and Mal 2.16 states that YHWH is “the God of Israel”, which is comparable to the situation at the time of Ahab. The end of Mal calls the readers to remember the *torah* of Moses that YHWH commanded upon (for) “all Israel” (Mal 3.22), which echoes the superscription that the “oracle”, the “word of God” is to “Israel” (Mal 1.1).

In the Hebrew Bible, “Israel” bears a broad range of connotations: Starting from the relationship between YHWH and the patriarch who was given this name, that is, Jacob (e.g. Gen 32.28),<sup>421</sup> by whom the themes of election and covenant are brought into Mal 1.2; then the people “Israel” (e.g. Exod 4.22; often stated as “sons of Israel” as well, e.g. 12.40) who entered into the covenantal relationship with YHWH at Mount Sinai (cf. “Horeb” in Mal 3.22)(Exod 19.16ff; 24; cf. Mal 3.22); and then the corporate identity of the people of the Davidic kingdom, and their offspring who went through the exile and restoration, and so on.<sup>422</sup> In Mal, apart from “Israel”, other names representing the Israelites are also used, such as “Jacob” (Mal 1.2), “Judah”, “Israel” and “Jerusalem” (Mal 2.11), “Judah and Jerusalem” (Mal 3.4),<sup>423</sup> and “descendants [sons] of Jacob” (Mal 3.6). Generally speaking, these names function as synonyms in the context of Mal. Having said that, it is likely that they were purposively selected and the connotations of the same depend very much upon their respective literary context.

In this superscription, “Israel” represents the remnants as a whole (cf. “the house of Israel” in Ezek 3.1; “people of Israel” in Ezra 2.2) and it bears the ethnic as well as cultic meanings.<sup>424</sup> Weyde suggests that by the use of this

<sup>421</sup> See also Exod 6.14 and 32.13 which use the name “Israel” to refer to Jacob.

<sup>422</sup> Zobel, *TDOT*, s.v. “יִשְׂרָאֵל,” 6:401-404.

<sup>423</sup> The words “Judah” and “Jerusalem” are likely to reflect the geographical areas where the recipients of the oracle were situated, in contrast to the places outside “the territory of Israel” (Mal 1.5). Refer Jacobs, *The books of Haggai and Malachi*, 155.

<sup>424</sup> Verhoef, 190; Hill, *Malachi*, AB 25D, 141-42; cf. W. Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, KAT 13/4, Neukirchen: Neukirchener Verlag, 1976, 253; Zobel,

name “continuity is established between Israel of the past and this community”.<sup>425</sup>

### 3.1.4 “the word of YHWH to Israel by the hand of Malachi”

The phrase “the word of YHWH to Israel by the hand of Malachi” is analogous to Jer 50.1 (“the word that YHWH spoke to Babylon towards the land of Chaldeans by the hand of Jeremiah”) and Hag 1.1 (“...the word of YHWH by the hand of Haggai the prophet to Zerubbabel...”).<sup>426</sup> It is therefore likely to be a traditional form that introduces a prophetic message. Glazier-McDonald finds that as the features appeared in the superscription of Mal can also be found in other prophetic literature, more weight should be given to “the hypothesis that the three passages: Mal 1:1; Zech 9:1 and 12:1 had a history independent of one another”.<sup>427</sup> Weyde considers that in Mal 1.1, the use of the phrase *מִשָּׂא דְבַר יְהוָה* without referring to any revelation, vision or vocation that “gave authority to the performance of the mediator(s) of these traditions”. It may support the suggestion that the foundation of its message is different from other prophetic books (which project revelatory scenes or settings), that is, Mal is based on earlier tradition which is different from that of Zech.<sup>428</sup>

In comparison with Hag 1.1, Mal 1.1 does not have the verb (*היה*).<sup>429</sup> The lacking of a verb in Mal 1.1 is considered by Weyde as “closely connected with chronistic terminology and mode of expression.”<sup>430</sup> He goes further and asserts that the phrase [“word of YHWH... by the hand of”] seems to reflect a chronistic influence”. Perhaps he also notices that his assertion is

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“יְשֻׁרְאֵל,” *TDOT* 6:397-420. See also H.G.M. Williamson, *Israel in the Books of Chronicles*, Cambridge; New York: Cambridge University Press, 1977, 102-110, 126-131; L.M. Muntingh, “Israel’ in Old Testament and Jewish Apocalyptic Literature,” in W.C. van Wyk, ed., *The Exilic Period: Aspects of Apocalypticism*, Pretoria: University of Pretoria, 1983, 109-129.

<sup>425</sup> Weyde, *Prophecy and Teaching*, 67.

<sup>426</sup> Also cf. Hag 1.3 and 2.1 (also as a superscription but the preposition “to” is missing and the addressee is not stated (to whom, e.g. “Israel” in Mal 1.1); Hag 2.10, 20; Zech 1.1, 7; 4.8; 6.9; 7.1, 4, 8; 8.18 (with *היה* and the preposition “to” but the word “by the hand of” and the ultimate reader / audience of the message (e.g. “Israel” in Mal 1.1) are missing); and Zech 4.6 (with the preposition “to” but *היה* and the word “by the hand of” and the ultimate reader / audience of the message (e.g. “Israel” in Mal 1.1) are missing).

<sup>427</sup> Glazier-McDonald, *Malachi*, 27.

<sup>428</sup> Weyde, *Prophecy and Teaching*, 58-59.

<sup>429</sup> *היה* together with “word of YHWH” and “to” (followed by the name of the prophet)(in different sequence, sometimes with *אשר* ) is a common way of expression, see e.g. Jer 1.2; Ezk 1.3; Hos 1.1; Joel 1.1; Mic 1.1; Zeph 1.1 and Zech 1.1.

<sup>430</sup> Weyde, *Prophecy and Teaching*, 60, fn 11.

somewhat problematic, in his discussion about the terminology in Mal 1.1, he writes (somewhat self-contradictory) that, “We do not claim that the occurrence of this word [משׁא] there is due to a chronistic influence, but there is perhaps a terminological link to Chronicles in Mal 1:1 and in Zech 9:1; 12:1....”<sup>431</sup>

R.L. Smith considers that “by the hand of” is a Hebrew idiom “to indicate the agent through whom Yahweh spoke”.<sup>432</sup> Similarly, Verhoef finds that “by the hand of” denotes “the human instrument” through whom YHWH spoke.<sup>433</sup> “Implicit in this instrumentality is Yahweh as the source of the prophetic message”. Hence, the use of ביד indicates that Malachi is the divinely commissioned agent of YHWH. It sheds light on the legitimacy of his prophetic office.<sup>434</sup> Whilst the complex-prepositional form “by the hand of” is very common in the Hebrew Bible, appearance of the phrase “by the hand of Moses” (ביד משה) is particularly frequent in the Pentateuch and the Former Prophet in relation to,<sup>435</sup> for examples, the “word of YHWH”,<sup>436</sup> what “YHWH had spoken”,<sup>437</sup> the commandment, statutes and ordinances of YHWH,<sup>438</sup> the enrollment of clans and setting of camps according to the commandment of YHWH,<sup>439</sup> YHWH acted through Moses,<sup>440</sup> or the words or work that YHWH had commanded (צוה cf. Mal 3.22) through Moses.<sup>441</sup>

<sup>431</sup> Weyde, *Prophecy and Teaching*, 63, 67.

<sup>432</sup> He cites 1 Sam 28.15; 1 Kings 12.15; 16.12; 2 Kings 17.13; 21.10; Hag 1.1; 2.1; Mal 1.1; 1 Chr 11.3; 2 Chr 10.15; 29.25; 36.15; Neh 9.30. See R.L. Smith, *Micah-Malachi*, 303. See also *TDOT* 5:410.

<sup>433</sup> Verhoef, 191. See also Hill, *Malachi*, AB 25D, 134 (“[t]he circumstantial use of the preposition *bêt* here with the preceding *genitive of authorship* (*dēbar-YHWH*) demonstrates the agency of the prophet as the human instrument involved in speaking and/or writing the oracles”); Petersen, *Zechariah 9-14 and Malachi*, 166 (“by the hand of” refers to “prophetic intermediation” and “places this discourse firmly within the ambit of prophetic authority.”)

<sup>434</sup> Hill, *Malachi*, AB 25D, 142.

<sup>435</sup> Cf. O.H. Steck, *Der Abschluss der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons*, *Biblisch-theologische Studien* 17, Neukirchen-Vluyn: Neukirchener Verlag, 133.

<sup>436</sup> Num 17.5.

<sup>437</sup> Exod 9.35; Lev 10.11; Josh 20.2; and 1 Kings 8.56. Basically, the two phrases “word of YHWH” and “by the hand of Moses” appear in the form of דבר יהוה ביד משה with some modifications, e.g. without the preposition “like” / “as”, or the ultimate addressee(s) is placed between the two phrases or after “by the hand of Moses”, etc..

<sup>438</sup> Lev 26.46 (“These are the statutes and ordinances and laws (החקים והמשפטים והתורות) that YHWH established between himself and the people of Israel on Mount Sinai through Moses (ביד משה)” (cf. Mal 3.22); see also Num 36.13.

<sup>439</sup> Num 4.37, 45; 9.23; 10.13.

<sup>440</sup> Num 27.23 (כאשר דבר יהוה ביד משה); 1 Kings 8.53 (“by the hand of Moses your servant”).

<sup>441</sup> Exod 35.29; Lev 8.36; Num 4.49; 15.23; 36.13; Josh 14.2; 21.2, 8; and Judg 3.4, mostly with the basic form of expression is אשר צוה יהוה... ביד משה with some modifications.

In contrast, the phrase “by the hand of Elijah” only appears in 1 Kings 17.16 and 2 Kings 9.36.

As to the proper name “Malachi”, its literal meaning is “my messenger”, which emphasizes on the role of the one who conveys the oracle contained in this book. The “word of YHWH” is conveyed through a human figure who is called by YHWH as “my messenger”, illustrating not only the divine source of the message but also the authenticity and authority of it. In short, the redactors intended to make Mal as authoritative as other prophetic books.

### Purpose & message

The significance of the use of traditions in the superscription of Mal (1.1) is often overlooked or undermined. This verse proclaims that what follow are the divine oracle and words originated from YHWH, which are addressed to all remnants through His prophet (“Malachi”). The form of the superscription follows the prophetic tradition. The authenticity and authority of the message is thereby ascertained. The application of the traditional term “Israel” connects the intended readers / audience (the faith communities) with the past, from their ancestor Jacob (linking to the first unit of court disputation), the ancestors who experienced exodus and entered into the covenant with YHWH at Mount Horeb (cf. Mal 3.22) to the people of the former Davidic kingdom, those who wilfully and repeatedly breached the covenantal relationship with YHWH, and those who experienced the exile and restoration, and so on.

Through the combination of the traditional materials, this newly written “oracle”, on the one hand, positions itself within the prophetic tradition and on the other hand, reminds the intended readers of their collective identity (“Israel”) and more importantly, their covenantal relationship with YHWH (which is the shared background of Mal 1.2-2.16), followed by the disputation concerning YHWH’s love towards them (Mal 1.2-5).

## 3.2 Mal 1.2-5

### Text, translation & text-critical issues

<p>אֶהְבֵּתִי אֶתְכֶם אָמַר יְהוָה וְאַמְרֶתֶם בְּמָה אֶהְבֵּתֵנוּ</p>	<p>1.2</p>	<p>“I have loved you,” says YHWH, but you say, “In what way have you loved us?”</p>
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<p>הַלֹּא־אֶחָא עָשׂוּ לְיַעֲקֹב בְּאֵם־יְהוָה וְאֶהֱבֵא אֶת־יַעֲקֹב:</p>		<p>“Is it not Esau a brother to Jacob?” declares YHWH, “And I have loved Jacob;</p>
<p>וְאֶת־עָשׂוּ שָׂנֵאתִי וְאֲשִׁים אֶת־הָרָיו שְׂמָמָה וְאֶת־נַחֲלָתוֹ לְתַנּוֹת מִדְּבָר:</p>	1.3	<p>but Esau I have hated, and I made his mountains a desolation, and his inheritance to jackals <sup>442</sup> of wilderness.”</p>
<p>כִּי־תֹאמַר אֲדוֹם רָשָׁנוּ וְנָשׁוּב וְנִבְנֶה חָרְבוֹת כֹּה אָמַר יְהוָה צְבָאוֹת</p>	1.4	<p>Though <sup>443</sup> Edom <sup>444</sup> says, “We have been beaten down, but we will again <sup>445</sup> build the ruins.  Thus says YHWH of hosts,</p>

<sup>442</sup> The *לַתְּנוֹת* in the MT can hardly be reconciled with *εἰς δόματα* (to / into gift / dwelling (place)) in LXX. As Gibson points out, the word *נָה* (“pasture”) “has the overwhelming positive connotation of fertility and bounty (e.g. Joel 2.22; Zeph. 2.6; PSS 23.2; 65.13). Such usage runs contrary to the tenor of the verse...” Here, it is proper to read the word as the plural form of *תָּן* (“jackal”) and there is no valid reason to depart from the MT. Gibson, *Covenant Continuity and Fidelity*, 46-47.

<sup>443</sup> As the word *כִּי* is used in the context of the contrasting statements respectively made by Edom and YHWH, its concessive (“though”) rather than conditional (“if”) function is highlighted. In particular, “the idea of planning or acting *in vain* seems to be central.” Hence, the translation “though” is preferred. See Weyde, *Prophecy and Teaching*, 90-93. See also Th. C. Vriezen, “Einige Notizen zur Übersetzung des Bindewortes *ki*,” in J. Hempel, and L. Rost, eds., *Von Ugarit nach Qumran: Beiträge zur alttestamentlichen und altorientalischen Forschung, Otto Eissfeldt zum 1. September 1957 dargebracht von Freunden und Schülern*, BZAW 77, Berlin: A. Töpelmann 1958, 266-273; J. Muilenburg, “The Linguistic and Rhetorical Usages of the Particle *כִּי* in the Old Testament,” *HUCA* 32 (1961): 135-160, 147; and A. Aejmelaeus, “Function and Interpretation of *כִּי* in Biblical Hebrew,” *JBL* 105 (1986): 193-209, 198f, 206f.

<sup>444</sup> “Edom” appears in feminine form here (as in Jer 49.17 and Ezek 32.29). Hill, *Malachi*, AB 25D, 156. Meinhold considers that the best explanation is that when “Edom” is used as a country name, it should be regarded as the mothers and breadwinners of the residents (living there). A. Meinhold, *Maleachi*, BKAT 14/8, Neukirchen-Vluyn: Neukirchener Verlag, 2006, 23.

<sup>445</sup> The phrase *וְנָשׁוּב וְנִבְנֶה* starts with an adversative conjunction which indicates “a change in discourse and tense”. Hence, it is translated as “but”. “וְנָשׁוּב” is an auxiliary and functioning adverbially, translated “but again” (WO §39.3.1b), cf. *וְשָׁבָתָם* in Mal 3.18.” Eddinger, *Malachi*, 14.

<p>הָמָּה יִבְנוּ וְאֲנִי אֶהְרֹס  וְקָרְאוּ לָהֶם גְּבוּל רְשָׁעָה  וְהָעָם אֲשֶׁר־נָעַם יְהוָה עַד־עוֹלָם:</p>		<p>“They may build but I will tear down,  and they shall call them <sup>446</sup> the territory <sup>447</sup> of wickedness,  and the people with whom YHWH is indignant until forever.</p>
<p>וְעֵינֵיכֶם תִּרְאֶינָה  וְאַתֶּם תֹּאמְרוּ יְגֹדֵל יְהוָה  מֵעַל לְגְבוּל יִשְׂרָאֵל:</p>	1.5	<p>And your eyes will see it,  and you will say, “Great is YHWH beyond <sup>448</sup> the territory of Israel.”</p>

### Structure & theme

This is the first round of the “court disputations” (“Unit 1” of the six units of discourses in Mal, see Chapter 2) with the following structure:

1.2a $\alpha$	YHWH’s accusation and demand: “I have loved you”
1.2a $\beta$	Defence: “In what way have you loved us?”
1.2b-5	YHWH’s second accusation with further evidence: “And I have loved Jacob but Esau I have hated” The Israelites knew

<sup>446</sup> “The idiom *qr’ + lamed* means “to name” or “give a name to” (BDB: 896). The preposition *lamed* functions here as an indirect object with *qr’* and marks the *lamed* of goal (i.e. altering the status of the nation of Edom, WO’C § 11.2.10d”. Hill, *Malachi*, AB 25D, 158-159.

<sup>447</sup> Cf. Num 20.20, 23; Deut 2.4; Josh 15.1, 21; refer Hill, *Malachi*, AB 25D, 159; Weyde, *Prophecy and Teaching*, 103, fn 138; Gibson, *Covenant Continuity and Fidelity*, 57.

<sup>448</sup> Here, מעל is translated as “beyond” as it is considered that the emphasis is on “the sovereignty of Yahweh in the destruction of Edom and the tendencies toward *universalism* in the later disputations (cf. Vriezen 1975: 130-31).... The implication is that Yahweh’s domain is not restricted to Israel (Baldwin [1972b: 124]; cf. von Bulmerincq [1932: 41]; Rudolph [1976: 256]; R.L. Smith [1984: 306]; Wendland [1985: 120-21]; Glazier-McDonald [1987a: 31]; Redditt [1995: 163]; Petersen [1995: 167]”. Hill, *Malachi*, AB 25D, 161; Jacobs suggests the same, see Jacobs, *The books of Haggai and Malachi*, 179. This study disagrees with Hill, who prefers the translation of “above” or “over” and therefore, the whole phrase is “Great is Yahweh over the territory of Israel” as “the greatness of the Lord is not so much seen in his judgment of Edom, but rather in the manifestation of his love for Israel” (citing Verhoef, 206). It appears that Hill does not take the echoing effect of Mal 1.11 into account. Hill, *Malachi*, AB 25D, 161.

	that Edom was destroyed, and they shall eye-witness the destruction of Edom again.
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The dialectic discourse is framed in the manner of a disputation in relation to YHWH's love for Israel. The theme of the disputation is whether YHWH has loved His people, i.e. the intended readers / audience (the second person plural "you" in 1.2a $\alpha$ ), which in turn points to the continuance of the covenantal relationship. The defence (1.2a $\beta$ ) serves as the rebuttal of the accusation (1.2a $\alpha$ ) and in effect, it also signifies the justification of the accusation as the Israelites ("you") do challenge the love of YHWH. In response, the second accusation is put forward with evidential proof (1.2b-5) to substantiate the first accusation.

One of the remarkable features in Mal is that in each unit of the disputation, the rhetorical question in the "Defence" often directs the readers to the theme that the redactors intended to develop. In comparison, the pronouncement in the "Accusation" is the fact / statement that is commonly known but neglected (or even rejected) by the intended readers / audience.

### **Inner-biblical references**

In the process of proving YHWH's love towards the Israelites, by using the "love-hate" covenantal language (mainly from Deuteronomy), the redactors of Mal resorted to the traditional elements of "election" of Jacob ("Israel") by YHWH and the keeping of YHWH's commandment, statutes and ordinances by Israel. Through the application of the traditional terminologies of judgment to the situations of Edom (and the oracle of its further desolation), it was portrayed that the prophecies of destruction of Edom had been actualized. It therefore proves that the election of "Jacob" (including his descendants, i.e. the remnants / "Israel" in the context) remains valid and the covenantal love towards "Jacob" / them is continuing. The pronouncement of "I have loved you" is established (Mal 1.2a $\alpha$ ).

#### **3.2.1 "And I have loved Jacob but Esau I have hated" (Mal 1.2-3)**

##### **3.2.1.1 "Love-hate" language and tradition of "election"**

Even though the names of Jacob and Esau are mentioned, save and except that Esau was the brother of Jacob (and therefore, it is quite sure that they

refer to the two persons in Gen 25-36),<sup>449</sup> nothing from this patriarchal story is explicitly or impliedly cited. In fact, in the narrative about Jacob and Esau in Genesis, the “love-hate” language is not used to describe YHWH’s attitude towards any of them.<sup>450</sup> In Mal 1.2-5, the depiction of YHWH’s love towards Jacob is expressed by the “beaten down” of Edom in the past and tearing down of it in the future,<sup>451</sup> in contrast to the return and survival of Jacob.<sup>452</sup> These (presumably) historical elements do not exist in the account of Jacob and Esau in the book of Genesis.<sup>453</sup>

Hence, it is the concept of (i.e. general idea of, and not the text relating to) these two figures (as rival brothers) in Genesis that is alluded to.<sup>454</sup> The redactors of Mal chose Jacob and Esau but not other examples or motifs of divine election (e.g. Abraham, Isaac, etc.) reflects that they considered the

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<sup>449</sup> It is valid for Gibson to suggest that the rhetorical question “Is it not Esau a brother to Jacob?” implies that “the people know the answer, which means that they must be in possession of at least the tradition, if not the text.” Also, it is highly likely that the Jacob-Esau tradition predates Mal. Gibson, *Covenant Continuity and Fidelity*, 50-51. See also Weyde, *Prophecy and Teaching*, 70. As to the use of אלוהים, see H.A. Brongers, “Some Remarks on the Biblical Particle ה'לוהים,” in B. Albrektson et al., *Remembering all the Way: A Collection of Old Testament Studies: Published on the Occasion of the Fortieth Anniversary of the Oudtestamentisch Werkgezelschap in Nederland*, Oudtestamentische Studiën 21, Leiden: E.J. Brill, 1981, 177-189, 179.

<sup>450</sup> For examples, Gen 22.2 Abraham’s love towards his son Isaac; Gen 24.67 Isaac’s love towards his wife Rebekah; Gen 25.28 Isaac loved Esau and Rebekah loved Jacob, etc..

<sup>451</sup> Lescow suggests that the author of Mal links the desolation of Edom with the scribal interpretation of the Jacob-Esau story in Genesis (“Er verbindet das mit einer schriftgelehrten Interpretation der Jakob-Esau-Geschichten der Genesis”). See Th. Lescow, *Das Buch Maleachi*, 68.

<sup>452</sup> Hill considers that “[a]fter the Babylonian exile the name Jacob was a synonym for all the Hebrews of the restoration community — apart from tribal affiliation. The name occurs in the Haggai-Zechariah-Malachi corpus only in Mal 1:2 [2x], 2:12; and 3:6 and designates the people of Israel except in this reference [the first appearance of “Jacob” in Mal 1.2b].” Hill, *Malachi*, AB 25D, 149.

<sup>453</sup> The argument of Gibson that the words love (אהב) and hate (שנא) “better describe the divine choice in the tent of Rebekah...” does not find any footing in the text or context in Mal. Also, his alleged contextual parallel in relation to the land is no more than subjective association (“Yet, in the end, Jacob returns to possess what is his by divine right, while Esau moves out of Canaan... Land is therefore an essential part of the Jacob-Esau complex, and its importance is shared by Malachi, who focused on the territory of Edom (explicitly) and Israel (impliedly)(1.3-5)”. Gibson, *Covenant Continuity and Fidelity*, 49-50.

<sup>454</sup> Noglaski opines that “It does not appear, however, that the content of the narratives serves as a literary backdrop for Mal 1:2-5.” Noglaski, *Redactional Processes in the Book of the Twelve*, 191 fn 35; cf. Kessler, “The Unity of Malachi,” 228. One may be tempted to suggest that the motif of brotherhood is the subject of allusion. Such a general suggestion cannot stand in the context of Mal 1.2-5, given that the specific choice of Esau-Jacob (instead of other examples of brotherhood) is purposeful due to its linkage with the texts relating to the judgment against Edom (see below).

circumstances of the Edomites as an appealing contrast to that of the Israelites.<sup>455</sup> The twin brothers, who came from the same family, respectively turned out to be the restoration community that had resumed the temple services and priestly ministry on the one part (Israel)(Mal 1.6ff), and “desolation” and “ruins” on the other part (Edom)(Mal 1.3, 4). The element of “election” is thus put into the foreground.

The incorporation of the “love-hate” language connects the differential situations of the Israelites and the Edomites<sup>456</sup> with the traditions in Deuteronomy, namely, “election” and keeping of the commandment of YHWH (see below). In this regard, Gibson’s contention is less than arguable: He insists that Mal alludes to the story of Jacob and Esau (if I understand correctly, he means the *contents* of the story) even though (a) apart from their brotherhood, no trace of the said story can be found in Mal; and (b) the words “love” and “hate” are not used in relation to YHWH in the Genesis narrative. He tries to resolve this difficulty by stating that the said allusion “has been exegetically reworked by the prophet with creative new terminology”.<sup>457</sup> To reinforce this argument, he put forward an overgeneralized statement that “it is the Jacob-Esau tradition (Gen. 25-36) that forms the backdrop to Malachi’s text”.<sup>458</sup>

Similar attempt is made by Krause, who argues that “Mal. 1.2-3a bring the traditional narrative of Jacob and Esau into play” though he also notices that “[a] reason for the divine choice is neither asked for nor provided.” He resorts “such seeming arbitrariness” to YHWH’s announcement to Rebecca in Gen 25 which he also considers as “[u]naccounted for as it stands”.<sup>459</sup> In

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<sup>455</sup> For the purpose of this study, it is not necessary to deal with the history of Edom in detail. Suffice to say that having considered the scholarly opinions, it is justified to estimate that the destruction of Edom (further or alternatively, fading out of the Edomite population from the (former) territory of Edom) occurred sometime in the sixth century B.C.E.. Both Weyde and Gibson provide their respective surveys in this regard. See Weyde, *Prophecy and Teaching*, 87-90; Gibson, *Covenant Continuity and Fidelity*, 70-73.

<sup>456</sup> “Esau, also called Hor (Num 21:4) and Seir (Ezek 35:15), is identified with the Edomites”. Hill, *Malachi*, AB 25D, 151.

<sup>457</sup> Gibson, *Covenant Continuity and Fidelity*, 52.

<sup>458</sup> Gibson, *Covenant Continuity and Fidelity*, 49. On the basis that the intended readers / audience were “in possession of at least the [Jacob-Esau] tradition, if not the text” (p.50), together with the likelihood that the said tradition predates Mal and the observation that there are “[n]umerous allusions to various parts of the Pentateuch elsewhere in Malachi” (p.51), Gibson assumes that “the prophet had the Pentateuch available to him”. It is no more than a general “umbrella-like” (if not overgeneralized) assumption as he denotes that “space will not be allocated to defending the availability of other possible source texts from this section of the Hebrew Bible.” (p.51, fn 25)

<sup>459</sup> J.J. Krause, “Tradition, History, and Our Story: Some Observations on Jacob and Esau in the Books of Obadiah and Malachi,” *JSOT* 32 (2008): 475-486, 482-3.

fact, if one accepts that only the concept of Jacob and Esau is alluded to, the temptation to misplace the focus on the narrative in Gen can be resisted. Spotlight shall be properly put on the “love-hate” covenantal language through which the tradition of “election” links with the differential circumstances of Jacob (Israelites) and Esau (Edomites) in the past as well as in the future. Levenson finds that Malachi (intentionally) used strong language of choice. He therefore translates the subject phrase as “I have accepted Jacob, but I have rejected Esau.”<sup>460</sup> Meinhold considers that the matters are presented here with “love” as the word of the most personal election (“*als dem personalsten Erwählungswort*”).<sup>461</sup> Snyman points out that “the love : hate contrast must be explained from the election motive”.<sup>462</sup> Together with the syntactical construction (chiasmus), the emphasis is on YHWH’s love for Jacob / Israel (but not the hatred for Esau / Edom).<sup>463</sup> In this regard, Gibson advances that “YHWH’s covenantal love (אהב) for Israel is sometimes accompanied by the idea of divine choosing (e.g. Deut 4.37; 7.6-8; 10.14-15; Isa 41.8; Pss 47.5[4]; 78.68)”. For the Jacob-Esau story (as well as that of Abraham and Isaac in the book of Genesis, and the Israelites in the book of Exodus), divine election is a fundamental concept.<sup>464</sup>

### 3.2.1.2 Covenantal love and obligations

The verb אהב is associated with the covenant in Deuteronomy.<sup>465</sup> As to the relationship between YHWH and His people, the combination of the root

<sup>460</sup> J.D. Levenson, *The Death and Resurrection of the Beloved Son: The Transformation of Child Sacrifice in Judaism and Christianity*. New Haven: Yale University Press, 1993, 63.

<sup>461</sup> Meinhold, *Maleachi*, 40.

<sup>462</sup> S.D. Snyman, “Mitteilungen: Antitheses in Malachi 1,2-5,” 98(3) *ZAW* (1986): 436-439 at 437, Snyman describes it as the fourth possible answer to the question of YHWH’s hate for Esau (“which clearly contradicts many Utterances emphasising the love of Yahweh”), and refers to Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 255.

<sup>463</sup> Snyman, “Mitteilungen: Antitheses in Malachi 1,2-5,” 98(3) *ZAW* (1986): 436-439, 437-8.

<sup>464</sup> Gibson, *Covenant Continuity and Fidelity*, 48. See also G.J. Botterweck, “Jakob habe ich lieb - Esau hasse ich. Auslegung von Malachias 1,2-5,” *BibLeb* 1 (1960): 28-38, 34-35; and B. Anderson, *Brotherhood and inheritance: A canonical reading of the Esau and Edom traditions*, New York, T & T Clark, 2011, 216-218. In this regard, Els considers that אהב, on the one hand, expresses “a definite act of election in sovereign grace”, and on the other hand, keeps the idea of “a secondary semantic component of a feeling of affection”. P.J.J.S. Els, “אהב,” *NIDOTTE*, 1:277-299, 282. Hill observes that “[t]he covenant term *’hb* signifies the act of divine election, making Israel Yahweh’s child (Andersen and Freedman [1980: 576]”. Hill, *Malachi*, AB 25D, 150.

<sup>465</sup> Hill, *Malachi*, AB 25D, 151; R.L. Smith, *Micah-Malachi*, 305; Petersen, *Zechariah 9-14 and Malachi*, 168; and G. Wallis, “אהב,” *TDOT* 1:99-118. In the Hebrew Bible, the verb אהב appears

אהב with the particle אה appears in Deut 4.37-40; 6.5; 7.8; 11.1, 13, 22; 13.4-5; 19.9; 30.6-10, 16, 20; Josh 22.5; 23.11; Mal 1.2; and Ps 31.24. In particular,

- (a) Deut 4.37-40 contains the elements of divine election and Israelites' obligation to keep the statutes and commandments of YHWH;
- (b) Deut 7.8-13; 11.1, 13, 22; 13.4-5; 19.9; 30.6-10, 16, 20;<sup>466</sup> and Josh 22.5 (cf. 1 King 3.3) concern Israelites' love towards YHWH, which includes keeping of YHWH's statutes and/or ordinances and commandments (cf. Mal 3.22); in particular, Deut 7.12 set out a causal nexus - if the Israelites heed YHWH's ordinances, YHWH shall keep the covenant and steadfast love that He swore to their ancestors, and He shall love and bless them (cf. Deut 30.16; Neh 1.5f; Dan 9.4-5);
- (c) Deut 6.5; 11.13; 13.4-5; 30.6; and Josh 22.5 demand Israelites to love YHWH with all their heart and/or soul and/or might.<sup>467</sup>

For the use of the verb אהב without אה in connection with the relationship between YHWH and the Israelites in the book of Deuteronomy (including YHWH's love towards Israelites, and *vice versa*), it appears 7 times (Deut 5.10; 7.9, 13; 10.12, 15, 18; 23.6) out of which Deut 10.15 contains the element of divine election, and Deut 5.10; 7.9; 10.12; 11.1, 13, 22 show that such love links with the keeping of YHWH's commandments on the part of the Israelites.<sup>468</sup>

Hill notes that “[g]iven Malachi’s concern for proper worship, the marriage covenant, and social justice, it seems the prophet understands the term *’hb* in much the same way as the Deuteronomist, that is, the duty to “reciprocate God’s love ... in the form of genuine obedience and pure devotion” (*TDOT* 1:115).”<sup>469</sup> Schuller finds that “[t]he language of love evokes the rich covenant tradition of the theology of Deuteronomy, with

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32 times in relation to YHWH's love, out of which 23 times concern Israel and individuals (e.g. Deut 4.37; 7.8, 13; 10.15; 23.6; Isa 41.8; 43.4; 48.14; Jer 31.3; Hos 3.1; 11.1, etc.), see Gibson, *Covenant Continuity and Fidelity*, 48. In relation to YHWH's love for his own people, the noun form אהבה appears in Deut 7.8; 1 Kings 10.9; Hos 3.1; 11.4; Zeph 3.17; 2 Chr 2.10; 9.8; Isa 63.9; Jer 31.3, refer “אהבה,” *HALOT*, 1:18.

<sup>466</sup> Deut 30.16 contains three elements, i.e. (a) if the Israelites observe the commandments, statutes and ordinances of YHWH, (b) YHWH shall bless them (c) in the land that they are entering to possess (cf. Mal 3.22-24).

<sup>467</sup> McKay considers that “[t]he phrase “with all your heart and with all your being and with all your might” [in Deut 6.5] finds parallels in the Vassal Treaty of Esarhaddon”. J.W. McKay, “Man's love for God in Deuteronomy and the father/teacher-son/pupil relationship,” *VT* 22 (1972): 426-435, 428.

<sup>468</sup> McKay, “Man's love for God in Deuteronomy and the father / teacher-son / pupil relationship,” 426, fn 3.

<sup>469</sup> Hill, *Malachi*, AB 25D, 147.

its attendant themes of election, obligation, and loyalty”.<sup>470</sup> Similarly, Fox observes that in this pericope, “love is essentially equated with covenant fidelity. Deuteronomy is saturated with this language.”<sup>471</sup>

### Conclusion

By using the “love-hate” language and saying “I have loved you / Jacob”, the connotations are not only the election of Israelites on the part of YHWH but also the corresponding obligation of loving YHWH by observing His commandments, statutes and ordinances on the part of the Israelites. The covenantal relationship between YHWH and the Israelites is highlighted. As Moran points out, the love of YHWH in Deuteronomy “is a love that can be commanded. It is also a love intimately related to fear and reverence.” It is a love that “must be expressed in loyalty, in service, and in unqualified obedience to the demands of the Law.” “It is, in brief, a love defined by and pledged in the covenant—a covenantal love.” The legal language used in expressing love in Deuteronomy “have close parallels in the treaties of the first and second millennium” in the ancient Near East.<sup>472</sup>

It should be noted that in discussing about the “form” of the divine assertion “I have loved you” (Mal 1.2), the approach of Weyde is somewhat confusing. What Weyde means by “form” is *Gattung* but not a small unit of text which consists of featured lexicons (combination of lexicons and / or phrase(s) with a particular connotation). On that basis, he looks for the divine statements that are expressed by first person (perfect) manner. He identifies the salvation oracle (“*Heilsorakel*” or “*Erhörungsorakel*”) and provides the examples of Isa 49.22f and 41.17-20, claiming that Mal 1.2ff has

<sup>470</sup> E.M. Schuller, “The Book of Malachi,” in *The New Interpreter’s Bible, Vol. VII: Introduction to Apocalyptic Literature, Daniel, Additions to Daniel, Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, Malachi*, Nashville: Abingdon, 1996, 843-877 at 854, citing Deut. 7:7-8, 12-13; 10:15; 23:5 in support.

<sup>471</sup> Fox, *A Message from the Great King*, 79. Footnote 29 gives the examples of Deut 5:10; 6:5; 7:13; 10:12, 15, 18, 19; 11:1, 13, 22; 13:4; 19:9; 23:6; 30:6, 16, 20. See also, similarly, Exod 20:1; Josh 22:5; 23:11; and Judg 5:31.

<sup>472</sup> W.L. Moran, “The Ancient Near Eastern Background of the Love of God in Deuteronomy,” *CBQ* 25 (1963): 77-87, in particular 78, 81-82. For McKenzie and Wallace, having considered a letter from Abdihiba of Jerusalem to the Pharaoh (which writes “Why do you love the ‘Apiru and hate the (loyal) governors?” (*EA* 286:18-20)), they find that the term “love” describes the “polarities in the treaty relationship behind *EA*286”: “The Pharaoh should have loved those with whom he had a treaty and hated the ‘Apiru with whom he had no such relationship.” McKenzie and Wallace, “Covenant Themes in Malachi,” 556 (cf. N. Lohfink, “Hate and love in Osee 9,15,” 25 *CBQ* (1963): 417). Weyde links the verb “hate” with transgression of the law of YHWH, claiming that “although it is not explicitly so expressed, the wicked are among those whom the speaker hates.” Weyde, *Prophecy and Teaching*, 84.

a “notable similarity” with these texts: The divine assertion is “elaborated by a survey of YHWH’s relationship to Jacob and Esau/Edom in the past, present and future”, followed by “a reference to the addressees’ recognition of YHWH” and their praise.<sup>473</sup> One can see that his way of identifying comparable *Gattung* (and sometimes motif rather) is fluid if not subjective. For example, following the opening words “I have loved you” (which he considers as a “salvation oracle”), Weyde finds the rhetorical question “In what way have you loved us?” as a lament. Even though he admits that “it seems difficult to answer what occasioned the lament”, he still contends that this sequence reflecting a reversed order that psalms of lament are spoken and answered.<sup>474</sup>

### 3.2.1.3 Obad and Mal

Apart from the book of Genesis, the name “Esau” also reverts the readers to the book of Obadiah, which mentions the following:

- (a) “Jacob” (Obad 10, 17, 18) / “Judah” (Obad 12, 13) is the “brother” of Edom (Obad 10, 12);
- (b) the judgment of YHWH against “Esau” (Obad 6, 8, 9, 18 [x 2], 19, 21)/ “Edom” (Obad 8) as a nation (Obad 2 “Behold! I will surely make you least among the nations...”); and
- (c) the concepts of “on that day” (Obad 8 ביום ההוא) and “the day of YHWH” (Obad 15) as declared by YHWH (נאם יהוה cf. Mal 1.2), cf. “the great and terrible day of YHWH” in Mal 3.23.

Pause here, one would notice that these apparently common elements are not sufficient to prove any inner-biblical relationship between Obad and Mal *per se*. For examples, the name “Esau” and the brotherhood between Jacob and Esau can be borrowed from Gen 25-36 and other biblical texts (e.g. Josh 24.4 mentions both Jacob and Esau; Jer 49.8-10 mentions the judgment against Esau, etc.). In the context of YHWH’s judgment, the phrase “the day of YHWH” occurs in other prophetic books as well (e.g. Isa 13.6, 9; Joel 1.15; Amos 5.18, etc.). In particular, since “the great and terrible day of YHWH” in Mal 3.23-24 appears with the call of YHWH for the “return” of the restoration community, it has a much closer connection with Joel 2.11-13, 31 than Obad.

<sup>473</sup> Weyde, *Prophecy and Teaching*, 75-76, 80.

<sup>474</sup> Weyde, *Prophecy and Teaching*, 77, 81.

Hence, instead of the aforesaid elements, this study suggests that the connection between Obad and Mal, if any, is based on:

- (a) Obad 8: “on that day”, YHWH shall destroy the understanding from Mount Esau (הר עשו),<sup>475</sup> cf. Mal 1.3 YHWH has made [Esau’s] mountains a desolation;
- (b) Obad 9b -10, 18: Edom shall be cut off “forever” for its slaughter and violence done to “your brother Jacob”, cf. Mal 1.4 (but it is not unique, see Jer 49.8-10); in contrast, the “house of Jacob” shall be holy and on Mount Zion (Obad 17-18); and
- (c) the survivors (cf. “you” in Mal 1.2) shall go up to Mount Zion and rule Mount Esau, and there shall be the kingdom for YHWH (Obad 21, cf. Mal 1.5 “Great is YHWH beyond the territory of Israel.”).

Having said that, neither the “love-hate” language nor the concept of “election” is utilized in the aforesaid texts in Obadiah.

### Conclusion

It is difficult to prove if the redactors of Mal intended to allude to Obad.<sup>476</sup> Suffice to say that *if* that is the case, the allusion to the contrasting situations of “Jacob” and “Esau” in Obad aims to provide Mal with the proof (actualization of the judgment) of YHWH’s “hatred” against Esau / the Edomites.<sup>477</sup> It is neither an explanation for YHWH’s love towards Jacob nor an exposition of His election of Jacob / the restoration community.

As the language used in Obad shows that the judgment against Edom has not yet been realized until “that day” / “the day of YHWH” (Obad 8, 15), in comparison with the use of the words “desolation” and “ruins” in Mal 1.3-4,

<sup>475</sup> הר עשו also appears in Obad 9, 19, 21.

<sup>476</sup> Noglaski considers that Edom’s rebuild “plays off Obad 3-4” and the term “Mount Esau” (Obad 8, 18, cf. “his mountains” in Mal 1.3) is exclusive to the two texts. He claims that “Mal 1:2-5 explicitly takes up the book of Obadiah”. Noglaski, *Redactional Processes in the Book of the Twelve*, 191-192. Gibson rightly points out that the word that Noglaski translates as “build” in Obad 4 is not בנה but גבה (to be / make high). “Thus Noglaski’s argument works at the conceptual level but not the lexical level”. Besides, there is “neither form nor content do the conditional clauses in Mal. 1.4 and Obad. 4 correlate exactly”. Gibson, *Covenant Continuity and Fidelity*, 57.

<sup>477</sup> Hill, *Malachi*, AB 25D, 168, “Obadiah indicates that the fall of Edom should be viewed as the trigger event setting in motion the fulfillment of Yahweh’s covenant promises to Israel. Perhaps this text lies behind Malachi’s use of Edom’s recent history as an illustration of Yahweh’s love for Israel?”

it is reasonable to infer that Mal depicts the scenario of Edom later than Obad in the sequence of time.<sup>478</sup>

Pause here, we can say that this first unit of discourses (in particular the opening statement of Mal “I have loved you”) (a) elicits the “election” tradition via the brotherhood between Jacob and Esau, and (b) brings in the covenantal tradition from Deuteronomy. The latter has the connotation of the obligation on the part of the Israelites to keep the commandments, statutes and ordinances of YHWH (which shall appear in Mal 3.22 again). In this sense, Mal 1.2 and 3.22 echo with each other.

Then the question is: In what way the statement “I have loved you” can be proved? In other words, how the redactors of Mal illustrated that the covenantal election of and the covenantal love towards the Israelites (as well as their corresponding obligation) had been continuing?

### 3.2.2 Traditions of YHWH’s judgment: “Desolation”, “ruins”, “jackals” and Edom (Mal 1.3-4)

#### 3.2.2.1 שַׁמְמָה, חֲרֵבָה and YHWH’s judgment against cities / land / nations

The word שַׁמְמָה (common feminine singular) appears 56 times in the Hebrew Bible, out of which a total of 53 times occur in the prophetic oracles in Isaiah (6 times), Jeremiah (15 times), Ezekiel (21 times) and the Twelve (11 times).<sup>479</sup> It frequently appears in relation to YHWH’s punishment upon “land” (אֶרֶץ),<sup>480</sup> and specifically concerns YHWH’s judgment against Israel, Judah and Jerusalem.<sup>481</sup>

The word חֲרֵבָה (usually appears in common feminine singular or plural form and translated as “ruin” or “waste”) occurs some 42 times in the Hebrew Bible, out of which 33 times can be found in the prophetic oracles in Isaiah (9 times), Jeremiah (10 times) and Ezekiel (14 times). Again, it frequently occurs in connection with the judgment of YHWH, in particular by way of destruction of cities, lands or nations.<sup>482</sup> Isa 44.26 writes that

<sup>478</sup> Noglaski, *Redactional Processes in the Book of the Twelve*, 191.

<sup>479</sup> Cf. Gibson, *Covenant Continuity and Fidelity*, 54.

<sup>480</sup> For examples, in Ex 23.29; Lev 26.33; Isa 1.7; 6.11; 62.4; Jer 4.27; 25.12; 32.43; Ezek 6.14; 14.15, 16; 15.8; 29.12; and 32.15.

<sup>481</sup> For examples, in Isa 1.7; Is 49.19; 64.9; Jer 6.8; 9.11; 10.22; 12.10, 11 (also as adjective שַׁמְמָה and verb נִשְׁמָה); 34.22; 44.6; Ezek 12.20; 33.28, 29; 35.12; and 36.34.

<sup>482</sup> Totally 23 times respectively in Lev 26.31, 33; Isa 44.26; 52.9 (Jerusalem); Jer 7.34 (land); 25.9 (all these nations); 25.11; 27.17; 44.2; 44.6, 22 (land); 49.13; Ezek 5.14 (Jerusalem); 25.13;

YHWH shall cause the prediction of his messengers (מלאכיו) (common masculine plural) fulfilled, who says, *inter alia*, that the cities of Judah shall be “rebuilt” (תבנינה) “and I will raise up their ruins” (והרבותיה אקומם). Isa 58.12 states that “the ancient / everlasting ruins” (הרבות עולם) of Jacob shall be “rebuilt” (ובנו),<sup>483</sup> cf. Mal 1.4 Edom says “we will again build the ruins” (ובנו) (הרבות) but YHWH says that He shall tear it down again.<sup>484</sup> With the lexical parallel (“(re)build” and “ruins” occur in proximity) but contrasting contexts (restoration for Judah / Jacob, in contrast with punishment for Edom), it is likely that the redactors of Mal intended to allude to the traditional language of comfort (i.e. rebuilding Israel from ruins) but in a reversed manner against Edom.

The application of a combination of words of tradition in such a reversed manner can also be found in the case of “build” and “tear down / destroy” (הרס). In relation to a nation,<sup>485</sup> these two words appear together mostly about YHWH’s promise to rebuild Zion / Israel.<sup>486</sup> In particular, in Ezek 36.33-36, the words “(re)build” (twice in vv.33, 36), “ruins” (twice in vv.33, 35, ), “desolate” (שמה in verb form for 4 times in vv.34, 35 x 2, 36; and in noun form שממה once in vv.34) and “tear down / destroy” (הרס twice in vv.35, 36) all occur. There, YHWH promises that “on the day”, He will “rebuild” the house of Israel from “ruins”, and the “ruined”, “desolated” and “destroyed” cities shall be inhabited and fortified. It is a sharp contrast with His judgment against Edom as set out in Mal 1.3-4.<sup>487</sup>

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29.9, 10 x 2 (land of Egypt); 33.24 (land of Israel); 35.4 (towns of Mount Seir); 36.10, 33 (wasted towns of Israel); 38.8 (mountains of Israel); and Mal 1.4. Weyde considers that the word “ruins” is often used to describe destructions by military action in the prophetic traditions. Weyde, *Prophecy and Teaching*, 87, fn 79.

<sup>483</sup> Similar message appears in Isa 61.4; Ezek 36.10, 33.

<sup>484</sup> Cf. Gibson, *Covenant Continuity and Fidelity*, 67.

<sup>485</sup> For the co-appearance of the verbs “build” and “tear down”, strangely, Weyde resorts to the wisdom tradition and finds that Job 12.13f is a comparable. His focus is shifted to the contrast between human minds and the wisdom of YHWH (Prov 16.1, 9; 19.21; 20.24), which has nothing to do with the theme and/or context of YHWH’s judgment against a nation. Weyde, *Prophecy and Teaching*, 97.

<sup>486</sup> Isa 49.17, 19; Jer 24.6; 31.28, 38-40; 42.10; 36.33-36; and Amos 9.11. The exceptions are: Jer 1.10 (YHWH appoints Jeremiah “over nations and over kingdoms” to, *inter alia*, “destroy” and “build”); Jer 45.4 (judgment against “the whole land”); Ezek 13.10-14 (judgment against the prophets in Israel who uttered falsehood); and Ezek 26.4, 12-14 (judgment against Tyre). It appears that Gibson ignores the said exceptions when he asserts that “[w]hen a nation is involved, the combination is present only ...concern YHWH’s promise to rebuild in Israel’s land”. Gibson, *Covenant Continuity and Fidelity*, 68.

<sup>487</sup> Kessler considers Mal 1.4-5 as a “counter-text” to Ezek 36.33-36. Kessler, “The Unity of Malachi,” 229.

### 3.2.2.2 “Jackals” and שממה

“Jackals” (with the root תן) appears 14 times in the Hebrew Bible, out of which 11 times are in the prophetic books (Isaiah (4 times), Jeremiah (5 times), Micah (1 time) and Malachi (1 time)). This word is used to describe the scene of desolation, in particular in the judgmental oracles.<sup>488</sup> In Jer 9.10 and 10.22, the words “desolation” (שממה) and “jackals” (תנים, i.e. in plural form) appear together to describe YHWH’s judgment against Jerusalem and cities of Judah respectively – YHWH shall make them a desolation and lair / habitation of Jackals.<sup>489</sup> Then in Jer 49.33, it writes that Hazor shall become “a habitation of jackals (תנים), desolation (שממה) forever” where no one shall live there, cf. Mal 1.3. With the lexical parallel (the remarkable words “desolation” and “jackals”), contextual parallel (the wrath of YHWH against a nation) but thematic difference (i.e. Israel in Jer, and Edom in Mal), there are good reasons to believe that Mal 1.3 alludes to these verses of Jer and this time, the recipient of the judgment is Edom.

Instead of focusing on the words “(re)build” and “ruins” in Isa 44.26; 58.12 and 61.4 (above), Gibson places his emphasis on “jackals” and “habitation” in Isa 34, arguing that Mal 1.3-4 and Isa 34.5-15 “are the only pair of texts in the OT that describe Edom’s land as a habitation for jackals.”<sup>490</sup> The problems of this assertion are that, first, Isa 34-35 does not serve Edom exclusively. It is a unit which consists of the oracles against “all the nations” (Isa 34.2) as well as the message of restoration to Israel.<sup>491</sup> “[T]he condemnation of Edom occurs in a list of oracles against the nations” is exactly a ground that Gibson removes Jer 49 (and Ezek 25) in sifting the source texts.<sup>492</sup> Secondly, instead of a cluster of terms, the so-called linked lexicons scatter sparingly in these eleven verses in Isa 34: “Edom” (vv.5, 9),

<sup>488</sup> Isa 13.22 (Babylon); 34.13 (Edom); Jer 9.10 (Jerusalem); 10.22 (Judah); 14.6 (Judah and Jerusalem); 49.33 (Hazor); 51.37 (Babylon); Mic 1.8 (Samaria, and Judah?); and Mal 1.3.

<sup>489</sup> Weinfeld finds that מעון תנים (“a lair of jackals”) occurs in Jer 9.10 in the form of a curse. It is a deuteronomic way of description of desolation of cities. Similar curses appear in the Sefire treaty, “...and the fox and the hare and the wild cat...” and the passages of Esarhaddon and Aššurbanipal, “Foxes and hyenas made their homes there”. M. Weinfeld, *Deuteronomy and the Deuteronomic School*, Winona Lake, Indiana: Eisenbrauns, 1992 (originally published by Oxford, Clarendon Press 1972), 142.

<sup>490</sup> Gibson, *Covenant Continuity and Fidelity*, 58. Similarly, Anderson contends that this part of Mal alludes to Isa 34.13 (and Ezek 35), see Anderson, *Brotherhood and inheritance*, 222-223.

<sup>491</sup> Gibson’s contention that the oracle against Edom in Isa 34 “does not occur in the oracles against the nations, but is rather juxtaposed to the theme of Israel’s restoration in ch.35” is no more than an artificial dissection of this unit. Gibson, *Covenant Continuity and Fidelity*, 58.

<sup>492</sup> Gibson, *Covenant Continuity and Fidelity*, 56.

“ruins” (v.10), and “jackals” (v.13). Thirdly, contextually speaking, Isa 34.5-7 depicts the scene of slaughter of animals, which is rather different from that in Mal 1.3-4. Isa 34.8-15 projects the pictures of the aftermaths of falling of a kingdom and the haunt of jackals is only one of the several imageries. To stress on the coincidental occurrence of “jackals” and “habitation” is somewhat a selective neglect of other animals-related imageries (e.g. hedgehog, owl, ostriches, etc.).

In sum, I consider that the probability of linkage between Mal 1.2-5 with Jer 9.10; 10.22 and 49.33 (see above) is higher than that with Isa 34.5-15 (as suggested by Gibson).

### 3.2.2.3 שממה, חרבה and Edom in Jer and Ezek

If one reads Jer further, it would be noticed that the words “desolation” (שממה) and “ruins” (חרבה), which occur respectively in Mal 1.3-4 in describing Edom, appear together in Jer 44.6 in illustrating the towns of Judah and the streets of Jerusalem when the wrath and anger of YHWH were poured out and kindled.<sup>493</sup> Then Jer 49.7ff is the oracle concerning Edom. Jer 49.13 writes that Bozrah (בצרה capital of Edom)<sup>494</sup> shall become “a waste” (חרב) and all her cities shall be “ruins” (חרבה) “forever” (עולם). In the context of YHWH’s judgment, and bearing the connotation of “desolation” and “ruins” in mind, the use of these two words together with עולם (forever) in Mal 1.3-4 indicates the actualization of the oracle of YHWH against Edom (as stated in Jer 49.13),<sup>495</sup> which serves as the evidence of His election of Israel in the context of Mal.

In Ezek, the words “ruin” and “desolation” are typical (and traditional) in expressing YHWH’s judgment against a nation. Ezek 6 states that the word of YHWH came to the prophet against “the mountains of Israel” (Ezek 6.2, 3 x 2, cf. Mal 1.3 “his [Edom’s] mountains). YHWH shall stretch His hand and make the land “a desolation” (שממה) and waste (משמה) (Ezek 6.14). Ezek 12.20 further states that the inhabited cities shall be wasted (תחרבנה) with the same root חרב as “ruins” in Mal 1.4) and the land (of Jerusalem) shall be “a desolation” (שממה). Then in the oracles against the nations (Ezek 25-32),

<sup>493</sup> See also Isa 49.19 where the word חרבה “ruin / waste” appears with the verb שממתיד (“your desolate places”) in describing Zion.

<sup>494</sup> HALOT, 1:149.

<sup>495</sup> Kessler considers that the texts from Jeremiah and Ezekiel reflect the terminologies used in Mal 1.4-5 in the closest and densest manner. Kessler, “The Unity of Malachi,” 229. In contrast, Gibson’s removal of Jer 49.7-22 from the list of inner-biblical allusion can hardly be justified. Gibson, *Covenant Continuity and Fidelity*, 56.

Ezek 29.10 and 29.12 respectively states that YHWH shall make the land of Egypt to “ruins of a ruin, a desolation” (לחרבות חרב שממה) and “a desolation” (שממה) in the midst of the desolated (נשמות) countries, and her (Egypt’s) cities shall be “a desolation” (שממה) among cities that are caused to be ruin (מחרבות). Ezek 29.9 and 32.5 also write that YHWH shall make the land of Egypt “a desolation” (שממה).

Remarkably, Ezek 25.12-13 writes that as Edom acted revengefully against the house of Judah, YHWH says that He will, *inter alia*, make Edom a “waste” (חרבה). Then in Ezek 35.3, 4, 7, 9, 14, 15, in the context of destruction of Edom and restoration of Israel, the word “desolation” שממה appears for 7 times totally, and the word “ruins” חרבה occurs in Ezek 35.4.<sup>496</sup> This part is the oracle against “Mount Seir”, which states that YHWH shall make it “a desolation” and its cities shall be “ruins” (common feminine singular) as it poured the people of Israel to the power of the sword at the time of their calamity (Ezek 35.5). As “Mount Seir” said that the two nations (Judah and Israel) belonged to it, showed anger and envy against them, uttered abusive speech against Israel, and multiplied its words against YHWH (Ezek 35.10-13), YHWH shall make it a “perpetual desolation” (שממות עולם)(Ezek 35.9). It is further stated in Ezek 35.15 that as Mount Seir rejoiced over the “inheritance” (root נחלה) of the house of Israel that was desolate (שממה), YHWH shall make Mount Seir and all Edom to be desolated (שממה)(cf. Mal 1.3 YHWH says He has made the “inheritance” (same root נחלה) of Esau to jackals of wilderness).<sup>497</sup> All these provide the foundation for YHWH’s promise to destroy Edom again and the description that “they shall call them the territory of wickedness, and the people with whom YHWH is indignant until forever” (Mal 1.4, cf. Ezek 35.11 YHWH says “I shall deal with you [Edom] according to the anger and envy that you showed [towards Israel]”).

The word עולם appears in both Ezek 35.9 and Mal 1.4. It highlights the perpetual state of Edom,<sup>498</sup> that is, as a perpetual desolation in Ezek 35.9, and as a people with whom YHWH is angry forever. With the aforesaid lexical parallels (“desolation”, “ruins”, “mountain(s)”, “inheritance” and

<sup>496</sup> Although the verbs used in Ezek and Mal are different in coordinating the terms “desolation” and “ruins”, as Gibson points out, such coordination “is not so significant since the verbs נתן, היה, עשה and שים are used interchangeably in these curse or judgment context.” Gibson, *Covenant Continuity and Fidelity*, 60 fn 55.

<sup>497</sup> Gibson advances that “by employing these terms, Malachi wishes to convey the divine reversal that Edom has experienced”. Gibson, *Covenant Continuity and Fidelity*, 61.

<sup>498</sup> E. Jenni, “עולם,” *TLOT* 2:852-862, 853; Preuss, “עולם עלם,” *TDOT* 10:531-545.

“forever”), which is uniquely shared by both Ezek 35 and Mal 1.3-4,<sup>499</sup> and the thematic and contextual parallel (destruction of Edom, in contrast with restoration of Israel) in such a short passage, it is highly likely that Mal 1.2-5 not only alludes to Ezek 35 in general but also adopts those specific terms so as to illustrate that Ezekiel’s prophesy of judgment against Edom has been actualized.<sup>500</sup>

It should be noted that at the end of Ezek 35, it states that “...I will make myself known among you, when I judge you” (Ezek 35.11) and “... you shall be a desolation, Mount Seir and all Edom, all of it, and they shall know that I am YHWH.” (Ezek 35.15) These statements are arguably echoed by Mal 1.5 as the restoration community (having seen the tearing down of Edom again) shall say “Great is YHWH beyond the territory of Israel.”

On the issue of direction of influence, there is a general scholarly consensus that Ezek is dated before the end of the exilic period.<sup>501</sup> Zimmerli contends that Ezek 35.1-36.15 should be dated later than Ezek 25, probably from some years after the fall of Jerusalem but no later than the return of the exiles led by Zerubbabel.<sup>502</sup>

#### 3.2.2.4 Mal 1.3 and Joel 4.19

One must not overlook the lexical parallel (“desolation” and “wilderness”, though in reversed order),<sup>503</sup> syntactical parallel (Edom / Edom’s mountains (object) shall become / be made “a desolation” to the “wilderness” (locus)), and thematic and contextual parallel (YHWH’s judgment against Edom – to make it a desolation) between Mal 1.3 and Joel 4.19 (i.e. 3.19 in NRSV).<sup>504</sup> As pointed out by Hill, “Malachi’s use of

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<sup>499</sup> Gibson, *Covenant Continuity and Fidelity*, 60-61. See also Weyde, *Prophecy and Teaching*, 85.

<sup>500</sup> Hill, *Malachi*, AB 25D, 169, “God had demonstrated the utter reliability of his revelation in fulfilling the pronouncements of his servants Jeremiah (49:7-22) and Ezekiel (35:1-15).” See also S. Lear, *Scribal Composition: Malachi As a Test Case*, FRLANT 270, Göttingen: Vandenhoeck & Ruprecht, 2017, 102-104.

<sup>501</sup> See, e.g. M. Greenberg, *Ezekiel 1-20: A new translation with introduction and commentary*, AB 22, Garden City, NY: Doubleday, 1983, 17; L. Allen, *Ezekiel 1-19*, WBC 28, Nashville: Thomas Nelson, 1994, xxv-xxvi.

<sup>502</sup> W. Zimmerli, *Ezekiel 2: A Commentary on the Book of the Prophet Ezekiel, Chapters 25-48*, trans. James D. Martin, Hermeneia 26B, Philadelphia: Fortress Press, 1983, 234.

<sup>503</sup> Cf. Isa 64.9; Jer 12.10; Ezek 6.14; Joel 2.3 and Zeph 2.13 as mentioned in Gibson, *Covenant Continuity and Fidelity*, 58.

<sup>504</sup> It should be noted that Joel 3.1-5 (MT) are corresponding to Joel 2.28-32 (NRSV); and Joel 4.1-21 (MT) are corresponding to Joel 3.1-21 (NRSV).

[desolation] may be yet another example of dependence upon Joel, given the similar pronouncement that Edom would become a “desert wasteland”.<sup>505</sup>

Mal 1.3	Joel 4.19
<p style="text-align: center;">וְאֲשִׁים אֶת־הַרְיֵי שְׂמֹמָה וְאֶת־נְהַלְתּוֹ לְמִנּוֹת מִדְבָּר</p> <p>and I made his [Edom's] mountains a desolation, and his inheritance to jackals of wilderness.”</p>	<p style="text-align: center;">וְאֶדוֹם לְמִדְבָּר שְׂמֹמָה תִּהְיֶה</p> <p>and Edom shall become a desolation to the wilderness.</p>

In fact, Joel 4.1, 20 also mention the restoration of Judah and Jerusalem which, arguably, is implicit in Mal 1.2 “I have loved Jacob” and Mal 1.5.

### 3.2.2.5 Combined use of the judgmental terminologies

As shown above, in general, the words “desolation”, “ruins” and “jackals” are language used in the prophetic books in depicting the scenes of YHWH’s judgments against nations, cities and/or lands. They are traditional elements in the context of judgmental oracles. The combinations of the words “desolation”, “ruins” and “wilderness”, etc. are utilized specifically in the oracles against Edom in, *inter alia*, Ezek 35; 36 and Joel 4.19-20. The aforesaid texts suggest that the redactors of Mal borrowed such term-pairs (together with their thematic and contextual connotations) from different texts and created their own combination:<sup>506</sup> “(re)build” and “ruins” from Isa 44.26; 58.12; 61.4;<sup>507</sup> “jackals” and “desolation” from Jer 9.10; 10.22 and 49.33 (and “jackals” and “ruin” possibly from Isa 34.5-15), and “desolation”, “ruins”, “forever” and “inheritance” from

<sup>505</sup> Hill, *Malachi*, AB 25D, 154. At 160 and 169, Hill also mentions Jer 49.7-22 and Ezek 35.

<sup>506</sup> Kessler considers that not all the allusions are exclusive, “nor are they significant when seen in isolation”, but “[t]he cluster they form, however, shows that Malachi must have known at least some of these texts.” Kessler, “The Unity of Malachi,” 229.

<sup>507</sup> Isa 61.4 also contains the Qal participle of שָׂמַם (“devastations”) twice.

Ezek 35.3-15.<sup>508</sup> Indeed, a similar compositional exercise is likely to have occurred in Joel 4.19, which was probably followed by the redactors of Mal.

As to the direction of dependence, having considered the archaeological and historical evidence, Meyers concludes that “[t]he probabilities favor a date [of the book of Joel] in the last decades of the sixth century or certainly not later than the early part of the fifth.”<sup>509</sup> It is therefore chronologically possible for the redactors of Mal to refer to Joel 4.19. Besides, as observed by Gibson, the messages against Edom in Isa 34.5-15, Ezek 35 and Joel 4.19-20 are “embedded in the language of future” whilst in Mal, Edom is described as destroyed already. Accordingly, it “creates enough historical distance between these texts and Malachi.”<sup>510</sup>

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<sup>508</sup> As mentioned above, Hill suggests Jer 49.7-22; Ezek 35 and Joel 4.19. Meinhold is in mind of Isa 34.1-15; Jer 49.7-22; Ezek 35 and Obad (Meinhold, *Malachi*, 49). Kessler considers that Mal 1.2-5 presents the fulfillment of the oracles in Jer 49.13; Ezek 25.13; 35; Joel 4.19; and Obad 7, 10, 12 (R. Kessler, “Jakob und Esau als Brüderpaar in Mal 1,2-5,” in T. Naumann and R. Hunziker-Rodewald, eds., *Diasynchron: Beiträge zur Exegese, Theologie und Rezeption der Hebräischen Bibel*, FS W. Dietrich zum 65. Geburtstag, Stuttgart: Kohlhammer, 2009, 209-229, 223). Later, he opines that it is “highly probable that Malachi knew the text of Ezek 36:33-36.” (Kessler, “The Unity of Malachi,” 229). Baldwin points to Ezek 35 alone (Baldwin, *Haggai, Zechariah, Malachi*, 241). In comparison, Noglaski’s choice of Obad only is less than arguable (Noglaski, *Redactional Processes in the Book of the Twelve*, 191-192).

<sup>509</sup> Jacob M. Meyers, “Some considerations bearing the date of Joel,” *ZAW* 74 (1962): 177-195, 190. At 195, he suggests that the book reflects “conditions in Palestine somewhere around 520 B.C.”.

<sup>510</sup> Gibson, *Covenant Continuity and Fidelity*, 61. Similar opinion is given by Weyde, who concludes that “the words against Edom in Jeremiah 49; Obadiah; Ezekiel 25; 35, and perhaps also those in Isaiah 34; 63, can be dated to a time during or shortly after the Exile.” Weyde, *Prophecy and Teaching*, 87.

### 3.2.3 “YHWH of hosts”, messenger formula(s) and the prophetic tradition (Mal 1.4)

#### 3.2.3.1 “YHWH of hosts”

The use of the phrase “YHWH of hosts” (יהוה צבאות) is frequent in the books of Isaiah,<sup>511</sup> Jeremiah,<sup>512</sup> Haggai,<sup>513</sup> Zechariah<sup>514</sup> and Malachi.<sup>515</sup> Against the background of the Persian ruling, Meyers and Meyers consider that “[b]y referring to “Yahweh of Hosts,” it asserts the fact of Yahweh’s return to Zion and the reestablishment of his mighty power. ...“Yahweh of Hosts” for Haggai and his colleagues reestablishes the pre-exilic conception of divine presence and expresses the ultimate authority of Yahweh, even over the Persian emperor or any other human ruler.” In the said historical setting, “the theophanic tradition of the God enthroned in the temple can surely be associated with the “Yahweh of Hosts” designation”.<sup>516</sup>

#### 3.2.3.2 Messenger formula(s) and the prophetic tradition

Hill considers the frequent appearance of the messenger formula (“(thus) says YHWH of hosts”) in Mal “certainly emphasizes the divine origin of his message and connects his oracles with earlier prophetic traditions”.<sup>517</sup> Jacobs finds that in Mal 1.4aß, the phrase “Thus says YHWH of hosts” not only serves as a divider between the words of YHWH and those of Edom but also “introduces the apodosis (consequence) of the *kî + kô* formulation

<sup>511</sup> Totally 62 times in the book of Isaiah, namely 1.9, 24; 2.12; 3.1, 15; 5.7, 9, 16, 24; 6.3, 5; 8.13, 18; 9.6, 12, 18; 10.16, 23, 24, 26, 33; 13.4, 13; 14.22, 23, 24, 27; 17.3; 18.7 x 2; 19.4, 12, 16, 17, 18, 20, 25; 21.10; 22.5, 12, 14 x 2, 15, 25; 23.9; 24.23; 25.6; 28.5, 22, 29; 29.6; 31.4, 5; 37.16, 32; 39.5; 44.6; 45.13; 47.4; 48.2; 51.15; 54.5.

<sup>512</sup> Totally 77 times in the book of Jeremiah, namely 2.19; 6.6, 9; 7.3, 21; 8.3; 9.6, 14, 16; 10.16; 11.17, 20, 22; 16.9; 19.3, 11, 15; 20.12; 23.15, 16, 36; 25.8, 27, 28, 29, 32; 26.18; 27.4, 18, 19, 21; 28.2, 14; 29.4, 8, 17, 21, 25; 30.8; 31.23, 35; 32.14, 15, 18; 33.11, 12; 35.13, 18, 19; 39.16; 42.15, 18; 43.10; 44.2, 11, 25; 46.10 x 2, 18, 25; 48.1, 15; 49.5, 7, 26, 35; 50.18, 25, 31, 33, 34; 51.5, 14, 19, 33, 57, 58. Besides, without coupling with “YHWH”, the word “hosts” also appears in Jer 5.14 (“God of the hosts”); 8.2 (“all the host of heavens”); 15.16 (“God of hosts”); 19.13 (“whole host of heavens”); 38.17 (“God of hosts”); 51.3 (“her entire host”); and 52.25 (“the scribe of the commander of the host / army”).

<sup>513</sup> Totally 14 times in the book of Haggai, namely 1.2, 5, 7, 9, 14; 2.4, 6, 7, 8, 9 x 2, 11, 23 x 2.

<sup>514</sup> Totally 53 times in the book of Zechariah, namely 1.3 x 3, 4, 6, 12, 14, 16, 17; 2.12, 13, 15; 3.7, 9, 10; 4.6, 9; 5.4; 6.12, 15; 7.3, 4, 9, 12 x 2, 13; 8.1, 2, 3, 4, 6 x 2, 7, 9 x 2, 11, 14 x 2, 18, 19, 20, 21, 22, 23; 9.15; 10.3; 12.5; 13.2, 7; 14.16, 17, 21 x 2.

<sup>515</sup> Totally 24 times in the book of Malachi, namely 1.4, 6, 8, 9, 10, 11, 13, 14; 2.2, 4, 7, 8, 12, 16; 3.1, 5, 7, 10, 11, 12, 14, 17, 19, 21.

<sup>516</sup> Meyers and Meyers, *Haggai, Zechariah 1-8*, AB 25B, 18-19.

<sup>517</sup> Hill, *Malachi*, AB 25D, 158.

and designates the message as Yahweh's".<sup>518</sup> The use of similar divine messenger formulas in the prophetic announcements of judgment against Edom has been a tradition, which is evidenced by their appearance in the inner-biblically linked texts as mentioned above.<sup>519</sup> The combination of the formula "says YHWH" with "YHWH of hosts" appears frequently in the post-exilic books.<sup>520</sup> Jacobs considers that it indicates "the centrality of the divine message and an affirmation of the Deity's participation in the sequence of events."<sup>521</sup> In the case of Mal 1.4aβ, it means that the message about the futuristic judgment against Edom has its divine origin and is in alignment with the prophetic traditions (the divine messenger formula in general and the judgmental oracle against Edom in particular), which in turn reaffirms the authority of Mal.

### 3.2.4 Tradition of YHWH's judgment: **עד עולם** and **זעם**

The verb זעם ("indignation", "wrath") appears in the Hebrew Bible for 33 times, mainly in the prophetic books in describing YHWH's judgment or curse against different nations in general,<sup>522</sup> and sometimes pointing to Israel in particular.<sup>523</sup> On four occasions, this word is used with temporal terminologies:<sup>524</sup> In Isa 10.25, YHWH's "indignation" against Israel shall come to an end "in a very little while" (עוד מעט מזער); in Isa 26.20, the Israelites should hide themselves "for a little while until" (כמעט רגע עד) YHWH's "indignation" passes over; in Zech 1.12, the angel (messenger) of YHWH (מלאך יהוה) asks Him how long He will withhold mercy from Jerusalem and the cities of Judah "with which He has been indignant for seventy years" (אשר זעמתה זה שבעים שנה); and in Mal 1.4, the Edomites shall be called the people "with whom YHWH is indignant until forever" (אשר

<sup>518</sup> Jacobs, *The books of Haggai and Malachi*, 170.

<sup>519</sup> Jer 49.7 (כה אמר יהוה צבאות); Ezek 25.12 (כה אמר יהוה); 13 (כה אמר יהוה); 35.3 (יהוה); 35.6 (יהוה); Obad 1 (כה אמר יהוה); see also Mal 1.2b) also appears in these texts against Edom: Jer 49.13, 16; Ezek 25.14 (נאם אדני יהוה); 35.6 (נאם אדני יהוה); Obad 4, 8.

<sup>520</sup> The phrase "Thus says YHWH of hosts" appears in Hag 1.2, 5, 7; 2.6, 11; Zech 1.3, 4, 14, 17; 3.7; 6.12; 7.9; 8.2, 4, 6, 7, 9, 14, 19, 20, 23; and Mal 1.4; and "says YHWH of hosts" occurs in Mal 1.6, 8, 9, 10, 11, 13, 14; 2.2, 4, 8; 3.1, 5, 7, 10, 11, 12, 17, 19.

<sup>521</sup> Jacobs, *The books of Haggai and Malachi*, 170.

<sup>522</sup> Isa 10.25; 13.5 (the whole earth); 26.20; 30.27; 66.14 (YHWH's enemies); Jer 10.10 (the nations); 15.17; 50.25 (the Chaldeans); Ezek 21.36 (Ammonites); 22.24, 31; Nah 1.6 (Nineveh); Hab 3.12 (the earth and nations); Zeph 3.8 (nations, kingdoms and all the earth); Zech 1.12; and Mal 1.4.

<sup>523</sup> Isa 10.25; 26.20; Jer 15.17; Ezek 22.24, 31; and Zech 1.12.

<sup>524</sup> Gibson, *Covenant Continuity and Fidelity*, 66.

זעם יהוה עד עולם). One can soon notice that syntactically, both Zech 1.12 and Mal 1.4 share the same structure (אשר + YHWH has been / is “indignant” + temporal word). For Isa 10.25; 26.20 and Zech 1.12, they are oracles about Israel / Israelites in which the indignation of YHWH is for a limited period of time. In contrast, in Mal 1.4, “Edom” becomes the subject of judgment, and the duration is “until forever”. It is more likely than not that Zech 1.12 is specifically alluded to and reworked so as to produce this contrasting effect. As to the direction of influence, Gibson suggests that “[a]n early post-exilic date for Zech 1-8 is generally accepted among commentators, which allows Zech. 1.12 to be available to the prophet [Malachi].”<sup>525</sup>

The perpetual nature of the judgment against Edom is an element of tradition: Isa 34.10a “its smoke shall go up forever”, Jer 49.13b “and all her cities shall be ruins forever”; Ezek 35.9a “I shall make you a perpetual desolation”; and Obad 10b “and you shall be cut off forever”.<sup>526</sup> Accordingly, the actualization of this tradition to the future of Edom is not surprising: YHWH is indignant against the Edomites forever (Mal 1.4b). The redactors of Mal creatively combined the tradition of perpetual judgment against Edom and the word “indignation” (which bears the traditional connotation of judgment or curse). Once again, the differential treatment of YHWH for Israel and Edom reinforces the notion of divine election and the pronouncement of “I have loved you”.

### 3.2.5 “And your eyes will see it... Great is YHWH...”

As to the use of the “love-hate” language in the book of Deuteronomy, Lapsley suggests that Deut 10.12-11.1 summarizes the material in Deut 5-11 and contains the five occurrence of the root אהב. This section begins with the command to love YHWH in Deut 10.12 and ends with a similar command in Deut 11.1.<sup>527</sup> I would add that from Deut 11.2 onwards, what YHWH did in Egypt to Pharaoh and his army, and what YHWH acted for the Israelites in the wilderness, etc. (areas outside the territory of the future Israel), are reiterated. Then Deut 11.7 writes “for your eyes have seen (כי) (את כל מעשה יהוה הגדל) all great deed that YHWH (עיניכם הראת) did”.<sup>528</sup> In

<sup>525</sup> Gibson, *Covenant Continuity and Fidelity*, 66 fn 74.

<sup>526</sup> Refer Weyde, *Prophecy and Teaching*, 103.

<sup>527</sup> Jacqueline E. Lapsley, “Feeling Our Way: Love for God in Deuteronomy,” 65 *CBQ* (2003): 350-369, 361, 363.

<sup>528</sup> Hill suggests that “[t]he combination of *’ênêkem + rā’â* here in 1:5 suggests that the fall of Edom had the same theological import as the Israelite Exodus from Egypt (cf. Deut. 11:7).” Hill, *Malachi*, AB 25D, 160. Weyde mentions Josh 24.7 (“and your eyes saw what I did in

comparison, Mal 1.5 writes “And your eyes will see it (ועיניכם תראינה), and you will say, “Great is YHWH (יגדל יהוה) beyond the territory of Israel””. The lexical and syntactical parallels (“your eyes” (subject) and “see” (verb), “YHWH” and “great” (adjective)) together with the contextual parallel (YHWH’s acts against the nation that oppressed Israel)<sup>529</sup> point to the possible allusion of Mal 1.2-5 to Deut 10.12-11.7, in particular, that Mal 1.5 possibly alludes to Deut 11.7. Whilst Deut 11.7 asks the Israelites to acknowledge what YHWH did in the past, Mal 1.5 indicates to the restoration community that they shall eye-witness what YHWH shall do in the future.<sup>530</sup>

### 3.2.6 “the territory of Israel”

The phrase גבול ישראל is mentioned in the Hebrew Bible for 13 times,<sup>531</sup> mostly in the Deuteronomistic History to refer to the territory of the united kingdom of Israel.<sup>532</sup> The incompatibility of its appearance here is conspicuous, given that the intended readers / audience are under the Persian governance at the time. One can therefore safely assume that it is intentionally put here as it serves as a symbol of the united kingdom. Even though the Davidic kingdom became the past history, “the territory of Israel” is still regarded as existent in the divine oracle (Mal 1.5).<sup>533</sup> In contrast, Edom is considered by YHWH as “the territory of wickedness” (it is likely to be a word play when one compares גבול ישראל with גבול רשעה).

Some commentators seek to link up Mal 1.5 with Num 20.14-21 as the word גבול occurs three times in the latter.<sup>534</sup> They find that the hostile attitude of Edom towards the people of Israel justifies the address of “the territory of wickedness” in Mal. In my view, without any contextual or thematic parallel, it is not plausible to establish any connection by merely relying

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Egypt”) but the same contains neither the element of “greatness” nor the “love-hate” language. Weyde, *Prophecy and Teaching*, 106.

<sup>529</sup> Cf. the use of “love-hate” language concerning YHWH’s election of Jacob and His actions taken (and to be taken) against Esau / Edom.

<sup>530</sup> Cf. Weyde, *Prophecy and Teaching*, 106.

<sup>531</sup> Judg 19.29; 1 Sam 7.13; 11.3, 7; 27.1; 2 Sam 21.5; 1 Kings 1.3; 2 Kings 10.32; 14.25 (the northern kingdom); Ezek 11.10, 11; Mal 1.5; and 1 Chr 21.12.

<sup>532</sup> Weyde, *Prophecy and Teaching*, 107; Gibson, *Covenant Continuity and Fidelity*, 68.

<sup>533</sup> Hill suggests that “the territory of Israel” is “covenantal, as demonstrated by the Ebal “land-grant” ceremony within the treaty-renewal framework of Deuteronomy and Joshua.” Hill, *Malachi*, AB 25D, 162, citing his own article “The Ebal Ceremony as Hebrew Land Grant?,” *JETS* 31 (1988):399-406, 404.

<sup>534</sup> For example, Kessler, “The Unity of Malachi,” 228.

upon a single word. As the immediate context is about the perpetual destruction of Edom, it is more likely for the redactors of Mal to utilize the traditional meaning of “the territory of Israel” (i.e. in relation to the united kingdom) to highlight the identity of the remnants in their homeland, which points to the covenantal relationship between YHWH and His people.

### **Purpose & message**

As the beginning of the disputations, YHWH makes out His case by an overarching statement “I have loved you”, which is challenged by the rhetorical question from the Israelites. In effect, they are disputing the continuity of their covenantal relationship with YHWH. To substantiate the opening statement of YHWH, the redactors of Mal skilfully evoked and intertwined the traditions of, *inter alia*, election of Jacob (over Esau), restoration of Israel and judgment against Edom.

By alluding to the general concept of Jacob and Esau, the tradition of election is applied to the differential circumstances of the Israelites and the Edomites. The Israelites had returned to their homeland and re-established their temple worship. In contrast, by adopting the traditional terminologies for YHWH’s judgment (“desolation”, “ruin(s)” and “jackals”) and interpreting the previous oracles against Edom, it is shown that these prophecies had been actualized. All these point to the continuance of YHWH’s election of and love for “Jacob” (and his descendants). In this regard, through the divine messenger formula (“Thus says YHWH of hosts”), the redactors not only connect Mal to the prophetic tradition (judgmental oracles against Edom in the past) but also take the case further to the future: Even if Edom shall rebuild from the ruins, by virtue of the presence and participation of YHWH in the history, He shall tear it down again (Mal 1.4). His “indignation” against Israel (for limited time) in contrast with that against Edom (“until forever”) is very telling.

This first unit of disputation is closed by utilizing further terminologies from Deuteronomy: The Israelites’ “eyes shall see” and they shall say that YHWH is “great” beyond “the territory of Israel”. One would notice the progression from the past (Jacob and Esau), through the present (“Israel” and “Edom”) and to the future (perpetual destruction of Edom) is constituted by a series of traditional materials. As a result, YHWH’s pronouncement of love towards “Jacob” is well established. The distrust (pointing to the denial of the covenantal relationship) on the part of the Israelites is highlighted.

Against the covenantal background, the concept of divine election also brings in the corresponding obligation of keeping of YHWH's commandment, statutes and ordinances, which is Deuteronomistic and shall be echoed in Mal 3.22. If the Israelites continue denying the love of YHWH as well as their covenantal obligation to keep His commandment, statutes and ordinances, they may face the same destiny as the Edomites.

With reference to the separation of the righteous and wicked on the coming day of YHWH, Scoralich suggests that this first round of disputation connects with Units 4 (Mal 2:17-3:5) and 6 (Mal 3.13-21) in a significant manner, namely, (a) these units exclude the wicked (3.1, 18, 19, 21; cf. 1.4); and (b) the root בנה occurs in both passages (3.15; 1.4 x 2). The contrast of Edom and Israel in Unit 1 is placed side by side with the contrast of the righteous and wicked (in Israel) in Units 4 and 6. "For Kessler, this signifies that Mal 1:2-5 in the first place does not treat a contrast of nations but the contrast between righteous and violent behavior. This contrast is specified on the one hand by looking at Israel and Edom, and on the other hand by looking at conditions inside Israel. To become like Edom is a possibility for parts of Israel, or, as Kessler puts it: Edom becomes a mirror for Israel."<sup>535</sup> In the event that the Israelites refuse to return from their wickedness, YHWH shall come to smite the earth (Mal 3.24), cf. the territory of Edom became ruins (Mal 1.3-4).

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<sup>535</sup> Ruth Scoralich, "The Case of Edom in the Book of the Twelve: Methodological Reflections on Synchronic and Diachronic Analysis," in Albertz et al., eds., *Perspectives on the Formation of the Book of the Twelve*, 35-52, 39, citing R. Kessler, "Jakob und Esau als Brüderpaar in Mal 1,2-5," 226. Similar opinion is given by Hill: "If Yahweh is free to elect and reject as he wills, in part as expressed by *šānē'* (or his hate for wickedness and those who hate him), postexilic Yehud is in peril of the same judgment pronounced on Edom." Hill, *Malachi*, AB 25D, 152. Mason finds that the oracle "may not be as comfortable [for restoration of Israel] as it has often been understood to be." R. Mason, *The Books of Haggai, Zechariah and Malachi*, Cambridge: Cambridge University, 141. In contrast, whilst trying hard to argue that "Malachi 1.2-5 is all about YHWH's favour" (though he also acknowledges "the responsibility of covenant obligations will follow"), Gibson undermines, if not overlooks, the significance of (a) the connotation of *torah* compliance under the "election tradition" and (b) the cohesion among this Unit 1 (Mal 1.2-5) and Units 4 (Mal 2:17-3:5) and 6 (Mal 3.13-21) of the disputations as mentioned above. Gibson, *Covenant Continuity and Fidelity*, 74.

## 3.3 Mal 1.6-2.9

## Text, translation &amp; text-critical issues

<p>בן וכבוד אב ועבד אֲדֹנָיו      ואם-אב אני אֵיהָ כְבוֹדִי      ואם-אֲדֹנִים אני אֵיהָ מוֹרָאִי      אָמַר יְהוָה צְבָאוֹת      לְכֶם הַפְקֵנִים בּוֹזֵי שְׁמִי      וְאִמְרַתֶּם בְּמָה כָּזִינוּ אֶת-שְׁמִי:</p>	1.6	<p>“A son honours (his) father and a servant his master.<sup>536</sup>      If I am a father, where is my honour?      If I am a master, where is my respect?”      says YHWH of hosts      to you, “O priests, despisers of my name.”      But you say, “How have we despised your name?”</p>
<p>מִגִּישִׁים עַל-מִזְבְּחִי לֶחֶם מְגָאֵל      וְאִמְרַתֶּם בְּמָה גָאֵלְנוּךָ</p>	1.7	<p>By offering, upon my altar, defiled food.<sup>537</sup>      But you say, “How have we defiled you?”</p>

<sup>536</sup> The word אֲדֹנָיו is a plural noun with a singular meaning. Hill finds that “[t]he plural *’ādōnīm* only rarely refers to a single individual (cf. 2 Kgs 22:17; 2 Chr 18:16; Isa 19:4). The synonymous parallelism with *’āb* (“father”) requires the singular meaning “lord, master”. Hill, *Malachi*, AB 25D, 175. Verhoef considers it as an “intensive or majestic plural, denoting a king (1 K.22:17; Isa.19:4) or God (Deut.10:17; Ps.136:3)”. Verhoef, 212 fn 28. Cf. Schart considers it as an “*Abstraktbegriff* „*Herrschaft*” (“the abstract concept of “lordship”). A. Schart, *Maleachi*, IEKAT, Stuttgart: Kohlhammer, 2019, 52, 57; for the English version, see A. Schart, *Malachi*, IECOT, Stuttgart: Kohlhammer, 2022, 49, 54.

<sup>537</sup> “Food” refers to animal sacrifices here. Chary, *Aggée- Zacharie - Malachie*, 239; Hill, *Malachi*, AB 25D, 177-178; Verhoef, 216-217.

בְּאֲמַרְכֶם שְׁלֹחַן יְהוָה נִבְזָה הוּא:		When <sup>538</sup> you say, “The table of YHWH is despised.” <sup>539</sup>
<p>וְכִי־תִגִּישׁוּ עֹדֵר לְזִבְחַת אֵין רַע</p> <p>וְכִי תִגִּישׁוּ פֶסֶס וְחִלָּה אֵין רַע</p> <p>תִּקְרִיבֵהוּ נָא לְפָנֶיךָ</p> <p>הֲיִרְצֶה אוֹ הֲיִשָּׂא פָנָיֶךָ</p> <p>אָמַר יְהוָה צְבָאוֹת:</p>	1.8	<p>“And when you offer blind for sacrifice, is it not evil? <sup>540</sup></p> <p>And when you offer lame and sick, is it not evil?</p> <p>Present (it) to your governor!</p> <p>Will he be pleased with you <sup>541</sup> or will he grant you favour?” <sup>542</sup></p> <p>says YHWH of hosts.</p>
וְעַתָּה חֲלוּ־נָא פְּנֵי־אֵל וַיְחַנְנוּ	1.9	“And now entreat the favour of God so that <sup>543</sup> he may be gracious to us! <sup>544</sup>

<sup>538</sup> The preposition בְּ is used here in a temporal sense and therefore translated as “when”. “When a pronominal suffix is used with an infinitive in this construction, it functions as the subject while the infinitive acts like a finite verb.” Eddinger, *Malachi*, 22, citing B.K. Waltke and M. O’Connor, *An Introduction to Biblical Hebrew Syntax*, Winona Lake, Ind.: Eisenbrauns, 1990, §36.2.2b.

<sup>539</sup> The phrase καὶ τὰ ἐπιτιθέμενα βρώματα ἐξουδενωμένα is found at the end of Mal 1.7 in the LXX, which is lacking in MT. Gibson considers that it is “due to assimilation from 1.12.” Gibson, *Covenant Continuity and Fidelity*, 78. MT is therefore preferred here.

<sup>540</sup> Scharf considers that אֵין רַע is more likely a question rather than a quote of an unsolicited statement from the opponent “(That is) not bad”. Scharf, *Maleachi*, 52; *Malachi*, 49.

<sup>541</sup> Hill considers the verb רָצָה means “be pleased with, well-disposed toward, favorable to (CHAL: 345)”. Hill, *Malachi*, AB 25D, 181.

<sup>542</sup> The literal translation of הֲיִשָּׂא פָנָיֶךָ is “will he lift up your face”.

<sup>543</sup> According to Waltke and O’Connor, the imperative + waw + prefix conjugation indicate purpose or result. “The w<sup>c</sup>yiqtol verb is cohortative in form. The waw connects a clause of result with the previous clause and should be translated “so that.”” Eddinger, *Malachi*, 26, citing Waltke and O’Connor, §34.6a and Hill, *Malachi*, AB 25D, 182.

<sup>544</sup> Verhoef considers that this invitation bears the sense of ridicule. “The prophet’s invitation is not to be taken seriously but is meant ironically. If they would not have a chance to secure the governor’s favour with their detestable gifts, how would they ever be able to succeed in appeasing the stern face of God?” Verhoef, 219. Glazier-McDonald, however, does not think that the speaker is the prophet. With reference to A. van Hoonacker, *Les douze petits prophètes*, Paris: Gabalda & Cie., 1908, 709-710, and E. Sellin, *Das Zwölfprophetenbuch übersetzt und erklärt*, KAT 12, vol. 2. Leipzig: Deichert, 1922, 595, she considers that the first person plural suffix on יִחַנְנוּ implies that (a) “a group of priests is being asked to intercede

<p>מִיָּדְכֶם הָיְתָה זֹאת הַיִּשָּׂא מִכֶּם פְּנִים אָמַר יְהוָה צְבָאוֹת:</p>		<p>From your hand was this. Will he show favour to any of you?" says YHWH of hosts.</p>
<p>מִי גַם־בְּכֶם וַיִּסְגֹּר דְלֹתַיִם וְלֹא־תֵאִירוּ מִזְבְּחֵי חַנָּם אֵי־וְלֵי חֶפֶז בְּכֶם אָמַר יְהוָה צְבָאוֹת וּמִנְחָה לֹא־אֶרְצֶה מִיָּדְכֶם:</p>	1.10	<p>“Oh that one among you (would) shut the doors so that you would not kindle fire (on) my altar in vain! There is no pleasure to me in you.” says YHWH of hosts. “I will not accept an offering from your hand.</p>
<p>כִּי מִמִּזְרַח־שֶׁמֶשׁ וְעַד־מְבוֹאוֹ גָּדוֹל שְׁמִי בַגּוֹיִם וּבְכָל־מְקוֹם מִקְטֹרֶת מִגִּישׁ לְשְׁמִי וּמִנְחָה טְהוֹרָה כִּי־גָדוֹל שְׁמִי בַגּוֹיִם</p>	1.11	<p>For from the rising of the sun to its setting, great is <sup>545</sup> my name among the nations. And in every place incense is offered to my name, and a pure offering. For great is my name among the nations”,</p>

for all of them”, and similarly, (b) “the people ask the priests to entreat Yahweh’s favor so that he might show them favor.” Glazier-McDonald, *Malachi*, 53-54.

<sup>545</sup> There are debates as to whether the expression “great (is) my name among the nations”, which appears twice without any verb in the Hebrew text, should be translated in present or future tense in English. As this issue does not have significant bearing on our discussions below, for the present purpose, my English translation is expressed in the present tense (in alignment with the modern translations like NRSV, ESV, NETS, etc.). Nevertheless, the suggestions of futuristic interpretation of this verse is acknowledged. See, e.g. Glazier-McDonald, *Malachi*, 59-61; J.G. Baldwin, “Malachi 1:11 and the worship of the nations in the Old Testament,” *TynBul* (1966) 23 (1972): 117-124, in particular 122-124.

אָמַר יְהוָה צְבָאוֹת:		says YHWH of hosts.
וְאַתֶּם מְחַלְלִים אוֹתוֹ בְּאָמְרֵיכֶם שְׁלֹחַן אֲדֹנָי מִגָּאֵל הוּא וְנִיבּוֹ גְבוּהָ אֶכְלוֹ:	1.12	But you are profaning it when <sup>546</sup> you say “The table of the Lord is defiled and its fruit, <sup>547</sup> its food, is despised.”
וְאַמְרַתֶּם הִנֵּה מִתְלַאֵה וְהִפְחַתֶּם אוֹתוֹ אָמַר יְהוָה צְבָאוֹת וְהִבֵּאתֶם גִּזּוּל וְאֶת־הַפֶּסֶס וְאֶת־הַחֹלֶה וְהִבֵּאתֶם אֶת־הַמִּנְחָה הֲאָרְצָה אוֹתָהּ מִיָּדְכֶם אָמַר יְהוָה: ס	1.13	And you say, “Behold! What a weariness!” <sup>548</sup> “And you snort at it”, says YHWH of hosts. “And you bring the stolen <sup>549</sup> and the lame and the sick, and you bring this offering. Shall I accept it from your hand?” says YHWH.
וְאָרוּר נוֹכֵחַ וְיֵשׁ בְּעֵדְרוֹ וְכָר וְנָדָר	1.14	“Cursed be the cheat who has a male in his flock and vows (to give it)

<sup>546</sup> See the translation of the preposition *בְּ* in the temporal sense in v.7 above.

<sup>547</sup> Glazier-McDonald, *Malachi*, 62.

<sup>548</sup> “The Hebrew word *matlā’ā* is a compound consisting of the interrogative particle *mā* and the substantive *tēlā’ā*, meaning “what a weariness.” Verhoef, 233.

<sup>549</sup> The verb *גזל* appears 30 times in the Hebrew Bible, mostly relate to the act of robbery or stealing, e.g. Gen 21.25; 31.31; Lev 5.23; 19.3; Deut 28.29, 31; Judg 9.25; 21.23; 2 Sam 23.21; Isa 10.2; Jer 21.12; 22.3; Ezek 18.7, 12, 16, 18; 22.29; Mic 2.2, etc.. Although it can also mean “torn” (e.g. by wild animals), Verhoef suggests that “the meaning “stolen” seems preferable (cf. Lev.5:23; 6:4; 19:13; Judg.9:25; etc.); even though the law nowhere explicitly forbade the offering of stolen animals, the prohibition was implied in the law’s sanctions against theft and robbery. It was rightly observed that the offering of an animal would be meaningless if it did not belong to the man who brought it.” Verhoef, 233. See also McKenzie and Wallace, “Covenant Themes in Malachi,” 557, fn 27; Weyde, *Prophecy and Teaching*, 153.

<p>וּזְבַח מְשֻׁקָּת לַאֲדֹנָי</p> <p>כִּי מֶלֶךְ גָּדוֹל אָנִי</p> <p>אָמַר יְהוָה צְבָאוֹת</p> <p>וְשְׁמִי נוֹרָא בְּגוֹיִם:</p>		<p>but sacrifices a blemished (animal) to the Lord.</p> <p>For I am a great king,”</p> <p>says YHWH of hosts,</p> <p>“and my name is feared among the nations.”</p>
<p>וְעַתָּה אֲלֵיכֶם הַמְצִינָה הַזֹּאת הַכֹּהֲנִים:</p>	2.1	<p>“And now this commandment is for you, O priests.</p>
<p>אִם-לֹא תִשְׁמָעוּ</p> <p>וְאִם-לֹא תִשְׂמְעוּ עַל-לֵב לְתֵת כְּבוֹד לְשְׁמִי</p> <p>אָמַר יְהוָה צְבָאוֹת</p> <p>וְשִׁלַּחְתִּי בְכֶם אֶת-הַמְּאָרָה</p> <p>וְאֲרוּתִי אֶת-בְּרִכּוֹתֵיכֶם</p> <p>וְגַם אֲרוּתִיהָ</p> <p>כִּי אֵינְכֶם שֹׂמְעִים עַל-לֵב:</p>	2.2	<p>If you do not listen,</p> <p>and if you do not take (it) to your heart to give honour to my name,”</p> <p>says YHWH of hosts,</p> <p>“then <sup>550</sup> I will send the curse upon you</p> <p>and I will curse your blessings.<sup>551</sup></p> <p>And indeed <sup>552</sup> I have cursed it <sup>553</sup></p> <p>because you are not taking (it) to heart.</p>

<sup>550</sup> “The *waw* relative conjunction represents a simple consequence and should be translated “then””. Eddinger, *Malachi*, 39, citing Waltke and O’Connor, §32.2.1.c.

<sup>551</sup> As the consequences of a conditional clause are set out here, the two *qatal* verb are translated in future tense here. Hill, *Malachi*, AB 25D, 171.

<sup>552</sup> Waltke and O’Connor states that *גַּם* “can signal a final climax in an exposition ...and is the only Hebrew adverb that marks a discourse ending”. Waltke and O’Connor, §39.3.4d.

<sup>553</sup> “The third feminine singular pronominal suffix refers to בְּרִכּוֹתֵיכֶם although the word is plural. The suffix is a collective singular.” Eddinger, *Malachi*, 40.

<p>הַנְּגִי גַעַר לְכֶם אֶת־הַנְּרַע וְזָרִיתִי פָרַשׁ עַל־פְּנֵיכֶם פָּרַשׁ חֲגִיכֶם וְנָשָׂא אֶתְכֶם אֵלָיו:</p>	2.3	<p>Behold! I am rebuking your offspring,<sup>554</sup> and I will spread dung on your faces, dung of your feasts, and he will lift you up to it.<sup>555</sup></p>
<p>וַיִּדְעֶתֶם כִּי שְׁלַחְתִּי אֵלַיְכֶם אֶת הַמִּצְוָה הַזֹּאת לְהִיזֹת בְּרִיתִי אֶת־לְוִי</p>	2.4	<p>Then <sup>556</sup> you will know that I sent to you this commandment so that <sup>557</sup> my covenant with Levi remains,<sup>558</sup></p>

<sup>554</sup> As to the different interpretations of גַעַר לְכֶם אֶת־הַנְּרַע, see the detailed analyses of Verhoef, 240-242; Hill, *Malachi*, AB 25D, 200; Weyde, *Prophecy and Teaching*, 159-163; Meinhold, *Maleachi*, 71-72; Jacobs, *The books of Haggai and Malachi*, 213-215, 336 fn 170. All these scholars prefer the translation of “I am rebuking [or will rebuke] your offspring [or descendants]” (“ich schelte euch die Nachkommenschaft”, Meinhold, *Maleachi*, 65).

<sup>555</sup> The literal translation is adopted here. Verhoef translates this sentence as “and you will be carried off to it.” “The expression *nāsā’el* is used in various contexts in the sense of “lifting up to, in the direction of.” The suffix in *’ēlāyw* refers back to “dung,” but then in the sense of the “dunghill,” the place outside the camp where the ashes are thrown (Lev. 4:11). The intention is that the priests will be carried by “them” or “one” (even God) to that place outside the camp where the dung and other matter are deposited.” Verhoef, 243. Similarly, Glazier-McDonald considers that “the sentence may be translated as a passive: one will carry you away to it = you will be carried away to it.” Glazier-McDonald, *Malachi*, 68. Hill finds that “[t]he abrupt shift from first-person to third-person in the verbal forms is probably due to the prophet’s reluctance to ascribe the menial (and ritually defiling) duty of transporting the priests (likened to the “sacrificial offal”) to the ash heap directly to Yahweh”. Hill, *Malachi*, AB 25D, 171, 202-203. Cf. Petersen translates this sentence as “You will be carried away from me.” He considers *wēnāsā’etkem ’ēlāw* in MT as an “incorrect word division and subsequent confusion from the original clause *wēniśśā’tem mē’alay*.” He therefore proposes *wēniśśā’tem* here instead. Petersen, *Zechariah 9-14 and Malachi*, 175-176.

<sup>556</sup> Waltke and O’Connor, §39.3.4e.

<sup>557</sup> Verhoef, 236, 244, fn 17; Hill, *Malachi*, AB 25D, 204.

<sup>558</sup> “The infinitive construct להיות functions as a finite verb in a durative sense (see Stuart, “Malachi,” 1315-17; Waltke and O’Connor, §36.2.3d”. Eddinger therefore translates it as “to continue”. Eddinger, *Malachi*, 44. See also Baldwin, *Haggai, Zechariah, Malachi*, 253; R.L. Smith, *Micah-Malachi*, 317; Glazier-McDonald, *Malachi*, 45, 69 (“so that my covenant with Levi may hold”); O’Brien, *Priest and Levite in Malachi*, 41; Krieg, *Mutmaßungen über Maleachi*, 112 (“Damit mein Bund mit Levi bestehe”), 278f; Th. Lescow, *Das Buch Maleachi*, 81 (“damit bestehen bleibe mein BUND mit Levi”), fn 48; H.G. Reventlow, *Die Propheten Haggai, Sacharja and Maleachi*, ATD 25/2, Göttingen: Vandenhoeck & Ruprecht, 1993, 138 (“damit bestehenbleibe mein Bund mit Levi”), 143f; cf. Hill opines that “[Malachi’s] words

אָמַר יְהוָה צְבָאוֹת:		says YHWH of hosts.
בְּרִיתִי הָיְתָה אִתּוֹ הַחַיִּים וְהַשְּׁלוֹם וְאֶתְנַם־לּוֹ מוֹרָא וַיִּירָאֵנִי וּמִפְנֵי שְׁמִי נִסַּח הוּא:	2.5	My covenant was with him, life and peace. And I gave them to him, fear, and he feared me, and he stood in awe <sup>559</sup> before my name.
תּוֹרַת אֱמֶת הָיְתָה בְּפִיהוּ וְעוֹלָה לֹא־נִמְצָא בְּשִׁפְתָיו בְּשָׁלוֹם וּבִמְיֻשׁוֹר הִלֵּךְ אִתִּי וְרַבִּים הִשִּׁיב מֵעוֹן:	2.6	True <i>torah</i> <sup>560</sup> was in his mouth, and wrong was not found on his lips. In peace and uprightness he walked with me, and he caused many to turn from iniquity.
כִּי־שִׁפְתַי כֹּהֵן יִשְׁמְרוּ־דַעַת וְתוֹרָה יִבְקֹשׁוּ מִפִּיהוּ	2.7	For the lips of a priest guard knowledge, and people should seek <sup>561</sup> <i>torah</i> from his mouth,

call for the restoration or reinstatement of the covenant with Levi as it was in the former days (cf. Petersen [1995: 190]). Hence, the verb *hyh* here has the sense of “revive, be actualized”, Hill, *Malachi*, AB 25D, 204; Petersen translates it as “so as to enforce my covenant with Levi,” Petersen, *Zechariah 9-14 and Malachi*, 175, 176, citing Rudolph, *Haggai, Sacharja 1-8, Sachrja 9-14, Maleachi*, 260.

<sup>559</sup> “The verb *h̄tt* in the Niphal stem means “be broken to pieces, dismayed, terrified” (KBL 1:365) and in the context of Mal 2:5 “be put in awe” (BDB: 369).” Hill, *Malachi*, AB 25D, 208.

<sup>560</sup> For the purpose of this study, the word תּוֹרָה in the text of Mal is translated as “instruction” or transliterated as “*torah*”. Depending on the context, it can refer to the (verbal) instructions given by the priests to the faith community (e.g. Mal 2.7), or the “commandment”, “statutes and ordinances”, etc. given by YHWH to the Israelites (e.g. Mal 3.22).

<sup>561</sup> “The Piel prefixing conjugation *yěbaqšû* is usually understood to describe a modal or optative situation, the *nonperfective of deliberation* (“denoting the speaker’s or subject’s deliberation as to whether a situation *should* take place,” WO’C § 31.4f; cf. NRSV, “*people should seek*”).” Hill, *Malachi*, AB 25D, 212.

<p>כִּי מַלְאָךְ יְהוָה צְבָאוֹת הוּא:</p>		<p>since he is a messenger of YHWH of hosts.</p>
<p>וְאַתֶּם סָרַתֶּם מִן־הַדֶּרֶךְ הַכְּשֻׁלְתֶּם רַבִּים בַּתּוֹרָה שָׁחַתְתֶּם בְּרִית הַלְוִי אָמַר יְהוָה צְבָאוֹת:</p>	<p>2.8</p>	<p>But you, you have turned aside from the way You have caused many to stumble in the <i>torah</i>. You have corrupted the covenant of Levi,” says YHWH of hosts.</p>
<p>וְגַם־אֲנִי נִתְמִי אֶתְכֶם נְבוֹזִים וְשִׁפְלִים לְכָל־הָעָם כִּפְּי אֲשֶׁר אֵינְכֶם שֹׁמְרִים אֶת־דְּרָכֵי וְנֹשְׂאִים פָּנִים בַּתּוֹרָה: פ</p>	<p>2.9</p>	<p>So indeed <sup>562</sup> I, I will make you despised,<sup>563</sup> and abased before all the people. Insomuch as <sup>564</sup> you are not keeping my ways, but showing partiality in <i>torah</i>.<sup>565</sup></p>

### Structure & theme

This is the second round of the “court disputations” (“Unit 2” of the six units of discourses in Mal, see Chapter 2) with the following structure:

<sup>562</sup> Waltke and O’Connor, §39.3.4d; Hill, *Malachi*, AB 25D, 216.

<sup>563</sup> Verhoef considers the perfect form of נתן “refers to a fact that has started in the past (v.2b) but will continue in the present time.” Verhoef, 253, and fn 25 (citing GKC, §106g).

<sup>564</sup> “The construction *kēpī ‘āšer* (“inasmuch as, because”; cf. BDB: 805; *CHAL*: 289) is unique to Mal 2:9 in the MT”. Hill, *Malachi*, AB 25D, 217.

<sup>565</sup> See, for examples, J.M.P. Smith, 41; R.L. Smith, *Micah-Malachi*, 309; Verhoef, 237; J. Kodell, *Lamentations, Haggai, Zechariah, Malachi, Obadiah, Joel, Second Zechariah, Baruch*, The Old Testament Message: A Biblical / Sociological Commentary 14, Wilmington, Del: Michael Glazier, 1982, 99; Hill, *Malachi*, AB 25D, 217.

YHWH's accusation and demand	"O priests, despisers of my name."	(1.6a-b $\alpha$ )
Defence	"How have we despised your name?"	(1.6b $\beta$ )
YHWH's second accusation with further evidence	"By offering, upon my altar, defiled food."	(1.7a $\alpha$ )
Defence	"How have we defiled you?"	(1.7a $\beta$ )
YHWH's additional accusations and evidence	"When you say, "The table of YHWH is despised."	(1.7b-9) <sup>566</sup>
YHWH's verdict	"I will not accept an offering from your hand"; "Cursed be the cheat..."	(1.10-14)
YHWH's further verdict <sup>567</sup>	"And indeed I have cursed it..."; "You have corrupted the covenant of Levi"; "I will make you despised, and abased before all the people"	(2.1-9)

The dialectic discourses begin with the vigorous allegation against the priests as the "despisers" of YHWH's name (Mal 1.6a-ba), which is

<sup>566</sup> Mal 1.9 should be considered as the third party's statements recited for YHWH.

<sup>567</sup> Cf. J.D.W. Watts, "Introduction to the Book of Malachi," *RevExp* 84 (1987): 373-81, 376; Petersen, *Zechariah 9-14 and Malachi*, 178; Noglaski, *Redactional Process in the Book of Twelve*, 195. Schart describes 2.1-9 as the "Abschließende Strafansage" / "The proclamation of punishment". Schart, *Maleachi*, 55; *Malachi*, 52.

challenged by their rhetorical question (Mal 1.6bb). In response, YHWH tenders the second accusation with supporting evidence (Mal 1.7a $\alpha$ ) and again, it is rebutted by the rhetorical question from the recipients (1.7a $\beta$ ). Then further accusations and evidence are provided (1.7b-9). This unit is ended with the two verdicts of YHWH (Mal 1.10-14; 2.1-9) by which the punishment against the cheaters and the priests are announced.<sup>568</sup>

The theme of this unit of disputation is whether the priests (together with the laity who offered blemished animals through the priests) had despised the name of YHWH. In effect, despising the name of YHWH is no different from despising Him. Verhoef considers that the name of YHWH is “the manifestation of his sacred being.”<sup>569</sup> The word “name” (שם) appears for 10 times in Mal (1.6 [x 2], 11 [x 3], 14; 2.2, 5; 3.16, 20). The density of its occurrences in this pericope together with the importance of them in their respective verses point out the thematic significance of the name of YHWH in this unit.<sup>570</sup> By offering defiled food and causing many people to stumble in *torah*, it is evidenced that the priests were in breach of the covenant between YHWH and Levi (the said covenant is mentioned thrice in Mal 2.4, 5, 8 – all in this pericope). Their abrogation of duties supports the accusations against them. As a result, YHWH pronounces His verdict in an ironic manner: The priests, who are the “despisers” of His name (Mal 1.6), shall be “despised” and abased before all the people (Mal 2.9).

Some commentators consider that Mal 1.11-14 is a later addition as the mention of the universal worship of YHWH is not in alignment with the context.<sup>571</sup> Such an argument neglects the eschatological aspect of the

<sup>568</sup> Similar structure is suggested by, for examples, Gibson, *Covenant Continuity and Fidelity*, 81 (it should be noted that the verse notation system implemented by Gibson is different from this study); and Jacobs, *The books of Haggai and Malachi*, 147-149.

<sup>569</sup> Verhoef, 215. Similar opinions are given by, e.g. Petersen (“The name of the deity represented the person and honor of a deity. Hence, to despise the name of a deity approximates despising the deity.” Petersen, *Zechariah 9-14 and Malachi*, 178) and Gibson (“YHWH’s שם can denote his person (Gen. 4.26), his reputation (Gen. 11.4), or even his presence (Deut. 12.5) (Adam S. van der Woude, ‘שם šēm Name’, in *TLOT*, III, pp.1348-67). Here in Malachi, it denotes YHWH’s reputation and fame as they are bound up with his temple.” Gibson, *Covenant Continuity and Fidelity*, 82, fn 24). See also *HALOT*, 4:1550, “in many cases יהוה שם means not only the name but the full being and power of Yahweh”; and Reiterer, *TDOT* “שם,” 15:136, “Yahweh and his name are interchangeable.”

<sup>570</sup> Apart from Mal 1.6-2.9, the remaining two times that the name of YHWH is mentioned in this book are Mal 3.16, 20.

<sup>571</sup> See, e.g. K. Elliger, *Das Buch der zwölf kleinen Propheten. II: Die Propheten Nahum, Habakuk, Zephanja, Haggai, Sacharja, Maleachi*, ATD 25/2, Göttingen: Vandenhoeck Ruprecht, 1951, 188; Horst, *Die zwölf kleinen Propheten*, 259, 261; A.S. van der Woude, “Malachi’s Struggle for a Pure Community: Reflections on Malachi 2:10-16,” in J.W. van

book. Glazier-McDonald points out that the phrase “From the rising of the sun to its setting” (Mal 1.11) can often be found “in contexts which look to a future demonstration of Yahweh’s power and greatness to the whole world (Isa 45:6; 59:19; Pss 50:1; 113:3).” The phrase “great is my name among the nations” (Mal 1.11), which is in parallel to “and my name is feared among the nations” (Mal 1.14), “belongs to the essential content of prophetic “eschatology” (Isa 2.2f; 11:10f; 42:1-9; 45:1f, 14f, 22f; Mic 4:1ff; Zeph 3:8-9; Hag 2:7; Zech 8:20f; 14:16).” Accordingly, “[t]he images that [the prophet] paints are not foreign to Yahwism, but are part and parcel of the traditions he received from his predecessors.”<sup>572</sup> Thematically, Nogalski considers that Mal 1.11-14 continues the issue of “the name of YHWH among the nations”. It repeats many words in Mal 1.6-10 and has lexical connections with Mal 2.1-9, which “implies an awareness of the context, even though the theme changes.”<sup>573</sup> This study considers that there is no change of the theme, i.e. the priests had despised the name of YHWH. The two verdicts (Mal 1.10-14 and 2.1-9) point to two aspects of despisement committed by the priests, namely, offering profaned foods to YHWH and failing to take YHWH’s commandment to heart (by corrupting the “covenant with Levi” and causing many people “to stumble in the *torah*”).

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Henten et al., eds., *Tradition and Reinterpretation in Jewish and Early Christian Literature: Essays in Honor of Jurgen C. H. Lebram*, Studia Post-Biblica 36, Leiden: Brill, 1986, 65–71, 66; Utzschneider, *Künder oder Schreiber?*, 84f; cf. Sellin, *Das Zwölfprophetenbuch übersetzt und erklärt*, 536-537.

<sup>572</sup> Glazier-McDonald, *Malachi*, 60-61 (cf. J. Lindblom, *Prophecy in Ancient Israel*, Philadelphia, Pa: Fortress Press, 1962, 360f; and P. Hanson, *The Dawn of Apocalyptic: The Historical and Sociological roots of Jewish Apocalyptic Eschatology*, Philadelphia: Fortress, 1975, 11-12, as to the definition of prophetic eschatology). See also e.g. Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 262; Baldwin, “Malachi 1:11 and the Worship of the Nations in the OT”; Mason, *The Books of Haggai, Zechariah and Malachi*, 144-45; Hill, *Malachi*, AB 25D, 173, 219.

<sup>573</sup> Nogalski, *Redactional Process in the Book of Twelve*, Berlin: De Gruyter, 1993, 194-195. See also J.D. Hendrix, ““You Say”: Confrontational Dialogue in Malachi,” *RevExp* 84 (1987): 465-77; Petersen, *Zechariah 9-14 and Malachi*, 183-185; cf. P.L. Redditt, “The Book of Malachi in Its Social Setting,” *CBQ* (1994) 56:240-55, 244 (Mal 1.6-10, 11-14 and 2.1-9 are “three perhaps originally separate sayings of the prophet, now united around the theme of the “name of the Lord.””).

Upon literary-structural analysis, Wendland finds that Mal 1.12-14 “closely matches the structural constitutes of verses 6-11.”<sup>574</sup> He provides, *inter alia*, the following parallels as examples.<sup>575</sup>

Mal 1.7 Offering defiled food on YHWH’s altar; thinking that YHWH’s table is despised.	Mal 1.12b You say that the food on YHWH’s table is despised.
Mal 1.8 Offer blind, lame or sick animals in sacrifice.	Mal 1.13a Bring those stolen, lame or sick for offering.
Mal 1.10 YHWH says, “I will not accept an offering from your hand.”	Mal 1.13b YHWH says, “Shall I accept it from your hand?”
Mal 1.11 YHWH’s name is great among the nations	Mal 1.14 YHWH is a great king and His name is feared among the nations.

Whilst agreeing with the unity as well as the intrinsic cohesion of Mal 1.6-2.9,<sup>576</sup> I suggest modifying Wendland’s “parallel structure” as follows (*italics added*):<sup>577</sup>

<sup>574</sup> Cf. Mason, *The Books of Haggai, Zechariah and Malachi*, 145; Verhoef, 232-4; Petersen, *Zechariah 9-14 and Malachi*, 185; Hill, *Malachi*, AB 25D, 219; E. Assis, “The Reproach of the Priests (Malachi 1:6-2:9) within Malachi’s Conception of Covenant,” in R.J. Bautch and G.N. Knoppers, eds., *Covenant in the Persian Period*, University Park: Penn State University Press, 2015, 271-290, 275.

<sup>575</sup> Wendland, “Linear and concentric patterns in the rhetorical structure and style of Malachi,” at 366.

<sup>576</sup> For those who find that Mal 1.6-2.9 is one pericope, see, e.g. A. von Bulmerincq, *Der Prophet Maleachi, Band I: Einleitung in das Buch des Propheten Maleachi*, Dorpat: Mattiesen, 1926, 73-74 („Man wird demnach wohl 1,6-2,9 als eine in sich abgeschlossene fortlaufende Rede ansehen dürfen.“); Glazier-McDonald, *Malachi*, 47; Assis, “The Reproach of the Priests (Malachi 1:6-2:9),” 273.

<sup>577</sup> For the sake of clear demonstration of the lexical and thematic parallels within Mal 1.6-14, a chiasmic structure is adopted here. Nevertheless, in terms of literary structure, one would notice that it is not strictly chiasmic as v.12 does not correspond with v.10 (but v.7 instead). Cf. Meinhold, *Maleachi*, 79-88.

Mal 1.6 “O priests, despisers of *my name*.”

Mal 1.7 Offering defiled (מגאל) food on YHWH’s altar; thinking that YHWH’s table is despised (נבוזה).

Mal 1.8-9 Offering blind, lame or sick animals in sacrifice.

Mal 1.10 YHWH says, “I will not accept (רציה) an offering (מנחה) from your hand.”

Mal 1.11 “[G]reat is *my name* among the nations” x 2

Mal 1.13b YHWH says, “Shall I accept (רציה) it [“this offering” (את המנחה)] from your hand?”

Mal 1.13a Bring those stolen, lame or sick for offering.

Mal 1.12 You say that the table of the Lord is defiled (מגאל) and its food is despised (נבוזה).

Mal 1.14 “and *my name* is feared among the nations.”

First, Mal 1.6 should not be left out. In fact, it serves as a proper counterpart of Mal 1.14 as

- (a) both verses concern the name of YHWH;
- (b) Mal 1.6 questions the whereabouts of מורא (respect / fear) of YHWH, and Mal 1.14 pronounces the ירא (fear) towards His name among the nations; and
- (c) Mal 1.6 addresses the priests as the “despisers” and Mal 1.14 curses those who sacrifice blemished animals to YHWH.

Secondly, in view of the two thematically parallel rhetorical questions (“... will he grant you favour?” (הישא פניך), cf. “Will he show favour to any of you?” (הישא מכם פנים)) in the same context, Mal 1.8 & 9 should be treated as one sub-unit.

In the modified structure as suggested above, one would notice that Mal 1.11 stands out as the pivot.<sup>578</sup> The two identical clauses “great is my name

<sup>578</sup> “Dieser heilige Name hat überhaupt seit Mal 1,11 das Stichwort und den Mittelpunkt des Eintrags abgegeben (3mal), auf den hin alle Aussagen dieser Passage zentriert sind; und noch von der äußersten Peripherie, dem Schlußsatz Mal 1,14b, her formt sich die Inklusion.” A. Renker, *Die Tora bei Maleachi: Ein Beitrag zur Bedeutungsgeschichte von tôrâ im Alten Testament*, FThSt 112, Freiburg: Herder, 1979, 70.

among the nations” (גדול שמי בגוים) forms a chiasm, and the central point is the pronouncement of YHWH: “And in every place incense is offered to my name [שמי again], and a pure offering”. This central point not only answers the questions “Where is my honour?” and “Where is my respect?” but also tenders an ironical contrast – YHWH’s “son” and “servant”, that is, the restoration community and in particular, the priests, offered defiled food and despised YHWH’s name, whilst every place and nation (other than Israel) offers incense and pure offering to YHWH’s name.<sup>579</sup>

The proof of the unity of Mal 1.6-2.9 is further corroborated by its chiastic structure. Mal 2.1-9 returns to the malpractices of the priests and therefore is in parallel with Mal 1.6-14.<sup>580</sup> This unit of discourse starts with the accusation against the priests as the “despisers” (who despised the name of YHWH, Mal 1.6) and ends with the judgment that they shall be despised (Mal 2.9).

### Inner-biblical references

It has been a scholarly consensus that the numerous inner-biblical references found in Mal 1.6-2.9 play a significant role in the exegesis of this pericope. The proposal of Fishbane that this unit of Mal is an *aggadic* exegesis of the priestly blessing in Num 6.23-27 has attracted manifold discussions.<sup>581</sup> Similarly, by identifying a number of “catchwords” in Mal 1.6-2.9 and their connections with other parts of the Hebrew Bible, Utzschneider argues that the said pericope demonstrates the phenomenon of *Schriftprophetie*, that is, the later writers / editors interpreted the earlier written traditions to compose a new prophetic literature.<sup>582</sup> Hill succinctly summarizes that “[r]ecent studies have demonstrated the literary cohesion

<sup>579</sup> Cf. Verhoef divides Mal 1.6-14 into two groups: “sentence-group A” (vv.6-11) and “sentence-group B” (vv.12-14). “The central theme of this prophecy is stated positively in [v.11]: God demands pure offerings. Israel has failed miserably in this regard. They have despised the name of the Lord by offering defiled sacrifices on his altar. This is the way in which they responded to God’s love for them.” Verhoef, 210.

<sup>580</sup> Wendland, “Linear and concentric patterns in the rhetorical structure and style of Malachi,” at 367. Verhoef agrees with Snyman’s thesis that as a separate pericope, Mal 1.6-2.9 is in unity, “allowing only for a subdivision between 1:6-14 and 2:1-9.” He adds that “the persons addressed and implied in 1:6-14 are the priests *and the people*, whereas 2:1-9 concern the priests only.” Verhoef, 237, fn 2.

<sup>581</sup> Fishbane, “Form and Reformulation of the Biblical Priestly Blessing”; idem, *Biblical Interpretation in Ancient Israel*, 332-334. It should be noted that unlike the present study, Fishbane considers that the form of this pericope is a “*Mischgattung*”. Fishbane, *Biblical Interpretation in Ancient Israel*, 334.

<sup>582</sup> Utzschneider, *Künder oder Schreiber?*, 44-80.

of the second disputation, emphasizing the intertextuality of the pericope,<sup>583</sup> whether composed by the prophet himself (cf. Rudolph [1976: 262]; Redditt [1994: 244]) or redacted by some clever “prophetic writer” well versed in these earlier oracular traditions (so Utzschneider [1989: 17]; cf. Nogalski [1993b: 195–96]; Petersen [1995: 176–77]).<sup>584</sup> Yet the diversified opinions as to which biblical texts are related to Mal 1.6-2.9, and the intention, manners and significance of the treatments of those related texts, remain live issues for further exploration.

### 3.3.1 “father” and “son”, YHWH and Israel (Mal 1.6)

#### 3.3.1.1 The covenantal nature of the relationships

Some scholars consider that the statement “A son honours (his) father and a servant his master” (Mal 1.6a) is probably a conventional saying or popular colloquial speech at the time of composition of Mal.<sup>585</sup> Without direct evidence in support, such a suggestion is no more than a mere speculation.<sup>586</sup> Even *if* it was a colloquial speech (or common understanding due to the Decalogue, see below), the selection of the “father and son” and “master and servant” metaphors is likely to be purposive (but not a casual choice of conventional language) as the same are applied to YHWH in the two rhetorical questions (“If I am a father...”, “If I am a master...”).<sup>587</sup> The metaphorical language points to His relationship with the intended readers / audience (“you”).

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<sup>583</sup> For avoidance of doubt, the purpose of quoting Hill’s words here is to provide a brief overview of the state of art on this topic. As stated before, this study does not adopt the method of “intertextuality” (see Chapter 2).

<sup>584</sup> Hill, *Malachi*, AB 25D, 172.

<sup>585</sup> Hill, *Malachi*, AB 25D, 174. Similarly, Gibson opines that it is a “proverbial saying from everyday life” (Gibson, *Covenant Continuity and Fidelity*, 83), which is probably taken from Mason, *The Books of Haggai, Zechariah and Malachi*, 143; and Weyde, *Prophecy and Teaching*, 115-116. Jacobs considers that “a son honors his father” may be understood as a “popular saying” that was based on the Decalogue (Exod 20:12; Deut 5:16).” Jacobs, *The Books of Haggai and Malachi*, 183. See also R.L. Smith, *Micah-Malachi*, 311.

<sup>586</sup> Petersen gives the examples of Prov 13.1; 19.26 but none of them contains the words “honour” or “fear”. For the “master and servant” metaphor, whilst arguing that “by inference, servants should adopt a similar attitude” (as that of the sons), he admits that “there is no such claim attested explicitly in the OT”. Petersen, *Zechariah 9-14 and Malachi*, 177. Similarly, neither Prov 10.1 nor 15.20 (as suggested by Weyde) mentions “honour” or “fear”. Weyde, *Prophecy and Teaching*, 114-116.

<sup>587</sup> Cf. F.C. Fensham, “Father and Son as Terminology for Treaty and Covenant,” in H. Goedicke ed., *Near Eastern Studies in Honor of William Foxwell Albright*, Baltimore, Md.:

Apart from Mal 1.6, it is implied in Mal 2.10 that YHWH is the only father and God of “Judah”.<sup>588</sup> The “father and son” metaphor has been frequently used in the Hebrew Bible to depict the relationship between YHWH and Israel (e.g. Exod 4.22-23, Deut 1.31; 8.5; 14.1; 32.5-6, 19-20; Isa 30.1, 9; 45.11; Jer 3.4, 19; 31.9; Hos 11.1, cf. Ps 103.13; Prov 3.12, etc.). Unlike the modern concept of parent-child relationship, the “father and son” metaphor in the biblical texts usually points to the sort of covenantal relationship and obligation.<sup>589</sup> As argued by McCarthy, “the very ancient Israelite concept of Israel as Yahweh’s son is very close to or even identical with the Deuteronomic conception articulated in terms of treaty or covenant and should not be separated entirely from it”.<sup>590</sup> This kind of father-son relationship corresponds with the covenantal love in Deuteronomy, that is, “the love demanded from Israel ...is seen in reverential fear, in loyalty, and in obedience – a love which, therefore, can be commanded.”<sup>591</sup> Weinfeld suggests that due to the concept of the kingship of YHWH, Israel was considered as His vassal. Therefore, the pattern of political treaty was fully adopted in the book of Deuteronomy (cf. Mal 1.14 “For I am a great king”). “Thus, we find that Deuteronomy and deuteronomistic literature abound with terms originating in the diplomatic vocabulary of the Near East.” For examples, “serve” (עבד), “love” (אהב), “fear” (ירא) and “listen / heed / obey” (the voice of YHWH) (שמע), etc.. “Political faithlessness had from earliest times been identified in Israel with religious faithlessness”.<sup>592</sup>

In Mal 1.6, the use of the verb “honour” in relation to YHWH as the “father” is in parallel with the verb “respect” / “fear”<sup>593</sup> in relation to Him as the “master”.<sup>594</sup> The same word “respect” / “fear” also appears in Mal 2.5 which

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Johns Hopkins, 1971, 121-135, at 127, “For our study it is important here, as in the Mari texts, the designations “Father-Son” and “Overlord-slave” are used without contradiction.”

<sup>588</sup> Hill, *Malachi*, AB 25D, 224; Mason, *The Books of Haggai, Zechariah and Malachi*, 149.

<sup>589</sup> Christopher J.H. Wright, “אב”, in *NIDOTTE*, I, 220.

<sup>590</sup> Dennis J. McCarthy, “Notes on the Love of God in Deuteronomy and the Father-Son Relationship Between Yahweh and Israel,” *CBQ* 27 (1965): 144-147, 145.

<sup>591</sup> McCarthy, “Notes on the Love of God in Deuteronomy and the Father-Son Relationship Between Yahweh and Israel,” 145. See also McKenzie and Wallace, “Covenant Themes in Malachi,” 556.

<sup>592</sup> Weinfeld, *Deuteronomy and the Deuteronomic School*, 82-85, 332-333, 336-337. See also Fensham, “Father and Son as Terminology for Treaty and Covenant”; F.M. Cross, “Kinship and Covenant in Ancient Israel,” in F.M. Cross, *From Epic to Canon: History and Literature in ancient Israel*, Baltimore; London: Johns Hopkins University Press 1998, 3-21.

<sup>593</sup> HALOT, 2:560.

<sup>594</sup> Jacobs considers that “one synonym of *kābēd* that is also used is *yārē*’, “to fear, reverence” (Isa 25:3; cf. Gen 22:12; Lev 19:14), specifically in reference to the name of Yahweh (Ps 102:15

relates to the priests' breaches of YHWH's covenant with Levi.<sup>595</sup> The said breaches are caused by the disobedience of the sacrificial rules, which is the joint malfeasance of the priests and the laity, and the abrogation of duties in relation to *torah* by the priests. From a broader perspective, taking the book of Malachi as a whole, the emphasis on compliance with YHWH's *torah* (תורה, Mal 2.6, 7, 8, 9; 3.22), commandment (מצוה, Mal 2.1, 4), statutes (חוק, Mal 3.7, 22) and ordinances (משפט, Mal 3.22)<sup>596</sup> is abundantly clear. In comparison,

- (a) Deut 8.5-6 shows that the parent-child relationship between YHWH and Israel is closely connected with keeping of the commandments (מצות) of and fearing (ירא) YHWH by Israel; and
- (b) Deut 14.1-2 indicates that being the sons of YHWH, the Israelites were commanded not to practise paganism, given that they were "chosen" (בחר) as YHWH's people and treasured possession (סגולה, cf. Mal 3.17) - the concept of divine election therefore comes into picture.

### Conclusion

The honour, fear, fidelity and obedience demanded from the restoration community (in particular the priests) in Mal are in alignment with the Deuteronomistic tradition of the father-son relationship between YHWH and Israel.<sup>597</sup> By virtue of the connotation of fear, obedience and divine

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[MT 16]) and the connection to Yahweh's reward (Ps 111:5)." Jacobs, *The Books of Haggai and Malachi*, 183.

<sup>595</sup> Cf. the word ירא ("fear") which appears in Mal 1.14 (YHWH's name is feared among the nations); 2.5 (by virtue of His covenant with Levi, the priests should fear YHWH); 3.5 (judgment against those who do not fear YHWH); 3.23 (the great and fearful day of YHWH).

<sup>596</sup> It makes better sense to translate the משפט in Mal 2.17 and 3.5 as "justice / judgment". HALOT, 2:651.

<sup>597</sup> McKay argues that Deut 6.4-9 is dependent on wisdom literature rather than treaties. Upon that basis, he suggests that "the writer [of Deut 6.4-9] is using the methods of the wisdom teacher to exhort his pupil to study" and here, the pupil refers to Israel. Whilst there is some force in his argument that Deut 6.4-9 is likely to have incorporated certain wisdom motif(s), he goes too far to contend that the relationship between Israel and YHWH should be regarded as one between a pupil ("son") and his teacher ("father") as in the context of the wisdom literature. The alleged similarity between "Hear, O Israel" in Deut 6.4 and "Hear, my son(s)" in e.g. Prov 1.8; 4.1, 10; 5.7; 7.24; 23.19 is merely superficial. It is also notable that his selected passages from Prov find neither lexical nor thematic connection with keeping the commandments and statutes, etc. of YHWH, which is an important thread going through the book of Deuteronomy. Furthermore, none of the "father and son" metaphors

election in the “father and son” tradition as aforesaid, Mal 1.6 links with the pronouncement of love for Israel by YHWH in Mal 1.2-5.<sup>598</sup> It reaffirms my suggestion that the selection of the “father and son” metaphor is a purposive design rather than a casual choice of conventional language.

When one compares Mal 1.6 with the inner-biblically related texts that contain the “father and son” metaphor (above), it can be noticed that the lexical parallel (if any) is limited to the co-appearance of the terms “father” and “son” only. The usage of the verb “honour” together with the “father and son” metaphor (as well as the verb “respect” with the “master and servant” metaphor) is likely to be a creative move of the redactors of Mal.

### 3.3.1.2 Traditional materials in Isa 63

In Isa 63, YHWH pronounces that the Israelites are “my people” and “sons” (Isa 63.8). However, they rebelled and grieved His holy spirit and therefore, YHWH turned to be their enemy and fought against them (Isa 63.10), “then his people<sup>599</sup> remembered the days of old, Moses”<sup>600</sup> (Isa 63.11, cf. Mal 3.22). The context of this text is the journey of Israel in making and breaking the covenant with YHWH. It was YHWH who led the Israelites to get through the wilderness and they did not “stumble (כשל)” (Isa 63.12-13, cf. Mal 2.8).<sup>601</sup>

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in Deut (1.31; 8.5; 14.1; 32.5-6, 19-20) indicates that the same refer to the teacher-pupil relationship or “wisdom class” setting. See McKay, “Man's love for God in Deuteronomy and the father/teacher-son/pupil relationship,” 428-432, 435. In sum, this study considers that the father-son relationship in the Deuteronomistic tradition is different from the teacher-pupil relationship in the context of wisdom literature.

<sup>598</sup> The “father and son” metaphor also links with Mal 2.10, that is, the beginning of the 3<sup>rd</sup> unit of court disputation.

<sup>599</sup> Blenkinsopp notes that the word “remember” is in singular in MT and all ancient versions, “which could refer either to [YHWH] or the people; the latter makes better sense.” J. Blenkinsopp, *Isaiah 56-66*, AB 19B, New York: Doubleday, 2003, 254.

<sup>600</sup> For the two words “Moses” and “his people”, Oswalt notes that “Gesenius proposed that the two words were originally marginal glosses, explaining what was meant by “shepherd” and “his flock” at the end of the next bicolon, that were somehow mistakenly inserted here (cf. GKC, §128c). But something is needed to fill out the bicolon, and all the witnesses (even LXX, which attests its difficulty by dropping it!) seem to presuppose something like the MT. Thus we are left to make the best of what may be a damaged text.” J. Oswalt, *The Book of Isaiah, Chapters 40-66*, NICOT, Grand Rapids: Eerdmans, 1998, 617. The NET Bible denotes that the syntax of this statement is not clear, “[T]he syntactical awkwardness suggests that “Moses” may have been an early marginal note (perhaps identifying “the shepherd of his flock” two lines later) that has worked its way into the text.” W.H. Harris, eds. *The NET Bible Notes*, 1st, Accordance electronic ed., Richardson: Biblical Studies Press, 2005, paragraph 51277, tn 25.

<sup>601</sup> Cf. Blenkinsopp, *Isaiah 56-66*, AB 19B, 260.

Then in v.16, a confessional statement is made that, “For you [YHWH] (are) our father, ...you, YHWH, (are) our father, our redeemer from ancient time is your name.” Following that, v.17 questions why YHWH “make us stray (תהענו) from your ways (מדרכיך, cf. Mal 2.8), make our heart harden from fear(ing) you?” Isa 64.7 repeats the confession, “And you, YHWH, (are) our father”. In fact, the father-and-sons relationship between YHWH and the Israelites can be traced back to Isa 1.2, 4.

Apparently, in addition to the lexical parallel (as well as the metaphor) of “father” and “son(s)”, the terms “stumble” (כשל) and “way” (דרך) further link Isa 63.7-19a with Mal 1.6; 2.8. However, the subject (YHWH) and the context (in the wilderness; making the heart of the Israelites hardened) in relation to “stumble” and “way” in Isa 63 are very different from that in Mal. That curtails the probability of allusion. Besides, one would notice that those essential elements in Mal 1.6-2.9, such as the words “honour” and “despise”, and the problems / context of offering blemished animals and abrogation of duties in respect of *torah* on the part of the priests, etc., are missing in the said text in Isa 63.

Having said that, it is remarkable that the “name” of YHWH, which is a main theme in Mal 1.6-2.9, is mentioned for four times in Isa 63 (vv.12, 14, 16, 19). The history of Israel’s rebellion against YHWH (Isa 63) is, arguably, reflected in the attitude of the priests as depicted in this pericope of Mal.

### Conclusion

Taking all these factors into account, and having considered that the father-and-son metaphor in Isa 63.7-19a is in line with the similar tradition in the Hebrew Bible, instead of advancing that Mal 1.6-2.9 (or, more precisely, Mal 1.6; 2.8) alludes to this segment of Isa, it is more plausible to suggest that the redactors of Mal had considered the same or, more generally, referred to the traditional materials containing the “father and son” tradition and the featured element of the “name” of YHWH. It is likely that Isa 63.7-19a is one of those reference materials.

What follows is the question of dating Isa 63.7-19a. Watts finds that “[m]ost interpreters place the chapters [56-66] either around 520 B.C.E. or about 450 B.C.E.”.<sup>602</sup> Niskanen considers that “[a]ll of chapters 56–66 can quite easily be understood against the backdrop of the early postexilic period (late sixth to early fifth centuries), especially in their focus on the

<sup>602</sup> John D. W. Watts, *Isaiah 1–33*, WBC 24, Revised ed., Nashville TN: Thomas Nelson, 2005, lxx.

restoration of Jerusalem.”<sup>603</sup> For the communal lament of Isa 63.7-64.11, in his recent article, Blenkinsopp finds that it “must be dated between the Babylonian conquest and destruction of the temple in 586 BC and the completion of the rebuilding of its successor 70 years later [i.e. 516/515 B.C.E.]”.<sup>604</sup> Accordingly, my suggestion above is unaffected by the issue of dating.

### 3.3.2 “honour” (כבוד), “father”, and “honour” (כבוד) of YHWH (Mal 1.6)

In Mal 1.6, the verb כבוד in Piel means “honour”.<sup>605</sup> The obligation for a son to “honour” his father is probably the common understanding of the restoration community as the Decalogue states that, “Honour (כבוד in Piel imperative) your father and your mother, ...” (Exod 20.12; Deut 5.16) It is a tradition that offering a proper sacrifice to YHWH is an act of honouring Him.<sup>606</sup> Ps 50.23 writes that those who offer thanksgiving (offering) honour (כבוד in Piel) YHWH. Prov 3.9 states that, “Honour [כבוד in Piel imperative] YHWH from your wealth and from your firstfruits of all your produce.” A negative example is provided in Isa 43.23, which accuses, *inter alia*, that the Israelites have neither brought their sheep to YHWH for burnt offering nor honoured (כבוד) Him with their sacrifices.

#### 3.3.2.1 Judgment against Eli’s family in 1 Sam 2.27f

In relation to the priestly duties, 1 Sam 2.27f writes that a man of God came to Eli and announced the judgment of YHWH against his family. The election of the Levites as well as their privilege and duties to go up to the

<sup>603</sup> Paul V. Niskanen, *Isaiah 56–66*, BO, Collegeville, Minnesota: The Liturgical Press, 2014, xxi.

<sup>604</sup> J. Blenkinsopp, “Trito-Isaiah (Isaiah 56-66) and the gōlāh group of Ezra, Shecaniah, and Nehemiah (Ezra 7-Nehemiah 13): Is there a connection?,” *JSOT* 43 (2019): 661-677, 664, citing G.A. Smith, *The Book of Isaiah Vol. II*, 4th ed., London: Hodder & Staunton, 1894, 446; G. Fohrer, *Das Buch Jesaja*, 3. Band, Kapitel 40-66, Zurich: Zwingli, 1964, 246-47; C. Westermann, *Isaiah 40-66: A Commentary*, OTL, Philadelphia: Westminster, 1969, 386; K. Pauritsch, *Die neue Gemeinde: Gott sammelt Ausgestossene und Arme (Jesaja 56-66)*, Rome: Biblical Institute, 1974 [sic. 1971], 219-26; and R.N. Whybray, *Isaiah 40-66*, NCBC, Grand Rapids: Eerdmans, 1975, 256.

<sup>605</sup> HALOT, 2:455. Hill, *Malachi*, AB 25D, 174.

<sup>606</sup> “The piel of *kbd* can express religious honor. ...it denotes the total human response to Yahweh’s love and favor ...through observance of the laws and commandments (Dt. 28:58; Isa. 58:13) to the sacrificial cult (Ps. 50:23; Prov. 3:9).” Stenmans, “כבוד כבוד כבוד,” *TDOT*, 7:19.

altar of YHWH (cf. Mal 1.7) to offer incense (קטרת, cf. מקטר in Mal 1.11) and all the burnt offerings are mentioned (1 Sam 2.28). Then YHWH (through the man of God) questions Eli why (his sons) scorned the sacrifice and offering of YHWH (מנחת, cf. Mal 1.10, 11, 13; 2.12, 13; 3.3, 4), and why he honoured (כבד in Piel) his sons more than YHWH. As a result, YHWH declares that Eli's family shall be far from Him (cf. Mal 1.10),<sup>607</sup> "for those honour me I will honour, and those despise (בוזו, cf. Mal 1.6 x 2, 7, 12; 2.9) me will be cursed (קלל, cf. ארר in Mal 1.14; 2.2 x 2)." (1 Sam 2.30) The lexical parallel of "honour", "despise",<sup>608</sup> "altar", "incense" and "offering", coupled with the contextual parallel of removal of the priests (and their descendants, cf. Mal 2.3) from the priestly office by virtue of their abrogation of the sacrificial duties, indicate the probable allusion to this part of 1 Sam in Mal 1.6-2.9. In particular, the use of the contrasting terms "honour" and "despise" in connection with the "offering" upon YHWH's "altar" (Mal 1.6-7), and the adverse consequence for the offspring of those priests who "despise" YHWH, are remarkable similarities between 1 Sam 2.27f and Mal 1.6-2.9. The description of the sons of Eli that "they did not know (ידע) YHWH" (1 Sam 2.12) is possibly echoed by Mal 2.7, "For the lips of a priest should guard knowledge (דעת)". Furthermore, the pronouncement in 1 Sam 2.35 that a faithful priest shall be raised up (in contrast to the falling of Eli's family) is echoed by the pronouncement in Mal 3.1-4 that the descendants of Levi shall be refined until they present offering to YHWH in righteousness (in contrast to those priests who offered defiled food upon YHWH's altar). As a matter of interest, many commentators consider the "faithful priest" in 1 Sam 2.35 as Zadok,<sup>609</sup> who has been often perceived as the common forefather of the priests. Whether the redactors of Mal had borne this idea in mind is debatable. It is suffice to note that in Mal, whilst the priests are subject to trenchant criticisms which are so severe that they shall be rebuked (געער)<sup>610</sup> by YHWH (Mal 2.3), instead of being permanently ousted from their priestly office (like Eli's

<sup>607</sup> 1 Sam 2.36 implies that they shall beg for a place of the priests.

<sup>608</sup> "The only biblical passage apart from Mal 1:6 where [despise] is used antithetically to [honour], is 1 Sam 2:30b," Weyde, *Prophecy and Teaching*, 207.

<sup>609</sup> See, for examples, Joyce G. Baldwin, *1 and 2 Samuel: An Introduction and Commentary*, TOTC 8, Downers Grove, IL: Inter-Varsity Press, 1988, 67; P. McCarter, *1 Samuel: A new translation with introduction, notes and commentary*, AB 8, New York: Doubleday, 1980, 91; D.T. Tsumura, *The First Book of Samuel*, NICOT, Grand Rapids, MI: Eerdmans, 2007, 170; R.W. Klein, *1 Samuel*, WBC 10, 2<sup>nd</sup> ed., Nashville: Thomas Nelson, 2008, 24, 27.

<sup>610</sup> In the post-exilic prophetic books, this word is used in Zech 3.2 (x 2) against "Satan" / the adversary (השטן) and Mal 3.11 against the "locust" / eater.

family), they shall properly discharge their sacrificial duties after they are refined and purified (Mal 3,3).

### Conclusion

In sum, the fading away of Eli's family from the priestly line serves as a deterrent antecedent of YHWH's "curse" on those who are in breach of the covenant of Levi. It is likely that for this reason, it was alluded to in this pericope of Mal.<sup>611</sup>

There is a general consensus that 1 Sam 2.27f was compiled (much) earlier than Mal,<sup>612</sup> which is suffice for the purpose of ascertaining the direction of influence in terms of the dating of these two books.

### 3.3.2.2 Priests and glory of YHWH

As a noun, the word כבוד means "glory",<sup>613</sup> in particular in the context of the theophanic presence of YHWH on Mt. Sinai (Exod 24.16-17 (x 2)), in the tabernacle (e.g. Exod 40.34-35 (x 2); Num 14.10; 17.7 [NRSV 16.42]) and in the temple (1 Kings 8.11; 2 Chr 5.14; 7.1-3 (x 3)). Collins finds that כבוד is a technical term for the manifest presence of God. "God's presence is to continue via the sacrificial worship (e.g., Exod 29:43; 40:34, 35; Lev 9:6, 23; 1 Kgs 8:11; Ps 63:2 [3])."<sup>614</sup>

<sup>611</sup> Instead of relying on 1 Sam 2.27f, Lear emphasizes on the similarity between איה כבודי ("Where is my honour?") in Mal 1.6 and אי כבוד ("Ichabod") in 1 Sam 4.21. She argues that it is a "phonological wordplay" and a "hidden allusion to the 1 Sam story of a corrupt priesthood resulting in the loss of the presence of God." With respect, the alleged wordplay is almost unnoticeable, and Lear also accepts that the coherence of Mal 1.6 "artfully obscures an allusive pun to 1 Sam 4:21." Lear, *Scribal Composition*, 76-78.

<sup>612</sup> For examples, McCarter finds that "[t]he Josianic historian shaped his materials to demonstrate this movement of history unambiguously, and the present passage [1 Sam 2.27-26] is characteristic of his craft." McCarter, *I Samuel*, AB 8, 93. Tsumura considers that "[t]he final editing of 1-2 Samuel, with minor adjustments, was probably made no later than the late 10th century B.C. in view of 1 Sam. 27:6". Tsumura, *The First Book of Samuel*, 11. For a later date, Baldwin suggests that 1 and 2 Samuel were compiled by a Deuteronomic redactor, "probably during the exile." Baldwin, *1 and 2 Samuel*, 25.

<sup>613</sup> Subject to the context, the word כבוד is translated as "glory" or "splendor", e.g. Hag 2.3, 7, 9; Zech 2.9 [NRSV 2.5], 12 [NRSV 2.8]; Mal 2.2, etc..

<sup>614</sup> C. John Collins, *NIDOTTE*, s.v. "כְבוֹד", 2:573. Similarly, R.L. Smith considers that "[t]he word כבוד not only means "honor" but it also means "glory." It is characteristic of priestly theology (Exod 14:4, 17-18; 24:16-17; 33:18; 40:34-35). Glory stands for the awe-inspiring presence of God." R.L. Smith, *Micah-Malachi*, 311.

As to the relationship between the priests and the glory (כבוד) of YHWH in the context of the temple, 1 Kings 8 is remarkable. It writes that when the construction of the temple (the first temple) was finished, the priests and the Levites brought up the tabernacle, the ark of covenant and all the holy vessels into the temple. Then the priests brought the ark of covenant into the inner sanctuary of the temple (1 Kings 8.4, 6). It is specifically denoted that there was “nothing in the ark except the two tablets of stone that Moses had placed there at Horeb where YHWH made a covenant with the Israelites when they came out from the land of Egypt.” (1 Kings 8.9, cf. Mal 3.22). Hence, the conveyance of the ark into the temple is not merely an act of transportation. It represents the continuance of the covenantal relationship between YHWH and the Israelites. Only the priests were designated to perform such an important task. When the priests came out from the holy place, a cloud filled the temple. The priests could not stand to serve as the “glory of YHWH” (כבוד יהוה) filled the temple (1 Kings 8.10-11). This narrative illustrates the relationships among the priests, the temple and the glory of YHWH: With the privilege of their positions and duties, the priests, who were divinely chosen to serve in the temple, should acknowledge the glory of YHWH and therefore, “honour” Him.<sup>615</sup> Whilst there is insufficient linkage to suggest that Mal 1.6-2.9 alludes to 1 Kings 8, the latter provides the background of the relationship between the priests and the glory (כבוד) of YHWH in the context of the temple.

Another backdrop is Deut 28.58-59. It states that if the Israelites are “not careful to observe the words of this *torah* that are written in this book, fearing the glorious (הנכבד) and awesome name, YHWH your God”, YHWH will increase their punishment and those of their offspring. One would soon note that the elements of “glory” / “honour” (כבוד) and “name” (שם) of YHWH, priests, temple, *torah*, punishment and offspring (זרע), which appear in 1 Kings 8.10-11 and Deut 28.58-59, are consolidated and applied in Mal 2.1-3, “And now this commandment is for you, O priests. If you do not ...give honour (כבוד) to my name (לשמי), ...I am rebuking your offspring (הזרע) ...” Having said that, as these elements are scattered over the said two passages and neither thematic nor contextual parallel can be ascertained, it would be difficult to prove any intentional allusion or reference to any of them. Instead, it is more viable to advance that the redactors of Mal had consolidated and applied such elements in Mal 2.1-3.

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<sup>615</sup> Verhoef opines that “[t]he glory of God must be acknowledged by his people, and in this sense it is his “honor.” To give glory to the Lord (Jer.13:16) is to honor him.” Verhoef, 213.

A number of scholars hold that Kings is basically a pre-exilic work which was later revised / expanded in the exilic era.<sup>616</sup> Upon that basis, the direction of influence as suggested above is in alignment with the dating of the books.

### 3.3.3 “master” and “servant”, “respect” (מִרְאָה), “fear” (יִרָא), and priests (Mal 1.6)

#### 3.3.3.1 Parallel use of father-son and master-servant metaphors

In Mal 1.6, in addition to the “father and son” metaphor, the redactors of Mal put the “master and servant” as the metaphorical parallel. As the “table of the Lord” (שֻׁלְחַן אֲדֹנָי) in Mal 1.12 should refer to “the table of YHWH” (שֻׁלְחַן יְהוָה) in Mal 1.7,<sup>617</sup> it means that the priests address YHWH as the “Lord / master” (אֲדֹנָי). In Lev 25.55, after setting out the rules regarding redemption of persons, YHWH declares that, “For to me the sons of Israel [i.e. the Israelites] are servants, my servants whom I brought out from the land of Egypt.”<sup>618</sup> Then YHWH commanded the Israelites to, *inter alia*, “respect” / “fear” (יִרָא) His sanctuary, and promised to provide them abundantly if they followed His statutes (חֻקָּה) and keep His commandments (מִצְוָה) (Lev 26.2-3). As in the case of the “father and son” tradition, the master-servant relationship here involves “respect / fear”, fidelity and obedience.<sup>619</sup>

In 1 Kings 1.19, in addressing king David, Bathsheba described Solomon as “your servant” (עַבְדְּךָ; in v.26 Nathan said the same). It implies that in the

<sup>616</sup> For examples, Helga Weippert, “Die ‘deuteronomistischen’ Beurteilungen der Könige von Israel und Juda und das Problem der Redaktion der Königsbücher,” *Biblica* 53 (1972): 301-339, 318ff; F.M. Cross, “The Themes of the Book of Kings and the Structure of the Deuteronomistic History,” in *Canaanite Myth and Hebrew Epic*, Cambridge: Harvard University Press, 1973, 274-289, 275 (in particular fn 6), 287ff; Childs, *Introduction to the Old Testament as Scripture*, 281-301, 286; J.D. Levenson, “From Temple to Synagogue: 1 Kings 8,” in B. Halpern and J. D. Levenson, eds., *Traditions in Transformation: Turning Points in Biblical Faith*, Winona Lake, Ind.: Eisenbrauns, 1981, 143-166; Mordechai Cogan, *1 Kings: A new translation with introduction and commentary*, AB 10, New York: Doubleday, 2001, 292-293; “As for the date: there may have been previous editions, but the final redaction is set by 2 Kgs 25:27; it comes from late in the exile, ca 550 BC”, Simon J. de Vries, *1 Kings*, WBC 12, 2<sup>nd</sup> ed., Nashville: Thomas Nelson, 2003, xxxiv, xl, xlii.

<sup>617</sup> Verhoef, 233.

<sup>618</sup> Cf. Deut 6.21 states that they were Pharaoh’s servants in Egypt and YHWH brought them out of Egypt.

<sup>619</sup> “To the extent that the circumstances compel a slave to recognize the authority of the master, honor or respect is normative. Its compulsory nature makes honor the norm in the slave-master relationship.” Jacobs, *The Books of Haggai and Malachi*, 184. See also Hill, *Malachi*, AB 25D, 218; Verhoef, 212.

ancient Israel, the king was not only the father but also the “lord” (v.18 “my lord the king”) of his sons. Such a “father and son” relationship demands loyalty from the sons.<sup>620</sup> In 2 Kings 16.7, in order to seek military support from Tiglath-pileser of Assyria, king Ahaz (through his messengers) said, “I am your servant and your son” (עבדך ובנך אני). These words represent his subservience to Tiglath-pileser III.<sup>621</sup> Although the contexts of these texts are very different from that of Mal 1.6, they show that the parallel use of the father-son and master/lord-servant terminologies is likely a prevalent practice in the settings of royal court and international relationship in the ancient Near East.<sup>622</sup> Having considered the language used in describing the greatness (among the nations) and kingship of YHWH (Mal 1.5, 11, 14), it is plausible to suggest that the redactors of Mal intentionally chose this pair of metaphors to describe the relationship between YHWH and the restoration community.<sup>623</sup>

### 3.3.3.2 “respect” / “fear” YHWH

The word מורא appears 12 times in the Hebrew Bible, including four times in Deut (Deut 4.34; 11.25; 26.8; 34.12) and five times in the prophetic books (Isa 8.12, 13; Jer 32.21; Mal 1.6; 2.5). It is the *maqṭal* noun of ירא (“fear”)<sup>624</sup> and can be translated as “fear” (e.g. Gen 9.2; Deut 11.25; Isa 8.12).<sup>625</sup> In Mal 2.5, in explaining the proper attitude of the priests towards YHWH, the noun “respect” / “fear” (מורא) is immediately followed by the verb “fear” (ירא): In pursuance of the covenant with Levi, YHWH gave the priests the respect / fear (מורא) (that they should possess in serving YHWH) and they did fear (ירא) Him.<sup>626</sup>

<sup>620</sup> Jerome T. Walsh, *1 Kings*, BO, Collegeville: The Liturgical Press, 1996, 14.

<sup>621</sup> “By identifying himself as “your servant and your son,” Ahaz expresses both his subservience to and a professed formal filial dependence upon the Assyrian king.” Robert L. Cohn, *2 Kings*, BO, Collegeville: The Liturgical Press, 2000, 113. McCarter finds that “the statement is in fact a formal gesture of fealty”. McCarter, *1 Samuel*, AB 8, 397. See also Donald J. Wiseman, *1 and 2 Kings: An Introduction and Commentary*, TOTC, Downers Grove: InterVarsity Press, 1993, 278.

<sup>622</sup> Fensham, “Father and Son as Terminology for Treaty and Covenant,” 127, 134-135.

<sup>623</sup> “We may agree with E. Jacob that the fatherhood of God in the OT is an expression of his lordship.” Verhoef, 213, citing E. Jacob, *Theology of the Old Testament*, translated by A.W. Heathcote and P.J. Allcock, London: Hodder & Stoughton; New York: Harper and Brothers, 1958, 61-62.

<sup>624</sup> Fuhs, “גרא גרא ירא מורא,” *TDOT*, 6:293; Hill, *Malachi*, AB 25D, 175-176.

<sup>625</sup> *HALOT*, “2:560,” מורא.

<sup>626</sup> The word “fear” (ירא) also occurs in Mal 1.14 (YHWH’s name is feared among the nations) and Mal 3.5 (YHWH shall be a witness against those who do not fear Him).

Whilst it is not wrong to assert that the master-servant relationship in Mal 1.6 links with the book of Deuteronomy and the Deuteronomistic History, the way that Gibson connects the same is somewhat problematic. Based on the co-appearance of the two words עבד and ירא in Deut 6.13, 10.12, 20; 13.5;<sup>627</sup> Josh 24.14; and 1 Sam 12.14, 24, Gibson argues that “the covenant obligation of service (עבד) is integrally bound to that of ‘fearing’ (ירא) YHWH”.<sup>628</sup> It is a broad and somewhat vague assertion. This study observes that, first, apart from the noun “servant” in Mal 1.6, the word עבד neither appears in this pericope (Mal 1.6-2.9) nor specifically refers to the priests in its occurrence in Mal 3.14, 17, 18 [x 2], 22 (as a noun “servant”). Secondly, the allegedly related references in Deut, Josh and 1 Sam are traditional commandments to the Israelites (as a whole) prohibiting, *inter alia*, worshipping other gods. Therefore, they not only mention “serve” and “fear” but also contain the elements of “only swear by the name of YHWH”, putting away other gods and/or killing those who entice Israelites to worship idols (see Deut 6.14; 10.20; 13.6ff; Josh 24.14; cf. 1 Sam 12.15, 25). Whether thematically or contextually, these references are neither related to the master-servant metaphor nor the YHWH-priests relationship.

As mentioned above, both the “father and son” and the “master and servant” metaphors have the covenantal connotations which involve fear, fidelity and obedience on the part of the “son” and “servant”. Hence, instead of focusing on the co-appearance of עבד and ירא, this study considers that the significance of the choice of the word מורא should not be lightly neglected. An investigation should be conducted into the texts containing the word מורא in the context of YHWH as the Lord and/or the Israelites / priests as the servants (עבד) with the relevant covenantal connotations:

- (a) Deut 4.34 refers to the exodus: It writes that YHWH took a nation (Israel) from the midst of another nation (Egypt) by, *inter alia*, “great terrifying (מורא) things”. It was because “YHWH loved your ancestors and He chose their descendants” (v.37). Accordingly, Moses demanded the Israelites to “[k]eep [YHWH’s] statutes and his commandments, which I am commanding you today....” (v.40, cf. Mal 3.22).
- (b) In Deut 11.22-25, Moses told the Israelites that, “If you observe all the commandments that I am commanding you [cf. Mal 3.22], loving YHWH your God...”, YHWH shall put “fear and terror (מורא)

<sup>627</sup> Gibson states as “13.4”, probably refers to the verse notation in NRSV.

<sup>628</sup> Gibson, *Covenant Continuity and Fidelity*, 83.

of you” over the land that they walked. Then v.26-27 set out the blessing and curse of YHWH, “if you do not listen to the commandments (מצוה, cf. Mal 2.1, 4) of YHWH your God but turn aside from the way (וּסַרְתֶּם מִן הַדֶּרֶךְ, cf. Mal 2.8) that I am commanding you today”, they would face the curse.

- (c) In “the little historical credo” of Deut 26,<sup>629</sup> Deut 26.8 also refers to the exodus: YHWH brought the Israelites out of Egypt with, *inter alia*, great “terror” (מורא) and with signs and wonders.<sup>630</sup>
- (d) At the end of the book of Deuteronomy, Deut 34.10-12 set out the unique status of Moses, which also includes the element of exodus, i.e. “all the signs and wonders that YHWH sent him to perform in the land of Egypt” and “all the mighty power and all the great terror (מורא)” that Moses did as seen by the Israelites.
- (e) Isa 8.11-13 warned the prophet not to walk in the way of “this people” (cf. v.6) and he should respect / fear YHWH only, “... do not fear what it [i.e. “this people”] fears (מורא), do not be terrified. You shall regard YHWH of hosts as holy, let him be your terror (מוֹרָא) and let him be your dread.”
- (f) In Jer 32.21, Jeremiah recited the history of exodus, “You [YHWH] brought your people Israel out of the land of Egypt and with a strong hand and outstretched arm, and with great terror (מורא).”

### Conclusion

One can see from the aforesaid texts that more often than not, the use of the word מורא connects with, first, the exodus from Egypt, which includes the elements of YHWH’s mighty power and election of Israel, and secondly, Israel’s obligation to observe the commandments and statutes of YHWH as commanded through Moses (cf. Mal 3.22). Accordingly, the מורא demanded in Mal 1.6 should be understood against this background: YHWH is the master (lord) of the Israelites. As the servants (slaves), the

<sup>629</sup> This nomenclature is taken from G. von Rad’s *Das formgeschichtliche Problem des Hexateuchs*, BWANT IV-26, Stuttgart: W. Kohlhammer, 1938, 3ff („das kleine geschichtliche Credo“); see also Martin Noth, *Überlieferungsgeschichte des Pentateuch*, Stuttgart: W. Kohlhammer, 1948, 55 („Hineinführung in das Kulturland“), 60 („kultischen Bekenntnisformulierung“).

<sup>630</sup> Cf. Deut 6.20-24, as suggested by von Rad in *Das formgeschichtliche Problem des Hexateuchs*, 5f.

Israelites (including the priests) are obliged to observe the commandments of YHWH.

In Mal 1.6a, the “father and son” and “master and servant” metaphors are immediately followed by the accusation against the priests as “despisers” of YHWH’s name (Mal 1.6b). The close proximity between the demand for “honour” and “respect” (Mal 1.6a) and the accusation against the priests for the defiled food on the altar (Mal 1.7f) clearly points to something beyond domestic relationship: As discussed above, the term “honour” was traditionally relating to offering proper sacrifices to YHWH, which is highlighted by the story of the decline of Eli’s family, and the word “respect / fear” is used in the Deuteronomistic tradition in connection with the obligation to observe the commandments of YHWH. The priests in Mal 1.6-2.9, whose ancestors had eye-witnessed the “great terrifying (מורא) things” at the time of Moses (e.g. Deut 4.34 above) and encountered the “glory” (כבוד) of YHWH from the era of the tabernacle to that of the first temple (e.g. 1 Kings 8 above), should have known these matters and therefore, shown their respect / fear to YHWH as well. The invocation of a combination of traditions, namely, “honour / glory” of YHWH, “respect / fear” YHWH, father-son and master-servant relationships between YHWH and Israel, and the priestly duties at the tabernacle and temple, etc., in this pericope aims to substantiate the accusations against the Israelites, in particular the priests. It highlights the irony that the priests, who were vested with the duties to offer sacrifices to YHWH by virtue of the “covenant with Levi” (Mal 2.4, 5, 8), despised the name of YHWH.

### 3.3.4 “despise” (בוזה) and the name of YHWH (Mal 1.6)

The verb “despise” (בוזה) appears in Mal in 1.6 (x 2), 7, 12; and 2.9. Stenmans considers it as the antonym of “honour” (כבוד).<sup>631</sup> Görg opines that, “Every offense against the will of Yahweh implies a *bazah*, “contempt, despising,” of Yahweh.”<sup>632</sup> In relation to YHWH, apart from 1 Sam 2.30 (the decline of Eli’s family, see above), Num 15.30-31 writes that for the person who blasphemes against YHWH, that person must be cut off from his people as he has despised (בוזה) the word of YHWH and broken His commandment (cf. 2 Chr 36.16). In 2 Sam 12.9-10, the prophet Nathan accused David of his adultery with Bathsheba, for which David had “despised the word of YHWH” and “despised me [YHWH]” (בוזתני). In Ezek 16.59, Israel is accused

<sup>631</sup> Stenmans, “כבוד כבוד כבוד כבוד,” *TDOT*, 7:20.

<sup>632</sup> Görg, “בוזה בוז בוזה,” *TDOT*, 2:60.

to have “despised the oath (by) breaking the covenant” (see also Ezek 17.16, 18, 19).<sup>633</sup> In Ezek 22.8, YHWH accuses Israel of having “despised my holy things and profaned my sabbaths.” Accordingly, the verb “despise” has the connotation of breaching the word or commandment of YHWH (occasionally in the ritual context).

One may wonder whether the accusations against the “despisers” are relating to the non-priests as well. Verhoef rightly opines that the priests were “directly addressed” and they were the “main transgressors, because they were acquainted with the stipulations of the *tôrâ*”. Having said that, the people “were also guilty” as “they provide the unworthy animals, and in doing so they were trying to deceive the Lord (v.14).”<sup>634</sup>

There is a tradition that the name of YHWH is the essence of the ritual centre where the Israelites presented their offerings to YHWH and the priests discharged their sacrificial duties. Deut 12.11 states that the Israelites have to bring their sacrifices (זבח, cf. Mal 1.8, 14), tithes (Mal 3.8, 10), etc. that they vowed (נדב, cf. Mal 1.14) to the place that YHWH will choose as a dwelling for His name (see also Deut 16.2, 6, 11; 26.2). The Israelites shall eat the tithe of all their agricultural produces at that place “in the presence of YHWH your God” (Deut 14.23). In 2 Sam 7.13-14,<sup>635</sup> YHWH promised David that his offspring would build a house for His name (שמי “my name”, cf. Mal 1.6), “I will be a father to him [David’s offspring] and he shall be a son to me.” (cf. the “father and son” metaphor in Mal 1.6) Indeed, no house was built for the name of YHWH (1 Kings 3.2) until Solomon raised this idea again (1 Kings 5.17-19 [NRSV 5.3-5]; see also 1 Kings 8.16-20,<sup>636</sup> 44, 48<sup>637</sup>; 2 Chr 1.18; 2.3 [NRSV 2.1, 4]). This temple is described as the place where the name of YHWH was there (1 King 8.29<sup>638</sup>) and people could call upon His name (1 Kings 8.43;<sup>639</sup> Jer 7.10-14, 30; 32.34; 34.15). In 1 Kings 9.3, YHWH appeared to Solomon and told him that “I ...have put my name (שמי) there forever”.<sup>640</sup>

Against this background, it is an irony that the priests became the despisers of the name of YHWH (Mal 1.6), in particular on the matters concerning the temple sacrifices. It should be noted that the usual term for describing

<sup>633</sup> Cf. Gibson, *Covenant Continuity and Fidelity*, 84.

<sup>634</sup> Verhoef, 214.

<sup>635</sup> Cf. 1 Chr 22.7-10; see also v.19; 28.3; 29.16.

<sup>636</sup> Cf. 2 Chr 6.5-10.

<sup>637</sup> Cf. 2 Chr 6.38.

<sup>638</sup> Cf. 2 Chr 6.20. See also 2 Chr 20.9.

<sup>639</sup> Cf. 2 Chr 6.33-34.

<sup>640</sup> Cf. 2 Chr 7.16. See also 2 Kings 21.4 (cf. 2 Chr 33.4, 7); 23.27; 33.7.

the irreverent acts and attitude against the divine name is “profane” (חלל) rather than “despise” (בזה).<sup>641</sup> Having said that, both “despise” (בזה) and “profane” (חלל) appear in Mal 1.12. It is likely that they are used as synonyms in the context. Probably, the redactors of Mal intended to integrate the connotation of the term “despise” (breaching the word or commandment of YHWH) into the ritual significance of the divine name in the Deuteronomistic tradition. Without alluding to any particular text, such a special combination of “despise” and the divine name in Mal 1.6 skilfully introduces as well as summarizes the breaches on the part of the priests and the laity.<sup>642</sup>

### 3.3.5 “offer” (נגש), “present / offer” (קרב), “bring” (בוא) (Mal 1.7, 8, 11, 13)

As we analyzed in “Structure & theme” above, Mal 1.7aα and 1.7b-9 are respectively YHWH’s second accusation with further evidence and additional accusation with evidence. We can see that details of derogation of the sacrificial duties by the priests are set out here. Gibson correctly observes that Mal uses three cultic terms, namely נגש, קרב and בוא, in particular their ritual meanings in Hiphil form as in the book of Leviticus.<sup>643</sup> Remarkably, Lev 2.8 uses these three verbs in the following manner: “You shall bring [בוא in Hiphil] the (grain) offering made from these to YHWH, and present [קרב in Hiphil] it to the priest, and he shall bring [נגש in Hiphil] it to the altar.” Whilst Ringgren considers the same as the “three stages of the offering”,<sup>644</sup> the semantic equivalence of נגש and קרב should not be overlooked.<sup>645</sup>

The word נגש (approach) appears 125 times in the Hebrew Bible. In the ritual context, it is usually translated as “offer”. Except in Mal 1.11 (as a

<sup>641</sup> For examples, Lev 18.21; 19.12; 20.3; 21.6; 22.2, 32; Jer 34.16; Ezek 20.9, 14, 22, 39, etc..

<sup>642</sup> “[T]o despise (*bāzâ*) the name is a particular formulation designating an action that results in the defamation of Yahweh’s character or reputation.” Jacobs, *The Books of Haggai and Malachi*, 188.

<sup>643</sup> Gibson, *Covenant Continuity and Fidelity*, 86; cf. Weyde, *Prophecy and Teaching*, 118-119.

<sup>644</sup> Ringgren, *TDOT*, “נגש,” 9:218.

<sup>645</sup> J. Milgrom, *Studies in Levitical Terminology, I. The Encroacher and the Levite*, Berkeley: University of California Press, 1970, 34-35. Gibson also considers that the Hiphil of נגש is used interchangeably with the Hiphil of קרב in the Hebrew Bible. “The two words share semantic equivalence (cf. Lev. 21.21; Judg. 20.23-24; Isa. 41.1, 21; 65.5; Jer. 30.21; Ezek 44.13-16).” Gibson, *Covenant Continuity and Fidelity*, 86. See also Glazier-McDonald, *Malachi*, 52.

Hophal participle), its other five occurrences in Mal (1.7, 8 [x 2]; 2.12 and 3.3) are all in Hiphil form to describe the sacrifices being tendered.<sup>646</sup>

The word קרב appears 280 times in the Hebrew Bible. Among its 177 occurrences in Hiphil form (with causative meaning “to draw / bring near, to offer”), 156 times are in cultic contexts.<sup>647</sup> This term is mentioned 102 times in the book of Leviticus. Remarkably and only with a few exceptions,<sup>648</sup> all of them are relating to the offerings to YHWH. קרב appears in Mal 1.8 and 3.5. Its Hiphil form (Mal 1.8) is used to describe the thing that is brought to somebody and therefore, translated as “present” here.<sup>649</sup>

The word בוא can be found in Mal in 1.13 [x 2]; 3.1 [x 2], 2, 10, 19 [x 2], 23, 24. Its Hiphil form (e.g. Mal 1.13 [x 2]; 3.10) is used to describe an act of bringing something to someone and in the ritual context, it often refers to bringing sacrifices or gifts before someone. In such circumstances, it is usually translated as “bring”.<sup>650</sup>

Thus, in the context of Mal 1.6-2.9, the traditional (ritual) meanings of the verbs נגש (Mal 1.7, 8 [x2]), קרב (Mal 1.8) and בוא (Mal 1.13 [x 2]) not only establish the literary setting of temple offering but also serve as the nexuses between this disputation and the related sacrificial rules in different scriptural passages (see below).

### 3.3.6 “accept” (רציה), “a male” (זכר), “vows” (נדרי), “blind” (עור), “lame” (פסח), “sick” (חלה) and “blemished” (משחת) animals (Mal 1.8, 10, 13, 14)

#### 3.3.6.1 Lev 22.17-25 Criteria of an acceptable vow offering

The word רציה appears in the Hebrew Bible for 131 times. Apart from Mal 1.8, 10, 13,<sup>651</sup> it is used 13 times in Lev (all concern sacrificial offerings) out of

<sup>646</sup> HALOT, 2: 671. See also Ringgren, “נגש,” TDOT, 9:218-219. The participle form (e.g. מגישים in Mal 1.7) emphasizes on the continuity of the action. Verhoef, 215.

<sup>647</sup> Gane/Milgrom, “קרב קרב קרוב קרבה קרב קרבן,” TDOT, 13:141-142.

<sup>648</sup> For examples, Lev 8.6, 13, 24; 9.2; 10.4, 5; 16.1; 18.6, 14, 19; 20.16, etc..

<sup>649</sup> HALOT, 3:1133f. Gane/Milgrom, “קרב קרב קרוב קרבה קרב קרבן,” TDOT, 13:142.

<sup>650</sup> See e.g. Gen 4.3; Num 15.25; Isa 66.20; Jer 17.26, etc.. Preuss, “בוא אָתָה,” TDOT, 2:22, 25. HALOT, 1:114.

<sup>651</sup> All are in Qal imperfect form; and in the rhetorical questions in Mal 1.8 and 1.13, it is with the interrogative particle ה. In Mal 2.13, the word used is רצון (pleasure) though the root is also רציה.

which 7 times are in Lev 22.<sup>652</sup> In the context of acceptance of (or refusal to accept) offerings by YHWH, רצה also appears in Isa 56.7; 60.7; Jer 6.20; 14.12; Amos 5.22; Mic 6.7; Ps 51.18; 119.108 and Prov 15.8.<sup>653</sup> These indicate that רצה (especially in Qal form) is a traditional term in connection with offerings made to YHWH, in particular the acceptability of the animal sacrifices.<sup>654</sup>

Lev 22.17-20 writes that an acceptable (לרצון) vow offering (נדר, see also v.21, cf. Mal 1.14a) or burnt offering shall be a male (זכר, cf. Mal 1.14) cattle, lamb or goat without blemish. Any blemished animal shall not be offered (קרב, v.19) as it is “not acceptable” (לא לרצון) to YHWH. Here, the word “acceptable” has the root רצה, which also appears in Mal 1.8b “Will he [the governor] be pleased...”; v.10b “I [YHWH] will not accept; and v.13b “Shall I [YHWH] accept...” (italics added)

Then Lev 22.21-23 expressly states that for the purpose of fulfillment of a vow (נדר, cf. Mal 1.14a) or as a free offering, the animal must be perfect. Any blind (עורה, cf. Mal 1.8b), injured, etc. shall not be offered (תקריבו) to YHWH or put on the altar (המזבחה, cf. Mal 1.7). The word “offer” (קרב), which is also used in Lev 22.19, 21, 24, 25, occurs as an imperative in Mal 1.8b “Present (it) to your governor...” (italics added). The term “altar” appears in Mal 1.7a, 10a (and implied in the “table of YHWH” (v.7b) and “table of the Lord” (v.12)).<sup>655</sup>

Gibson observes that Lev 22.17-25 and Mal 1.7-14 generally describe the votive offering as “food” (לחם, Lev 22.25; cf. Mal 1.7) to YHWH and both passages have the central idea that “to offer an animal with blemish was to profane (חלל) the name (שם) of YHWH (Mal. 1.6, 7, 12; cf. Lev. 22.2, 32).”<sup>656</sup> Indeed, in Lev 22.2, YHWH asks Moses to speak to Aaron and his sons / descendants, telling them to handle the sacred things dedicated by the Israelites and they shall not profane (יהללו) the holy name of YHWH.

<sup>652</sup> Lev 1.3, 4; 19.5; 22.19, 20, 21, 23, 25, 27, 29 relate to the condition of the animals offered; Lev 23.11 is about the sheaf offered; and Lev 7.18 and 19.7 concern prohibitions against eating the flesh of the sacrifice on the third day.

<sup>653</sup> In Hos 8.13, YHWH pronounces that He will not accept the people even though they offer meat for sacrifices.

<sup>654</sup> “2. to accept with pleasure (a sacrifice), sbj. God (Yahweh) Am 5<sup>22</sup> Mal 1<sup>10-13</sup> 2 Mal 1<sup>10-13</sup> Ps 51<sup>18</sup> 119<sup>108</sup>”, HALOT, 3: 1281; “In OT usage *ršh* is ...a technical term of the sacrificial cult”; “In the book of Leviticus, the expression *l’rāšōn* serves as a technical term denoting God’s favorable acceptance of the sacrificial offerings (alternating with *ršh*)”, Barstad, “רצה רצון,” TDOT, 13:621, 626. See also Terence E. Fretheim, ‘רצה’, NIDOTTE, 3:1182-1183.

<sup>655</sup> Given that the “table” in Mal 1.7b is for the priests to offer the animals in sacrifice (Mal 1.8), it is likely a synonym of the “altar” (Mal 1.7a). Verhoef, 217.

<sup>656</sup> Gibson, *Covenant Continuity and Fidelity*, 87. It should be noted that the word used in Mal 1.6, 7 is “despise” (בוזה); cf. both “despise” (בוזה) and “profane” (חלל) are used in Mal 1.12.

Thereafter, Lev 22.31-33 is the commandment addressed to the Israelites, “And you shall keep my commandment... You shall not profane (תחללו, 2<sup>nd</sup> person masculine plural) my holy name... I brought you (2<sup>nd</sup> person masculine plural) out of the land of Egypt...” Accordingly, it is the commandment of YHWH conveyed through Moses to the people of Israel in general (cf. Mal 3.22) and the priests in specific that they must not offer blemished animals for sacrifice. If anyone does so, the name of YHWH shall be profaned. The lexical parallel (“profane”, “name” of YHWH) and the thematic parallel (prohibition against offering blemished animals) can be found in Mal 1.12 (“But you are profaning it [“my name”, see v.11]...”).

The term “blemished” (משחחם) in Lev 22.25 is, arguably, also mentioned in Mal 1.14 (משחח). According to *HALOT*, both are Hophal participle of שחח.<sup>657</sup> Kessler considers that this rare form משחח only occurs in Lev 22.25, Mal 1.14 and Prov 25.26.<sup>658</sup> Gibson, however, notes the argument about the distinction between משחח in Lev 22.25 on the one hand and משחח in Mal 1.14 and Prov 25.26 on the other hand.<sup>659</sup> On this issue, the present study considers that the Hophal participles of שחח in both Lev 22.25 and Mal 1.14 relate to the theme of the criteria of an acceptable (vow) offering. They are in the same context of prohibitions against acceptance of certain kinds of animals as “food” (להם Lev 22.25, cf. Mal 1.7) to YHWH. Both of them are expressed in the same way as a direct speech of YHWH to the priests. These factors reinforce the likelihood that the use of משחח in Mal 1.14 is an allusion to the משחחם in Lev 22.25.<sup>660</sup>

### Conclusion

In sum, the cluster of lexical parallels between Mal 1.6-14 and Lev 22.17-25 is more than obvious. There are also thematic parallel (criteria of an acceptable (vow) offering) and contextual parallel (prohibitions against offering unacceptable sacrifices) between the two texts. Furthermore, Kessler observes that “[b]oth texts end with a paragraph about lay people

<sup>657</sup> *HALOT*, 2: 644; 4: 1472.

<sup>658</sup> Kessler, “The Unity of Malachi,” 231.

<sup>659</sup> In short, Gibson considers that “[t]he distinction does not affect the possible allusion here, since Lev. 22.25 and Mal. 1.14 are the only two passages where a term derived from שחח occurs in the context of sacrifices”. Gibson, *Covenant Continuity and Fidelity*, 86-87, fn 39. For Prov 25.26, it has nothing to do with sacrifice or rite and the word is used to describe a fountain. Therefore, it should be translated as “ruined” (see *HALOT* above).

<sup>660</sup> Cf. Weyde, *Prophecy and Teaching*, 119-120.

after having dealt with the priests' duties".<sup>661</sup> All these indicate that the redactors of Mal had referred to this part of Lev 22 and applied the same to substantiate the accusations against the priests. By doing so, the wilful breach of the sacrificial rules committed by the priests (and the laity who handed the blemished animals to the priests),<sup>662</sup> and the contrasting attitudes that they dared to present the blemished to YHWH but not to the governor, are brought to the foreground. The use of the traditional ritual term רצה creates the ironic effect in Mal as the priests were expected to know what was acceptable to YHWH. The case against the priests for despising the name of YHWH (Mal 1.6) is therefore proved.<sup>663</sup>

### 3.3.6.2 Lev 21 Criteria of the acceptable personnel

Unlike Lev 22, Lev 21 concerns persons but not the animals. Lev 21.6 writes that the priests (Lev 21.1) shall be "holy to their God, and shall not profane the name of their God [לֹא יְחַלְלוּ שֵׁם אֱלֹהֵיהֶם, cf. Mal 1.12], for they offer (מִקְרִיבִים) offerings of YHWH by fire [cf. Mal 1.10], food (לֶחֶם) of their God, and they shall be holy." Any offspring / descendant (זרע, v.17, cf. Mal 2.3) of Aaron who had a blemish is prohibited from offering "food" (לֶחֶם) to YHWH (v.17, 21; cf. Lev 22.25; Mal 1.7). Lev 21.18 specifically states that any person who has a blemish, for examples, blind (עורר) or lame (פססה), etc., shall not draw near (קרב, v.18, 23) so that he may not profane (חלל) the sanctuaries of YHWH (Lev 21.23). Although the theme is not about the acceptable animal sacrifice, it concerns acceptable personnel in the context of sacrificial duties for YHWH. In terms of lexical parallels, the same verb קרב is used in

<sup>661</sup> Kessler, "The Unity of Malachi," 230. See also Weyde, *Prophecy and Teaching*, 120, who argues that Mal 1.7-14 and Lev 22.17-25 "not only to a large extent make use of the same terms; they also have a similar structure, and the rare term משחה, which characterizes the animals with a blemish in them, occurs in both passages at the end."

<sup>662</sup> In this regard, Weyde contends that "[s]ince according to Lev 22:18 such [vow] offerings could be presented by anyone of the house of Israel including aliens, the curse in Mai 1:14 probably concerns the laity, not the priests." Weyde, *Prophecy and Teaching*, 153-154.

<sup>663</sup> Having compared Lev 22.17-25 with Mal 1.7-14, Gibson summarizes that "[t]he two passages share common terminology that relates to different aspects of cultic worship: (a) the offering of sacrifices; (b) the description of sacrifices; and (c) the acceptability of the sacrifices." Whilst alleging that "[c]entral to both is the idea that to offer an animal with blemish was to profane (חלל) the name (שם) of YHWH (Mal 1.6, 7, 12; cf. Lev 22.2, 32)" (italics added), in fn 43, Gibson explains somewhat differently that Lev 22 "does not relate the profaning of YHWH's name directly to sacrifices." (italics added) It is in the "more general context of observing YHWH's holy things (offerings)" (קדשים; v.2) and observing his 'commandments' (מצות; v.31) in relation to the offering of sacrifices." Gibson, *Covenant Continuity and Fidelity*, 86, fn 43.

Mal 1.8 in the accusation against the priests. Also, the verb “profane” (חלל) is used in Mal 1.12; 2.10, 11, and “food” (לחם) appears in Mal 1.7. In view of the said contextual and lexical parallels, it is likely that Mal 1.6-14 (in particular vv.8, 12, 13) and 2.3 allude to Lev 21 (in particular vv.6, 17, 18, 21, 23). The said likelihood is reinforced by the statements regarding the corruption of “the covenant of Levi” by the priests (Mal 2.8), the rejection of offerings from their hands (Mal 1.10), and the curse against the cheaters and the priestly blessings (Mal 1.14; 2.2), etc..

### 3.3.6.3 Deut 15.19-23 and Lev 27.1-13

Deut 15.19-23 concerns offering of the firstborn male (זכר, cf. Mal 1.14) cattle and flock. It is expressly prohibited to sacrifice (זבח, cf. Mal 1.8, 14) blind or lame animals to YHWH. Remarkably, Deut 15.21 considers blindness (עור) and lameness (פסח) as serious defects (מיום רע, “bad / evil blemish”).<sup>664</sup> In contrast and ironically, the two rhetorical questions in Mal 1.8 reflect that the priests did not consider offering blind, lame and sick animals as “evil” (רע).<sup>665</sup> It is a possible wordplay of the double meanings of רע (bad / evil). Whilst the assertion of Kessler that “Malachi must know the text of Deuteronomy” is somewhat an overstatement (if just based on the lexical parallel of “blind”, “lame” and “evil”),<sup>666</sup> having considered the use of the word “sacrifice” (זבח, Deut 15.21; cf. Mal 1.8, 14) and the thematic parallel (criteria of unacceptable offerings), the possibility of allusion to Deut 15.19-23 cannot be simply ignored.<sup>667</sup>

Returning to the context of priestly duties and vow offering, Lev 27.1-13 concerns redemption of a persons or thing that has been the subject matter of an express vow (נדר, Lev 27.2, 8, cf. Mal 1.14) to YHWH. Apart from the use of the terms “vow”, “male” (זכר, Lev 27.3, cf. Mal 1.14), “present / offer” (קרב, Lev 27.9 x 2, 11; cf. Mal 1.8), the word רע (“bad”) appears thrice in

<sup>664</sup> Gibson finds that “the rarity of the combination [of עור and פסח] in the context of sacrifices presents the possibility of an allusion in Mal. 1.8.” Gibson, *Covenant Continuity and Fidelity*, 88.

<sup>665</sup> Cf. Glazier-McDonald, who finds that the literal translation of אין רע is “there is no evil (in it); it is no evil.” She however prefers to translate אין רע as “not bad” for the reason that with this phrase, the priests declare that the blemished animals are “perfectly acceptable offerings”; they are “not bad.” Glazier-McDonald, *Malachi*, 53.

<sup>666</sup> Kessler, “The Unity of Malachi,” 231.

<sup>667</sup> Gibson, *Covenant Continuity and Fidelity*, 88-89; cf. von Bulmerincq, *Der Prophet Maleachi. Band I*, 99f; Chary, *Aggée- Zacharie - Malachie*, 240; G.J. Botterweck, “Ideal und Wirklichkeit der Jerusalemer Priester. Auslegung von Mal 1,6-10; 2,1-9,” *BibLeb* 1 (1960): 100-109, 103; Utzschneider, *Künder oder Schreiber?*, 47-50.

relation to the condition of the animals (Lev 27.10 x 2, 12). Remarkably, it is the duty of the priest to assess whether the animal presented (קרב, cf. Mal 1.8) to YHWH is good or bad (רע)(Lev 27.11-12). Bearing this thematic parallel (specific duty of the priests) in mind, one would find that Mal 1.8, 14 are possible allusions (or, at least, an echo) to Lev 27.1-13,<sup>668</sup> pointing to the abrogation of the said priestly duty:

“And when you offer blind for sacrifice, is it not evil (רע)?

And when you offer lame and sick, is it not evil (רע)?

Present (קרב) (it) to your governor! ...” (Mal 1.8)

“Cursed be the cheat who has a male in his flock and vows (נדר) (to give it) but sacrifices a blemished (animal) to the Lord.” (Mal 1.14)

In this regard, Weyde considers that,

“Thus the priests’ acceptance of animals with a blemish in them (v.8a) refers to their instructions on votive offerings: they are accused of accepting a bad animal for a good; and in alluding to these blameworthy instructions by means of the phrase אין רע Mai 1:8a makes use of the same term (“bad / good”) as the laws on votive offerings in Lev 27:10ff do.”<sup>669</sup>

Furthermore, the double meanings of the word רע constitute a possible wordplay in the context. Literally speaking, אין רע can be translated as “nothing bad / evil” and therefore, the two rhetorical questions can be understood as:

- (a) Is the blemished animal offered not a bad offering? (pointing to the priestly duty to adjudge the acceptability of the offerings and reject the improper ones)
- (b) When one offers a blemished animal to YHWH, is it not evil?<sup>670</sup>

The unacceptable nature of the blemished animal (as illustrated by Lev 22.17-25; 27.1-13 and Deut 15.19-23), together with the wilful disregard of the said expressed rules by the priests, is vividly accentuated by the rhetorical questions in parallel (Mal 1.8-9): “Present (it) to your governor! Will he be pleased with you or will he grant you favour? (הישא פניך)” and “And now

<sup>668</sup> A. Deissler, *Zwölf Propheten III: Zephanja, Haggai, Sacharja, Maleachi*, Kommentar zum AT mit der Einheitsübersetzung 8, Würzburg: Echter, 1988, 321; Weyde, *Prophecy and Teaching*, 130-131.

<sup>669</sup> Weyde, *Prophecy and Teaching*, 131.

<sup>670</sup> Cf. J.M.P. Smith, 27; Botterweck, “Ideal und Wirklichkeit der Jerusalemer Priester,” 103; Chary, *Aggée- Zacharie - Malachie*, 238 (“n'est-ce pas mal?”); Deissler, *Zwölf Propheten III*, 321; see also the analysis of Weyde, *Prophecy and Teaching*, 128-129.

entreat the favour of God ...Will he show favour to any of you? (הישא מכם פנים)

### Conclusion

In sum, the aforesaid analysis demonstrates that the redactors of Mal drew support from the materials of different traditions (priestly vis-à-vis Deuteronomistic), including a general set of sacrificial rules in Lev 22.17-25 (above) and the more specific rules in Deut 15.19-23 and Lev 27.1-13,<sup>671</sup> with a view to substantiate the accusations against the priests (despising the name of YHWH by their malpractice) with a concrete *torah* foundation (cf. Mal 3.22 “Remember the *torah* of my servant Moses...”).

### 3.3.7 “entreat the favour of God” (חלו נא פני אל) (Mal 1.9)

According to our analysis of this second round of the court disputations,<sup>672</sup> the additional accusation and evidence made by (on behalf of) YHWH is ended in Mal 1.9 by the rhetorical question “Will he show favour to any of you?” (הישא מכם פנים), which is in parallel with הישא פניך in Mal 1.8). The case against the priests is tentatively closed (as His verdicts shall be delivered) with a call to “entreat the favour of God”. Among the scriptural references that contain the combination of the words חלה and פנה יהוה/אל (in the sense of “entreat the favour of God”),<sup>673</sup> only 1 Sam 13.12 relates to the theme of

<sup>671</sup> Cf. Utzschneider suggests a “non-existent text” which is close to Lev 22 in form and theme, “Dieser dritte Text ist allerdings in mehrfacher Gestalt vorstellbar. Es könnte sich um einen Gesetzestext gehandelt haben, der formal und thematisch Lev 22 nahe gestanden hat. Er wäre dann sachlich und historisch weit genug gefaßt, daß er sich als Bezugsgröße für Mal 1,8 und Dt 15 geeignet hätte.” Utzschneider, *Künder oder Schreiber?*, 49; Gibson considers that Mal “has alluded to both texts [Lev 22.17-25 and Deut 15.21] in a rather free manner” (citing Weyde, *Prophecy and Teaching*, 133). Gibson, *Covenant Continuity and Fidelity*, 88-89.

<sup>672</sup> See “Structure & theme” above.

<sup>673</sup> Without taking the verb חלה into account, Lear only considers the co-appearance of פני אל and finds that it is a reuse (making a pun) of the proper noun “Peniel (פניאל)” from Gen 32.31. Although she accepts that the phrase “entreat the face of YHWH (פני יהוה)” is relatively common in the Hebrew Bible, Lear argues that the construction פנה + אל (in conjunction) never carries the meaning “face of God” and therefore, one has to ask “why the scribe use strange vocabulary to communicate a relatively common phrase?” (Lear, *Scribal Composition*, 81-83, see also 114-115, fn 90) This argument is feeble as חלו + פני אל in Mal 1.9a is properly understood as “entreat the favour of God” (see, e.g. Hill, *Malachi*, AB 25D, 181-182; Jacobs, *The books of Haggai and Malachi*, 193), which is not uncommon in the Hebrew Bible (see, e.g. 1 Kings 13.6; 2 Kings 13.4; Jer 26.19; Zech 7.2; 8.21-22; Dan 9.13; 2 Chr 33.12). The idea of linking with Gen 32 is likely borrowed from Utzschneider (*Künder oder*

presenting improper offering to YHWH.<sup>674</sup> 1 Sam 13 writes that when Saul and the Israelites were about to fight against the troops of Philistines, as the Israelites were trembling and Samuel did not turn out at the appointed time, Saul could not wait but offered the burnt offering by himself. When Samuel appeared, Saul explained that as the Philistines were coming down to Gilgal and “I have not entreated the favour of YHWH (וּפְנֵי יְהוָה לֹא חִלִּיתִי)”, he forced himself to make the burnt offering (1 Sam 13.12). Then in v.13 Samuel declared that Saul had not kept the commandment (מִצְוֹת)<sup>675</sup> of YHWH. One would notice that whilst there are lexical parallel of the combined use of חָלָה and פָּנָה יְהוָה/אֵל and the thematic parallel of improper offering (in breach of the commandment of YHWH), the subject matter of the impropriety is different. In 1 Sam 13.12, Saul overstepped the boundary between the kingly and priestly authorities, whereas Mal 1.9 concerns the offering of blemished animals by the priests. Their respective (broader) contexts are also dissimilar: The former explicates the falling of Saul’s kingdom but the later expounds the argument against the priests for despising the name of YHWH.

Having said that, arguably, the redactors of Mal intended to create an ironic effect, namely, that if Saul could have entreated the favour of YHWH by his improper offering, then YHWH should have also showed favour to the priests (Mal 1.9b) even though they offered defiled offerings (Mal 1.7).<sup>676</sup> As Verhoef points out, “The prophet’s invitation [“And now entreat the favour of God...”] is not to be taken seriously but is meant ironically. If they would not have a chance to secure the governor’s favour with their

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*Schreiber?*, 50, cited in Lear, *Scribal Composition*, 82 fn 16), upon which Snyman rightly observes, *inter alia*, that “in the Genesis pericope it is all about the reconciliation between Jacob and Esau, while in [Mal] 1:8 it is about the sacrificial obligations of the people as prescribed in the torah to which they do not adhere.” Snyman, 66-67.

<sup>674</sup> 1 Kings 13.1-6 concerns the sin of Jeroboam in establishing a system of idolatry worship in Bethel and Dan (1 Kings 12.28-33). It has nothing to do with the acceptability of the sacrifices or personnel in relationship to worship of YHWH. It is problematic for Lear to assert that Mal 1.9 borrows “a locution from Lam 4.16”. The combination of חָלָה + פְּנֵי יְהוָה (scatter) can hardly be a comparable to חָלָה + פְּנֵי אֵל in Mal 1.9a. In Lam 4.16, the verb חָנַן (to show favour) is used to describe the elders, not the priests (the phrase that describes the priests is לֹא נִשְׂאוּ (“no honour”). Thematically, Lam 4.16 depicts the scenes of the fallen Jerusalem, which is clearly different from that of Mal 1.9. Lear, *Scribal Composition*, 113-115.

<sup>675</sup> Cf. Mal 2.1 “And now this commandment is for you, O priests”; 2.4 “... I sent to you this commandment so that my covenant with Levi remains...”.

<sup>676</sup> Verhoef considers that the “defiled food” (לֶחֶם מְגַאֵל) in Mal 1.7 refers to the food which is unfit for sacrificial purpose. Hence, offering defiled sacrifices to YHWH amounts to defile Him. Verhoef, 216, fn 41, 44; cf. Neh 13.29 states that marrying foreign women causes the priesthood, the covenant of the priest(s) and Levites “defiled” (גִּאֵל).

detestable gifts, how would they ever be able to succeed in appeasing the stern face of God?”<sup>677</sup> This ironic effect serves as the proper ending of this unit (i.e. Mal 1.7b-9), which is followed by YHWH’s verdict “I will not accept an offering from your hand”, etc. in vv.10-14.

Taking all the aforesaid factors into account, there is an even chance that Mal 1.9 alludes to 1 Sam 13.12.

### 3.3.8 YHWH will “not accept” (לא + רצה) an “offering” (מנחה) (Mal 1.10)

Mal 1.10-14 and Mal 2.1-9 are two verdicts given by YHWH. The two verdicts are connected by the common theme, that is, the services of the priests are rejected. In response to the offering of defiled foods by the priests (Mal 1.6-9), in the first verdict, YHWH pronounces that “There is no pleasure to me in you” and “I will not accept an offering from your hand” (Mal 1.10, cf. “Shall I accept it from your hand?” in v.13). Then in the further verdict: “I will curse your blessings” (Mal 2.2), “I am rebuking your offspring” and “I will spread dung on your faces” (Mal 2.3). Eventually, Mal 2.9 writes, “I will make you despised and abased before all the people.” It serves as the final and ironic response to the malfeasance of the priests as stated at the beginning of this pericope (Mal 1.6 “O priests, despisers of my name”).

The bridge between the two verdicts is the word “curse” (ארר) which not only ends the first verdict with a judgmental (if not furious) tone but also highlights in the further verdict (מארה and ארר x 2 in Mal 2.2) the “ban on the priests, which disables them from their duties, ultimately leading to their disqualification.”<sup>678</sup> While the theme of rejection of the priests’ services is continued, as the qualification to serve is in issue,<sup>679</sup> the tradition of “this commandment” (המצוה הזאת) is introduced into the further verdict (Mal 2.1, 4). It brings out the concept of YHWH’s covenant with Levi (Mal 2.4, 5, 8), leading to the disclosure of the second aspect of the priestly malpractices: Failure in discharging their duties of *torah* teaching.

<sup>677</sup> Verhoef, 220. See also Botterweck, “Ideal und Wirklichkeit der Jerusalemer Priester,” 103f; Reventlow, *Die Propheten Haggai, Sacharja and Maleachi*, 140f; Weyde, *Prophecy and Teaching*, 136-138, 139 fn 125.

<sup>678</sup> Gibson, *Covenant Continuity and Fidelity*, 94.

<sup>679</sup> See the discussion in 3.3.6.2 “Lev 21 Criteria of the acceptable personnel” above.

## 3.3.8.1 Hos 8.11-13

In Hos 8.11-13, in the course of the judgmental oracle against Ephraim, it writes,

“<sup>11</sup> When Ephraim multiplied altars (מזבחת) to expiate sin, they became for him altars (מזבחות) for sinning.

<sup>12</sup> Though I write to him a multitude of my instructions (תורות), they are regarded as strange (thing).

<sup>13</sup> Though they offer sacrifices they love,<sup>680</sup> and eat flesh, YHWH does not accept them (יהוה לא רצם). Now he will remember (יזכר) their iniquity (עונם) and punish their sins...”

Although the word “offering” (מנחה, Mal 1.10, 11, 13; 2.12, 13; 3.3, 4) is lacking in this pericope, its probable linkage with Mal 1.6-2.9 should not be overlooked. The phrase “YHWH does not accept them (יהוה לא רצם)” in Hos 8.13 finds its counterpart in Mal 1.10 “I will not accept an offering from your hand” (מנחה לא ארצה מידכם).<sup>681</sup> The word “altar” (מזבחה, Hos 8.11 x 2) appears in Mal 1.7, 10, and its synonyms are found in Mal 1.7 “table of YHWH” (שֶׁלֶחַן יְהוָה) and Mal 1.12 “table of the Lord” (שֶׁלֶחַן אֲדֹנָי). The word “instruction” (תורה, Hos 8.12) appears intensively in this pericope (Mal 2.6, 7, 8, 9). Another instance is in Mal 3.22, where תורה is linked with the word “remember” (זכר, cf. Hos 8.13). For “iniquity” (עון, Hos 8.13), it is mentioned in Mal 2.6 with regard to the “true instruction” (תורת אמת) entrusted to the priests.

Apart from the aforesaid lexical parallels, thematically, Hos 8.11-13 projects an ironical picture that when(ever) Israel increased the altars for sacrificial practice (in order to expiate sins), in effect these altars increased its sinfulness. YHWH’s refusal to accept the sacrifices, coupled with the

<sup>680</sup> As Wolff points out, “The sequence of consonants הבהבי in *M* is unintelligible.” Andersen and Freedman note that, “The word *hbhby* is a hapax legomenon, and widely suspected of being corrupt.” See Hans W. Wolff, *Hosea: A Commentary on the Book of the Prophet Hosea*, ed. Paul D. Hanson, trans. Gary Stansell, Hermeneia 28, Philadelphia: Fortress Press, 1974, 247; and Francis I. Andersen and David N. Freedman, *Hosea: A new translation with introduction and commentary*, AB 24, Garden City, N.Y.: Doubleday, 1980, 501. Dearman finds that, “One possible reconstruction of the text is to see in the rare word *habhab* either a corruption or a dialectical variant of the word *āhab* (“love”) and to render the first clause: “They love sacrifice, so they sacrifice and eat flesh.”” J.A. Dearman, *The Book of Hosea*, NICOT, Grand Rapids, MI: William B. Eerdmans, 2010, 232. My translation above is made mainly with reference to these three works.

<sup>681</sup> See also Mal 1.13 “Shall I accept it from your hand?” (הארצה אותה מידכם)

emphasis on His *torah* in the sacrificial setting,<sup>682</sup> constitute the common thread connecting Hos 8.11-13 with Mal 1.6-2.9.

By analogy, if it is unacceptable for “Ephraim” to regard the *torah* of YHWH as “strange” (Hos 8.12), the priests in Mal deserve more severe penalty. As the priests were entrusted with the *torah* of YHWH but clearly breached the sacrificial rules (thereby despising the name of YHWH) and corrupted the covenant of Levi, they had no defence at all. The redactors of Mal made use of the prophetic oracle to highlight the culpability of the priests in question. In alignment with the prophet Hosea, the said redactors positioned themselves within the prophetic tradition.

Concerning the direction of influence, scholars vary as to the dating of the book of Hosea, ranging from the pre-exilic era<sup>683</sup> to the late neo-Babylonian period.<sup>684</sup> The proposal of (as late as) early 5<sup>th</sup> century B.C.E. is an

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<sup>682</sup> In this regard, Wolff explains that, “In contrast to עֹלֶה, זֶבַח denotes the sacrifice in which only a part of the animal is burned; but the main distinction lies in the fact that it was eaten in a common meal by the participants in the cult. ...They cannot count on Yahweh’s acceptance of their offerings. With great solemnity, Hosea proclaims Yahweh’s rejection. In language borrowed from the sacrificial system of the priests, Hosea declares their practices to be illegitimate.” Wolff, *Hosea*, 144-145.

<sup>683</sup> For example, Dearman argues for a date no later than the end of the 8th century B.C.E.. Dearman, *The Book of Hosea*, 6-7. See also H. Lalleman-de Winkel, *Jeremiah in Prophetic Tradition: An Examination of the Book of Jeremiah in the Light of Israel’s Prophetic Traditions*, CBET 26, Leuven: Peeters, 2000, 77-80, 86-115.

<sup>684</sup> Andersen and Freedman opine that the book of Hosea was “put in final form during the Babylonian captivity.” Andersen and Freedman, *Hosea*, AB 24, 57. Yee suggests a two-staged redactional process similar to the proposals about the Deuteronomistic History. She contends that the final redactor of the book “has a deuteronomistic orientation” and “is responsible for major structural changes in the tradition.” The three hope messages of the book “summon the people to repent and to be healed” and “the repentance of the people will bring them back from the lands of exile to their own homes.” G.A. Yee, *Composition and Tradition in the Book of Hosea: A Redaction Critical Investigation*, SBLDS 102, Atlanta: Scholars Press, 1987, 90-95, 120-122, 129-130, 309-313. See also J.L. Mays, *Hosea*, OTL, Philadelphia: Westminster Press, 1969, 16-17 (“...the book was created largely in its present form and scope by an editor or group working in Judah in the years after the fall of Samaria.”); Wolff, *Hosea*, xxxii (in particular, Wolff considers that “the date of the sayings in chap. 8 is roughly the same time of the year 733 as in the preceding section.” Wolff, *Hosea*, 137). Many commentators also agree that the composition / redaction of the book was likely completed by the end of the 6<sup>th</sup> century B.C.E.. See, e.g., G.I. Davies, *Hosea: Based on the Revised Standard Version*, NCBC, London: Marshall Pickering, 1992, 36-37; and J.M. Trotter, *Reading Hosea in Achaemenid Yehud*, JSOTSup 328, Sheffield: Sheffield Academic Press, 2001, 38-39. Trotter fairly remarks in fn 72 that, “This does not exclude the possibility of minor additions that are of such a character that they are not obvious to redactional analyses, nor does it exclude the textual variations that undoubtedly arose during the long history of textual transmission.” See also Ina Willi-Plein, *Vorformen der Schriftexegese innerhalb des Alten Testaments: Untersuchungen zum literarischen Werden der auf Amos*,

exception.<sup>685</sup> Accordingly, this issue does not affect the probability that Mal 1.6-2.9 alludes to Hos 8.11-13.

### 3.3.8.2 General tradition of rejection of offerings by YHWH: Jer 14.7-16, Isa 1.10-17 & Amos 5.21-24

#### *Jer 14.7-16*

Jer 14.7-16 is part of the judgment oracle against Jerusalem. It contains the lexical parallels of the “name” (שם) of YHWH (Jer 14.7, 9, 14, 15; cf. Mal 1.6 x 2, 11 x 3, 14; 2.2, 5), “accept” (הרצה, Jer 14.10, 12; cf. Mal 1.8) and “sacrifice” (מנחה, Jer 14.12; cf. Mal 1.10, 11). Upon examination (see the table below, underlines added), it is found that Jer 14.10 is identical with Hos 8.13,<sup>686</sup> and Jer 14.12 is more akin to Mal 1.10 due to the lexical parallels of רצה and מנחה. Having said that, the thematic and contextual dissimilarities between Jer 14.12 and Mal 1.10 are also noticeable. It is doubtful whether the prophets in Jer 14.13-16, who prophesied in the name of YHWH without His command, can be regarded as a counterpart of the priests in Mal 1.6-2.9 as the latter were duly authorized under the “covenant with Levi” (Mal 2.4).

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*Hosea und Micha zurückgehenden Bücher im hebräischen Zwölfprophetenbuch*, BZAW 123, Berlin: de Gruyter, 1971, 245; and Susanne Rudnig-Zelt, *Hoseastudien: Redaktionskritische Untersuchungen zur Genese des Hoseabuches*, FRLANT 213, Göttingen: Vandenhoeck & Ruprecht, 2006, 261-274.

<sup>685</sup> Bos contends that the book was composed in the late 6<sup>th</sup> or early 5<sup>th</sup> century B.C.E., and it was designed to serve the Judahite propaganda. See James M. Bos, *Reconsidering the date and provenance of the book of Hosea: The case for Persian-period Yehud*, LHBOTS 580, New York: Bloomsbury T & T Clark, 2013. It should be remarked that Bos’ argument has been severely criticized. For examples, Sweeney comments that “this is a deeply flawed study” and “closer examination of some of his own arguments for the Persian-period composition of Hosea indicates that they are based on presumption rather than upon demonstrable grounds.” Marvin A. Sweeney’s review of “Bos, James M. Reconsidering the Date and Provenance of the Book of Hosea: The Case for Persian-Period Yehud. Library of Hebrew Bible/Old Testament Studies 580. New York: Bloomsbury T&T Clark, 2013. vii+186. \$110.00 (cloth),” *The Journal of Religion*, 95 (2015): 252-253. Ulrich Steymans Op writes, “Bos neither develops his argument from an interpretation of coherent passages of the biblical text nor quotes from the ancient Near Eastern texts he refers to, but rather relies on secondary literature with hypothetical reconstructions of history.” Hans Ulrich Steymans Op, “Reconsidering the Date and Provenance of the Book of Hosea: The Case for Persian-Period Yehud by by James M. Bos, T&T Clark, Bloomsbury, London, 2013, pp. 186, £60.00, hbk,” *New Blackfriars* 96 (2015): 363-365.

<sup>686</sup> Jack R. Lundbom, *Jeremiah 1–20: A new translation with introduction and commentary*, AB 21A, New York: Doubleday, 1999, 706.

Jer 14.10	<p>“YHWH does not <u>accept</u> them, He will remember their iniquity and punish their sins”</p> <p>יהוה לא <u>רצם</u> עתה יזכר עונם ויפקד הטאתם</p>
Hos 8.13	<p>“YHWH does not <u>accept</u> them, now He will remember their iniquity and punish their sins”</p> <p>יהוה לא <u>רצם</u> עתה יזכר עונם ויפקד הטאותם</p>
Jer 14.12	<p>“although they offer burning offerings and <u>sacrifice</u> I do not <u>accept</u> them”</p> <p>כי יעלו עלה ומנחה אינני <u>רצם</u></p>
Mal 1.10	<p>“I will not <u>accept</u> an <u>offering</u> from your hands”</p> <p><u>מנחה</u> לא <u>ארצה</u> מידכם</p>

Accordingly, instead of asserting any allusion to Jer 14.12, it is more probable that the sentence “I will not accept an offering from your hand” (Mal 1.10, and also the corresponding rhetorical question in v.13 “Shall I accept it from your hand?”) refers to a more general tradition of rejection of offerings<sup>687</sup> by YHWH due to the sins of the people. For examples, in Jer 6.20, which is also part of a judgmental oracle against Jerusalem, the only lexical parallels are limited to “acceptable” (רציון) and “teaching” (תורה). YHWH does not accept their burnt offerings and sacrifices as the people do not pay attention to His words and reject His teaching. This verse has nothing to do with the priestly duties or improper sacrifice. It is an example of the aforesaid general tradition, namely, rejection of offerings by YHWH, and in this case, the reason is the rejection of the words / teaching of YHWH by His people.<sup>688</sup> If it is valid to suggest that Jer was mainly composed between the end of the 7<sup>th</sup> century and the late 6<sup>th</sup> century B.C.E. (subject to the possible subsequent variations in shape and form of the

<sup>687</sup> No matter whether it is “flesh” (בשר, Hos 8.13), “burnt offering” (עלה, Jer 6.20; 14.10), “sacrifice” (זבח, Jer 6.20) or “offering” (מנחה, Jer 14.12; Mal 1.10, 11).

<sup>688</sup> Lundbom notes that “[t]he relative merits of sacrifice and obedience are clearly set forth in 1 Sam 15.22-23”. “Sacrifice vis-à-vis covenant love and the knowledge of God is the issue in Hos 6:6, and sacrifice compared with doing justice the issue in Amos 5:21-24; Mic 6:6-8; and Isa 1:10-17.” Lundbom, *Jeremiah 1-20*, AB 21A, 438.

book),<sup>689</sup> it means that the said general tradition existed before the composition of Mal. It is possible for the redactors of Mal to have considered the same.

*Isa 1.10-17*

The said general tradition with the relevant lexical parallels can also be found in other prophetic books. For example, Isa 1.10-17 is part of the judgment against Judah and Jerusalem (v.1) for the social injustice occurred therein. Whilst a number of lexicons can also be found in Mal 1.6-2.9, say, “teaching” (תורה, Isa 1.10; cf. Mal 2.6, 7, 8, 9), “come” in the sacrificial sense (תבוא, Isa 1.12, cf. Mal 1.13 x 2), “from your hand” (Isa 1.12, cf. Mal 1.9, 10, 13; and also 2.13), “offering” (מנחה, Isa 1.13, cf. Mal 1.10, 11, 13; and also 2.12, 13; 3.3, 4), and “evil” (רע and הרע, Isa 1.16 x 2, cf. רע in Mal 1.8 x 2),<sup>690</sup> the thematic difference is noticeable as this pericope in Isa has nothing to do with any breach of sacrificial rules or priestly duty. The contextual dissimilarity is also obvious, given that YHWH rejected not only the offerings but also all cultic activities such as feasts and prayers, etc. due to the injustice and iniquity in Judah and Jerusalem.

Accordingly, it is considered that Mal does not allude to Isa 1.10-17. Rather, the latter is another example of the general tradition of rejection of offerings by YHWH.

*Amos 5.21-24*

Similarly, Amos 5.21-24 is an oracle against Israel. Thematically, it is akin to the above-mentioned Isa 1.10-17 save and except that this time, the culprit was Israel but not Judah: By virtue of the lack of justice and righteousness in Israel, YHWH rejected all its cultic activities such as feasts, assemblies, songs and offerings, etc.. In particular, the scenes of “the day of YHWH” (v.18-20) are highlighted. Unlike Mal 1.6-2.9, in this pericope of Amos, nothing about improper sacrifice or abrogation of the priestly duty is in issue. Having said that, it is remarkable that the phrase “and your offerings I will not accept” (ומנחתים לא ארצה) in Amos 5.22 is almost identical with “and offering I will not accept” (literal translation of למנחה לא ארצה) in Mal 1.10. The co-appearance of these three words in the same sequence

<sup>689</sup> See e.g. Peter C. Craigie, P.H. Kelley, and J.F. Drinkard, *Jeremiah 1–25*, WBC 26, Nashville: Thomas Nelson, 1991, xl; and R.K. Harrison, *Jeremiah and Lamentations: An Introduction and Commentary*, TOTC 21, Downers Grove: Inter-Varsity Press, 1973, 36.

<sup>690</sup> Beyond Mal 1.6-2.9, see also e.g. “abomination” (תועבה, Isa 1.13; cf. Mal 2.11).

justifies an inference of an intentional allusion (by the redactors of Mal to the said general tradition as appeared in Amos 5.21-24) rather than mere coincidence or inadvertence. If one accepts that, it would be interesting to find that the redactors of Mal took the phrase “and your offerings I will not accept” from Amos 5.22 out of its theme and context and fit it into the statement in Mal 1.10. By highlighting YHWH’s strong resistance to the vile offerings, the accusations against the priests are reinforced.

In terms of the direction of influence, Sweeney considers that the compositional period of Amos ran from “the reigns of the Judean kings Ahaz (735–715 B.C.E.), Hezekiah (715–687/6 B.C.E.), and later Josiah (640–609 B.C.E.) when Judah sought to restore Israel to the rule of the Davidic dynasty”.<sup>691</sup> Hadjiev prefers that there is a “pre-exilic collection” and the judgment oracles in Amos have their “pre-722 BC origin”. “The redactional additions in the book, which can be dated to the time of the exile and aims to reinterpret the prophecies in that particular historical setting, presuppose the existence of an older book in need of reinterpreting.”<sup>692</sup> Carroll R. finds that “[t]he book of Amos is a literary creation that goes back largely to the prophet himself. Except for perhaps the superscription, other material would have been added shortly after the conclusion of his ministry and possibly under his influence.”<sup>693</sup> Upon the premises of these scholarly assessments, the proposal that the redactors of Mal made use of the materials in Amos 5.21-24 as aforesaid is justified.

### *Conclusion*

In comparison with the sinfulness of Ephraim in Hos 8.11-13, the culpability of the priests in Mal is much more significant as they were vested with the

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<sup>691</sup> Sweeney, *The Twelve Prophets*, BO, 195. See also Hans W. Wolff, *Joel and Amos: A Commentary on the Books of the Prophets Joel and Amos*, S.D. McBride Jr. ed, translated by W. Janzen, S.D. McBride Jr., and C.A. Muenchow, Hermeneia, Minneapolis: Fortress Press, 1977, 106-113.

<sup>692</sup> T.S. Hadjiev, *The Composition and Redaction of the Book of Amos*, BZAW 393, Berlin; New York: de Gruyter, 2009, 15, 23, see 12-40 for the analysis from different perspectives.

<sup>693</sup> M.D. Carroll R., *The Book of Amos*, NICOT, Grand Rapids: Eerdmans, 2020, 52. At 38-52, Carroll R. provides his review of the major commentaries on the issue of the compositional history of the book of Amos. See also, e.g. J.A. Soggin, *The Prophet Amos: A translation and commentary*, translated by John Bowden, London: SCM Press, 1987, 16-18; J. Jeremias, *The Book of Amos: A Commentary*, trans. Douglas W. Stott, OTL, Louisville, KY: Westminster John Knox, 1998, 5-9 (Amos 5 was composed before the time of the prophet Jeremiah); and G. Eidevall, *Amos: A new translation with introduction and commentary*, AYB 24G, New Haven: Yale University Press, 2017, 16 (“the actual contents of the book suggest that it is the product of gradual growth (with Jeremias 1998: 7-9)”), 18-20.

sacrificial duties and entrusted with the *torah* of YHWH. In alignment with the prophet Hosea, it is probable that the redactors of Mal considered the “oracle” (Mal 1.1) that they were composing were within the prophetic tradition.

Lundbom notes that, “The words, *lō’ yērāṣeh* (“it is not acceptable”), are said to be an official priestly judgment on offerings presented for sacrifice (von Rad 1962: 261; Reventlow 1963: 163–64). A proper offering is judged acceptable (Lev 1:4; Deut 33:11; 2 Sam 24:23), an improper one unacceptable (Lev 7:18; 19:7; 22:23).”<sup>694</sup> Accordingly, by referring to the aforesaid general tradition of rejection of offerings by YHWH, the redactors of Mal attempted to convey an ironic message: The priests, who were vested with the duty and authority to adjudge whether an animal was acceptable or not for sacrificial purpose, were adjudged by YHWH as unacceptable due to their dereliction of the said duty. Neither themselves nor the animals offered by them at the altar could please YHWH.

### 3.3.9 “a pure offering” (מנחה טהורה) (Mal 1.11)

The word “pure” (טהור) is not used elsewhere in the Hebrew Bible to describe offering.<sup>695</sup> Verhoef opines that, “An offering was pure when an animal conformed to the stipulation of the law (Lev.11; Deut.14.3-19), when the person on whose behalf it was brought was ceremonially clean, and when the circumstances under which an offering was being brought were in agreement with the law.”<sup>696</sup> The root טהר appears in the Hebrew Bible for 207 times.<sup>697</sup> Usually, it is translated as “clean” in describing animals<sup>698</sup> and “pure” in referring to materials and vessels.<sup>699</sup> It is an antonym of “unclean” (טמא).<sup>700</sup> YHWH had commanded the Israelites to know the *torah* about how to make a distinction (בדל, to separate) between the clean and unclean living creatures so that they would only eat the clean ones.<sup>701</sup> The concept

<sup>694</sup> Lundbom, *Jeremiah 1–20*, AB 21A, 706. See also Wolff, *Joel and Amos*, Hermeneia, 263.

<sup>695</sup> Baldwin, *Haggai, Zechariah, Malachi*, 249; Weyde, *Prophecy and Teaching*, 149.

<sup>696</sup> Verhoef, 225, fn 74, cf. F. Nötscher, *Biblische Altertumskunde*, Bonn: Hanstein, 1940, 334-41.

<sup>697</sup> Richard E. Averbeck, *NIDOTTE*, “טָהַר,” 2:332.

<sup>698</sup> E.g. Gen 7.2 x 2; 7.8 x 2; 8.20 x 2; Deut 14.11, 20, etc..

<sup>699</sup> E.g. gold (Exod 25.11, 17, 24, 29, 31, 36, 38, 39; 28.14, 22, 36; 30.3, 35; 37.2, 6, 11, 16, 17, 22, 23, 24, 26; 39.15, 25, 30; Lev 24.4, 6; 1 Chr 28.17; 2 Chr 3.4; 9.17; 13.11); lampstand (Exod 31.8; 37.29); fragrant incense (Exod 30.35; 39.37); a spring or a cistern (Lev 11.36), etc..

<sup>700</sup> E.g. Lev 10.10; Deut 12.15, 22; 15.22; Ezek 22.26; 44.23, etc.. See also Richard E. Averbeck, *NIDOTTE*, “טָהַר,” 2:332.

<sup>701</sup> Lev 11, in particular Lev 11.46-47; Deut 14.11, 20, etc..

of “pure / clean” also points to bodily, religious or ritual purity and therefore, it can be more generally applied to persons<sup>702</sup> and things.<sup>703</sup> More specifically, in relation to the tabernacle (and later, the first temple), the persons,<sup>704</sup> places (and surroundings),<sup>705</sup> vessels<sup>706</sup> and sacrificial animals<sup>707</sup> dedicated to YHWH are expected to conform to the necessary requirements. As to those who served before YHWH, Num 8.5-22 states that YHWH commanded Moses to “cleanse” (Num 8.6 x 3, 15, 21 x 2) the Levites before they started serving at the tabernacle (Num 8.15).<sup>708</sup> They were separated (בדל) from other Israelites and belonged to YHWH (Num 8.14, 16, 18).

Hence, the word טהר (clean / pure) had been applied, *inter alia*, in the ritual and priestly contexts traditionally. Its frequent occurrences in Lev and Num is very much telling.

In the prophetic literature, טהר links with the “sin” (חטא)<sup>709</sup> and “iniquity” (עון)<sup>710</sup> against YHWH: When a nation, a place or a person is rebellious against YHWH, which includes failure in observing His commandment and/or laws and acts of injustice against other persons, etc., it is not “clean” and needs to be “cleansed”.<sup>711</sup> Ezek 22.26 states that the priests of the “house of Israel” (Ezek 22.18) have done violence to *torah* of YHWH (תורתִי “my *torah*”) and they have profaned (Piel of הלל , cf. Mal 1.12a) His holy things as “they have neither distinguished the holy from the profaned nor have they distinguished the unclean from the clean ( בין קדש לחל לא הבדילו ובין הטמא ) (לטהור לא הודיעו)”. It is clearly linked with Lev 10.10-11 in which YHWH demanded Aaron (and his descendants) to distinguish between holy and common, and between the unclean and the clean ( ולהבדיל בין הקדש ובין החל ) (ובין הטמא ובין הטהור). YHWH also demanded Aaron to “teach the sons of

<sup>702</sup> E.g. Gen 35.2; Lev 7.19; 16.30; 17.15; 22.4, 7; Num 9.13; 18.11, 13; 19.9 x 2, 12, 18, 19 x 2; Deut 12.15, 22; Josh 22.17; 1 Sam 20.26 x 2, etc.. On some occasions, it is related to confirmed cases of recovery from (contagious) diseases, e.g. Lev 13.6 x 2, 7, 13 x 2, 17 x 2, 23, 28, 34 x 2, 35, 37 x 2, 39, 40, 41, 58, 59; 14.2, 4 x 2, 7 x 2, 8 x 2, 9, 11 x 2, 14, 17, 18, 19, 20, 23, 25, 28, 29, 31, 32, 48, 53, 57; 2 Kings 5.10, 12, 13, 14, etc.. Other cases include, *inter alia*, cleanness after bodily discharge, e.g. Lev 12.4 x 2, 5, 6, 7, 8; 15.8, 13 x 3, 28 x 2, etc..

<sup>703</sup> E.g. Lev 11.32, 36, 37; 31.23, etc..

<sup>704</sup> E.g. Lev 7.19; Num 8.5-22; Ezra 6.20, etc..

<sup>705</sup> E.g. Lev 4.12; 6.4 (NRSV 6.11); 10.14; Neh 13.9, etc..

<sup>706</sup> E.g. lampstands (Exod 31.8; 39.37); incense (Exod 37.29), etc..

<sup>707</sup> E.g. Lev 14.4; 20.25.

<sup>708</sup> Cf. Ezra 6.20; Neh 13.22.

<sup>709</sup> E.g. Jer 33.8.

<sup>710</sup> E.g. Jer 33.8; Ezek 36.33.

<sup>711</sup> E.g. Jer 33.8; Ezek 22.24; 36.25, 33; 37.23, etc..

Israel all the statutes that YHWH has spoken to them through Moses.” (cf. Mal 2.7; 3.22)

Hence, the connotations carried by the word טהר are not restricted to the “cleanness” and “purity” in relation to the tangible matters (e.g. animals, persons, places, etc.). It also links with the priestly duties to comply with the commandment and laws of YHWH in relation to “clean” and “unclean”, and to teach the Israelites to comply with the same. In the vision in Ezek 44.23, the Levitical priests (the descendants of Zadok (Ezek 44.15)) shall teach the people of YHWH “to distinguish between holy and common, and between unclean and the clean (וְרָאוּ עַמִּי יוֹרוּ בֵּין קֹדֶשׁ לְחָלָל וּבֵין טָמֵא לְטָהוֹר יוֹדְעִים)”. “They shall keep my laws (תּוֹרָתִי) and my statutes (חֻקֹּתַי, cf. Mal 3.22) of all the feasts, ...” (v.25) If we accept that the redactors used טהר in connection with such priestly duties (see below), it is justified to contend that the phrases “in every place” and “among nations” (instead of Jerusalem or Israel) “incense” and “pure offering” are offered to the name of YHWH (Mal 1.11) highlight the malfeasance of the priests (Mal 1.6-2.9) in an ironical manner.

As to the consequence of failure to distinguish between holy and common, and between the unclean and the clean, Lev 10.1-3 states that when the two sons of Aaron, Nadab and Abihu, put incense (קִטְרוֹת) in their fire pans and offered (קָרְבוּ) unholy fire before YHWH, they were “eaten” (תֹּאכַל) by the fire that came out from YHWH.<sup>712</sup> One can find the word “incense” (קִטְרוֹת) in Mal 1.11 and, arguably, the verb used in that verse (מָגִישׁ, “offered”) is a synonym of קָרַב (and indeed, קָרַב appears in Mal 1.8). The improper offering by the priests constitutes the thematic parallel between Lev 10.1-3 and Mal 1.11. The fatal punishment directly imposed by YHWH on Nadab and Abihu finds its analogues in Mal 2.1-9, in particular, that YHWH will send the curse upon those unfaithful priests (Mal 2.2), rebuke their offspring, spread dung on their faces (Mal 2.3) and make them despised and abased before all the people (Mal 2.9). The unholy fire offered by Nadab and Abihu, which attracted the lethal fire coming from YHWH, is arguably a counterpart of the fire kindled by the priests on YHWH’s altar (Mal 1.10).

### *Conclusion*

Accordingly, stemming from the rules in Lev, it had been a tradition that the priests had the duties to (a) distinguish between holy and common, and between the clean and unclean; and (b) teach the Israelites of all the

<sup>712</sup> Cf. Ezek 22.31 writes, “...with the fire of my wrath I have consumed them (כִּלְיֵיהֶם)”.

statutes commanded by YHWH. The priests had to ensure that nothing but only “clean” (טהר) offerings were made in the tabernacle / temple. The abrogation of such a duty attracts severe punishment. The said tradition also appears in the prophetic literature with the emphasis on keeping the commandment, statutes and laws of YHWH. In this regard, the redactors of Mal set out both aspects of the priestly duties in Mal 1.6-2.9. The failures of the priests are brought to the foreground. In alignment with Lev 10.1-3, the punishments that YHWH imposed on the priests can be found in Mal 2.1-9. Having said that, even though there is a strong case of thematic parallel, the lexicons common to both pericopes are very limited. Hence, it is more plausible to contend a possible (i.e. less than probable) case that Mal 1.11 alludes to Lev 10.1-3.

Nevertheless, the use of the tradition in relation to the word “clean” / “pure” (טהר), in particular its connotation of the priestly duties, is more probable than not. It is corroborated by the irony that the priests of YHWH offered blemished animals on His altar, in contrast with the giving of incense<sup>73</sup> and pure offering by the nations and all places (except Israel). The pronouncement of YHWH that “in every place incense is offered to my name, and a pure offering” (Mal 1.11) is placed in between the two clauses of “great is my name among nations”, constituting the central point of Mal 1.6-14 (see my discussion in “Structure & theme” above). It answers the opening questions of “where is my honour?” and “where is my respect?” (Mal 1.6) in an utterly ironic manner – not from His “son” or “servant” but from other nations and places! When the priests have despised the name of YHWH, His name is great among the nations.

If one reads further, an echo can be found in Mal 3.3: The messenger of YHWH shall clean / purify (טהר) the descendants of Levi until they present offerings (מנחה) to YHWH in righteousness.

### 3.3.10 Tradition of “this commandment” (המצוה הזאת) (Mal 2.1, 4a)

Mal 2.1-9 consists of three segments:<sup>74</sup> (1) Mal 2.1-4a is framed by the tradition of “this commandment” (המצוה הזאת); the breach of “this commandment” justifies the “curse” from YHWH (v.2 x 3), pointing to the severity of the breach of YHWH’s covenant with Levi by the priests; (2) Mal 2.4b-8, which is framed by the concept of YHWH’s covenant with Levi (vv.4b, 5, 8), reveals the priestly malfeasance in teaching of *torah* (תורה) v.6,

<sup>73</sup> Cf. Exod 30.35; 37.29.

<sup>74</sup> Cf. Schart, *Malachi*, 55; *Malachi*, 52.

7, 8; see also v.9); (3) Mal 2.9, which concludes the further verdict with an ironical judgment (“I will make you despised (נבוזים)”, in response to Mal 1.6 “O priests, despisers of my name (בוזי שמי)”), serves as the proper ending of this pericope.

### 3.3.10.1 Deut 6.20-25 & 11.18-22, 26-28

“This commandment” appears in Mal 2.1 and 2.4a in the exact form. As observed by Gibson, this phrase has “[s]trong Deuteronomistic overtones and covenantal connotations”.<sup>715</sup> Remarkably, apart from the two occurrences in Mal, its remaining appearances in the Hebrew Bible are all in the book of Deuteronomy (Deut 6.25; 11.22; 15.5; 19.9; 30.11).<sup>716</sup> Deut 6.20-25 explains what are the decrees and “the statutes and the ordinances that YHWH our God commanded you” (Deut 6.20).<sup>717</sup> Its immediate context is, first, Deut 5.1-21 in which the covenant made between YHWH and Israelites at Horeb was reiterated and renewed (Deut 5.3) together with the restatement of the Decalogue. Following the “*Shema*” in Deut 6.4-5 (which is plainly deuteronomistic),<sup>718</sup> the exodus event was retold (Deut 6.21-23). Then Deut 6.24 explains that YHWH commanded the Israelites to observe “all these statutes” for their lasting good and for keeping them alive. Deut 6.25 then writes, “It will be the righteousness to us if we keep observing the entirety of this commandment (וצדקה תהיה לנו כי נשמר לעשות את כל המצוה הזאת) before YHWH our God as He has commanded.”<sup>719</sup> Hence, in Deut 6.25, “this commandment” should be understood in the covenantal context and it refers to “the decrees and the statutes and ordinances” (העדת וההקים) in Deut 6.20, which is closely connected with “the commandment the statutes and the ordinances” (זאת המצוה וההקים) in Deut 6.1 and “the statutes and ordinances” (את החקים ואת המשפטים) in Deut 5.1.<sup>720</sup>

Thereafter, Deut 10.12 is akin to the “*Shema*” (Deut 6.4-5), followed by Deut 10.13 (“and to observe the commandment of YHWH and His statutes... for

<sup>715</sup> Gibson, *Covenant Continuity and Fidelity*, 92. Lear considers this phrase as “distinctive of Deuteronomy”. Lear, *Scribal Composition*, 157. See also Weinfeld, *Deuteronomy and the Deuteronomistic School*, 338.

<sup>716</sup> Lear, *Scribal Composition*, 157.

<sup>717</sup> Deut 6.20 “ההקים והמשפטים אשר צוה יהוה אלהינו אתכם”, cf. “the statutes and ordinances that I commanded him [Moses] at Horeb for all Israel (צויתי אותו בחרב על כל ישראל חקים ומשפטים)” in Mal 3.22.

<sup>718</sup> Weinfeld, *Deuteronomy and the Deuteronomistic School*, 334.

<sup>719</sup> Again, Weinfeld categorizes it as a Deuteronomistic phraseology. Weinfeld, *Deuteronomy and the Deuteronomistic School*, 336.

<sup>720</sup> Cf. “statutes and ordinances” (חקים ומשפטים) in Mal 3.22.

your good”)<sup>721</sup> which resembles the aforesaid Deut 6.25. Then Deut 11.22 is a promise from YHWH that if the Israelites “carefully observe the entirety of this commandment (שמר תשמרון את כל המצוה הזאת)” that YHWH has commanded them, YHWH shall drive out all other nations before them. As the expression is similar to that in Deut 6.25, it is justified to infer that “this commandment” bears the same meaning here.

More importantly, following the said promise, Deut 11.26-28 set out the “blessing and cursing” provisions. In particular,

- (a) Deut 11.28 states that “and the curse (קללה) if you do not listen (אם לא תשמעו) to the commandment (אל מצות) of YHWH your God but turn aside from the way (וסרתם מן הדרך) that I am commanding...” One can find the exact phrase “if you do not listen (אם לא תשמעו)” together with the thematically parallel expression of the result “I will send the curse (המארה) on you and I will curse (ארותי) your blessings” in Mal 2.2 (following the use of “this commandment” in Mal 2.1).<sup>722</sup>
- (b) For the phrase “turn aside from the way (וסרתם מן הדרך)” in the aforesaid v.28, Mal 2.8 states that “But you, you have turned aside from the way (סרתם מן הדרך) ...”
- (c) For the phrase “if you do not take (it) to your heart” (ואם לא תשימו על לב) in Mal 2.2, a positive commandment can be found in Deut 10.18, “You shall put (ישמתם) these words to your heart (על לבבכם) and soul”, which in turn is akin to Deut 6.5-6 “and you shall love YHWH your God with all your heart (בכל לבבך) ... and these words that I am commanding you today shall be in your heart (על לבבך).” It is also remarkable that Deut 10.19-20 is almost a replicate of Deut 6.7-9, which is right after the “*Shema*”. The teaching of the commandments of YHWH shall be carried out from generation to generation and become part of the daily lives of the Israelites.

### Conclusion

Whilst we are still in the course of proving that the redactors of Mal intentionally made use of the phrase “this commandment” (המצוה הזאת), which is a traditional expression with strong Deuteronomistic overtones

<sup>721</sup> Weinfeld, *Deuteronomy and the Deuteronomistic School*, 337.

<sup>722</sup> Having said that, the differences between קללה and מארה (and the verbs קלל and ארר) are noted. See Herbert C. Brichto, *The Problem of the “Curse” in the Hebrew Bible*, JBL Monograph Series 13, Philadelphia: SBL, 1963, 77-177.

and connotations of covenant and *torah*, at this juncture, we can justifiably suggest that Mal 2.1-2 (and probably v.8a also) alludes to Deut 11.18-22, 26-28.<sup>723</sup>

That sheds light on the reading of Mal 2.1-2: By alluding to the aforesaid verses in Deut 11, the redactors of Mal not only emphasized on the significance of observance of “this commandment” of YHWH in its entirety (and the serious consequences of failure to do so) but also directed the readers / audience to the “*Shema*” – the whole Israel should love YHWH whole-heartedly and by all means. “This commandment” does not only concern the priestly rules on sacrificial matters but also the underlying attitude of the whole community. In the context of Mal 1.6-2.9, there is no doubt that the priests were blameworthy. Nevertheless, the people who tender blemished animals to the priests for sacrifices are also culpable. Having said that, the finger is certainly pointing to the priests first as they have specific covenant with YHWH (Mal 2.5), “And now *this commandment* is for you, O priests.” (italics added) It is depicted in Deut that according to the restatement of Moses, those who do not listen (שמע) to or take the words of YHWH to their heart will have to face the curse from Him.

### 3.3.10.2 Deut 15.4-6

Following that, “this commandment” appears in Deut 15.4-5 in the context of “sabbatical year”. Similar to Deut 6.25 and 11.22, it writes, *inter alia*, that if the Israelites “carefully observe the entirety of this commandment” (לשמר) (לעשות את כל המצוה הזאת) that YHWH has commanded, they shall be blessed by YHWH. Thematically, Deut 15.4-5 has nothing to do with the priestly duties or sacrifices. The mere occurrence of the word “bless” (ברך, Deut 15.4, 6) in the proximity of this Deuteronomistic phrase of “this commandment” (המצוה הזאת)<sup>724</sup> is not adequate to constitute any concrete link with Mal 2.2. Yet, the mention of other nations is common to Deut 15.6 and Mal 1.11: Deut 15.6 writes that when YHWH has blessed the Israelites (as they have carefully observed “this commandment”), they will lend to (and not borrow from) many nations and they will rule over many nations (בגויים רבים). In comparison, Mal 1.11 states twice that YHWH’s name is great “among the nations” (בגויים) as incense and pure offering are offered to His name in every place. Given that the common vocabularies are scattered in Mal, it is

<sup>723</sup> Cf. Lear, *Scribal Composition*, 157-158

<sup>724</sup> Weinfeld, *Deuteronomy and the Deuteronomistic School*, 338.

insufficient to establish any concrete allusion. Having said that, it is likely for the redactors of Mal to highlight the implication of blessings due to careful observance of “this commandment”, in contrast with the neglect of the same by the priests which results in their blessings be cursed (Mal 2.2).

### 3.3.10.3 Deut 19.9 & 30.11, 16

The remaining two places where “this commandment” appears are Deut 19.9 and 30.11. The former is, again, in the form of “if you carefully observe the entirety of this commandment” (cf. Deut 6.25; 11.22; 15.5 above) but its context (Deut 19.1-13 “the cities of refuge”) is irrelevant to Mal 1.6-2.9. For Deut 30.11, it is emphasized that “this commandment” is commanded by YHWH “today”, which is not too hard for observance. Then v.16 states that if the Israelites observe “[YHWH’s] commandments, statutes and ordinances” (מצותיו והקתיו ומשפטיו), YHWH will bless (ברך) them in the land that they are entering to possess. In alignment with our understanding above (Deut 5.1; 6.1, 20, 25), “this commandment” refers to the “decrees”, “statutes and ordinances” as commanded by YHWH in relation to the different aspects of the Israelites’ lives. The causal connection between observance of “this commandment” and blessings (and non-observance and curses) is reaffirmed, in particular when Deut 30.11 is read in the context of the blessing and cursing provisions in Deut 30.1-10.

Pause here, it is established that “this commandment” is a traditional Deuteronomic phrase which refers to, *inter alia*, the “decrees”, “statutes and ordinances” as commanded by YHWH for His people’s daily practices. Against the background of the covenantal relationship, “this commandment” has the connotation of the divine requirement: His people have to observe “this commandment” diligently and if they do so, YHWH has promised to bless them. Nevertheless, if they choose the otherwise, curses are surely expected.

This study suggests that the said connotation of “this commandment”, i.e. the divine requirement with the consequential blessings and curses, are emphasized in Mal 2.1-9. In other words, “this commandment” in Mal 2.1, 4 should not be understood in its general sense (as equivalent to the “decrees”, “statutes and ordinances” of YHWH) but in the specific sense of the divine requirement in the context of the covenantal relationship between YHWH and (the descendants of, Mal 2.3) Levi. Such an interpretation is in conformity with the consequential curses and verdict from YHWH, “And now this commandment is for you, O priests. If you do

not listen, ...then I will send the curse upon you ...” (Mal 2.1-2); “... You have corrupted the covenant of Levi, ...So indeed, I will make you despised, ....” (Mal 2.8-9).

Petersen rightly observes that one cannot tell what “this commandment” in Mal 2.1 means without taking into account Mal 2.4, “which relates that phrase to the covenant of Levi.”<sup>725</sup> Mal 2.4 indicates that the sending of “this commandment” by YHWH (in the past) is purposive – for the purpose of (להיות “so that”) continuance of YHWH’s covenant with Levi. Hence, “this commandment” and the covenant with Levi are correlated but distinct matters. It is therefore unsound for Verhoef to suggest that “[this commandment]” for the priests is *synonymous* with his covenant with Levi, his institution of the priestly office.” (italics added) Having said that, Verhoef correctly observes that “[t]he very essence of “this command” [v.1] is the duty and the privilege of the priests to honor the name of the Lord (v.2)” and “[t]he demonstrative pronoun *hazz’ōt*, “this,” [v.1] emphasizes the specific application of the “command” to the priests”.<sup>726</sup>

Gibson notices that the verb “send” is used in relation to “the curse” in Mal 2.2 and “this commandment” in Mal 2.4. He therefore suggests that they are closely connected: “The priest were entrusted with teaching YHWH’s מצוה to the people of Israel, yet now because they have not obeyed those very מצוה they will receive from YHWH a new מצוה – a word of punishment.”<sup>727</sup> Gibson may have borrowed this idea from Weyde.<sup>728</sup> If so, then one must take notice that all along, it seems that Weyde (and Gibson also) only put the focus on the term מצוה rather than the remarkable phrase המצוה הזאת which, as mentioned above, only appear in Deuteronomy and

<sup>725</sup> Petersen, *Zechariah 9-14 and Malachi*, 187. Having said that, one must be cautious in reading the following words of Petersen, “Such a reference to covenant not only helps contextualize the “command,” since in that context a command signifies one of the covenant stipulations but also helps us understand the imagery and logic of Mal. 2:2-3.” If it means that “this commandment” is equivalent to the “covenant of / with Levi”, this study respectfully differs (see below).

<sup>726</sup> Verhoef, 238. See also C.F. Keil and F. Delitzsch, *Commentary on the Old Testament*, Accordance electronic ed., Peabody: Hendrickson Publishers, 1996, paragraph 31470, who consider that “*Mitsvâh* is rather to be explained from *tsivvâh* in Nah. 1:14. The term command is applied to that which the Lord has resolved to bring upon a person, inasmuch as the execution or accomplishment is effected by earthly instruments by virtue of a divine command.”

<sup>727</sup> Gibson, *Covenant Continuity and Fidelity*, 93.

<sup>728</sup> Weyde contends that the said passage means “if the priests do not listen to the commandments given earlier (i.e., those in the legal traditions), YHWH will send a new command, *against* them, that is, a word of punishment.” Weyde, *Prophecy and Teaching*, 171.

Mal. The significance of this point is clearly undermined. Instead, Weyde considers that the meaning of the noun מְצוּת “has actually been prepared for in some earlier prophetic traditions where the *verb* צוה refers to judgments which YHWH “commands”.”<sup>729</sup> It is not clear on what basis he can establish a correlation between these two terms, in particular in the context of Mal 2. Such an argument goes too far.

Besides, whilst it is agreeable that the failure to observe “this commandment” (Mal 2.1) by the priests has a causal link with YHWH’s curses against them (Mal 2.2), Gibson’s understanding of the said phrase should not be lightly adopted. It appears that he considers “this commandment” for the priests in Mal 2.1, 4 as YHWH’s “word of punishment”,<sup>730</sup> which in effect is equivalent to the curse in vv.2-3 (and perhaps including v.9?). If that is what he means, “this commandment” (being the word of curse which had been actualized, “And indeed I have cursed it” (v.2)) would have no direct relationship with the substance of the “covenant with Levi”. It only serves as a warning (or penalty) for the purpose of maintaining the “covenant of Levi”. Such an interpretation undermines the traditional connotations of the phrase “this commandment” in terms of the divine requirement and covenantal relationship (see above).

This study considers that the explanation of Hill is more tenable. Hill disagrees with the suggestion of Glazier-McDonald that “this commandment” embraces both “command and sentence, decision of

<sup>729</sup> Weyde, *Prophecy and Teaching*, 171, citing Isa 5.6; Jer 34.22; Amos 6.11, etc. as examples.

<sup>730</sup> Further or alternatively, “a ‘judgment’ for not keeping the ‘command’ associated with their office”. Gibson, *Covenant Continuity and Fidelity*, 93. Gibson relies on the conjunctive sentences’ (cf. Isa. 5.5; 16.14; 47.8; Jer. 8.11; 26.13; 27.6; 42.15, 22; 44.7; Hos. 2.12[10]; 5.7; 8.8, 13; Amos 6.7; 7.16; Nah. 1.13; Zech 8.11).” (at p.93, fn 60) It is questionable whether, in the context of Mal 2.1, the word ועתה has the connotation of judgment. Rather, it is more certain that ועתה is a literary device that introduces an (immediate) outcome or change of setting. Petersen considers that ועתה “indicates that Mal. 2:1 marks a discrete stage in the interchange.” Petersen, *Zechariah 9-14 and Malachi*, 187. Weinfeld finds that “in the oration it generally indicates a turning-point, such as the transition from the parable to the moral lesson that is to be drawn from it.” Weinfeld, *Deuteronomy and the Deuteronomistic School*, 175. In commenting on Ps 20.7-9, Keil and Delitzsch observes that, “With ועתה or ועתה, the usual word to indicate the turning-point, the instantaneous entrance of the result of some previous process of prolonged duration, whether hidden or manifest (e.g., 1 Kings 17:24, Isa. 29:22), is introduced.” Keil and Delitzsch, *Commentary on the Old Testament*, paragraph 13556.

judgment”.<sup>731</sup> He finds that, “The essence of “this commandment” is summarized in “observing” the word of Yahweh, “keeping” his covenant, “teaching” Jacob God’s law, and “offering” sacrifices upon Yahweh’s altar (Deut. 33:9-10). It is the standard by which Malachi indicts and judges the priests.” In other words, “this commandment” is identified with “the contents and maintenance of the covenant of Levi mentioned in 2:4”. It refers to “the command of the priestly office as a divinely ordained institution”.<sup>732</sup>

Hence, instead of treating “this commandment” as the curse itself, this study considers that it refers to the command of the priestly office (as suggested by Hill) which, in the context of Mal 1.6-2.9, concerns the priestly duties to offer proper sacrifices and to teach the Israelites the *torah* of YHWH (cf. Mal 3.22).

### Conclusion

In sum, after the accusations against the priests (for their dereliction of duties and therefore, despising the name of YHWH) and the first verdict (Mal 1.10-14), the tradition of “this commandment” is invoked and the priests are spotlighted in the further verdict (Mal 2.1-9, see “Structure & theme” above).<sup>733</sup> Together with the allusion to Deut 11.18-22, 26-28 (Mal 2.2), the redactors of Mal laid a solid foundation to justify the preceding accusations as well as the forthcoming judgment.

### 3.3.11 “if not” and “listen”, “take” to “heart” (Mal 2.2)

#### 3.3.11.1 Lev 26.14-15

We have discussed the probable allusion to Deut 11.18-22, 26-28 in Mal 2.2, in particular the phrase “if you do not listen” and “if you do not take (it) to your heart” in relation to the commandment of YHWH (see above).

Apart from that, Mal 2.2 is strikingly similar to Lev 26.14-15 in that:

- (a) the form parallel of “if not” (אִם לֹא) exists in both passages;

<sup>731</sup> Glazier-McDonald, *Malachi*, 64-65, citing A. von Bulmerincq, *Der Prophet Maleachi, Band II: Kommentar zum Buche des Propheten Maleachi*, Tartu: Krüger, 1932, 173.

<sup>732</sup> Hill, *Malachi*, AB 25D, 197 (see also 205).

<sup>733</sup> It is an interesting contrast when one compares Deut 4.1 “And now (וְעַתָּה), Israel, listen (שִׁמְעוּ) to the statutes and to the ordinances that I am teaching you...” with Mal 2.1-2 “And now (וְעַתָּה) this commandment is for you, O priests, if you do not listen (תִּשְׁמְעוּ) ...”.

- (b) the lexical parallel of the rhyming words of תשמעו (to listen) and תשימו (to place / take) in Mal 2.2 find their counterparts תשמעו (to listen) and תעשו (to do) in Lev 26.14; and
- (c) there is the contextual parallel of breaching “this commandment” (המצוה הזאת (Mal 2.1)) and the covenant of Levi (Mal 2.4, 5, 8)) by the priests in Mal vis-à-vis breaching “all these commandments” (כל (המצוות האלה) and “all my commandments” (כל מצותי) and “my covenant” (בריתי) by the Israelites in Lev 26.14-15.

In the following table, italics are added to the English translations to highlight the lexical parallels:

Lev 26.14-15	Mal 2.1-2a
<p style="text-align: center;">ואם־לא תשמעו לי</p> <p style="text-align: center;"><i>And if you do not listen to me,</i></p> <p style="text-align: center;">ולא תעשו את כל־המצוות האלה:</p> <p style="text-align: center;"><i>and if you do not do all these commandments.</i></p> <p style="text-align: center;">ואם־בְּחַקְתִּי תִמְאָסוּ וְאם אֶת־מִשְׁפָּטֵי תִגְעַל נַפְשְׁכֶם</p> <p style="text-align: center;"><i>And if you spurn my statutes, and if your soul abhors my ordinances,</i></p> <p style="text-align: center;">לְבַלְתִּי עֲשׂוֹת אֶת־כָּל־מִצְוֹתַי לְהַפְרֹכֶם אֶת־בְּרִיתִי:</p> <p style="text-align: center;"><i>so that you do not carry out all my commandments but break my covenant.</i></p>	<p style="text-align: center;">וְעַתָּה אֵלֵיכֶם הַמִּצְוָה הַזֹּאת הַפְהִינִים:</p> <p style="text-align: center;"><i>And now this commandment is for you, O priests.</i></p> <p style="text-align: center;">ואם־לא תשמעו</p> <p style="text-align: center;"><i>If you do not listen,</i></p> <p style="text-align: center;">ואם־לא תשימו על־לב לְתַת כְּבוֹד לַשְּׁמִי</p> <p style="text-align: center;"><i>and if you do not take (it) to your heart to give honour to my name,</i></p>

Lev 26.14-15 is part of the discourse (starting from Lev 25.1) given by YHWH to Moses on Mt. Sinai. After pronouncing the rules on the sabbatical year and the year of Jubilee, etc., Lev 26.3ff set out the respective consequences of observance and disregard of those commandments (מצוה): The Israelites shall live peacefully and prosperously in the promised land if they follow the ordinances and keep the commandments of YHWH (Lev 26.3-13; the exodus and the covenantal relationship were restated in vv.12-13);<sup>734</sup> and to the contrary, they shall face a series of adverse consequences if they do not listen to YHWH (אם לא תשמעו לי “if you do not listen to me” (v.14)) and breach His statutes, ordinances, commandments and covenant (Lev 26.14-45). The nearly identical phrases of “if you do not listen” in both texts put the form parallel to the foreground.<sup>735</sup> The word “heart” (לב) in Mal 2.2 is, arguably, comparable with “soul” (נפשכם, “your soul”) in Lev 26.15. Together with the thematic parallel in relation to the consequential divine curse and the contextual parallel of (breaching) YHWH’s “commandment(s)” and “covenant”, it is highly probable that Mal 2.2 alludes to Lev 26.14-15.<sup>736</sup>

### *Conclusion*

In sum, the priests, who should have listened to “this commandment” (see the use of הַכְהֵנִים in Mal 2.1), are those who are accused as the “despiser” of YHWH’s name (remarkably, הַכְהֵנִים is also used in Mal 1.6). In the “blessing and cursing” provisions in Deut 11.26-28 (which is alluded to in Mal 2.2, see above), the respective consequences of obedience and disobedience of the commandments that YHWH commanded the Israelites through Moses on Mt. Sinai (cf. Mal 3.22) are set out. Similarly, following Lev 26.14-15, the adverse consequences for breaching YHWH’s statutes (חֻקָּה), ordinances (מִשְׁפָּט) and commandments (מִצְוָה) are listed out. By alluding to this pericope of Leviticus, Mal resorts to the traditions of “if you do not listen” and breach of YHWH’s commandment, and points the finger specifically to the priests. The adverse consequences are expressed as “curse” in Mal 2.2-3.

<sup>734</sup> Lev 26.12 is almost identical with Exod 20.2; for Lev 26.13, cf. Exod 6.7; 29.45.

<sup>735</sup> In fact, it is arguable that the phrase “if you do not listen” in the context of YHWH’s commandments is a form which bears the connotation of adverse consequences (divine curse) in the event of disobeying the words of YHWH (see below).

<sup>736</sup> From a broader perspective, the mentioning of YHWH’s “statutes” and “ordinances” (Lev 26.15) and the promulgation of the same through Moses on Mt. Sinai (Lev 25.1) provide further connection between this pericope of Lev and Mal 3.22.

## 3.3.11.2 Deut 28.15f

Deut 28 belongs to the tradition of “blessings and curses”, i.e. the interaction between listening / not listening to the words of YHWH and the consequential divine blessings / curses.<sup>737</sup> The cursing part begins from Deut 28.15, which is stated as the words of Moses (Deut 27.10ff), “But if you do not listen (והיה אם לא תשמע)<sup>738</sup> to the voice of YHWH your God by carefully observing his commandments and his statutes (מצותיו והקתיו) that I am commanding you today, ...” Unlike Lev 26.14 in which the phrase of “if not + listen” has the nearly identical wordings and pattern as that of Mal 2.2 (as discussed above), apparently, Deut 28.15 (in isolation) is a less competitive candidate for the purpose of inner-biblical reference. Nevertheless, one should not overlook the only two occurrences of the form את המארה (“the curse”), which exactly appears in Deut 28.20 and Mal 2.2. Besides, Deut 28.20 states that “YHWH will send against you the curse” (ישלח יהוה בך את המארה), which is lexically and syntactically parallel to the phrase “I will send the curse upon you” (שלחתי בכם את המארה) in Mal 2.2.<sup>739</sup>

If one also takes into account the lexical parallel of “commandments” and “statutes” as well as the thematic parallel of the ramifications for not listening to YHWH and breaching His commandments, the probability that Deut 28.15f has influence on Mal 2.2f is further enhanced.

One may also notice that the word המגערת (“the threat / frustration”)<sup>740</sup> in Deut 28.20 has the same root גער as the word גער (“rebuke”) in Mal 2.3. Then in Deut 28.46, it is written that the curses shall be “with you (בך, cf. בכם in Mal 2.2)” and “with your offspring” (בזרעך, see also v.59, cf. את הזרע in Mal 2.3). In Deut 28.58, the words “fear” (ירא) and “name” (שם) are mentioned (cf. they also appear in Mal 1.14; 2.5). Having said that, in between Deut 28.20 and 28.46, and in between 28.46 and 28.58, there are long passages portraying different aspects of the curses. The overall picture is a collapsing kingdom, which is not directly relevant to the problems of the priests in Mal. The sporadic appearances of lexical parallels indicate a very selective manner in choosing references from Deut 28. Hence, at this

<sup>737</sup> Cf. Deut 11.26-28; Lev 26.14-15 and Mal 2.2f as discussed above.

<sup>738</sup> Here, the word “listen (תשמע)” is in singular, cf. Deut 11.28; Lev 26.14 and Mal 2.2 are in plural.

<sup>739</sup> Gibson places emphasis on the “rarity of the word מארה”, which, apart from Mal 2.2, only appears in Deut 28.20, Pro 3.33 and 28.27 in the Hebrew Bible (actually Mal 3.9 should also be included). The definiteness of it (ה) draws Deut 28.20 and Mal 2.2 closer. Gibson, *Covenant Continuity and Fidelity*, 91. See also Hill, *Malachi*, AB 25D, 198-199.

<sup>740</sup> HALOT, s.v. “מגערת,” 2:546.

stage, it is considered that any suggestion of probable allusion should be restricted to Deut 28.15-20.<sup>741</sup>

Against the background of “blessings and curses” tradition, the allusion to this passage in Deut 28, which contains the “if you do not listen” tradition, is meaningful. It justifies the curse against the priests and their descendants in Mal 2.2-3. As observed by Weyde and Jacobs,<sup>742</sup> the curses on “you and your descendants (זרעך)” in Deut 28.46, 59 refer to the addressees and their descendants. “The effect of the curses is thus extended to the offspring of those who disobey YHWH.” “Mai 2:3α actualizes this tradition and applies it in an announcement of punishment against the priests.”<sup>743</sup> Furthermore, Deut 28 directs the readers to recall the covenant between YHWH and the Israelites (in general), which, arguably, paves the way for the following allegations in respect of the “covenant with / of Levi” in Mal 2.4-8.

### 3.3.11.3 1 Sam 12

1 Sam 12 is the discourse of Samuel to all Israel (v.1, cf. Mal 1.1; 3.22). He asked the Israelites to stand still (v.7, 16) and follow YHWH by reciting Israel’s history of apostasy. It begins from the event of exodus (1 Sam 12.6ff) in which Moses and Aaron (the priest) are mentioned. The incident that the Israelites demanded for a king to reign over them is narrated in v.12, in which Samuel expressed his discontent, “though YHWH your God was your king” (cf. Mal 1.14). Then in v.14 Samuel told them, “If you fear [ירא, cf. Mal 1.14; 2.5; 3.5; and מורה in Mal 1.6; 2.5] YHWH and serve [עבד, cf. “servant” in Mal 1.6] Him and listen [שמע, cf. Mal 2.2] to His voice”, etc., they will be well,<sup>744</sup> “but if you do not listen to the voice of YHWH [ואם לא תשמעו בקול יהוה]”<sup>745</sup> and rebel against the mouth [commandment] of YHWH, then the hand of YHWH will be against you and your king.”(v.15) It is more than obvious that the phrase “if you do not listen” finds its exact parallel in Mal 2.2. The conjunctive ועתה is used in 1 Sam 12.7, 10 (and גם עתה in v.16) to

<sup>741</sup> Cf. Weyde, *Prophecy and Teaching*, 162.

<sup>742</sup> Weyde, *Prophecy and Teaching*, 163; Jacobs, *The books of Haggai and Malachi*, 214-215.

<sup>743</sup> Weyde, *Prophecy and Teaching*, 163.

<sup>744</sup> In fact, the words “You / all will be well” or words of similar effect do not appear in the Hebrew text. It is the inferential meaning in view of the contrasting phrase followed (“but if you do not listen to the voice of YHWH...”). The addition of such words in the English translations can be found in, e.g. NRSV, ESVS, NET Bible, etc..

<sup>745</sup> This phrase is almost identical with its counterpart in Deut 28.15, except that שמע is in singular there.

address the Israelites as a whole, cf. the ועתה addressing the priests in Mal 2.1. Both texts share the common theme of the consequences of listening / not listening to YHWH.

Other lexical parallels between 1 Sam 12 and Mal include: The people describe their demand for a king as “evil” (רעה in v.19) and Samuel says that they have done “all this evil” (כל הרעה הזאת v.20), cf. the two rhetorical questions in Mal 1.8 which interrogate if the offering of the blemished animals is an “evil” (רע). The common ground of this “evil” is that the kingship of YHWH is ignored. Then Samuel tells the people not to “turn aside” (סור) from following YHWH (1 Sam 12.21) and he (as the priest) will instruct the people in the good and right “way” (דרך, v.23), cf. in Mal 2.8, the priests have “turned aside” (סור) from the way (דרך) of YHWH (see also Deut 11.28 above). Also, Samuel asked the Israelites to serve (עבד, cf. Mal 1.6) YHWH with all their heart (בכל לבבכם v.24, cf. בכל לבבך in Deut 6.5 (“*Shema*”); לב in Mal 2.2). Together with the “if not” phrase and the thematic parallel mentioned above, it is more probable than not that these lexical parallels (“fear”, “servant”, “evil”, “turn aside”, “way” and “heart”) are intentional rather than mere use of conventional (Deuteronomistic) terminologies.

The context of this pericope of 1 Sam 12 is remarkable as it is the discourse of the priest of Israel who warned the people to fear and serve YHWH.<sup>746</sup> The use of the “if you do not listen” tradition and the reminder to serve YHWH “faithfully and with all your heart” connect this passage with the aforesaid pericopes in Lev 26 and Deut 28 (and probably Deut 6.4 as well). In this regard, Samuel is portrayed as a model priest, following the steps of Moses and Aaron. As a sharp contrast to Samuel, the priests in Mal had “turned aside from the way” and “caused many to stumble in the *torah*.” (Mal 2.8)

Taking the aforesaid analysis as a whole, it is found that albeit the common phrase “if you do not listen” and the lexical and contextual parallels mentioned above, as these traditional elements are scattered over 1 Sam 12 and the whole pericope of Mal 1.6-2.9, it is difficult to pinpoint any specific inner-biblical reference. Instead, it is more likely that those traditional phrase and terms were selected and positioned in Mal as the redactors deemed fit.

<sup>746</sup> “The Hebrew Bible portrays Samuel in a variety of roles: priest, prophet, judge, and “seer.” G.W. Ramsey, “SAMUEL (PERSON),” *ABD* 5:954.

It is generally accepted that 1 Sam and 2 Sam were compiled before Mal (see the discussion above), which is sufficient for the purpose of ascertaining the direction of influence.

### 3.3.11.4 Jer 26.4-9

Jer 26.4-6 writes, “If you do not listen (אם לא תשמעו) to me, to walk in my *torah* (בתורה) that I set before you, to listen to the words of my servants [in plural, cf. Mal 3.22 in singular] the prophets whom I sent to you urgently [cf. Mal 3.1] – and you did not listen, then I will make this house as Shiloh, and I will make this city a curse [קללה, cf. מארה in Mal 2.2] for all the nations of the earth.” This speech concerns the consequences of disobeying the words (given through the prophets) and *torah* of YHWH, which is contextually parallel to Mal 2.2. What is remarkable is that the house of YHWH is also a subject of punishment. The exact phrase “If you do not listen” is no doubt conspicuous but apart from that, the word “*torah*” (cf. Mal 2.6, 7, 8, 9) is the only obvious lexical parallel.

As to the literary context of this text, Jeremiah, as a prophet who came from a priestly family (Jer 1.1), stood in the court of YHWH’s house (Jer 26.2) and demanded the people (including the priests and the prophets (v.7)) to obey the *torah* of YHWH. After hearing that, all these people intended to kill him (v.7-9). One may wonder if Mal is alluding to or echoing the said situation. As depicted by the text of Mal, the priests (and the people) neither observe the *torah* of YHWH nor keep His way. In particular, the priests neglect their duty to demand the people to comply with the *torah* (Mal 2.6-8).<sup>747</sup> One may wonder if “Malachi” has to encounter with the priests and the people (just like what Jeremiah did). In this regard, we have to accept that there is insufficient evidence to prove the same.

Accordingly, we cannot establish any direct relationship between Jer 26.4-9 and Mal 2.1-9. Instead, Jer 26.4-9 should be considered as part of the tradition of “If you do not listen” in relation to the words of YHWH.

### Conclusion

From the analysis above, it can be established that “if you do not listen” is a traditional form bearing the connotation of the adverse consequences of

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<sup>747</sup> Arguably, that explains why it is necessary for the people to “remember” the *torah* of Moses (Mal 3.22).

disobeying the words of YHWH.<sup>748</sup> For those texts that contain the said form (e.g. Lev 26.14; Deut 11.28; 28.15; 1 Sam 12.15), more often than not, they also share some common terms like “commandment” (Lev 26.14, 15; Deut 11.27, 28; 28.15), “blessing” (Deut 11.27; 28.2, 3, 4, 5, 6, etc.) and “curse” (קללה, Deut 11.28; 28.15), etc.. It is likely that these texts were considered as belonging to the same tradition.

Whilst the original addressees of those traditional materials were the Israelites as a whole, when Mal was composed / redacted, such materials were applied to the priestly group (Mal 2.1 “O priests”). The featured elements from the respective texts were selected and put together, such as the term “covenant” from Lev 26.15 (cf. Mal 2.4, 5, 8), the phrase “turn aside from the way” from Deut 11.28 (cf. 1 Sam 12.21, 23; Mal 2.8; 3.7), the word “curse” (ארר instead of קלל) from Deut 28.16, 17, 18, 19 [x 2] (cf. Mal 2.2) and the phrase “YHWH will send against you the curse” (ישלח יהוה בך את המארה) from Deut 28.20 (cf. ושלחתי בכם את המארה in Mal 2.2), etc.. That explains why the related traditional elements in, for examples, Deut 28 and 1 Sam 12 are so scattering.<sup>749</sup>

In other words, it is unnecessary to ascertain which text is “the” source text of the phrase “If you do not listen” in Mal 2.2. The synergy of them is the likely intent.

### 3.3.11.5 “take” the words of YHWH to “heart”

The pattern of “שׁים + על לב / אל לב” usually means “to regard, pay attention to”.<sup>750</sup> The exact combination of “שׁים + על לב”, which appears in Mal 2.2 (2 times), can be found in Deut 11.18;<sup>751</sup> Isa 42.25; 47.7; 57.1, 11; Jer 12.11;<sup>752</sup> Song 8.6 and Dan 1.8.<sup>753</sup> For the pattern of “שׁים + לב”, it occurs in Exod 9.21; Deut

<sup>748</sup> See also Jer 12.17 “But if they do not listen (ואם לא ישמעו), then I will utterly uproot the nation and destroy it, declares YHWH”; Jer 17.27 “But if you do not listen (ואם לא תשמעו) to me to consecrate the day of Sabbath...”; Jer 22.5 “But if you do not listen (ואם לא תשמעו) to these words, ...”; and Job 36.12 “But if they do not listen (ואם לא ישמעו), they shall perish by sword...”.

<sup>749</sup> Cf. Lear, *Scribal Composition*, 158-159, who put her focus on the passages in the book of Deuteronomy and argues that “the author [of the book of Malachi] read these passages (Deut 6, 11, and 28) together” and “conflated the material from each passage.”

<sup>750</sup> HALOT, 3:1324.

<sup>751</sup> The allusion to Deut 11.18-22, 26-28 in Mal 2.2 is discussed in 3.3.10.1 above and therefore shall not be repeated here.

<sup>752</sup> Cf. Hill, *Malachi*, AB 25D, 403.

<sup>753</sup> As the על שימו לבבכם in Hag 1.5, 7; and שימו נא לבבכם in Hag 2.15, 18 are thematically and contextually different, the same shall not be discussed here.

32.46; 2 Sam 19.20 (with לאל); Isa 41.22; Ezek 40.4; 44.5 and Job 1.8; 2.3. Having considered the respective syntax, theme, context and more importantly, the connection with the words of YHWH, it is found that only Exod 9.21; Deut 32.46 and Ezek 40.4; 44.5 are relevant for the purpose of our discussion here.

After the pronouncement of the seventh plague (thunder and hail) by Moses, Exod 9.20-21 states that among the servants (officials) of Pharaoh, “those who feared the word of YHWH hurried their servants and livestock into houses. Those who did not pay attention to (literally: take to his heart, לא שם לבו אל, cf. לא שם לבו אל in Mal 2.2) the word of YHWH left their servants and livestock in the (open) field.” The adverse consequences caused to the latter are illustrated in v.22ff. Whilst there is neither thematic nor contextual parallel between Exod 9.21 and Mal 2.2, the effect of using the pattern “שׁים + על לב / אל לב” in relation to the words of YHWH is largely similar in both verses. It highlights, on the one hand, the attitude of those who disregarded the words of YHWH and, on the other hand, the certainty of the resultant divine punishment incidental to their said attitude.

In Deut 32.46-47, after Moses finished speaking to all Israel, he said to them, “Take to your heart (שׁים לבבכם) all the words that I am testifying against you today. ...Because this is not empty word for you as it is your lives, and through this word you shall live long on the land...” The well being of the Israelites hinges on whether or not they took the words of YHWH to their hearts. It is in alignment with the message of Deut 11.18-22 as discussed above.

Ezek 40 is the beginning of the vision of the new temple. Ezek 40.4 states that “a man” said to the prophet Ezekiel “take to you heart (ושׁים לבך) all that I show you” and “declare all that you see to the house of Israel” (see also Ezek 43.10). What the prophet was shown were the measurements and architecture of different parts of a temple from the gates of the external walls to the altar. The designs / plans (צורה) of the temple are also described as “its ordinances” (הקתיו), “its laws” (תורתו) and the “law of the temple” (תורת הבית) (43.11, 12) which, according to v.4, must be taken to the prophet’s heart.

Then after setting out the “ordinances of the altar” (הקות המזבה), which includes specific duties of the levitical priests from the descendants of Zadok (Ezek 43.18-27), Ezek 44.4-5 is another vision in which the prophet

saw the glory of YHWH (כבוד יהוה)<sup>754</sup> filled the temple. YHWH asked the prophet to, *inter alia*, “take to your heart (שים לב)” all the “ordinances of the temple of YHWH” (חוקות בית יהוה) and all “its laws” (תורתו).

Strictly speaking, at this stage, the connection between Ezek 40.4; 44.5 and Mal 2.2 is limited to the form parallel of “שים + לב”. Without any concrete thematic or contextual parallel, the mentioning of the temple, altar, and “ordinances of the temple”, etc. is inadequate to constitute any probable allusion. Having said that, the usage of the form “שים + לב” with the demand to observe the words of YHWH (“ordinances” and “laws”) emphasizes the importance of bearing His words in mind and solemnly observing the same. In this sense, it makes Ezek 40.4; 44.5 in alignment with Exod 9.21 and Deut 32.46. Further discussion shall be given below in respect of the connection between Ezek 44.4-14 and Mal 2.11.<sup>755</sup>

### Conclusion

From the aforesaid analysis, one can see that “שים + על לב / אל לב” and “שים + לב” are traditional forms which were used in connection with the words of YHWH. It has the connotation of “blessings and curses” (cf. the discussion under the subtitle “Deut 28.15f” above), that is, whether the audience (usually in the plural form) shall receive the blessings or curses from YHWH depends on whether they are willing to observe His words. These forms appear in different contexts to highlight the significance of the attitude of the audience and the certainty of actualization of the words of YHWH.

### 3.3.12 “curse” (ארר) and “blessing” (ברך) (Mal 2.2-3)

As mentioned above,<sup>756</sup> the word “curse” (ארר) serves as the bridge between the two verdicts, namely, Mal 1.10-14 and Mal 2.1-9.<sup>757</sup> Since the traditions

<sup>754</sup> See the discussion under the subtitle ““honour” (כבוד), “father”, and “honour” (כבוד) of YHWH” in 3.3.2 above.

<sup>755</sup> See the discussion in 3.4.5 below.

<sup>756</sup> See the beginning of 3.3.8 above.

<sup>757</sup> Weyde considers that the curse in Mal 1.14 “probably concerns the laity, not the priests” as anyone of the house of Israel can present a vow offering (Lev 22.18). On the other hand, he notes that “[t]he significance of the curse is that it shows the consequences of the blameworthy cult instruction of the priests.” Weyde, *Prophecy and Teaching*, 153-155. Cf. Petersen finds that “since Lev. 27:11-12 demonstrates that the priests determined whether an animal was good or bad... Hence, if an improper sacrifice is made, the priests must share in the blame.” Petersen, *Zechariah 9-14 and Malachi*, 186-187.

of “this commandment” and “if you do not listen” have paved the way for the introduction of the tradition of “blessings and curses”,<sup>758</sup> the appearance of the word “curse” (ארר) in Mal 2.2 is hardly surprising. Indeed, Mal 2.2 provides the reason of YHWH’s curse - “if you [“O priests”, v.1] do not take (it) [“this commandment”? v.1] to your heart”. After the three occurrences of ארר, the issues concerning YHWH’s “covenant with Levi” and the malfeasance of the priests in respect of *torah* are presented in vv.4-9 (see below). Bearing this immediate literary context in mind, we shall proceed to explore the significance of the use of “the curse” (את + המארה) in Mal 2.2 with reference to its probable source text.

### 3.3.12.1 Deut 28.15-20

In the Hebrew Bible, more often than not, the “curse formula”<sup>759</sup> appears in Qal passive participle (ארור), most densely occurs in Deut 27-28,<sup>760</sup> and the book of Jeremiah is ranked the second.<sup>761</sup> It is mentioned once in Mal 1.14. Gibson finds that the context where ארור appears “is often one of punishment following a breach of covenant obligations.”<sup>762</sup> Having said that, “the curse” (המארה) and the other two ארר (in Qal perfect) in Mal 2.2 are in different forms. Verhoef finds that המארה has a definite article “and thus represents a whole class of attributes or states expressed in the abstract word.”<sup>763</sup>

As mentioned above, in the Hebrew Bible, the form את המארה (“the curse”) only appears twice, that is, in Deut 28.20 and Mal 2.2. Deut 28.20 is within the “blessings and curses” tradition.<sup>764</sup> It states that on account of the Israelites’ “evil” (רע, cf. Mal 1.8) deeds, “YHWH will send against you the

<sup>758</sup> See (above) 3.3.10, in particular, that Mal 2.2 (and probably v.8a also) alludes to Deut 11.18-22, 26-28 (“...and the curse (קללה) if you do not listen (לא תשמעו) to the commandment (אל מצות) of YHWH your God but turn aside from the way (וסרתם מן הדרך) that I am commanding...”); and 3.3.11 that the traditional forms of “if you do not listen” and “take (the words of YHWH) to hearts” have the connotation of blessings and curses.

<sup>759</sup> The nomenclature of “curse formula” is derived from the description “*’ârûr*-Formula” in J. Scharbert, “ארר מארה,” *TDOT*, 1:408.

<sup>760</sup> The “Twelve curses” in Deut 27.15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26; and then 28.16 x 2, 17, 18, 19.

<sup>761</sup> Jer 11.3; 17.5; 20.14, 15; 48.10 x 2.

<sup>762</sup> Gibson, *Covenant Continuity and Fidelity*, 84, fn 32, citing Brichto, *The Problem of the ‘Curse’ in the Hebrew Bible*, 17. He adds that, “In the context of a *berit* (covenant), the passive participle is the introductory rubric for the imprecations upon violators of the terms of the covenant.”

<sup>763</sup> Verhoef, 238.

<sup>764</sup> See 3.3.11.2 above.

curse (ישלח יהוה בך את המארה). This phrase is lexically and syntactically parallel to the phrase “I will send the curse upon you (שלחתי בכם את המארה)” in Mal 2.2.<sup>765</sup> Contextually speaking, Deut 28.20 is a warning to the Israelites as a whole, in contrast with Mal 2.2 which is addressed to the priests specifically. In view of

- (a) the traditions of “if you do not listen” (אם לא שמע) and “blessings and curses”;
- (b) the unique form of “the curse” (את המארה); and
- (c) the terms “commandments” (מצוה, cf. Mal 2.1, 4) “statutes” (חקה cf. חק in Mal 3.7, 22) and “evil” (רע), etc.

in Deut 28.15-20, it is highly probable that Mal 2.2 is alluding to this pericope of Deut.<sup>766</sup> In alignment with the “blessings and curses” tradition, in Mal 2.2-3, the actualization of “the curse” is expressed against the priests. Against the covenantal background of the book of Deuteronomy (e.g. Deut 4.13; 8.18, etc.) and the emphasis on the adverse consequences for failing to observe YHWH’s commandment and statutes (“all these curses (כל הקללות) (האלה)<sup>767</sup> shall come upon you and overtake you”, Deut 28.15), it is likely that the said allusion also applies the concept of covenantal infidelity to the issue of the (corruption of the) “covenant of Levi” in Mal 2.4-8.

### 3.3.12.2 “I will curse your blessings” and Num 6.23-27

In Mal 2.2-3, “the curse” is presented in three aspects: “curse your blessings”, “rebuking your offspring” and “spread dung on your faces”. There have been detailed discussions as to the various interpretations of “I will curse your [the priests’] blessings” in Mal 2.2.<sup>768</sup> For the purpose of this study, it is unnecessary for us to repeat the same here. Suffice to say that in this context, the most reasonable interpretation is that “blessing” is a

<sup>765</sup> Cf. Gibson, *Covenant Continuity and Fidelity*, 91. See also Hill, *Malachi*, AB 25D, 198-199.

<sup>766</sup> See the discussion in 3.3.11.2 above.

<sup>767</sup> The Piel of קלל “often takes on the meaning “curse, revile.” In such contexts it often appears in conjunction with ארר *rr* and in contrast to ברך *brk* piel”. Scharbert, “קלל קל קללה,” *TDOT*, 13:39. For examples, for the curse of Balaam, Num 22.6, 12; 23.7; 24.9 x 2 use ארר, cf. the same is stated in Deut 23.5; Josh 24.9; Neh 13.2 as קללה. In Deut 11.26-28, ברכה is used as an antonym of קללה.

<sup>768</sup> See, e.g. J.M.P. Smith, 26-37; Verhoef, 239-240; and recently, Gibson, *Covenant Continuity and Fidelity*, 94-97, in which five main interpretations are listed out.

function of the priests to pronounce the blessings to the people in the name of YHWH.<sup>769</sup> As put by Brockington,<sup>770</sup>

“the priestly blessing was a most solemn part of the service (see Num.6:22-27) and ultimately came to be the only occasion on which the divine name was actually pronounced in Israel. To threaten that the blessing be turned into a curse was to undermine and overthrow the whole fabric of institutional religion in Israel.”

In this regard, one has to deal with the pioneering suggestion of M. Fishbane, that is, Mal 1.6-2.9 is an “aggadic exegesis” of the blessing in Num 6.23-27 (commonly known as the “Priestly Blessing” or “Aaronic Blessing”).<sup>771</sup> The said suggestion has been repeatedly explored.<sup>772</sup> In short, Fishbane considers that “all the key terms of the Priestly Blessing are allude to, or played upon” in Mal 1.6-2.9 as “dense clustering” but in an inverted manner.<sup>773</sup> The “transformed reapplications of these terms indicate that Malachi’s oration is *exegetical* in nature.”<sup>774</sup> Fishbane finds that the “ironic

<sup>769</sup> See, e.g. Gibson, *Covenant Continuity and Fidelity*, 96-97, for the supporting reasons; cf. Stuart, “Malachi,” 1311-1312, “...however, we cannot ignore the possibility that it also included material benefits”.

<sup>770</sup> L.H. Brockington, “Malachi,” in M. Black, et al. eds., *Peake’s Commentary on the Bible*, Rev. Ed., London: Nelson, 1962, 656-658, 657. Alternatively, as stated by O’Brien (referring to Fishbane, *Biblical Interpretation in Ancient Israel*, 332-334), the “blessings” in Mal 2.2 refers to the priests’ “prerogative of giving blessings”.

<sup>771</sup> Fishbane, “Form and Reformulation of the Biblical Priestly Blessing,” 115ff; *Biblical Interpretation in Ancient Israel*, 332-334.

<sup>772</sup> See, e.g., E. Meyers, “Priestly Language in the Book of Malachi,” 232; J. Milgrom, *Numbers*, The JPS Torah Commentary, Philadelphia: Jewish Publication Society, 1990, 361; Weyde, *Prophecy and Teaching*, 40, 177; Gibson, *Covenant Continuity and Fidelity*, 107-114; Assis, “The Reproach of the Priests (Malachi 1:6-2:9),” 283-285; cf. B.O. Boloje, *Malachi’s view on temple rituals and its ethical implications*, Ph.D. dissertation, University of Pretoria, 2013, 218, who put forward a very similar argument as that of Fishbane (“all of Malachi 1:6-2:9 is a post-exilic exegetical reworking of the Aaronic blessing (Num. 6:23-27) in which the prophet ironically inverts the priestly language, hopes and action”) but cites the works of e.g. O’Brien (who cites Fishbane) and Stuart, “Malachi”, etc. instead.

<sup>773</sup> For examples, “bless” in Num 6.23, 24, 27 cf. “I will curse you blessings” in Mal 2.2; “[YHWH] keep you (ישמרך)” in Num 6.25 cf. “you are not keeping my ways (את אינכם שמרים את)” in Mal 2.9; “YHWH make his face to shine upon you (אר יהוה פניו אליך)” in Num 6.25 cf. “you would not kindle fire (לא תאירר)” in Mal 1.10 and “entreat the favour of God (אלו נא פני)” in Mal 1.9; “[YHWH] be gracious to you (יהנך)” in Num 6.25 cf. “He may be gracious to us (יהננו)” in Mal 1.9; “YHWH lift up his countenance upon you (ישא יהוה פניו אליך)” in Num 6.26 cf. “will he grant you favour (הישא פניך)?” in Mal 1.8, “Will he show favour to any of you (הישא מכם פנים)?” in Mal 1.9, “he will lift you up to it (נשא אתכם אליו)” in Mal 2.3 and “showing partiality in torah (נשאים פנים בתורה)” in Mal 2.9; “[YHWH] give you peace (ישם לך שלום)” in Num 6.26 cf. “life and peace (החיים והשלום)” in Mal 2.5; and “my name (שמי)” in Num 6.27 cf. Mal 1.6, 14; 2.2, etc.; cf. Assis, “The Reproach of the Priests (Malachi 1:6-2:9),” 283 Table 2.

<sup>774</sup> Fishbane, *Biblical Interpretation in Ancient Israel*, 332.

reversal of the priests' language" in this pericope of Mal is a series of "reworking and plays on the liturgical language of Num. 6:23-7. In this way, the priests' cultic language is desacralized and their actions cursed." In sum, Mal 1.6-2.9 demonstrates "a remarkable post-exilic example of the aggadic exegesis" of the said Priestly blessing.<sup>775</sup>

It is agreeable that there are "lexical and conceptual cross-reference" between Mal 1.6-2.9 and Num 6.23-27.<sup>776</sup> However, there are some flaws in Fishbane's contention: First, those shared terms are scattered over the said 18 verses of Mal rather than appearing as "dense clustering" as he alleged. In fact, Fishbane also describes the allusions to Num 6.23-27 as "disjointed and scattered".<sup>777</sup> One has to ask: Upon a plain reading of this long pericope (Mal 1.6-2.9), without keeping a vigilant eye as Fishbane, is it noticeable that the same is referring to Num 6.23-27? If not, do we still have good reason(s) to presume that the redactors of Mal intended to convey the message(s) to their readers / audience through (and expected the latter to have grasped) the alleged inverted use of the Priestly Blessing?

Secondly and more importantly, as shown above, the inner-biblical references in relation to Mal 1.6-2.9 are far more than just Num 6.23-27. Some of the alleged allusions to the Priestly Blessing (which mainly based on one or two shared terms) become shaky when, for examples,

- (a) there is a more probable source text; for example, "entreat the favour of God" (Mal 1.9) is more likely to allude to 1 Sam 13.12<sup>778</sup> rather than Num 6.25;
- (b) there is neither thematic nor contextual parallel; for example, "you would not kindle fire (לֹא תֹאִירוּ)" in Mal 1.10 can hardly be considered as alluding to "YHWH make his face to shine upon you" in Num 6.25 purely because of the use of אֹר; and
- (c) the meaning of the usage of words is different; for example, "showing partiality in *torah*" (Mal 2.9) is unlikely to allude to "YHWH lift up his countenance" in Num 6.26 even though the combination of פָּנָה + נִשָּׂא appears in both verses.<sup>779</sup>

Thirdly, as pointed out by E. Meyers, "Fishbane's cogent remarks on the inverted language of the prophet with regard to the priestly blessing of

<sup>775</sup> Fishbane, *Biblical Interpretation in Ancient Israel*, 332-334.

<sup>776</sup> Fishbane, *Biblical Interpretation in Ancient Israel*, 333.

<sup>777</sup> Fishbane, *Biblical Interpretation in Ancient Israel*, 334.

<sup>778</sup> See 3.3.7 above.

<sup>779</sup> See 3.3.15 below.

Numbers 6:23-27 (1983, pp. 332-33) do not go far enough. Malachi's indictment of the priestly establishment is total, going far beyond cultic violations to equally outrageous affronts to God's name, i.e. improper teaching.<sup>780</sup>

Fourthly, some of the alleged allusions are not that "inverted", for example, "My covenant was with him, life and peace" and "In peace and uprightness he walked with me" in Mal 2.5-6, cf. "[YHWH] ...give you peace" in Num 6.26.

In sum, whilst Fishbane's suggestion is innovative and thought-provoking, and there is some truth in his claim of "transformed reapplication" of some terms in the Priestly Blessing,<sup>781</sup> it would be too general and vague to assert that Mal 1.6-2.9 alludes to Num 6.23-27.<sup>782</sup> In view of the scattering of the "key terms", it seems more proper to describe that the Priestly Blessing is used to set out the background of this pericope of Mal, or alternatively, Mal 1.6-2.9 echoes the Priestly Blessing, against which other elements of traditions are introduced into the text. Under the influence of the phrase "if you do not listen" and the "blessings and curses" traditions, the declaration that YHWH "will curse your [priests'] blessings" manifests the causal link between the priests' malfeasance and the resultant punishment: As they fail to honour the name of YHWH, their privilege to bless the people in the name of YHWH, which is the essence of the priestly office and functions, will be deprived.

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<sup>780</sup> E. Meyers, "Priestly Language in the Book of Malachi," 232.

<sup>781</sup> Fishbane, *Biblical Interpretation in Ancient Israel*, 332. In this regard, Gibson observes that "the six verbal roots in the Priestly Blessing (שָׁמַר, בָּרַךְ, אָרַךְ, שָׁמַר, תִּנּוּן, נָשָׂא, שָׁמַר) is repeated in Mal 1.6-2.9 either as a verb or in a nominal form." Gibson, *Covenant Continuity and Fidelity*, 109.

<sup>782</sup> It is somewhat peculiar for Gibson to argue that the Priestly Blessing in Num "concludes the long section of (mainly) priestly stipulations in the Pentateuch (Lev. 1.1-Num 6.21), thus implying that blessing follows adherence to these laws." One would firstly notice that Num 1-2 is about the census of the Israelites and encampment of the people, etc. which can hardly be understood as "priestly stipulations". Secondly, whether the Priestly Blessing can be considered as a resultant blessing as a result of compliance with the preceding rules is doubtful, given that the offering by the leaders and consecration of the Levites, etc. are set out in Num 7 onwards. Thirdly, how the positioning of the Priestly Blessing in Num 6 correlates with the "connection between law and blessing" in Mal 1.6-2.9, as Gibson contends, is yet to be justified. Gibson, *Covenant Continuity and Fidelity*, 109.

### Conclusion

The three aspects of “the curse”, namely, “I will curse your blessings”, “I am rebuking your offspring” and “I will spread dung on your faces”,<sup>783</sup> all “render the priests unfit for their duties.”<sup>784</sup> It responds to Mal 1.10 in which YHWH expresses His discontent with the priestly service at the altar (“There is no pleasure to me in you. ...I will not accept an offering from your hand.”) It also echoes the allusion to Lev 21 by Mal 1.8, 12, 13 and 2.3 which concerns the criteria of acceptable personnel for such sacred duties (see 3.3.6.2 above).

In sum, as suggested by Gibson, “YHWH’s מַאֲרָה is a ban on the priests, which disables them from their duties, ultimately leading to their disqualification.”<sup>785</sup> Having said that, in view of Mal 2.4 (“so that my covenant with Levi remains”) and 3.3 (“and they [the sons of Levi] shall present an offering to YHWH in righteousness”), the said ban does not mean to be the ultimate aim of YHWH.

### 3.3.13 “priests”, Levites and “covenant with Levi” (Mal 2.4b-8)

Schart considers that following Mal 2.1-4a (which is framed by “this commandment”), Mal 2.4b-8 is framed by the concept of YHWH’s covenant with Levi.<sup>786</sup> Structurally speaking, this segment contains a number of thematically paralleled sentences which utilize comparable nouns (e.g. v.6 “mouth” and “lips”, cf. v.7 “lips” and “mouth”; v.7 “knowledge” cf. “*torah*”<sup>787</sup>), verbs (e.g. v.6 “walked with” cf. “turn from”)

<sup>783</sup> As there is no remarkable inner-biblical reference for “I am rebuking your offspring” (the occurrence of the word גַּעַר in Deut 28.20 has already been mentioned in 3.3.11.2 above) and “I will spread dung on your faces”, the same shall not be discussed here. For their exegetical meanings, see, e.g. Weyde, *Prophecy and Teaching*, 159-168; Gibson, *Covenant Continuity and Fidelity*, 97-100.

<sup>784</sup> O’Brien, *Priest and Levite in Malachi*, 35.

<sup>785</sup> Gibson, *Covenant Continuity and Fidelity*, 94.

<sup>786</sup> Schart, *Malachi*, 55; *Malachi*, 52. This segment begins from “so that my covenant with Levi remains” and ends in “You have corrupted the covenant of Levi, ...”

<sup>787</sup> “[*Torah*] is not merely instruction regarding ceremonial requirements, but guidance into the right way of life, .... In this sense, תּוֹרָה may be parallel to דַּעַת (2:7), “knowledge with moral quality, the ability to discern between right and wrong,” cf. Gen 2:9, 17 and cf. also Hos 4:6 where תּוֹרָה and דַּעַת are parallel.” Glazier-McDonald, *Malachi*, 70, citing A. Cody, *A History of Old Testament Priesthood*, An Bib 35, Rome: Pontifical Biblical Institute, 1969, 123; and BDB, 395. See also Hill, *Malachi*, AB 25D, 212, “The emphatic position of the word *tôrâ* highlights the logical relationship of the word pair *da’at* (“knowledge”) and *tôrâ* (“instruction”).” Weyde, *Prophecy and Teaching*, 195 (the term “knowledge” in v.7 is used in parallelism with “*torah*” in v.5f).

and combinations of both (e.g. v.6 “True *torah* was in his mouth” cf. v.7 “people should seek *torah* from his mouth”;<sup>788</sup> v.8 “you have turned aside from the way” cf. “You have caused many to stumble in the *torah*”) to articulate the nexuses among YHWH’s covenant with Levi, *torah* and the priestly duties.<sup>789</sup> In particular, the word “*torah*” serves as the common thread, running through Mal 2.6, 7, 8 and the concluding v.9. Glazier-McDonald succinctly notes that Mal 2.6-8 is “an example of Malachi’s use of extended parallelism. They contrast the past, faultless service of the priest (2:6) and the priest as he should be (2:7) with the present manifestations of priestly decadence (2:8).”<sup>790</sup>

Given that YHWH’s covenant with Levi is repeatedly mentioned in the discourses against the priests (Mal 2.4, 5, 8),<sup>791</sup> the relationship between “priests” and “Levi” (the Levites)<sup>792</sup> in the context of Mal is almost an inevitable question that has to be resolved. Mal 2.1 states that “this commandment is for you [2 masc plur <sup>793</sup>], O priests.” After the illustrations of the “curse” against “you” (2 masc plur) in vv.2-3, v.4 writes that “this commandment” is sent to “you” (2 masc plur) so that “my covenant with Levi” remains. It is therefore justified to hold that the recipients of “this commandment” in both vv.1 and 4 are the priests. If we also read Mal 3.3, the “sons of Levi” (בני לוי), who shall be purified by the messenger of the covenant, are clearly comparable (if not directly refers) to the priests in Mal 2.4. Besides, Mal 2.7 mentions the priestly duty to “guard knowledge” and v.8 criticizes “you” (2 masc plur) for causing many to stumble in the *torah* and corrupting “the covenant of Levi”.

Bearing all these in mind, one can hardly rebut the arguments of O’Brien that the terms “priest” and “sons of Levi” are used synonymously in Mal.<sup>794</sup>

<sup>788</sup> Weyde, *Prophecy and Teaching*, 194. At 197, Weyde suggests that the phrase “seek *torah*” (בקש + תורה) is “most probably refers to inquiries by people who seek instruction from the priests, just as the phrase [“ask *torah*” (שאל + תורה)] in Hag 2:11 does”, citing E.M. Meyers, “The Use of *torà* in Haggai 2:11 and the Role of the Prophet in the Restoration Community,” in C.L. Meyers et al. eds., *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman in celebration of his sixtieth birthday*, Winona Lake, Ind.: Eisenbrauns, 1983, 69-76.

<sup>789</sup> In fact, such parallels can also be found in Mal 2.9 (“despised” and “abased”; “not keeping my way” and “showing partiality in *torah*”).

<sup>790</sup> Glazier-McDonald, *Malachi*, 70.

<sup>791</sup> See also Mal 3.3 which concerns the “sons / descendants of Levi”.

<sup>792</sup> ““Levi” is here best accounted for as representative of the priestly class, rather than as the name of the son of Jacob.” J.M.P. Smith, 38; cf. R.L. Smith, *Micah–Malachi*, 317, “Levi must be a personification of the early Israelite priesthood.”

<sup>793</sup> Abbreviation for “second person masculine plural”.

<sup>794</sup> O’Brien, *Priest and Levite in Malachi*, 27-48. See also Hill, *Malachi*, AB 25D, 173.

“In terms of functions, both the *kōhēn* and *lēwî* / *bĕnê-lēwî* are responsible for the dual duties of sacrifice and instructions. In terms of context, *lēwî* is effectually called a *kōhēn* in 2:5-7 and in 3:3 the *bĕnê-lēwî* require purification.”<sup>795</sup> Whilst accepting that “[t]he canonical context of these terms cannot prove that these groups *actually* were identical in the *author’s own historical setting*” (italics added),<sup>796</sup> O’Brien correctly points out that “the *author’s treatment* [italics added] of *kōhēn*, *lēwî* and *bĕnê-lēwî* does cast doubt on any theory that posits bitter tension between them.”<sup>797</sup> In this regard, Gibson also notes that “Malachi exhibits no difference between the terms כהן, לוי and בני לוי. ...Priests and Levites are used interchangeably of both ideal and corrupt priesthood.”<sup>798</sup>

<sup>795</sup> O’Brien, *Priest and Levite in Malachi*, 47.

<sup>796</sup> For the discussions of the various pictures of the relationships between Aaronites, Levites and Zadokites as depicted in different parts of the Hebrew Bible, see, e.g. *ABD* 1:4-5; 4:305-9; G. Wright, “The Levites in Deuteronomy,” *VT* (1954) 4(3): 325-330 (distinction between “the priests the Levites” (altar-priests) and “Levites” (mostly teaching clergies) in the book of Deuteronomy); J.A. Emerton, “Priests and Levites in Deuteronomy: An Examination of Dr. G.E. Wright’s Theory,” *VT* (1962) 12(1): 129-138 (challenges Wright’s theory; the priestly rights and duties are conferred on the whole tribe of Levi); R. Abba, “Priests and Levites in Deuteronomy,” *VT* (1977) 27(3): 257-267; G.A. Klingbeil, “Priests and Levites,” in B.T. Arnold and H.G.M. Williamson, eds., *Dictionary of the Old Testament - Historical Books*, The IVP Bible Dictionary Series, Downers Grove, IL: InterVarsity Press, 2005, 811-819; Mark A. Christian, “Middle-Tier Levites and the Plenary Reception of Revelation,” in Mark A. Leuchter and Jeremy M. Hutton, eds., *Levites and Priests in Biblical History and Tradition*, AIL 9; Atlanta: Society of Biblical Literature, 2011, 173-97, in particular 176-78 (“One searches in vain for a consistent picture of the Levites, even within the Pentateuch alone.” (176)). In relation to Mal, see, e.g. Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 267 (whilst in Mal 2.4-7 (and also the “sons of Levi” in 3.3) there is no difference between Levi and the priests, Ezra 2 provides separated lists for the priests (v.36-39) and the Levites (v.40-42) respectively).

<sup>797</sup> O’Brien, *Priest and Levite in Malachi*, 143-144, also 47-48. See also E. Meyers, “Priestly Language in the Book of Malachi,” *HAR* 10 (1987): 225-237, 231 (albeit the distinction between “teaching clergy” and “altar clergy”, “the terms are mixed or used interchangeably in the idealized statement on priesthood” as “the altar functions of the priesthood in a theocratic environment had grown closer and closer to that of a teacher.”); Verhoef, 245. For those who maintain the difference between priests and Levites in Mal, see, for example, Mason, *Preaching the Tradition*, 244 (one possible interpretation is that “[t]he very favourable reference to Levi (vv.5f.) might be a pro-Levitical, anti-priestly piece of polemic”); P. Hanson, “Biblical Apocalypticism: The Theological Dimension,” *Horizons in Biblical Theology* 7:2 (1985): 1-20, 4 (controversy of part of a priestly group that appeals to “God’s ancient covenant with Levi” against “fellow priests whom it judges to be both immoral and unfaithful”); Petersen, *Zechariah 9-14 and Malachi*, 190-193; Paul L. Redditt, *Haggai, Zechariah, Malachi*, NCBC, London: Marshall Pickering; Grand Rapids, MI: Eerdmans, 1995, 151-152.

<sup>798</sup> Gibson, *Covenant Continuity and Fidelity*, 103 fn 106. On this issue, having briefly reconstructed how the “Zadokites” and the “Aaronic priests” were unified under the tribe of

On that basis, the nexus between “the priests” and the “covenant with / of Levi” can be established.<sup>799</sup> It means that in searching for the inner-biblical references in relation to the “covenant with / of Levi”, the texts concerning the inauguration of the office of priesthood, duties of “priests” and “Levites” as well as their (covenantal) relationships with YHWH are within the parameters.

Neither “my covenant with Levi” (Mal 2.4) nor “covenant of Levi” (Mal 2.8) appears in other part of the Hebrew Bible.<sup>800</sup> It is the general consensus among scholars that Mal is referring to an established tradition of a covenant with the tribe of Levi<sup>801</sup> (but not with the person Levi as the ancestor of the tribe).<sup>802</sup>

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Levi, Glazier-McDonald finds that “[t]his development may account for Malachi’s lack of distinction between priests and Levites” (p.77). Nevertheless, after this historical approach, when she turns to the text of Mal, she concludes that there is a distinction between priest and Levite. It is “not a distinction of function but of attitude” in that “Malachi has constructed a “levite-cohen” model in which the “levite” personifies the ancient and idealized priestly class while the “cohen” characterizes the present degenerate clergy.”(p.80) Even though she also notices that the use of “priest” in Mal 2.7 and “sons of Levi” in Mal 3.3 is incompatible with the alleged model, she maintains that her proposal is not destroyed. Glazier-McDonald, *Malachi*, 73-80.

<sup>799</sup> Cf. Weyde, *Prophecy and Teaching*, 182-183 (“the priests who are addressed in Mai 2:4ff, are “included” in YHWH’s covenant with Levi”).

<sup>800</sup> See, e.g. Mason, *The Books of Haggai, Zechariah and Malachi*, 147; O’Brien, *Priests and Levites in Malachi*, 104; Redditt, *Haggai, Zechariah, Malachi*, 168; D.K. Berry, “Malachi’s Dual Design: The close of the canon and what comes afterward,” in J.W. Watts and P.R. House, eds., *Forming Prophetic Literature: Essays on Isaiah and the Twelve in Honor of John D.W. Watts*, Sheffield: Sheffield Academic Press, 1996, 269-302, 279; Hill, *Malachi*, AB 25D, 205; Weyde, *Prophecy and Teaching*, 176.

<sup>801</sup> The said tradition is evidenced by Jer 33.21 (and Neh 13.29). See e.g. Baldwin, *Haggai, Zechariah, Malachi*, 254; Mason, *The Books of Haggai, Zechariah and Malachi*, 147; Verhoef, 244-245; Glazier-McDonald, *Malachi*, 78; and Mason, *Preaching the tradition*, 242.

<sup>802</sup> Gibson, *Covenant Continuity and Fidelity*, 101 and fn 98. In disagreeing with Kodell and Kugler, Gibson notes that even though in Judg 17.9; 19.1 the word לִי refers to an individual, לִי in Deut 33.8; 10.9; 27.12; Ezek 48.31; and 1 Chr 21.6 refers to the whole tribe (other examples offered by Gibson, e.g. Num 1.49; 3.9, etc. are not that relevant). For the said contrary opinions, see Jerome Kodell, *Lamentations, Haggai, Zechariah, Malachi, Obadiah, Joel, Second Zechariah, Baruch*, 101; and Robert A. Kugler, *From Patriarch to Priest: The Levi-Priestly Tradition from Aramaic Levi to Testament of Levi*, SBLJL 9, Atlanta GA: Scholars Press, 1996, 18-22.

In essence, as observed by Gibson,<sup>803</sup> scholarly opinions have focused on two texts: Num 25.10-13<sup>804</sup> and Deut 33.8-11.<sup>805</sup>

### 3.3.13.1 Num 25.10-13

As to Num 25.10-13, the real controversies are whether (and if they do, how) the redactors of Mal:

- (a) make use of YHWH's "covenant of peace" and "covenant of perpetual priesthood" with Phinehas (and his descendents); and
- (b) transform and apply the same as YHWH's "covenant with / of Levi" to the priests in Mal.

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<sup>803</sup> Gibson, *Covenant Continuity and Fidelity*, 101-102.

<sup>804</sup> Glazier-McDonald, *Malachi*, 77-80; E. Meyers, "Priestly Language in the Book of Malachi," 232; Weinfeld, *Deuteronomy and the Deuteronomistic School*, 76 fn 2; cf. J.M.P. Smith, 38 (Num 25.12, 13 belongs to P text and therefore it "is a more specialized and advanced form of the tradition than [Mal 2.5]"); Krieg, *Mutmaßungen über Maleachi*, 114-116, 156-159 (the split between the ideal and the real priests appears in the secondary update of the basic text; the "covenant of Levi" connects with Num 25.6-13); Reventlow, *Die Propheten Haggai, Sacharja und Maleachi*, 143-44 (if not a literary dependence, at least a common tradition with Num 25 can be assumed); E.H. Merrill, *Haggai, Zechariah, Malachi: An Exegetical Commentary*, Dallas, Tex.: Biblical Studies Press, 2003, 368 (referring to the incidents in Exod 32.26-29 and Num 25.10-13, in particular the latter).

<sup>805</sup> Elliger, *Das Buch der zwölfkleinen Propheten. II*, 186 ("aber vgl. auch 5. Mose 33,8-11, und vielleicht ist nur an bei Anfänge der israelitischen Geschichte gedacht - seine Bundesverpflichtung einhielt"); Th. Chary, *Aggée-Zacharie, Malachie*, Sources Bibliques, Paris: Gabalda, 1969, 251 (considering Num 25.11-13 as of the later priestly layer, and therefore Deut 33.8-11 is the oldest text that can be invoked, "Le plus vieux texte susceptible d'être invoqué est Dt 33,8-11..."); Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 266-267; Renker, *Die Tora bei Maleachi*, 117-121; R.L. Smith, *Micah-Malachi*, 317; Mason, *Preaching the tradition*, 242; Th. Lescow, *Das Buch Maleachi*, 35-38; R.E. Fuller, "The Blessing of Levi in Dtn 33, Mal 2, and Qumran," in R. Bartelmus et al. eds., *Konsequente Traditionsgeschichte: Festschrift für Klaus Baltzer zum 65. Geburtstag*, OBO 126, Freiburg, Schweiz: Universitätsverlag; Göttingen: Vandenhoeck & Ruprecht, 1993, 31-44; Petersen, *Zechariah 9-14 and Malachi*, 190 ("Perhaps such a reflection about Levi and covenant grows out of Deut. 33:9"); Redditt, *Haggai, Zechariah, Malachi*, 168 ("the blessing of Moses (Deut. 33:8-11) seems closer to the themes of Mal. 2:4-6..."); G.S. Ogden and R.R. Deutsch, *A Promise of Hope -- a call to obedience: a commentary on the books of Joel and Malachi*, Grand Rapids, MI: W.B. Eerdmans; Edinburgh: Handsel Press, 1987, 92 (Deut 33.9); Hill, *Malachi*, AB 25D, 206; cf. von Bulmerincq, *Der Prophet Maleachi, Band II*, 211-212 (the "covenant of Levi" in Mal alludes to Deut 33.8-10, and probably also a missing narrative previously existed in Deut 10.6f); J. Blenkinsopp, *A History of Prophecy in Israel*, Louisville, KY: WJKP, 1996, 212 (Deut 21.5; 33.10 and perhaps also Exod 32.25-29); G. Habets, "Vorbild und Zerrbild. Eine Exegese von Mal 1,6-2,9," *Teresianum* (1990) 41(1): 5-58, 49 (the covenant with the priesthood ("Levi") is "am Dt orientiert, vor allem an Dt 33,8ff." but not Num 25.11ff, Jer 33.31 or Neh 13.29 as he considers that they are dated later than Mal).

The existence of lexical parallels between Num 25.10-13 and Mal 1.6-2.9 (in particular, Mal 2.4b-9 where “covenant with / of Levi” is mentioned) can hardly be disputed.<sup>806</sup> It is difficult, if not impossible, to find another comparable which contain all these lexemes and combinations of the same.<sup>807</sup> Hence, Gibson’s arguments that “the vocabulary is not exclusive to these two passages”, and that the phrases ברתי שלום and בריתי איתו also appear in other texts,<sup>808</sup> are feeble to refute the connections between Num 25.10-13 and Mal 1.6-2.9. To consider those common lexicons and phrases in isolation (and undermines their occurrence as a cluster in Mal) and neglect the common context of the two pericopes is unjustified in the circumstances. Furthermore, it appears that Gibson is contradicting the approach that he has adopted in the rest of his book.<sup>809</sup>

The contextual parallel of the two passages, that is, YHWH’s granting of priesthood, is generally acknowledged.<sup>810</sup> Further, Glazier-McDonald notes that “in Num 25:1f [sic.], Phinehas is commended for combatting idolatrous practices: illicit sexual relationships and worship of other gods. It is precisely these two practices that Malachi condemns in the next oracle unit, 2:10-16.”<sup>811</sup>

For those who oppose any true dependence on Num 25.10-13, the major argument is that the “covenant of perpetual priesthood” is not granted to

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<sup>806</sup> “priest” (כהן, Num 25.10, 13; cf. Mal 1.6; 2.1, 7); “return / turn back” (שוב, Num 25.11; cf. Mal 2.6); “son” (בן, Num 25.11; cf. Mal 1.6); “Behold” (הנה, Num 25.12; cf. Mal 2.3); “grant / give / make” (נתן, Num 25.12; cf. Mal 2.2, 5, 9); “covenant” (ברית, Num 25.12, 13; cf. Mal 2.4, 5, 8); “peace” (שלום, Num 25.12; cf. Mal 2.5, 6); and “descendent / offspring” (זרע, Num 25.13; cf. Mal 2.3).

<sup>807</sup> In terms of word order, שלום + ברית + נתן in Num 25.12, cf. נתן + שלום + ברית in Mal 2.5; see also ברית כהנת עולם ... והיתה לו... (“It shall be for him ... a covenant of perpetual priesthood”) in Num 25.13 cf. בריתי היתה איתו החיים והשלום (“My covenant was with him, life and peace”) in Mal 2.5 and ברית הלוי (“the covenant of Levi”) in Mal 2.8. See Glazier-McDonald, *Malachi*, 79; Gibson, *Covenant Continuity and Fidelity*, 103 fn 105 presents a table which is almost identical with that of Glazier-McDonald.

<sup>808</sup> Gibson, *Covenant Continuity and Fidelity*, 103; at 104, similar argument is run by him in respect of Deut 33.8-11 (“... none of these constitutes rare vocabulary, nor is this a *unique* cluster of terms exclusive to Mal. 2.4c-7 and Deut. 33.8-11.” (italics added)

<sup>809</sup> See Gibson, *Covenant Continuity and Fidelity*, 56 (fn 44, citing Kessler, “Unity of Malachi,” 229); 68 (“...the cluster of these roots in Mal. 1.3-4 more likely points back to Ezek. 36.35 ...”); 69 (“The rare cluster of word combinations shared by only Mal. 1.3-4 and Ezek. 36 significantly strengthens the case for an allusion to Ezek. 36 ...”); 109 (“Nowhere else in the Hebrew Bible does this cluster of verbal roots repeat itself. The idiomatic expression ...further strengthens the link.”)

<sup>810</sup> See e.g. Gibson, *Covenant Continuity and Fidelity*, 103.

<sup>811</sup> Glazier-McDonald, *Malachi*, 80 fn 159.

the tribe of Levi in general but the line of Phinehas in specific.<sup>812</sup> It gives rise to a further concern that “[i]f Malachi intended an allusion to Num. 25.10-13, then it has the potential to grant privilege inadvertently to the Zadokite priests at the expense of the wider Levitical priesthood. Such a move would appear contrary to Malachi’s egalitarian agenda for priest and Levites.”<sup>813</sup> Arguments of this kind often, on the one hand, overstate the consideration of the redactors of Mal in balancing the statuses of (Zadokite) priests and Levites, which is lack of evidential support, and on the other hand, understate the emphasis on the “zeal” (קנא) of Phinehas as the genuine intent of the said redactors.

As discussed above,<sup>814</sup> the attitude of the priests in Mal is the highlight of this pericope.<sup>815</sup> In Num 25.10-13, the word “zeal” קנא is used twice on Phinehas (*vis-à-vis* קנאה (usually translated as “jealousy”) appears twice in relation to YHWH). In the Hebrew Bible, the “zeal” of a person for YHWH is expressed by his enthusiasm (e.g. Elijah, 1 King 19.10, 14) or violent action (e.g. Jehu, 2 King 10.16).<sup>816</sup> Correspondingly, the mention of the word “fear” (מורא) in Mal 2.5 portrays the priest *par excellence*, “and he feared (ירא) me, and he stood in awe before my name.” In an ironical manner, it echoes the rhetorical question at the beginning of this pericope (“..., where is my respect (מורא)?”, Mal 1.6). The word “fear” (ירא), as observed by Weinfeld, is a term in Deuteronomy and deuteronomistic literature that expresses religious loyalty, originating in the diplomatic terminologies of the Near East.<sup>817</sup> Instead of emphasizing on the hereditary distinction between Levites in general and the line of Phinehas in specific, it appears that the redactors of Mal put the stress on Phinehas’ zealous attitude and the consequential conferment of the covenant of perpetual priesthood. Given that by the time of the composition of Mal, YHWH’s covenant with the

<sup>812</sup> Baldwin, *Haggai, Zechariah, Malachi*, 254; R.L. Smith, *Micah-Malachi*, 317; Verhoef, 244; cf. Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 267; Kessler, “The Unity of Malachi,” 231; McKenzie and Wallace, “Covenant Themes in Malachi,” 550 (the covenant of eternal priesthood was given to Phinehas as he was “jealous for Yahweh and made atonement for Israel” but in Mal, the covenant was given to Levi as they revered YHWH); Assis, “The Reproach of the Priests (Malachi 1:6-2:9),” 282.

<sup>813</sup> Gibson, *Covenant Continuity and Fidelity*, 103.

<sup>814</sup> See, for examples, 3.3.3.2 “respect” / “fear” YHWH and 3.3.11.5 “take” the words of YHWH to “heart” above.

<sup>815</sup> “This entire pericope deals with the proper attitude or response to authority: son-father, servant-lord, vassal-governor. Malachi accuses the priests with having more fear, respect, honor for the governor than they have for Yahweh.” R.L. Smith, *Micah-Malachi*, 312.

<sup>816</sup> Reuter, “קנא קנאה קנא קנא,” *TDOT*, 13:53; see also H.G.L. Peels, “קנא,” *NIDOTTE*, 3:935.

<sup>817</sup> Weinfeld, *Deuteronomy and the Deuteronomistic School*, 83-84, see also 332-333.

priests is likely to be an established tradition (Jer 33.21),<sup>818</sup> the reference to a covenant “with him”, “life and peace”, and the mention of the attitude (“fear” and “walked with” YHWH) in Mal 2.5-6 skilfully (a) transform the “covenant of peace” and “covenant of perpetual priesthood” in Num 25 into the “covenant with / of Levi” in Mal; and (b) substitute the priests in Mal for Phinehas in Num 25.

On this issue, Gibson also notices that in Num 25, “YHWH inaugurates a covenant of peace with Phinehas as a result of his jealous act for God” and in Mal, “Levi’s fear and respect for YHWH’s name came in response to the covenant already established (2.6)”. Nevertheless, he does not proceed to make a comparison between Phinehas’ “zeal” and Levi’s fear and respect. Instead, Gibson (mis)places his focus on the lack of obedient acts prior to the granting of the covenant as mentioned in Mal, leading to the conclusion that “an intended allusion to Num. 25.10-13 remains uncertain.”<sup>819</sup> In this regard, O’Brien convincingly argues that for the “grant”-type treaty (using Weinfeld’s terminology), “while the grant is basically a promise to the recipient, it nonetheless presupposes the recipient’s loyalty.” Hence, in Mal, the “grant of priesthood presumes that Levi remain faithful.”<sup>820</sup> One should therefore not be sidetracked by the alleged (1) absence of prior act of obedience or (2) difference between “covenant of promise” (with Phinehas in Num 25) and covenant with commands (with the priests in Mal).

In sum, apart from the cluster of lexical parallels and the contextual parallel (YHWH’s granting of priesthood) as shown above, Num 25.10-13 and Mal 1.6-2.9 share a common focal point (arguably a thematic parallel), that is, the necessary attitude of those who take up the priestly duties to serve YHWH. This study argues that the attitude of the priest(s) towards YHWH is a common theme for Num 25.10-13 (zealous), Deut 33.8-11 (faithful, see below) and Mal 1.6-2.9 (in contrast, despising).

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<sup>818</sup> Cf. Neh 13.29.

<sup>819</sup> Gibson, *Covenant Continuity and Fidelity*, 103-104.

<sup>820</sup> O’Brien, *Priest and Levite in Malachi*, 40, citing Weinfeld, *Deuteronomy and the Deuteronomistic School*, 74. See also Hill, *Malachi*, AB 25D, 205 (“The language of Mal 2:4-8 suggests that the covenant of Levi is a promissory type grant”).

## 3.3.13.2 Deut 33.8-11

As in the case of Num 25.10-13, a number of lexical parallels exist between Deut 33.8-11 and Mal, in particular Mal 1.6-2.9 (and some of them are expressed in a negative sense).<sup>821</sup> Significantly, this cluster of words are applied to illustrate the malpractice of the priests in Mal (underlines are added to the Hebrew and italics are added to the English translations to highlight the lexical parallels):

Deut 33.8-11	Mal 1.6-2.9
<p style="text-align: center;">כי שמרו אמרתך</p> <p style="text-align: center;">For they <i>observed</i> your word</p>  <p style="text-align: center;">ובריתך ינצרו</p> <p style="text-align: center;">and kept your <i>covenant</i></p> <p style="text-align: center;">(Deut 33.9b)</p>	<p>כי שפתי כהן ישמרו דעת</p> <p>For the lips of a priest <i>guard</i> knowledge (Mal 2.7a);</p> <p>... אינכם שמרים את דרכי ...</p> <p>...you are not <i>keeping</i> my ways ... (Mal 2.9b);</p> <p>להיות בריתי את לוי</p> <p>so that my <i>covenant</i> with Levi remains (Mal 2.4b);</p> <p>בריתי היתה אתו החיים והשלום</p> <p>My <i>covenant</i> was with him, life and peace (Mal 2.5a);</p> <p>נחתם ברית הלוי</p> <p>You have corrupted the <i>covenant</i> of Levi<sup>822</sup> (Mal 2.8b)<sup>823</sup></p>

<sup>821</sup> Cf. Gibson, *Covenant Continuity and Fidelity*, 103 fn 104. Whilst Gibson notes that both Mal. 2.4c-7 and Deut. 33.8-11 “refer to the Levitical roles of sacrificing and teaching” and five of the common lexemes “are used in a similar way (שמר; תורה; מזבח; יד; רצה)”, he insists that they are neither “rare vocabulary” nor constitute “a unique cluster of terms exclusive to Mal. 2.4c-7 and Deut. 33.8-11”.

<sup>822</sup> The word “Levi” (לוי) appears twice in Deut 33.8.

<sup>823</sup> Apart from Mal 1.6-2.9, the word ברית also appears in Mal 2.10, 14; 3.1.

<p>יורו משפטִיךָ ליעקב ותורתֶךָ לישראל</p> <p>They teach Jacob<sup>824</sup> your ordinances<sup>825</sup> and Israel<sup>826</sup> your <i>torah</i></p>	<p><u>תורת</u> אמת היתה בפיהו</p> <p>True <i>torah</i> was in his mouth (Mal 2.6a);</p> <p><u>תורה</u> יבקשו מפיהו</p> <p>and people should seek <i>torah</i> from his mouth (Mal 2.7);</p> <p><u>הכשלתם רבים בתורה</u></p> <p>you have caused many to stumble in the <i>torah</i> (Mal 2.8a);</p> <p>כפי אשר אינכם <u>שמרים</u> את דרכי ונשאים פנים <u>בתורה</u></p> <p>Insomuch as you are not <i>keeping</i> my ways but showing partiality in <i>torah</i></p> <p>(Mal 2.9b)<sup>828</sup></p>
<p>ישִׂימו קטורה באפך וכליל על מזבֶּחֶךָ</p> <p>they put <i>incense</i> before you and whole (burnt offering) on your <i>altar</i>.<sup>827</sup></p> <p>(Deut 33.10)</p>	<p>ובכל מקום <u>מקטר</u> מגש לשמי</p> <p>And in every place <i>incense</i> is offered to my name (Mal 1.11a);</p> <p>מגִישִׁים על <u>מזבֶּחִי</u> לחם מגאל</p> <p>By offering, upon my <i>altar</i>, defiled food (Mal 1.7a);</p> <p><u>חנם</u> ולא תאירו <u>מזבֶּחִי</u> חנם</p> <p>... so that you would not kindle fire (on) my <i>altar</i> in vain! (Mal 1.10a)</p>

<sup>824</sup> The proper noun “Jacob” appears in Mal 1.2; 2.12; 3.6.

<sup>825</sup> The word “ordinance” (משפט) appears in Mal 2.17; 3.5, 22.

<sup>826</sup> The proper noun “Israel” appears in Mal 1.1, 5; 2.11, 16; 3.22.

<sup>827</sup> Apart from Mal 1.7a, 10a, the word “altar” also appears in Mal 2.13a.

<sup>828</sup> Apart from Mal 2.1-9, the word *torah* also appears in Mal 3.22.

<p>ברך יהוה חילו ופעל ידיו תרצה  <i>Bless, YHWH, his substance [or, strength] and accept work of his hands</i> (Deut 33.11a)</p>	<p>וארותי את ברכותיכם  <i>and I will curse your blessings</i> (Mal 2.2a)</p> <p>הירצך או הישא פניך  <i>Will he be pleased with you or will he grant you favour?</i> (Mal 1.8b)</p> <p>ומנחה לא ארצה מידכם  <i>I will not accept an offering from your hand</i> (Mal 1.10b)</p> <p>הארצה אותה מידכם  <i>Shall I accept it from your hand?</i> (Mal 1.13b)</p>
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Deut 33.8-11 is the part of “Moses’ final blessing on Israel” (as it is commonly known). Apart from the aforesaid lexical parallels, thematic parallel also exists between Deut 33.8-11 and Mal 1.6-2.9, i.e. the fidelity of “Levi” (Levites), who are described as “your godly / loyal man” (איש חסידך, v.8), in keeping the word and covenant of YHWH and performing the duties in respect of torah teaching and altar. The contrasting contexts, that is, commendation of Levi’s works in Deut 33 in contrast with condemnation of the priests’ malfeasance in Mal 1.6-2.9, is likely to be an intentional design of the redactors of Mal. All these constitute, at least on a *prima facie* case, the connection between the two pericopes. Although there is no obvious case of comparable combination of shared lexicons (as ברית + שלום + נתן in Num 25.12, cf. ברית + שלום + נתן in Mal 2.5), it would be an additional corroboration *if* one accepts that the “covenant” in Deut 33.9b specifically refers to YHWH’s covenant with Levi. Nevertheless, even *if* it points to the Sinaitic covenant (with the Israelites in general),<sup>829</sup> the aforesaid parallels still support the likelihood that the redactors of Mal had referred to Deut

<sup>829</sup> In fact, in the book of Deuteronomy, the word ברית refers to the Sinaitic covenant in Deut 4.13 (more specifically, the Ten Commandments); 8.18; 17.2; and 31.16, 20. Cody considers that “[t]he fact that the text of Dt. 33 goes on to speak of customary laws and *tôrôt* given to all Israel (v.10), and which must be based on the law of this covenant, provides grounds for identifying the covenant in this text with the general covenant between Yahweh and the Chosen People.” Cody, *A History of Old Testament Priesthood*, 116 fn 21, 118. Similarly, Fuller finds that the “covenant” in Dtn 33:9c “seems to refer to the covenant between Yahweh and Israel, not a special covenant with Levi.” Fuller, “The Blessing of Levi in Dtn 33, Mal 2, and Qumran,” 38. See also Assis, “The Reproach of the Priests (Malachi 1:6-2:9),” 281.

33.8-11 by utilizing the aforesaid lexicons and theme to portray a negative image of the priests who had corrupted the covenant of Levi (Mal 2.8).

For Deut 33, the shift from the singular forms <sup>830</sup> to the plural forms <sup>831</sup> and the depiction of the idealized priestly services <sup>832</sup> find its counterpart in Mal 2.4b-8: There is a similar shift from the singular forms <sup>833</sup> to the plural forms. <sup>834</sup> The “good old days” when the priests reverently discharged their duties (Mal 2.5-6) and the duty of *torah* teaching of an ideal priest (in v.7, cf. Deut 33.8) are vividly depicted by using the common lexemes as specified above.

For those who rules out any probable allusion to Deut 33.8-11, the main arguments are that (1) “while the ‘covenant’ of Deut 33:9 is nebulous, the one in Malachi is detailed”;<sup>835</sup> and (2) the commission “for the specific task of giving guidance through the Urim and Thummim and of teaching and officiating in worship” is “not explicitly called a covenant”.<sup>836</sup> Such arguments are frail as, first, the difference in the preciseness of the respective covenants in Deut 33.8-11 and Mal 2 tends to indicate the different literary or redactional purposes, approaches or styles. It does not necessarily concern the presence or absence of an allusion. Secondly, Deut 33.9 clearly states that the Levites (“they”) had kept the covenant with YHWH (“your covenant”). Whilst we cannot say with certainty which covenant it refers to, the crux is that:

- (a) the use of the term “covenant”; together with
- (b) the description of duties of the Levites (i.e. teaching Israel the *torah* of YHWH, and placing incense and offerings on the altar of YHWH)

constitute an obvious linkage with Mal, not only in respect of the “covenant with Levi” in Mal 2.4a-8 but also the various breaches of the priestly duties as set out in Mal 1.6-2.9.

<sup>830</sup> Deut 33.8-9 “Levi” (לוי); “your godly / loyal man” (איש חסידך); “he did not recognize” (לא הכיר); “[he] did not know” (לא ידע).

<sup>831</sup> Deut 33.9-10 “they observed” (שמרו); “they kept” (ינצרו); “they teach” (יורו); “they put” (שימו).

<sup>832</sup> Fuller, “The Blessing of Levi in Dtn 33, Mal 2, and Qumran,” 36.

<sup>833</sup> For examples, v.5 אתו “with him”, לו אתם “I gave them to him”; יראני “he feared me”; v.6 בפיהו “in his mouth”, בשפתיו “on his lips”; v.7 מפיהו “from his mouth”, הוא “he”.

<sup>834</sup> For examples, v.8 סרתם “you have turned aside”, הכשלתם “you have caused to stumble”, שחתם “you have corrupted”.

<sup>835</sup> Glazier-McDonald, *Malachi*, 78.

<sup>836</sup> Verhoef, 245; cf. Berry, “Malachi’s Dual Design,” 279, “Deuteronomy 33.8-11 contains some stronger parallels, but it scarcely involves a covenant.”

Hence, even though it is more likely that the “covenant” in Deut 33.9 refers to “the national covenant with Israel and not the Levitical one” (as contended by Gibson),<sup>837</sup> with the utilization of the common lexicons, it was artfully transformed into the “covenant with / of Levi” and applied to the priests (the redactors’ contemporaries?) in Mal.<sup>838</sup>

Furthermore, as mentioned above, this study argues that the attitude of the priest(s) towards YHWH is an element which links up Num 25.10-13 (zealous), Deut 33.8-11 (faithful) and Mal 1.6-2.9 (despising). As observed by Cody, “[t]he text of Dt. 33.9b-10 is valuable for showing that the Levites were associated with fidelity to the Covenant, with the handling-down of customary laws [משפטים] and of instruction [תורה] based on Covenant, ....”<sup>839</sup> In the context of the covenant with Levi in Mal 2, Chary finds that,<sup>840</sup>

“The oldest text that can be invoked is Deut. 33:8-11, where Levi, “the man of his love”, receives a beautiful blessing and the guarantee of reducing his opponents for his valiant conduct at Massah and Meribah (Ex. 17:1-7; Num. 20:1-13). Since no details are given on the role of Levi in these two episodes, it must be assumed that it is a

<sup>837</sup> Gibson, *Covenant Continuity and Fidelity*, 104. See also McKenzie and Wallace, “Covenant Themes in Malachi,” 55.

<sup>838</sup> Cf. Gibson, *Covenant Continuity and Fidelity*, 105. Whilst Gibson rejects any allusion to Deut 33.8-11 for the reasons, *inter alia*, that “the covenant mentioned in Deut. 33.9 is a national covenant with Israel and not the Levitical one”, he maintains that there is an “assumed tradition” of a covenant with Levi by which “Malachi can take Deuteronomical language of blessing and curse relative to the national covenant with Israel and apply it to the priests.”

<sup>839</sup> Cody, *A History of Old Testament Priesthood*, 120.

<sup>840</sup> The English translation above is prepared with the assistance of [www.DeepL.com](http://www.DeepL.com). The original text is in Chary, *Aggée-Zacharie, Malachie*, 251: “Il n'existe aucune mention de la conclusion formelle d'une telle alliance. Le plus vieux texte susceptible d'être invoqué est Dt 33,8-11 où Levi, «l'homme de son amour», reçoit une belle bénédiction et la garantie de réduire ses adversaires pour sa conduite vaillante à Massa et Mériba (Ex 17, 1-7; Nb 20,1-13). Aucune précision n'étant donnée sur le rôle de Lévi dans ces deux épisodes, il faut supposer qu'il s'agit d'une attitude de farouche fidélité au milieu de la débâcle générale, comme lors de l'affaire du veau d'or (Ex 32,25-29) et de Baal Péor (Nb 25, 7-13). Cette fidélité, sanctionnée par la belle bénédiction de Dt 33, 8-11, a favorisé la tradition, au sein du groupe des lévites, d'une relation particulière avec Dieu.” [italics and bold as appeared in the original text] In view of the phrase “...he did not recognize his brothers and did not know his sons...”, some commentators find that Deut 33.9 is an allusion (at least partially) to Exod 32.29 (the “golden calf” incident). See, for examples, Peter C. Craigie, *The Book of Deuteronomy*, NICOT, Grand Rapids: Eerdmans, 1976, 396; D.L. Christensen, *Deuteronomy 21:10-34:12*, WBC 6B, Nashville: Thomas Nelson, 2002, 849. See also Fuller, “The Blessing of Levi in Dtn 33, Mal 2, and Qumran,” 35, fn 21 (“Ex 15:25 and Ex 17:1-7 share more of the selected vocabulary that has to do with the Levites in Dtn 33:8-10 than the other passages.”).

question of an attitude of fierce fidelity in the midst of the general debacle, as in the affair of the golden calf (Ex 32:25-29) and of Baal Peor (Num 25:7-13). This fidelity, sanctioned by the beautiful blessing of Dt 33:8-11, favoured the tradition, within the group of Levites, of a particular relationship with God.” (my translation)

In sum, the aforesaid factors support a more than probable case of allusion to Deut 33.8-11 by Mal 1.6-2.9, in particular 2.4b-8.

### 3.3.13.3 Both Num 25.10-13 and Deut 33.8-11

The analysis above takes us to the situation that Mal 1.6-2.9 alludes to both Num 25.10-13 and Deut 33.8-11. The proposal that these two passages are interwoven in Mal is supported by a number of scholars.<sup>841</sup> Fuller suggests that even though Deut 33 does not support any specific covenant with Levi, the said passage “may have been read in this light” in Mal as “the idea may have begun quite early and in the fifth century”. As to Num 25, the key word “zealous” is “later used by the writer of Malachi to begin linking the northern figure of Elijah and the figure of an ideal priest such as Phinehas and Levi.”<sup>842</sup> In alignment with Fuller, Kessler considers that “Mal 2:4-8 combines the idea of Yhwh’s “covenant of perpetual priesthood” with “Phinehas son of Eleazar, son of Aaron the priest” and with the blessing of

<sup>841</sup> O’Brien, *Priest and Levite in Malachi*, 104-106; Fuller, “The Blessing of Levi in Dtn 33, Mal 2, and Qumran,” 38; E.M. Schuller, “The Book of Malachi,” in L.E. Keck ed., *The New Interpreter’s Bible, Vol. 7: Introduction to Apocalyptic Literature, Daniel, Additions to Daniel, Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, Malachi*, Nashville, TN: Abingdon, 1996, 841-877, 860-861; D.J. Clark and H.A. Hutton, *A Handbook on Haggai, Zechariah, and Malachi*, UBS Handbook Series, New York: United Bible Societies, 2002, 401; cf. Deissler, *Zwölf Propheten III*, 326; Utzschneider, *Künder oder Schreiber?*, 65-70 (“eine Kotextualität [sic.] zwischen Mal 2,4ff und Dt 33,8ff nicht unwahrscheinlich”; for Num 25.10ff, there are significant “Stichwortverbindungen” with Mal 2.4ff, the author of Mal might contextualize it according to their time and points of view); G.W. Harrison, “Covenant Unfaithfulness in Malachi 2:1-16,” *CTR* 2 (1987): 63-72, 63-65 (Num 25.10-13; Deut 33.8-11 plus Exod 32.26-29); Weyde, *Prophecy and Teaching*, 183 (Num 25.10ff and Deut 33.10, and “also such traditions as those recorded in Ex 32:26ff; Deut 10:8f; 21:5, ...may have provided a background for the phrase “[YHWH’s] covenant with Levi”); Stuart, “Malachi,” 1315-1316 (“Features of Numbers 6:22-27 and Numbers 25:11-13 are subtly woven into the larger concerns of Malachi 1:6-2:9”, whereas “[t]here are also important correspondences between [Mal 2.5-8] and Deuteronomy 33:8-11”).

<sup>842</sup> Fuller, “The Blessing of Levi in Dtn 33, Mal 2, and Qumran,” 38.

Levi in Deut 33:8-11.” The two pentateuchal passages are presented in the “midrashic way” to develop the idea of YHWH’s covenant with Levi.<sup>843</sup>

The integration and application of the two source traditions is skilful and thoughtful: Following the verdict in respect of the breaches of “this commandment” by the priests and the pronouncement of curse (Mal 2.1-4a), Mal 2.4b introduces the concept of “covenant of Levi”. The intent of YHWH is revealed: “This commandment” was sent to the priests so that YHWH’s “covenant with Levi” remains. Then Mal 2.5-6 made use of the language in Num 25.10-13,<sup>844</sup> directing the readers to the reminiscence of the zealous actions of Phinehas vis-à-vis the dedicated services of the priests in the past. The two consecutive *kî* clauses in Mal 2.7 “introduces the idea that the priest is the source of knowledge and Torah, an idea easily extrapolated from Dtn 33:8-11.”<sup>845</sup> In fact, Deut 33.8-11 guides the readers to recall the fidelity of Levites in the incidents of Massah and Meribah. The image of Phinehas in Num 25 blends with the notional figure of Levi<sup>846</sup> (and Levites as a group in vv.9b-10) in Deut 33, resulting in the idealized “Levi” in Mal 2.4b-7 as the model priest in the past.<sup>847</sup> Moreover, a new concept, i.e. the priest is “a messenger of YHWH of hosts”, is launched, which is “generally understood as an investiture of the priest with the stature previously enjoyed by the prophet.”<sup>848</sup>

<sup>843</sup> Kessler, “The Unity of Malachi,” 231-232, citing Fuller, “The Blessing of Levi in Dtn 33, Mal 2, and Qumran,” 37-40. It should be noted that Kessler has neither defined “midrashic way” of interpretation nor elaborated how Mal 2.4-9 demonstrates the same.

<sup>844</sup> “return / turn back” (שוב, Num 25.11; cf. Mal 2.6); “grant / give” (נתן, Num 25.12; cf. Mal 2.5); “covenant” (ברית, Num 25.12, 13; cf. Mal 2.4, 5, 8); and “peace” (שלום, Num 25.12; cf. Mal 2.5, 6).

<sup>845</sup> Fuller, “The Blessing of Levi in Dtn 33, Mal 2, and Qumran,” 39.

<sup>846</sup> The use of the words איש חסידך (“your loyal man”), אביו “his father” and אמו “his mother”, etc. shows that “Levi” in Deut 33.8-9a is treated as an individual, who was given Thummim and Urim and participated in the incidents of Massah and Meribah. It is clearly fictitious as Thummim and Urim were given to Aaron (Exod 28.30; Lev 8.8), and the person Levi (son of Jacob, Gen 35.23) did not appear in those incidents (Ex. 17:1-7; Num. 20:1-13).

<sup>847</sup> Cf. von Bulmerincq considers that Mal is probably founded on an earlier version of the tradition in Deut 10.6f, which may contain an account of the appointment of the Levites as priests. It is combined with the tradition in Deut 33.8ff to formulate the idea of a covenant with Levi. von Bulmerincq, *Der Prophet Maleachi. Band II*, 201f. See also Weyde, *Prophecy and Teaching*, 179, fn 285.

<sup>848</sup> O’Brien, *Priest and Levite in Malachi*, 43. See also Glazier-McDonald, *Malachi*, 71-72. For a general study of the topic “messenger of YHWH” in the Hebrew Bible, see Hermann Röttger, *Mal’ak Jahwe - Bote von Gott: Die Vorstellung von Gottes Boten im hebräischen Alten Testament*, Regensburger Studien zur Theologie, Band 13, Frankfurt am Main: Peter Lang, 1978.

The tone is suddenly changed in Mal 2.8, piercing the picture of the idealized priest / past and pointing the finger at the contemporary priests (אתם, “you” in the plural form; cf. Mal 2.1-3) with three rebuking statements: “you have turned aside from the way”<sup>849</sup> (in contrast to v.6 “In peace and uprightness he walked with me”),<sup>850</sup> “You have caused many to stumble in the *torah*” (in contrast to v.6 “True *torah* was in his mouth” and “he caused many to turn from iniquity”),<sup>851</sup> and “You have corrupted the covenant of Levi” (in contrast to v.5 “My covenant was with him, life and peace”).<sup>852</sup>

In sum, Mal 1.6-2.9 (in particular, vv.4b-8) contains a blended allusion to both Num 25.10-13 and Deut 33.8-11. In the eyes of the redactors of Mal, as Gibson writes, “the covenant with Levi existed in the past, serves as an ideal for the present, and will be maintained in the future. The reference to Levi as an example of obedience functions in the section to expose the priests’ covenant infidelity.”<sup>853</sup>

### 3.3.13.4 Other remarkable suggestions

Verhoef, rather vaguely, suggests that “sometime in the past and somewhere God did enter into a covenant with Levi, most probably in connection with the historic event mentioned in Exod. 32:26-29.”<sup>854</sup> Nevertheless, even adopting Verhoef’s own criteria (in rejecting Deut 33.8-11), the alleged connection cannot be established as Exod 32.26-29 does not

<sup>849</sup> “Malachi’s reference to “the way” is the divine way of Yahweh’s covenant made known to Israel through the teaching of his statutes and ordinances. ...the preeminence of the *derek* of Yahweh ...makes possible the return (*šwb*) from a false *derek* and thus allows the evildoer to avoid stumbling” (*TDOT* 3:289).” Hill, *Malachi*, AB 25D, 213; cf. also Jacobs considers that the formulation of “turn aside + from the way” portrays “a negative event, a deviation from what is good or favorable”. Jacobs, *The books of Haggai and Malachi*, 228.

<sup>850</sup> “...*hālak* means “walk” in the theological sense of covenant obedience and a worshipful lifestyle, “setting God as the center of human life” (*TDOT* 3:395; cf. Baldwin [1972a: 235]).” Hill, *Malachi*, AB 25D, 209.

<sup>851</sup> “This “true instruction” of Levi serves as a foil for the “instruction” (*battôrâ*) of Malachi’s Levitical contemporaries, teaching that caused many to stumble (v 8).” Hill, *Malachi*, AB 25D, 208; cf. Verhoef, 251, who points out that “[v]erse 8a and b is antithetically parallel to v.6c and d” and “[a]ccording to v.4 God has sent the priests “this command” in order that his covenant with Levi might be maintained, but according to v.8c the present priests have annulled that covenant.”

<sup>852</sup> Cf Weyde, *Prophecy and Teaching*, 201.

<sup>853</sup> Gibson, *Covenant Continuity and Fidelity*, 105. It must be remarked that unlike the present study, Gibson maintains that “there are no clear source texts present in Mal. 2.4c-7”.

<sup>854</sup> Verhoef, 245; cf. Merrill, *Haggai, Zechariah, Malachi*, 368 (referring to the incidents in Exod 32.25-29 and Num 25.13, in particular the latter).

expressly mention “covenant”,<sup>855</sup> not to say that its lexical linkage with Mal 1.6-2.9 is puny.

It is generally accepted that Jer 33.20-21 presupposes an established covenant with Levi.<sup>856</sup> Nevertheless, there are valid reasons not to consider it as the source text of the “covenant of / with Levi” in Mal 1.6-2.9: The lexical parallels are limited to “my covenant” (בריתי, cf. Mal 2.4, 5), “Levites” (הלויים, cf. “Levi” (לוי) in Mal 2.4, 8; 3.3), “the priests” (הכהנים, cf. Mal 1.6; 2.1 (with “the” and in plural); 2.7 (without “the” and in singular)), and, putting the case to the highest, “my servant” (עבדי, cf. Mal 3.22). Neither thematic nor contextual parallel exists between the two passages. There is simply insufficient support for a case of allusion.<sup>857</sup>

### 3.3.14 Tradition of “corrupt” (שחת) + “turn aside from the way” (סרתם מן הדרך) (Mal 2.8)

O’Brien finds that the phrase “turned aside from the way” is “frequently used in Deuteronomic and related literature to describe disloyalty.”<sup>858</sup> Similarly, Hill considers that “[t]he language of the entire clause seems to echo the account of the post-Exodus golden calf apostasy led by Aaron (*šarû mahēr min-hadderek*, Exod 32:8; cf. Deut 9:12, 16; Judg 2:17), as well as the Deuteronomic warning against apostasy upon entry into the land of Canaan (*wěsartem min-hadderek*, Deut 11:28; 31:29).”<sup>859</sup> Indeed, the exact form of מן הדרך + סרתם can be found in Deut 11.28 and 31.29 (but none of them concerns the malpractice or office of priesthood):

- (a) Deut 11.28 is one of the “blessings and curses” provisions that links with the “if not listen” tradition (above);<sup>860</sup> and
- (b) Deut 31.24-29 states that having finished writing “the words of this law” in a book, Moses commanded the Levites (who carried the ark of covenant of YHWH) to put this book of the law besides the ark

<sup>855</sup> Assis, “The Reproach of the Priests (Malachi 1:6–2:9),” 282.

<sup>856</sup> See, for examples, Baldwin, *Haggai, Zechariah, Malachi*, 254; Mason, *The Books of Haggai, Zechariah and Malachi*, 147; Verhoef, 244-245; Glazier-McDonald, *Malachi*, 75, 78; and Mason, *Preaching the tradition*, 242.

<sup>857</sup> Cf. Weyde suggests that “[t]he use of the term “covenant” in Jer 33:21 may have paved the way for its occurrence in Mai 2:4, where it is applied to Levi of the past and to an elaboration of YHWH’s covenant with him (vv. 5f).” Weyde, *Prophecy and Teaching*, 185.

<sup>858</sup> O’Brien, *Priest and Levite in Malachi*, 35.

<sup>859</sup> Hill, *Malachi*, AB 25D, 214.

<sup>860</sup> See “3.3.10.1 Deut 6.20-25 & 11.18-22, 26-28” and the conclusion after “3.3.11.4 Jer 26.4-9” above.

of covenant, as he knew that after his death, “you [2 masc plur] will surely [act] corruptly [שחת x 2 in Hiphil] and turned aside from the way that I commanded you (וסרתם מן הדרך אשר צויתי אתכם) ...you will do the evil (הרע) cf. Mal 1.8) in the sight of YHWH (בעיני יהוה) cf. Mal 2.17),<sup>861</sup> making Him angry by the work of your hand (ידיכם) cf. מידכם in Mal 1.9).” (v.29); then Moses spoke “the words of this song” to the whole assembly of Israel (v.30). One would notice that the phrase “turned aside from the way” is used as a parallel to or elaboration of the verb “corrupt” (שחת).

Similar combinations of words (מן דרך + [word in between] + סור) can be found in the following references:<sup>862</sup>

- (a) Deut 9.12, 16 refers to the sin of the Israelites in the “Golden calf” incident at Mt. Horeb (v.8, cf. Mal 3.22) in which Aaron was undoubtedly involved; in v.12, following the phrase “...your people have acted corruptly (שחת in Piel)”, the phrase “They have turned aside quickly from the way” serves as a parallel to or elaboration of the former, cf. Mal 2.8 is in an inverted order, the phrase “You have corrupted (שחת in Piel) the covenant of Levi” serves as a parallel to or elaboration of the phrase “you have turned aside from the way”,<sup>863</sup>
- (b) Exod 32.8a is almost in an identical form as Deut 9.12b;<sup>864</sup> it provides the explanation of the verb “to corrupt” (שחת in Piel) in Exod 32.7;
- (c) Judg 2.17 writes that the Israelites “soon turned aside from the way (סרו מהר מן הדרך) that their fathers had walked, who had listened to the commandment of YHWH...”; it therefore points to the readiness of the new generation “to abandon what they knew and the path

<sup>861</sup> Mal 2.17 “... All who do evil are good in the sight of YHWH (כל עשה רע טוב בעיני יהוה) ...”

<sup>862</sup> Cf. Weyde, *Prophecy and Teaching*, 202-203, fn 377, who also mentions Lam 3.11 and Ps 119.29. Apart from the thematic and contextual dissimilarities, the dating of these two references is debatable also. Accordingly, the same shall not be discussed further for our present purpose.

<sup>863</sup> Weyde, *Prophecy and Teaching*, 202-203; Jacobs, *The books of Haggai and Malachi*, 231.

<sup>864</sup> Exod 32.8a “they turned aside quickly from the way that I commanded them, they made for themselves an image of calf (סרו מהר מן הדרך אשר צויתם עשו להם עגל מסכה)”, cf. Deut 9.12 “they turned aside quickly from the way that I commanded them, they made for themselves an image (סרו מהר מן הדרך אשר צויתם עשו להם מסכה)”. Weyde has the same observation. Weyde, *Prophecy and Teaching*, 203 fn 377.

that had been set before them”;<sup>865</sup> nevertheless, the verb שָׁחַת (in Hiphil) does not appear until v.19; and

- (d) Isa 30.9-11 depicts that the disobedient sons were not willing to listen to *torah* of YHWH, and they said, *inter alia*, to the prophets, “Do not prophesy to us what is right, ...turn us aside from [the] way (סורו מני דרך), ...”.

With the exception of Deut 11.28 (which is connected with Mal for other reasons, see above), in view of the absence of thematic or contextual parallel, there is insufficient proof in support of an allusion to any of the aforesaid references. Having said that, from the analysis above, one would notice that the combination of “turn aside + from (the) way” is utilized as a parallel to or elaboration of the verb “to corrupt” in Deut 9.12, 16; 31.29; and Exod 32.7-8. It is therefore justified for us to consider that the co-appearance of them is a traditional Deuteronomistic usage that carries the connotation of disloyalty to YHWH.<sup>866</sup> Its occurrence in Mal 2.8 (though in an inverted manner) is clearly intentional – The priests, who received “this commandment” from YHWH (Mal 2.1, 4), are disloyal in that they “have turned aside from the way”, that is, they “have corrupted the covenant of Levi”. Whether the redactors of Mal also intended to utilize or echo the participation of Aaron in the “Golden calf” incident (Deut 9.12, 16) and/or the Levites’ duty to put the book of law besides the ark of covenant (which serves as the testimony / witness against the whole Israel) in accordance with the command of Moses (Deut 31.24-29) is not that clear.<sup>867</sup> It is suffice to say that once again, the redactors of Mal made use of traditional materials to justify the verdict against the priests: They were disloyal to YHWH. It is a well-founded and irresistible conclusion after the series of proof (by facts and traditions) in the preceding verses.

### 3.3.15 “showing partiality” (נִשְׂאִים פְּנִים) in torah (Mal 2.9)

Subject to the context, apart from describing the physical action,<sup>868</sup> the combination of “נִשְׂאִים + פְּנִים” (literal meaning: “lift up the face”) can be

<sup>865</sup> Jacobs, *The books of Haggai and Malachi*, 228.

<sup>866</sup> Cf. Weinfeld finds that the combination of “turn aside” + “from (the) way” is a traditional Deuteronomistic phrase signifying disloyalty to YHWH. Weinfeld, *Deuteronomy and the Deuteronomistic School*, 339.

<sup>867</sup> Cf. Weyde, *Prophecy and Teaching*, 203.

<sup>868</sup> For example, 2 Kings 9.32.

translated as “grant favour”<sup>869</sup> (positive meaning) or “show partiality”<sup>870</sup> (negative meaning). O’Brien notes that the phrase “is most likely governed by the negative *’ēnēkem* in accordance with Gesenius’ explanation that negatives may extend influence into a second parallel clause.”<sup>871</sup> The negative meaning is therefore adopted here.<sup>872</sup>

Weyde considers that the negative meaning of נשא פנים “seems to prevail in the sphere of jurisdiction, in which the phrase refers to partiality and is also connected with the idea of taking bribes.”<sup>873</sup> In this regard, Deut 10:17 describes YHWH as, *inter alia*, “the great, mighty and awesome God” (האל הגדול והגבר והנורא)<sup>874</sup> who is not partial (לא ישא פנים) and takes no bribe. Deut 16.19 writes that the judges and officials shall not, *inter alia*, show partiality (לא תכיר פנים) and they shall not take bribe. In the Holiness Code, Lev 19:15 writes that “You shall not do injustice in judgment and you shall not be partial to the poor (לא תשא פני דל) ....”<sup>875</sup> As it is considered that Mal 1.6-2.9 is the second round of “court disputation” in the book, the use of “נשא + פנה” in its negative sense, which has the connotation of legal language, is well justified.

What is remarkable is that Mal 2.9 does not concern the judicial office or personnel. From the immediate literary context, one would gather that it is about the dereliction of duty by the priests in respect of *torah* teaching and / or giving instructions. Hence, instead of alluding to any of the aforesaid inner-biblical references,<sup>876</sup> it is more likely that the redactors of Mal made use of the connotation of “נשא + פנה”, that is, the appointed persons neglect the duty and/or abuse the authority conferred on them.

<sup>869</sup> For examples, Gen 19.21; 32.21; 1 Sam 25.35; 2 Kings 5.1; Mal 1.8; and Job 22.8.

<sup>870</sup> For examples, Lev 19.15; Deut 10:17; Mal 2.9; Job 32.21; 34.19; and Prov 18.5.

<sup>871</sup> O’Brien, *Priest and Levite in Malachi*, 39, citing Gesenius, William, E. Kautzsch and A.E. Cowley, *Gesenius’ Hebrew Grammar*, edited and enlarged by E. Kautzsch, 2<sup>nd</sup> English ed. by A.E. Cowley, Oxford: Clarendon Press, 1910, 152z.

<sup>872</sup> See e.g. Verhoef, 253; Redditt, *Haggai, Zechariah, Malachi*, 169; “This meaning fits in well with the other charges against the priests in the context”, Weyde, *Prophecy and Teaching*, 208-209; Jacobs, *The books of Haggai and Malachi*, 234.

<sup>873</sup> Weyde, *Prophecy and Teaching*, 208.

<sup>874</sup> Cf. Mal 3.23 “the great and terrible day of YHWH” (יום יהוה הגדול והנורא); Mal 1.11 “great (גדול) is my name among the nations” x 2).

<sup>875</sup> Cf. Job 32.21 “I will not show partiality to a person (אל נא אשא פני איש) ....”; also Job 34.19; Prov 18.5.

<sup>876</sup> Whilst Verhoef asserts that the priests’ “instruction of the law was instigated by material gain and was based on bribery and corruption” (Verhoef, 253), which sounds echoing Deut 10.17 and 16.19 above, the said claim is not substantiated by the text. We do not have sufficient proof as to the reason(s) of the priests’ partiality.

The said traditional connotation is applied to the priests at the end of this further verdict (Mal 2.1-9).

Furthermore, it is likely that the phrase “showing partiality in *torah*” (נשאים פנים בתורה) is echoing the rhetorical questions in Mal 1.8b (Will the governor “grant you favour (הישא פניך)” upon receiving the blemished animals?) and 9b (Will YHWH “show favour to any of you (הישא מכם פנים)?”).<sup>877</sup> The use of the phrase “showing partiality” highlights the ludicrous thought of the priests who “expect God to grant them favor when they could not reciprocate in like kind to the very people they were commissioned to serve”.<sup>878</sup> In fact, all along, YHWH adheres to the covenant with Levi and the “blessings and curses” in Deut 28, etc. which form the foundation of His accusations and verdicts against the priests. There is no doubt that YHWH is impartial in *torah*. Having said that, whether the redactors of Mal intended to refer to the impartiality of YHWH (e.g. in Deut 10.17) as a contrast to the partiality of the priests in Mal is not that clear.

### **Purpose & message**

The core issue of this disputation is whether the priests had despised (the name of) YHWH. The issue is divided into two aspects: Offering defiled food on the altar of YHWH and failing to take His commandment to heart (by causing many people to stumble in *torah* and corrupting the “covenant with Levi”). In alignment with Mal 1.2-5, in Mal 1.6-2.9, the redactors invoke numerous traditions to establish the accusations and to justify the verdicts.

At the beginning of this pericope, the emphasis that YHWH is the “father” and “master” who deserves “honour” and “respect” is clearly purposive. Such a “father and son” metaphor is in conformity with the covenantal relationship and obligations between YHWH and the Israelites as articulated in the Deuteronomic conceptions. Indeed, the metaphorical parallel of “father and son” and “master and servant” involve the common elements of “respect / fear”, fidelity and obedience (Lev 25.55f; cf. 1 Kings 1.19 and 2 Kings 16.7). It is likely that the redactors of Mal made use of this pair of metaphors with the intent to highlight the covenantal relationship between YHWH and the restoration community.<sup>879</sup>

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<sup>877</sup> Hill, *Malachi*, AB 25D, 218.

<sup>878</sup> Hill, *Malachi*, AB 25D, 218.

<sup>879</sup> Cf. Fensham, “Father and Son as Terminology for Treaty and Covenant,” 131, “It is probable that with the combination of son and servant in the first part of the verse and then with the rhetorical question asked to accuse the unfaithful people that the word “father” denotes here a covenant term.”

The fact that YHWH is the “father” and “master” is, ironically, in a stark contrast with the attitude and malpractice of the priests who are supposed to honour and respect YHWH. The serious accusation of “O priests, despisers of my name” succinctly illustrates the problem (Mal 1.6). Arguably, the use of the word “despise” in Mal 1.6 and 2.9 (with the probable allusion to 1 Sam 2.27f) forms an *inclusio* in this pericope.<sup>880</sup> The judgment of YHWH against the family of Eli and the latter’s consequential decline probably “served as a model for the composition of Mai 1:6-2:9”.<sup>881</sup> Indeed, in 1 Sam 2.30, YHWH declares (נאם יהוה, cf. Mal 1.2) that “for those honour me I will honour, and those despise (בזה, cf. Mal 1.6 x 2, 7, 12; 2.9) me will be cursed (קלל).” It provides the justification for the curse (ארר) against the priests in Mal 1.14; 2.2 (x 2).

In the context of the temple, 1 King 8 and Deut 28.58-59 provide Mal 1.6-2.9 with the backdrop as to the proper relationship between the priestly services and the glory of YHWH. Against that backdrop, on the one hand, the tradition of “respect / fear” (מורא) YHWH, which has the connotations of election by YHWH and the corresponding obligation to observe His commandment (Deut 4.34; 11.22-25; 26.8; 34.10-12; Isa 8.11-13; Jer 32.21), is invoked in Mal 1.6. On the other hand, the term “despise”, which denotes breach of the word or commandment of YHWH, is applied to the priests. In view of the ritual significance of the Deuteronomistic tradition concerning the name of YHWH,<sup>882</sup> the allegation that the priests are “despisers” of His name reflects the ironic situation of the faithful community.

Accordingly, in the opening verse (Mal 1.6) of this pericope, the aforesaid traditional elements are artfully combined to (a) establish the covenantal relationship as the basis of the accusations and verdicts; and (b) encapsulate the gist of the accusations against the Israelites in general and the priests in specific.

The various prohibitions against offering blemished animals for sacrifice are blatantly ignored by the priests (together with the laity who handed in such animals). Lev 22.17-25, which concerns the criteria of an acceptable vow offering, are alluded to in Mal 1.6-14 to illustrate the priests’ wilful breach of the sacrificial rules which they are supposed to be familiarized with. That brings in the issue of the criteria of the acceptable personnel who are responsible for serving at the altar of YHWH. It is likely that the

<sup>880</sup> See the discussions in 3.3.2.1 and 3.3.4 above.

<sup>881</sup> Weyde, *Prophecy and Teaching*, 206-207.

<sup>882</sup> See 3.3.4 above.

said pericope of Mal also alludes to Lev 21. The depiction that the priests and their offerings could not meet the requirements stated in the book of Leviticus is an irony. Together with the possible allusion to Deut 15.19-23<sup>883</sup> and Lev 27.1-13, the use of these traditional materials paves the way for the subsequent passages concerning the curses against the cheaters and the priests (Mal 1.14; 2.2) as well as the corruption of “the covenant of Levi” (Mal 2.8).

There is an even chance that 1 Sam 13 is alluded to in the phrase “entreat the favour of God” in Mal 1.9. The offering of defiled foods by the priests in Mal is analogous to the improper offering made by Saul. It is sharply satirical to tell those priests that “And now entreat the favour of God” when their offerings could not even please the governor (Mal 1.8). As R.L. Smith points out, “Malachi accuses the priests with having more fear, respect, honor for the governor than they have for Yahweh.”<sup>884</sup>

The two verdicts of YHWH, namely Mal 1.10-14 and Mal 2.1-9, are connected by the common theme of rejection of the priestly services. The term “curse” (ארר) serves as the bridge between them. At the beginning of the first verdict (Mal 1.10), the tradition of rejection of offerings by YHWH is introduced. The phrase “I will not accept an offering from your hand” (Mal 1.10; cf. 1.13) seriously denounces the malpractice of the priests. It also reflects the probable intention of the redactors of Mal to position this oracle within the prophetic tradition, which is evidenced by its alignment with the prophetic words in Hos 8.11-13 as well as the general prophetic tradition that YHWH declines to accept the offerings from the people (Jer 14.7-16; Isa 1.10-17; Amos 5.21-24). In particular, the almost identical phrases of “and your offerings I will not accept” (ומנחתיכם לא ארצה) in Amos 5.22 and “and offering I will not accept” (literal translation of לא ארצה) in Mal 1.10 suggests a probable scenario that the redactors of Mal made use of the traditional materials in a flexible and creative manner: The said phrase in Amos was taken out from its original theme and context and fit into the statement in Mal 1.10 (and likely also the rhetorical question in Mal 1.13).

The mention of “pure” / “clean” (טהור) offering in Mal 1.11 reminds the readers an essential duty of the priests, that is, to comply with the words of

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<sup>883</sup> Weyde remarks that Mal 1.8a actualizes the traditions “in a rather free way and creates the unique biblical word combination “blind, lame and sick”. These three categories of unacceptable animals correspond to those mentioned in Leviticus 22, but the terminology in the Malachi text is more common in the Hebrew Bible and occurs partly, as mentioned, in Deut 15:21.” Weyde, *Prophecy and Teaching*, 210.

<sup>884</sup> R.L. Smith, *Micah-Malachi*, 312.

YHWH in relation to “clean” and “unclean”, and to teach the people to obey the same. Thus, an ironic contrast is made between (a) the priests who offer profaned foods at the altar and despise the name of YHWH; and (b) the people from every place and nation (except the Israelites) who offer incense and pure offering to YHWH and consider His name as great. The “honour” and “respect” of YHWH do not come from His “son” or “servant” (Mal 1.6) but from other nations and places.

Then in the further verdict, the traditional Deuteronomistic phrase of “this commandment” (המצוה הזאת) steps into the picture (Mal 2.1, 4), paving the way for the statements concerning the covenantal relationship between YHWH and the priests (the “covenant of / with Levi”, Mal 2.4, 5, 8). The issue of focus is shifted from offering blemished animals to dereliction of the priestly duty concerning *torah*. In the context of Deut 5, 6, 10, 11, “this commandment” mainly refers to the decrees (העדות), statutes (החקים), ordinances (המשפטים) and commandment (המצוה). In the course of reading the aforesaid chapters of Deuteronomy consecutively, one would notice that Deut 10.12-13 is akin to Deut 6.4-5, 25, and Deut 11.22 is similar to Deut 6.25 also. The attention of the readers / audience is drawn from the observance of YHWH’s statutes and ordinances, etc. to the “*Shema*” (Deut 6.4-5; 10.12). This study finds that Mal 2.2, 8 probably allude to Deut 11.18-22, 26-28. The purpose of doing so is not focusing on the legalistic obedience to YHWH’s statutes and ordinances, etc. (e.g. the sacrificial rules). Instead, the purpose is to place the emphasis on the attitude of the Israelites towards YHWH.

Having said that, “this commandment” also carries the connotation of the divine requirement (of diligent compliance with the words of YHWH) with the consequential blessings and curses (e.g. Deut 30.1-11). In view of it, in the context of Mal 1.6-2.9, it is suggested that “this commandment” (Mal 2.1, 4) should be understood not in the general sense of statutes and ordinances but in the specific sense of the divine requirement in relation to the covenant between YHWH and the priests (the “covenant of / with Levi”). It refers to “the command of the priestly office as a divinely ordained institution”.<sup>885</sup> On that traditional basis, the priests’ breach of the sacrificial rules and malfeasance in *torah* ministry together with their disdainful attitude towards YHWH (Mal 1.13 “What a weariness!”) well justifies the curse in Mal 2.2-3.

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<sup>885</sup> Hill, *Malachi*, AB 25D, 197.

Following that, the traditional form of “if you do not listen” comes into the picture (Mal 2.2). It has the connotation of the adverse consequences as a result of “not listen” to YHWH. In the context of Mal, it highlights the fact that the priests had failed to take the commandment of YHWH to their heart. In this regard, the allusion to Lev 26.14-15, in particular the phrase “if you do not listen to me” (אם לא תשמעו לי), links with the allusion to “if you do not listen to the commandment of YHWH your God” (אם לא תשמעו אל) (מצות יהוה אלהיכם) in Deut 11.28 (above). The same tradition also appears in Deut 28.15f, which (in the greater context) belongs to the tradition of “blessings and curses”. It is remarkable that the form “the curse” (את המארה) only occurs in Deut 28.20 and Mal 2.2.<sup>886</sup> By alluding to Deut 28.15-20, it is likely that there is a collateral purpose, that is, to accentuate the effect of the curses on the descendants of those who do not observe YHWH’s commandment and statutes (Deut 28.15). As suggested by Weyde, the said tradition is stated in Deut 28.46, 59 and actualized in Mal 2.3.<sup>887</sup>

1 Sam 12, which also contains the traditional phrase of “if you do not listen”, is remarkable as it is the discourse of the priest of Israel (Samuel) who warned the people to fear and serve YHWH (v.14) with all their heart (v.24). It also involves the traditional element of “blessings and curses”. Being depicted as a model priest, Samuel is in stark contrast to the priests in Mal.

In sum, the inner-biblical references mentioned above suggest that the redactors of Mal had, on the one hand, utilized materials of the tradition of “if you do not listen”,<sup>888</sup> which is the common thread connecting the aforesaid passages, and on the other hand, selected the featured words and/or phrases from each of them and applied the same in Mal.<sup>889</sup>

Just like Deut 11.18-22, 26-28, apart from “this commandment”, Mal 2.2 also contains the traditional form of “שים + על לב” (“take” [the words of YHWH] to “heart”).<sup>890</sup> The said form highlights the significance of (a) strict observance of YHWH’s words; and (b) if one disregards the same, the

<sup>886</sup> In fact, the phrase “I will send the curse upon you” (שלחתי בכם את המארה) in Mal 2.2 is strikingly similar to “YHWH will send against you the curse” (ישלח יהוה בך את המארה) in Deut 28.20. See the discussion in 3.3.11.2 above.

<sup>887</sup> Weyde, *Prophecy and Teaching*, 163.

<sup>888</sup> In Mal, instead of the Israelites in general, the addressees of “if you do not listen” are the subject priests in specific.

<sup>889</sup> For examples, “turn aside from the way” in Deut 11.28 cf. Mal 2.8; “if you do not do all these commandment” in Lev 26.14 cf. Mal 2.1-2; “the threat / frustration” (המגערת) in Deut 28.20 has the same root גער as “rebuke” (גער) in Mal 2.3; also “put these words to your heart” in Deut 11.18 cf. Mal 2.2.

<sup>890</sup> The alternative forms are “שים + אל לב” and “שים + לב”.

certainty of divine punishments (Exod 9.20-21; Deut 32.46-47).<sup>891</sup> It fits neatly in Mal 2.1-9, which focuses on the priestly malfeasance in their *torah* ministry, as the traditions of “this commandment”, “if you do not listen” and “blessings and curses”, etc. are assembled to constitute the further verdict of YHWH against them.

The parallel arrangement of “if you do not listen” and “if you do not take (it) to your heart” reinforces the allegation against the priests that they had failed to “give honour to my [YHWH’s] name.” (Mal 2.2) As they disregarded His commandment, the consequential curses were expected. The remarkable form of “the curse” (את המארה), which only appears in Deut 28.20 and Mal 2.2, provides this segment (Mal 2.1-9) with the interpretative perspective of the covenantal curses as set out in Deut 28. In Weyde’s words, “Mal 2:1ff can be regarded as a generic transformation of a curse (non-oracle) into an oracle. It is the way in which Deut 28:15ff is actualized in Mal 2:3a that gives the basis for this suggestion.”<sup>892</sup>

The phrase and concept of the “covenant of / with Levi” (Mal 2.4, 5, 8) is probably the result of the integration of Num 25.10-13 and Deut 33.8-11. The commonality of the two passages is the faithful attitude of the priests therein. The reference to Num 25.10-13 is (highly likely) purposeful as the zeal of Phinehas is comparable with (or portrayed as) the “fear” (respect) of the idealistic “Levi” in Mal 2.5, and both are in marked contrast to the priests in Mal. The resultant conferment of the covenant of perpetual priesthood upon Phinehas and his descendants evidences the foundation of the continuity of YHWH’s covenant with the priests vis-à-vis the priests’ duties towards YHWH. In Deut 33.8-11, “Levi” is described as “your [YHWH’s] godly man” (איש חסידך). The commendation of “Levi” in Deut 33 is an exact opposite of the condemnation of the priests in Mal. By referring to the services of “Levi” in Deut 33.9-10, the criteria that the priests in Mal needed to meet are restated: “For they observed your [YHWH’s] word and kept your covenant. They teach Jacob your ordinances and Israel your *torah*, they put incense before you and whole (burnt offering) on your altar.”

Hence, this study finds that the image of Phinehas in Num 25 and the notional figure of “Levi” (and Levites as a group) in Deut 33 were merged to compose the idealized “Levi” in Mal 2.4b-7. This “Levi” was given the

<sup>891</sup> As mentioned in 3.3.11.5 above, the said form does not necessarily relate to the words of YHWH. For the occasions that connect with the words of YHWH, see Exod 9.21; Deut 11.18; 32.46; Ezek 40.4; 44.5 and Mal 2.2.

<sup>892</sup> Weyde, *Prophecy and Teaching*, 211.

covenant (“life and peace”) and fear, and he properly discharged his priestly duties (Mal 2.5-7). These verses present the portrayal of a model priest and therefore, set the criteria by which the priests in Mal are judged. In other words, the message conveyed is that the decadent priests should follow the steps of their zealous and faithful predecessors.

At the end of this pericope, the tradition of “turn aside + from (the) way + corrupt”, which is a traditional Deuteronomistic expression that carries the connotation of disloyalty to YHWH, and the traditional form of “showing partiality” in legal sense are invoked in Mal 2.8-9 to recapitulate the depravity of the priests – they had corrupted “the covenant of Levi”. The further verdict ends with such final words and the justifiable punishment: As they are despisers of YHWH’s name (Mal 1.6), YHWH shall make them despised and abased before the Israelites (Mal 2.9).

In sum, in this longest pericope of the book, there are, *inter alia*, two remarkable features concerning the use of traditional materials: First, the redactors profusely utilized materials of different traditions and sources. Secondly, those materials were expressed in creative (and sometimes unique) manners.

As to the first point, in the past, scholars tended to think that Mal is dependent on Deuteronomic laws rather than Priestly (P) legislations in respect of sacrificial matters.<sup>893</sup> Glazier-McDonald observes that both von Bulmerincq and Chary consider that in Mal, the usage of Deuteronomic words and phrases is more frequent and striking even though the prophet (Malachi) knew and made use of Priestly materials. Nevertheless, their respective surveys make this concept shaky. It is discovered that the frequency of appearances of Deuteronomic materials is only slightly more than Priestly materials.<sup>894</sup> In this regard, E. Meyers finds that “Malachi is

<sup>893</sup> Blenkinsopp, *A History of Prophecy in Israel*, 211-212. See also O. Eissfeldt, *The Old Testament: An Introduction, including the Apocrypha and Pseudepigrapha, and also the work of similar type from Qumran; the history of the formation of the Old Testament*, translated by Peter R. Ackroyd, New York: Harper and Row, 1965, 442; cf. O. Procksch, *Die kleinen prophetischen Schriften nach dem Exil*, Stuttgart: Calwer, 1929, 60; G.A. Smith, *The Book of the Twelve Prophets: Commonly called the minor, vol.2*, The Expositor’s Bible, Rev. Ed., New York; London: Harper & Brothers, 1940, 328-329; E. Sellin and G. Fohrer, *Introduction to the Old Testament*, translated by D.E. Green, Nashville: Abingdon, 1968, 470; J. Swetnam, “Malachi 1, 11: An Interpretation,” *CBQ* 31 (1969): 200-209, 203.

<sup>894</sup> Glazier-McDonald, *Malachi*, 73, citing von Bulmerincq, *Der Prophet Maleachi*, 1.436f and Chary, *Aggée-Zacharie, Malachie*, 173f. Concerning the priestly influence, Glazier-McDonald gives a list of words and phrases, e.g. לחם (“food”, Mal 1.7); קרב in Hiphil (“present / offer”, Mal 1.8); הלל את (“profane (the name)”, Mal 1.12); זכר (“male animal”, Mal 1.14), etc.. Glazier-McDonald, *Malachi*, 73-74.

also familiar with P, if not all the Pentateuch". The integration of Deuteronomistic and Priestly languages in the book "may signify nothing more than the author's dependency on written components of the unofficial canon, i.e., what Freedman calls the Primary History (Gen-Kings)."<sup>895</sup> Reventlow succinctly put that, "Malachi would have known the Deuteronomistic and Priestly traditions and combine them together." (my translation)<sup>896</sup> Similarly, O'Brien observes that the redactors of Mal were familiarized with a "broad range of sources", including not only Deuteronomy but also the Priestly Code. "Employing common prophetic accusations against covenant violation and patterning the book after the structure of the *rîb*, the author describes the contemporary failings of the priests in terms of an ancient prophetic model."<sup>897</sup>

Regarding the second point, apart from the creative use of the "Priestly Blessing" in Num 6.23-27 as the backdrop,<sup>898</sup> many phrases and usage of terms in Mal 1.6-2.9 are unique in the Hebrew Bible. To name a few examples, using *חָתַת* in Niphal (*נָחַת* "stood in awe", Mal 2.5) as a synonymous parallelism to *יָרָא* for the fear of God,<sup>899</sup> describing a priests as "a messenger of YHWH of hosts" (Mal 2.7),<sup>900</sup> applying *שָׁחַת* in Piel to a covenant ("You have corrupted the covenant of Levi", Mal 2.8),<sup>901</sup> identifying the covenant by the construct-genitive phrase "the covenant of Levi" (*בְּרִית הַלְוִי*, Mal 2.8), and using "showing partiality" (*נִשְׂאָ + פָּנָה*) in relation to the priestly duty concerning *torah* (Mal 2.9), etc.. In view of the redactors' acquaintance with the traditional materials (in particular Deuteronomistic and Priestly), it is justified to infer that they were affiliated with the priestly groups and cherish the aforesaid traditions as having the divine authority.<sup>902</sup> They

<sup>895</sup> E. Meyers, "Priestly Language in the Book of Malachi," 235.

<sup>896</sup> "Maleachi hätte dtr und P-Tradition gekannt und miteinander kombiniert." Reventlow, *Die Propheten Haggai, Sacharja und Maleachi*, 144.

<sup>897</sup> O'Brien, *Priest and Levite in Malachi*, 144.

<sup>898</sup> See the discussion in 3.3.12.2 above.

<sup>899</sup> Hill, *Malachi*, AB 25D, 207-8; *TDOT*, 5:280.

<sup>900</sup> "The title "messenger" is reserved for the prophets of Yahweh, ...cf. Hag 1:13, "messenger of Yahweh" [*mal'ak YHWH*]; see Meyers and Meyers [1987: 34]." Hill, *Malachi*, AB 25D, 212. Cf. in Mal 3.3, the messenger of YHWH (v.1 "my messenger (*מַלְאָכִי*)" and "the messenger of covenant (*מַלְאָךְ הַבְּרִית*)") shall clean / purify (*טָהַר*) the descendants of Levi until they present offerings (*מִנְחָה*) to YHWH in righteousness.

<sup>901</sup> Hill, *Malachi*, AB 25D, 215.

<sup>902</sup> "One wonders whether this wordplay on *mal'ak* ("messenger") [in Mal 2.7] constitutes a veiled reference by the prophet to his own membership in the Levitical priesthood. He was clearly familiar with priestly concerns and Temple practices." Hill, *Malachi*, AB 25D, 213. At p.48, Hill also writes that, "Malachi's concept of the priesthood as the repository of the knowledge of God for the people (2:5-7) may be a result of *his association with Levitical*

made use of (the divine authority of) such traditional materials innovatively to (a) reflect the decadent attitude and malpractice of the priests, and (b) motivate the priests to reform and treat the traditions as regulatory guidelines.

To conclude, in this second unit of court disputation, the charge that the priests were the despisers of the name of YHWH is established. R.L. Smith notes that “[t]his entire pericope deals with the proper attitude or response to authority: son-father, servant-lord, vassal-governor. Malachi accuses the priests with having more fear, respect, honor for the governor than they have for Yahweh.”<sup>903</sup> Instead of walking with YHWH, they had turned aside from His way; instead of keeping YHWH’s covenant with Levi, they had corrupted the said covenant; instead of teaching the Israelites the *torah* of YHWH, they had caused the people to stumble in the *torah*; and instead of honouring and fearing the name of YHWH, they had despised His name. As a result, the verdict of guilty is inevitable.<sup>904</sup>

Finally, as Glazier-McDonald points out, the punishment imposed by YHWH on the priests “is not merely a penalty for a covenant breach, but is also a necessary preparation for future renewal, cf. 3:3.”<sup>905</sup> Similarly, Hill advances that “Malachi seeks the rehabilitation of the Levitical priesthood. His words call for the restoration or reinstatement of the covenant with Levi as it was in the former days (cf. Petersen [1995: 190]). Hence, the verb *hyh* [i.e. the להיית in Mal 2.4b] here has the sense of “revive, be actualized” (KBL 1:309; cf. Petersen [1995: 175], “to enforce my covenant with Levi”).”<sup>906</sup>

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*circles* [my emphasis in italics], given the similarity of his oracles to the so-called Levitical sermons of Haggai and the Chronicler (so Mason [1977: 137]; cf. Mason’s [1990: 257] later study dismissing the literary genre of “Levitical sermon”). ...Malachi’s apprehension of the Levitical priesthood as servants of God, facilitators of worship, and ministers of covenant reconciliation aptly reflects the function of these cultic figures within the Israelite community (2:4–9; see C. Barth [1991: 152–65]).”

<sup>903</sup> R.L. Smith, *Micah–Malachi*, 312.

<sup>904</sup> Refer Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 267. Rudolph writes, “Die heutigen Vertreter des Priestertums haben den Levibund in jeder Weise gebrochen: Statt mit Jahwe zu wandeln (6ba), wichen sie vom Wege ab (= 9b: »Sie achteten nicht auf meine Wege«), statt durch ihre Unterweisung viele von Verschuldung abzuhalten (6bb.7a), brachten sie viele durch sie zu Fall, sei es durch Fahrlässigkeit (oder Parteilichkeit 9bb) in der Beratung oder durch den Widerspruch zwischen ihrer Unterweisung und ihrem eigenen Verhalten. So ist die Strafe unausbleiblich (9a): Jahwe macht sie im ganzen Volk verächtlich und geringgeschätzt.”

<sup>905</sup> Glazier-McDonald, *Malachi*, 69.

<sup>906</sup> Hill, *Malachi*, AB 25D, 204.

### 3.4 Mal 2.10-16

#### Text, translation & text-critical issues

<p>הָלוֹא אֵב אֶחָד לְכָלֵנוּ  הָלוֹא אֵל אֶחָד בְּרָאֵנוּ  מִדּוּעַ נִבְגַּד אִישׁ בְּאָחָיו  לְחַלֵּל בְּרִית אֲבֹתֵינוּ</p>	<p>2.10</p>	<p>Is it not one father for all of us?  Is it not one God created us?  Why then are we faithless with each other,<sup>907</sup>  profaning the covenant of our fathers?<sup>908</sup></p>
<p>בְּגַדְהָ יְהוּדָה  וְתוֹעֵבָה נַעֲשְׂתָה בְּיִשְׂרָאֵל וּבִירוּשָׁלַם  כִּי חָלַל יְהוּדָה קֹדֶשׁ יְהוָה</p>	<p>2.11</p>	<p>Judah has been faithless  and abomination has been committed in Israel and in Jerusalem.  For<sup>909</sup> Judah has profaned<sup>910</sup> the sanctuary<sup>911</sup> of YHWH,</p>

<sup>907</sup> Cf. Verhoef, 262; Hill, *Malachi*, AB 25D, 221; Lear, *Scribal Composition*, 27, fn 10; Schart, *Maleachi*, 85; Malachi, 81.

<sup>908</sup> “The preposition *lamed* + *hll* mark an infinitive clause of *result* expressing the consequence or outcome of the preceding verb (*bgd*, WO’C § 36.2.3d).” Hill, *Malachi*, AB 25D, 227. See also e.g. Verhoef, 262; Glazier-McDonald, *Malachi*, 82 (“violating”); Gibson, *Covenant Continuity and Fidelity*, 116; cf. the word “profane” is translated in an infinitive form, see e.g. Eddinger, 54; Schart, *Maleachi*, 85; Malachi, 81.

<sup>909</sup> “כִּי” is a subordinate conjunction, opening a clause that functions epexegetically.” Eddinger, 59. See also Glazier-McDonald, *Malachi*, 82; Hill, *Malachi*, AB 25D, 230; cf. e.g. R.L. Smith, *Micah-Malachi*, 319 (“because”).

<sup>910</sup> As to the “gender shift” from feminine (בגדה יהודה, “Judah has been faithless”) to masculine (חלל יהודה, “Judah has profaned”) in this verse, Glazier-McDonald suggests that it “functions as an indicator of totality.” Glazier-McDonald, *Malachi*, 89.

<sup>911</sup> J.M.P. Smith, 48; Glazier-McDonald, *Malachi*, 82; Redditt, *Haggai, Zechariah, Malachi*, 171 (“The Temple was called the sanctuary of the Lord, which he loves”); Eddinger, 54; Gibson, *Covenant Continuity and Fidelity*, 116; cf. R.L. Smith, *Micah-Malachi*, 319 (“holy place”); Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 268; Hill, *Malachi*, AB 25D, 221, 230 and Schart, *Malachi*, 81; *Maleachi*, 85 (“holiness”); Verhoef, 262, 268, who translates it as “sanctuary” but considers that it refers to Israel “as the chosen and holy people” rather than the temple.

אֲשֶׁר אָהַב וּבָעַל בַּת־אֵל נָכָר		which he loves, and has married the daughter of a foreign god.
יִכְרֹת יְהוָה לְאִישׁ אֲשֶׁר יַעֲשֶׂנָה עַר וְעָנָה מֵאֶהֱלֵי יַעֲקֹב	2.12	May YHWH cut off the man who does this, <sup>912</sup> (who) awakes and answers, <sup>913</sup> from the tents of Jacob,

<sup>912</sup> For the purpose of this study, I consider “the man” as the direct object of the verb “cut off” (with the preposition ל serves as the direct object marker), and “(who) awakes and answers” is an adjectival phrase which refer to the preceding “any man who does this”. Further or alternatively, “(who) awakes and answers” refers to “the man’s family and descendants who would disappear from the “tents of Jacob””. Richard A. Taylor and E. Ray Clendenen, *Haggai, Malachi*, NAC 21A, Nashville: Broadman & Holman, 2004, 340.

<sup>913</sup> Schart considers that “[t]he MT of the verse contradicts the usual syntax and semantics so much that it can only be dealt with by employing a lot of imagination.” Schart, *Malachi*, 82; *Maleachi*, 86. As Gibson points out, “A comprehensive search reveals that at least ten distinct interpretations have been proposed for the obscure phrase [ער וענה] by translators and commentators.” “The obscurity of the phrase and the textual variant in 4QXII<sup>a</sup> and the LXX have produced a variety of translations and interpretations and show that the earliest translators knew of no tradition behind the meaning of the phrase.” J. Gibson, “Cutting off “kith and kin,” “Er and Onan”? Interpreting an obscure phrase in Malachi 2:12,” *JBL* 133,3 (2014): 519-537, 519-520. Here, ער וענה is translated as “(who) awakes and answers” with reference to the lexical meanings of the words and Gibson, *Covenant Continuity and Fidelity*, 116. Hill notes that “[t]he translation of S.R. Driver (1906: 314) represents the traditional understanding of this pair of words (“him that waketh and him that answereth” [i.e., everyone]). Hill, *Malachi*, AB 25D, 234. See also J.M.P. Smith, 50-51, who considers that, “The destruction of the sinner and all his kin is apparently asked for” and “[t]he use of the word “tents” suggests the possibility that the terms “awaker and answerer” may have had some connection with camp-life. Or they may refer to the arousing of the family in the morning”; Keil and Delitzsch, *Commentary on the Old Testament*, paragraph 31476 (“wakers and answerers”); R.L. Smith, *Micah-Malachi*, 318, 319-320 fn 12.a (“the one who is awake and answers”); and Glazier-McDonald, *Malachi*, 82, 95-98, who considers that ער וענה “bear a sexual connotation and translates the phrase as “the aroused one and the lover”. For Verhoef, whilst accepting that this phrase literally means “he who calls and he who answers”, he considers it as an idiom and translates it as “whoever he may be”, Verhoef, 270. Though there is no sounded reason to do so, some commentators emend ער to עד (“witness”), see e.g. Baldwin, *Haggai, Zechariah, Malachi*, 260 (“Any to witness or answer”); O’Brien, *Priest and Levite in Malachi*, 69-72; Redditt, *Haggai, Zechariah, Malachi*, 171 (“any to witness or to answer”); Hill, *Malachi*, AB 25D, 221, 235 (“witness or respondent”); Floyd, *Minor Prophets*, 605 (“a man who has a “witness” (‘ēd, so RSV and BHS) who “answers” (ōneh) for him”); Jacobs, *The books of Haggai and Malachi*, 236, 336 tn 12a. (“witness or respondent”); and M.H. Ko, “Be Faithful to the Covenant: A Technical Translation and Commentary of Malachi 2:10-16.” *The Bible Translator* 65.1 (2014): 34-48, 36, 37 (“witness or respondent”).

וּמְגִישׁ מִנְחָה לַיהוָה צְבָאוֹת		even <sup>914</sup> (he) brings an offering to YHWH of hosts.
<p data-bbox="378 298 546 334">וְזֹאת שְׁנִית תַּעֲשׂוּ</p> <p data-bbox="175 384 546 420">כַּסּוֹת דְּמָעָה אֶת־מִזְבֵּחַ יְהוָה בְּכִי וּבְאֲנָה</p> <p data-bbox="175 480 546 553">מֵאֵין עוֹד פְּנוֹת אֶל־הַמִּנְחָה וְלִקְחַת רִצּוֹן מִיָּדְכֶם</p>	2.13	<p data-bbox="654 298 1085 353">And this second (thing) you do: 915</p> <p data-bbox="654 384 1085 456">Tears cover<sup>916</sup> the altar of YHWH, weeping and groaning,<sup>917</sup></p> <p data-bbox="654 480 1085 607">Because<sup>918</sup> (there is) no longer a turning to the offering <sup>919</sup> or accepting (it with) favour from your hand.</p>

As to other suggested translations, see e.g. Petersen, *Zechariah 9-14 and Malachi*, 194-195 (“involving nakedness and improper cohabitation”); and the brief summaries in O’Brien, *Priest and Levite in Malachi*, 69-72; Taylor and Clendenen, *Haggai, Malachi*, 337-339; and Gibson, “Cutting off “kith and kin,” “Er and Onan”?,” 520-526.

<sup>914</sup> Hill, *Malachi*, AB 25D, 236, “The emphatic *waw* is more appropriate given the disputational format of the oracle and the egregious nature of the offense.”

<sup>915</sup> Hill, *Malachi*, AB 25D, 221, 236; Gibson, *Covenant Continuity and Fidelity*, 116; cf. Verhoef, 262 (“Another thing you do”); Glazier-McDonald, *Malachi*, 82 (“And this moreover you do”); Eddinger, 54 (“And this is a second thing you do”).

<sup>916</sup> “Reading the infinitive construct *kassôt* is preferable here because it underscores the ongoing activity implied by the nonperfective *ta’ăšû* (so LXX; Calvin [1979: 664]; Keil [1:451]; Henderson [1980: 454]; Packard [1902: 15]).” Hill, *Malachi*, AB 25D, 237. See also Jacobs, *The books of Haggai and Malachi*, 254.

<sup>917</sup> R.L. Smith, *Micah-Malachi*, 319, 323; Verhoef, 262, 272-273 and Jacobs, *The books of Haggai and Malachi*, 254 consider that it refers to the tears of the people whose offerings are refused by YHWH; cf. Glazier-McDonald, *Malachi*, 82, 99-100 (the tears, weeping and groaning “may refer to fertility rites”); Schart, *Maleachi*, 85, 90; *Malachi*, 81, 85 (possibly refer to the “[m]ourning rituals in the sanctuary”).

<sup>918</sup> J.M.P. Smith, 59; R.L. Smith, *Micah-Malachi*, 320 fn 13.c; Verhoef, 272-273; Hill, *Malachi*, AB 25D, 238.

<sup>919</sup> Glazier-McDonald, *Malachi*, 82; Hill, *Malachi*, AB 25D, 221, 239 (“Here the generic article [with the word “offering”] marks a class of things, the various offerings and sacrifices the Hebrew worshiper may offer at the Temple”); cf. R.L. Smith, *Micah-Malachi*, 319 (“because he [Yahweh] will not turn toward the offering any more”). Verhoef, 273, “The Hebrew expression *pānâ ’el* means “to turn yourself with pleasure, eagerly, toward someone or something” (cf. Num. 16:15).”

<p>וְאַמְרָתֶם עַל־מָה עַל כִּי־הִנֵּה הָעֵיד בֵּינְךָ וּבֵין אִשְׁתְּ נְעוּרֶיךָ  אֲשֶׁר אַתָּה בְּגַדְתָּהּ בָּהּ  וְהִיא חֲבֵרְתְּךָ וְאִשְׁתְּ בְרִיתְךָ</p>	2.14	<p>But you say, “Why?”<sup>920</sup>  Because YHWH has been a witness between you and the wife of your youth,  against whom you have been faithless,  though she is your companion and the wife of your covenant.</p>
<p>וְלֹא־אָהָד עֲשֵׂה</p>	2.15	<p><sup>921</sup> Did he not make one?<sup>922</sup></p>

<sup>920</sup> Hill, *Malachi*, AB 25D, 240, “In combination with the preposition ‘al (“on, upon”), the interrogative *mâ* (“what”) has the sense “on what basis, why?” [citing Waltke and O’Connor, § 18.3d].”

<sup>921</sup> Schart considers that Mal 2.15a “is evidently corrupt”. He cites K. Elliger, *Das Buch der zwölf kleinen Propheten. II: Die Propheten Nahum, Habakuk, Zephanja, Haggai, Sacharja, Maleachi*, ATD 25, Göttingen: Vandenhoeck Ruprecht, 3rd ed., 1956, 200 n.5, „Die Geschichte der Auslegung dieses Verses zeigt, dass das Bemühen, den ursprünglichen Text zu rekonstruieren, aussichtslos ist.“ Schart, *Maleachi*, 91, fn.7; *Malachi*, 86, fn.8. Similar opinion is provided by, e.g. J.M.P. Smith, 54; Baldwin, *Haggai, Zechariah, Malachi*, 262; Verhoef, 275-276; Hill, *Malachi*, AB 25D, 243-244; M. Zehnder, “A fresh look at Malachi II 13-16,” 53.2 *VT* (2003): 224-259, 236-237.

<sup>922</sup> As observed by Verhoef, “The word “one” again can be taken as subject, presupposing God (so RSV, NEB, NIV), or it may be the object of the verb, the subject (God) being understood: “did he not make one?”” Verhoef, 276. Hill considers that “[i]n keeping with Baldwin’s (1972a: 240) guideline for interpreting verse 15 contextually, it seems best to acknowledge that *‘āsā* describes the work of God or Yahweh”. Hill, *Malachi*, AB 25D, 245. As to the three mostly common approaches for reconstructing and interpreting Mal 2.15a, see Zehnder, “A fresh look at Malachi II 13-16,” 237f. My translation here is made with reference to e.g. R.L. Smith, *Micah-Malachi*, 319-321, 324. It is in line with “proposal b)” as described by Zehnder, i.e. the first אָהָד in v.15a is the direct object of the verb עֲשֵׂה and YHWH is the implied subject, and the second אָהָד with the definite article הָ refers to YHWH as the subject. For other opinions, see e.g. Ko, “Be Faithful to the Covenant,” 36, 38 (“Did He make one [flesh]”); Verhoef, 262, 276 (“No one ...would act that way”); Glazier-McDonald, *Malachi*, 82 (“And not one does it”); Schart, *Maleachi*, 85; *Malachi*, 81 (“And no one does (such a thing)”). See also Gibson, *Covenant Continuity and Fidelity*, 125-126, for the illustration of the argument that the implied subject “he” refers to Abraham. Concerning whether עֲשֵׂה אָהָד וְלֹא is a statement or a question, Gibson considers that “[i]t seems better, however, to view the clause as a question in parallel with the question of v.15c: וּמָה הָאָהָד.” Gibson, *Covenant Continuity and Fidelity*, 129.

<p>וְשָׂר רִיחַ לוֹ</p> <p>וּמָה הֶאֱחָד מִבְּקֶשׁ זָרַע אֱלֹהִים</p> <p>וְנִשְׁמַרְתֶּם בְּרוּחְכֶם</p> <p>וּבְאִשֶׁת נְעוּרֵיךָ אַל-יִבְגֵּד</p>		<p>and a remnant of spirit (belongs) to one.<sup>923</sup></p> <p>And why does the one<sup>924</sup> seek a godly offspring?</p> <p>So <sup>925</sup> look to yourself in your spirit<sup>926</sup></p> <p>and with the wife of your youth do not let <sup>927</sup> (anyone) be faithless.<sup>928</sup></p>
<p>כִּי-שֹׂנֵא שְׂלָח</p>	<p>2.16</p>	<p>For he hates divorce,<sup>929</sup></p>

<sup>923</sup> As to the translation of “a remnant of spirit”, see e.g. Glazier-McDonald, *Malachi*, 82; cf. Hill, *Malachi*, AB 25D, 221 (“Even a residue of spirit belongs to him”). Here, לוֹ is translated as “to one” to reflect that it refers to the “one” in the preceding sentence.

<sup>924</sup> “The analysis of S.R. Driver (1906: 316) is most compelling here, recognizing “The One” as divine subject of the participle.” Hill, *Malachi*, AB 25D, 246. See also Jacobs, *The books of Haggai and Malachi*, 259. Zehnder forcefully argues against the proposal that “the one” refers to the faithless Judahite men. Zehnder, “A fresh look at Malachi II 13-16,” 241.

<sup>925</sup> Hill, *Malachi*, AB 25D, 248, “The conjunctive-sequential *waw* represents the entreaty form (WO’C § 32.2.3d; “so ...,”); cf. Glazier-McDonald, *Malachi*, 82 (“Therefore”).

<sup>926</sup> Schart, *Maleachi*, 85; *Malachi*, 81. Cf. Verhoef, 263 (“So take heed to yourselves”); Hill, *Malachi*, AB 25D, 221 (“So guard yourselves in your own spirit!”); Glazier-McDonald, *Malachi*, 82 (“Therefore, take heed to your spirit”); Eddinger 54 (“Then you take heed in your spirit”).

<sup>927</sup> בגד in Qal imperfect third person masculine singular jussive.

<sup>928</sup> Cf. R.L. Smith, *Micah-Malachi*, 319, 329 note 15.b.; Verhoef, 263; Hill, *Malachi*, AB 25D, 221; Eddinger, 54; Schart, *Maleachi*, 85; *Malachi*, 81.

<sup>929</sup> As Schart observes, “The Masoretic Text of Mal 2:16a should also be regarded as corrupt.” Schart, *Maleachi*, 91; *Malachi*, 87. Literally, these three words can be translated as “For / If he hates, sending (away)”. The present translation is made in consideration of the context and with reference to Hill, *Malachi*, AB 25D, 22 (who adheres to MT and maintains that שלח here is a Piel infinitive construct) and Jacobs, *The books of Haggai and Malachi*, 251. At p.250, Hill finds that “the MT *śānē*” makes excellent sense if one presumes that the subject, *hā`ehād* [“The One,” i.e., Yahweh], of the verb has been gapped from verse 15 (“Indeed, *The One* hates divorce ...”); cf. for examples, R.L. Smith, *Micah-Malachi*, 319, 320 note 16.a., 323 (“Because I hate divorce”); Verhoef, 263 (“I hate divorce”); Glazier-McDonald, *Malachi*, 82 (“For one who divorces because of aversion”); D.C. Jones, “A Note on the LXX of Malachi 2:16,” *JBL* 109 (1990): 683-685, who considers that ἀλλὰ εἰς μισῆσας ἐξαποστειλῆς should be read as “If hating you divorce” (i.e. “If you divorce out of hatred”); G.P. Hugenberg, *Marriage as a Covenant: A study of biblical law and ethics governing marriage developed from the perspective of Malachi*, Leiden: Brill, 1994, 67f; Zehnder, “A fresh look at Malachi II 13-16,” 255 (“For who hates and divorces covers his garment with violence”); Gibson, *Covenant Continuity and Fidelity*, 148 (“If he/one hates and divorces ...then he/one covers his garment

<p>אָמַר יְהוָה אֱלֹהֵי יִשְׂרָאֵל  וְכִסָּה חֲמָס עַל־לְבוּשׁוֹ</p> <p>אָמַר יְהוָה צָבָאוֹת  וְנִשְׁמַרְתֶּם בְּרוּחְכֶם וְלֹא תִבְגְּדוּ</p>		<p>says YHWH, the God of Israel,  for he<sup>930</sup> covers his garment with  violence,  says YHWH of hosts.  So look to yourself in your spirit,  and do not be faithless.</p>
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### Structure & theme

From the perspective of court disputations, this is the third round (“Unit 3” of the six units of discourses in Mal, see Chapter 2) with the following structure:<sup>931</sup>

<p>Accusation made on behalf of YHWH against the Israelites for their faithlessness (בגד, 2.10, 11) by profaning “the covenant of our fathers” and the sanctuary of YHWH, and marrying “the daughter of a foreign god” (2.10-13)</p>	
<p>Defence: Why? (2.14a)</p>	
<p>Second accusation and further evidence against the Israelites for their faithlessness (בגד, 2.14, 15, 16): YHWH has been “a witness between you and the wife of your youth, against whom you have been faithless (2.14b-16)</p>	

with violence”; and Schart, *Maleachi*, 85, 86-87 note 16a; *Malachi*, 81, 82-83 note 16a (“If you hate, then divorce”). See also the brief surveys of the scholarly opinions in Gibson, *Covenant Continuity and Fidelity*, 142-150 and Ko, “Be Faithful to the Covenant,” 39.

<sup>930</sup> This “he” refers to the husband who divorced his “wife of your youth / covenant”, see e.g. Hill, *Malachi*, AB 25D, 251-253; Taylor and Clendenen, *Haggai, Malachi*, 367-369.

<sup>931</sup> Here, for the purpose of this study, the structure of this pericope is analyzed from the perspective of court disputations with the emphasis of its dialectic pattern. Hence, the defence of “Why?” is illustrated as the pivot. Having said that, in terms of literary analysis, Hill points out that “[a]n overwhelming majority of biblical commentators recognizes a direct connection between the literary units of 2:10-12 and 2:13-16 and amalgamate the two into the third of Malachi’s disputations”. Hill, *Malachi*, AB 25D, 222. See also e.g. Verhoef, 264, who dissects this pericope into two “interrelated malpractices”, namely “mixed marriages (vv.10-12) and divorce (vv.13-16).”

Textually speaking, there is a general consensus that this pericope is the most difficult section in Mal.<sup>932</sup> Nevertheless, as Verhoef observes, “with a few exceptions, scholars are agreed on the general purport of Malachi’s message here.”<sup>933</sup> The integrity of Mal 2.10-16 is widely upheld and therefore, the contentions that Mal 2.11-13a (or part of it) are later interpolations should not be lightly accepted.<sup>934</sup>

Some scholars consider that in this section, unlike the last pericope, the accusations are addressed to the people in general but not the priests in specific.<sup>935</sup> The five appearances of the traditional term נגד (“faithless”) in this pericope (Mal 2.10, 11, 14, 15, 16) is remarkable (see the analysis below).<sup>936</sup> This term serves as a thematic thread running through the

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<sup>932</sup> R.L. Smith, *Micah-Malachi*, 321; Verhoef, 263. Hill finds that “[s]cholars are unanimous in their assessment of 2:10–16 as a “notoriously difficult” passage to interpret (cf. G. A. Smith [2:365]; J.M.P. Smith [1912: 47]; Welch [1935: 120]; Baldwin [1972a: 240]; Craigie [1985: 236–37]). Both textual corruption and grammatical anomaly combine to make this section the most problematic of Malachi’s oracles (especially v 15, one of the most obscure verses in MT according to Dentan and Sperry [p. 1136]).” Hill, *Malachi*, AB 25D, 222. Similar opinions can also be found in the recent works, e.g. Zehnder, “A fresh look at Malachi II 13-16,” 224; Schart, *Maleachi*, 87; *Malachi*, 83.

<sup>933</sup> Verhoef, 263, 275. Baldwin suggests that “[o]ne guide to interpretation is that it must agree with the clear intention of Malachi, expressed at the end of the verse, to encourage husbands to remain true to their first wife.” Baldwin, *Haggai, Zechariah, Malachi*, 262. See also J.M.P. Smith, 47, “Its difficulties do not, however, obscure the general course of the thought”; Taylor and Clendenen, *Haggai, Malachi*, 350.

<sup>934</sup> See the detailed analysis in Hugenberger, *Marriage as a Covenant*, 86-94; and also Verhoef, 263-264; Redditt, *Haggai, Zechariah, Malachi*, 153; Hill, *Malachi*, AB 25D, 223; Zehnder, “A fresh look at Malachi II 13-16,” 224-225 fn 2; Eddinger, *Malachi*, 57-58; cf. for examples, Th. Lescow, *Das Buch Maleachi*, 108-110 (vv.11b-13aα is a secondary addition); Petersen, *Zechariah 9-14 and Malachi*, 201 (“...the clause “This also you do” is an editorial comment that connects the originally distinct but thematically related material in Mal.2:13-15b to 2:10-12.”); Schart, *Maleachi*, 92-93; *Malachi*, 88-89.

<sup>935</sup> See e.g. J.M.P. Smith, 47 (“The address now is to the people, rather than the priests.”); Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 271; Verhoef, 263; Glazier-McDonald, *Malachi*, 83; Petersen, *Zechariah 9-14 and Malachi*, 195; Hugenberger, *Marriage as a Covenant*, 87, fn 19; Hill, *Malachi*, AB 25D, 223; Floyd, *Minor Prophets*, 588; Gibson, *Covenant Continuity and Fidelity*, 123; Lear, *Scribal Composition*, 30-31; cf. C.B. Reynolds, “Malachi and the priesthood,” Ph.D. dissertation, Yale University, 1993, 83-84, cited in Lear, *Scribal Composition*, 29; Eddinger, *Malachi*, 54; Schart, *Maleachi*, 87; *Malachi*, 83, who considers that in view of the shared terminologies in Mal 2.11-13 and Mal 1.6-2.9, it apparently implies that “it is particularly the priests who are being addressed.”

<sup>936</sup> Among the 49 occurrences of נגד in the Hebrew Bible, 12 times are in Isa (Isa 21.2 x 2; 24.16 x 4; 33.1 x 4; 48.8 x 2), 9 times are in Jer (Jer 3.8, 11, 20 x 2; 5.11 x 2; 9.1; 12.1, 6), 5 times in Mal, 5 times in Psalms (Ps 25.3; 59.6; 73.15; 78.57; 119.158) and 9 times in Prov (Prov 2.22; 11.3, 6; 13.2, 15; 21.18; 22.12; 23.28; 25.19).

present section.<sup>937</sup> The text confirms this observation: At the beginning of this pericope (Mal 2.10-11), “faithless with each other” relates to “profaning the covenant of our fathers”, and “Judah has been faithless” relates to profanation of “the sanctuary of YHWH”. At the end of this section, the parallel phrases, namely, (a) וּנְשַׁמְרֶתֶם בְּרוּחְכֶם (“look to yourself in your spirit”) + אַל יִבְגַּד (“not let (anyone) be faithless”) in Mal 2.15; and (b) וּנְשַׁמְרֶתֶם בְּרוּחְכֶם (“look to yourself in your spirit”) + וְלֹא תִבְגְּדוּ (“and (you) do not be faithless”) in Mal 2.16 serve as the concluding remarks. Both relate to the faithlessness towards “the wife of your youth”.

For avoidance of doubt, it is remarked that for the discussion of this pericope of Mal, the term “Judahites” is used interchangeably with “Israelites” when the context refers to the people of “Judah” (Mal 2.11) at the time of the composition / redaction of Mal (the readers / audience “we” in e.g. Mal 2.10). As we know, the meanings of “Judah” is manifold and dependent largely on the context. It is suffice to say that the said usage of “Judahites” is in align with the works of the many modern commentators (see below).

### Inner-biblical references

#### 3.4.1 “faithless” (בגד)(Mal 2.10, 11, 14, 15, 16)

As the keyword of this pericope, the verb בגד bears manifold connotations. All its 49 occurrences in the Hebrew Bible are in Qal form.<sup>938</sup> Erlandsson considers that “[i]t is used when the OT writer wants to say that a man does not honor an agreement, or commits adultery, or breaks a covenant or some other ordinance given by God. The treacherous acts of man stand in contrast to Yahweh’s faithfulness to his covenant and trustworthiness (*chesedh ve’emeth*).”<sup>939</sup> Specific examples include, *inter alia*, faithlessness in marriage, that is, when one deserts his / her legal partner and has affairs with somebody else (e.g. Exod 21.8).<sup>940</sup> In illustrating the faithlessness of

<sup>937</sup> “The verb [בגד] is repeated 5 times in Malachi’s third disputation (2:10, 11, 14, 15, 16), isolating “faithlessness” as the central thesis of the oracle. The verb is found in the Twelve elsewhere only in Hos 5:7; 6:7; Hab 1:13 and 2:5.” Hill *Malachi*, AB 25D, 226. See also Hugenberger, *Marriage as a Covenant*, 88; Zehnder, “A fresh look at Malachi II 13-16,” 230.

<sup>938</sup> M.A. Klopfenstein, *TLOT*, “בגד,” 1:198.

<sup>939</sup> Erlandsson, *TDOT*, “בגד בגד,” 1:470-473, 470. Similarly, *HALOT* states that the word means “to deal treacherously with” (with בָּ) a person’s wife (e.g. Exod 21.8; Mal 2.14, 15, 16); one’s relatives (Jer 12.6), allies (Judg 9.23) and with each other (Mal 1.10); and also with God (Jer 3.20; 5.11; Hos 5.7; 6.7), etc.. “בגד,” *HALOT*, 1:108. See also the categorization of Klopfenstein in *TLOT*, “בגד,” 1:198.

<sup>940</sup> See also M.A. Klopfenstein, *TLOT*, “בגד,” 1:198-199.

the Israelites towards YHWH, it is not uncommon for the symbolisms of adulterers and those who act faithless be employed in parallel (e.g. בַּגְדִים in Jer 9.1 [NRSV 9.2]). “Frequently an accusation of faithlessness to God is combined with an accusation of faithlessness and adultery toward men, e.g., in Jer. 3 and Mal. 2:10ff.” It goes to “the realm of covenant ideology”.<sup>941</sup> Klopfenstein comments that the usage of the terms “faithless” and “covenant” for “both marriage and the covenant with Yahweh” (in Mal 2.10, 14) “has long been anticipated”. The said combination of terms also appears in Hos 6.7.<sup>942</sup> Having said that, this study considers that there is neither thematic nor contextual parallel between Mal 2.10-16 and Hos 6.7. No allusion can be identified but the traditional connotation arising from the combined use of “faithless” and “covenant” is noticed. It is likely the intent of the redactors of Mal.

Concerning the covenantal relationship with YHWH, 1 Sam 14.33 illustrates that “a violation of the ordinances of Yahweh is equivalent to a treacherous act (*baghadh*) against God”.<sup>943</sup> In the context of Mal, Erlandsson observes that in Mal 2.10ff, the faithlessness of the Israelites to YHWH is reflected by their profanation of “the covenant of our fathers” and divorcing “the wife of your covenant”.<sup>944</sup> Hill finds that “[t]he word *bgd* in this third disputation is used specifically in reference to faithlessness in marriage, the betrayal or violation of a promise to one’s legal spouse (*TDOT* 1:470).”<sup>945</sup> Schart suggests that this key word “describes the annulment of natural relationships within the family.”<sup>946</sup> On this issue, Glazier-McDonald succinctly points out that all three nuances of “faithless”, namely, “covenant faithlessness, marital faithlessness and faithlessness to Yahweh and his cult, are clearly present in Mal 2:10-16, and are closely interrelated.”<sup>947</sup>

Thus, even though there is no clear allusion to any scriptural verse containing the word “faithless”, the aforesaid demonstrates that the traditional connotations of this term (together with its combined use with the word “covenant”) are skilfully and profoundly utilized in Mal 2.10-16 to depict the situations of the Judahites at the material times.

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<sup>941</sup> Erlandsson, *TDOT*, “בגד בגד,” 1:470-473, 471.

<sup>942</sup> M.A. Klopfenstein, *TLOT*, “בגד,” 1:200. See also Hill, *Malachi*, AB 25D, 404.

<sup>943</sup> See also M.A. Klopfenstein, *TLOT*, “בגד,” 1:199. The relevant ritual laws are in Lev 7.26-27; 17.10ff.

<sup>944</sup> Erlandsson, *TDOT*, “בגד בגד,” 1:471.

<sup>945</sup> Hill, *Malachi*, AB 25D, 226.

<sup>946</sup> Schart, *Maleachi*, 88; *Malachi*, 84.

<sup>947</sup> Glazier-McDonald, *Malachi*, 85.

## 3.4.2 Deut 32.6ff

Verhoef observes that “[t]he idea of God as Creator of his people is attested by Deut. 32:6, where Israel was confronted with the question: “Is he [God] not your Father, your Creator, who made you and formed you?” (NIV), ...”<sup>948</sup> Indeed, there are a number of lexical parallels between Deut 32.6ff (being a part of the “Song of Moses”) and Mal 2.10-16: The use of the interrogative particle הלוּא in a rhetorical question with the word “father” (אב) is remarkable (though the verb for “create” is קנה but not ברא as in Mal 2.10).<sup>949</sup> Following that, Deut 32.7 mentions “your father” (cf. Mal 2.10 “our fathers”), and the theme of the following verses concerns how YHWH chose the Israelites from the nations, sustained them in the wilderness, guided them and raised them. All these were done by YHWH as “no foreign god (אל נכר, cf. בת אל נכר (“a daughter of a foreign god”) in Mal 2.11) was with him [Jacob, v.9, cf. Mal 2.12]” (Deut 32.12).<sup>950</sup> When he [“Jacob” / “Jeshurun”, v.15] grew fat, he abandoned YHWH. “They” (the Israelites) made YHWH jealous with the “strangers” (בזרים, NRSV: “strange gods”), and they made him angry with “abominations” (תועבה in plural, cf. Mal 2.11 in singular)(Deut 32.16). They sacrificed to “demons” / “gods” (אלהים) that their ancestors (אבותיהם, cf. Mal 2.10 “our fathers”) did not fear (v.17). YHWH was angry with them and accused them as “children without faithfulness in them” (בנים לא אמן בהם)(Deut 32.20).

It is true that the shared vocabularies (“father”, “fathers / ancestors”, “abomination”) and phrases (“Is it not”, “foreign god”) are scattered over several verses in the said section of Deut 32. Nevertheless, its theme is in parallel with that of Mal 2.10-16. Apart from acknowledging YHWH as the father, creator and God of the Israelites, Deut 32.6ff states that the Israelites neglected this unique relationship with YHWH (the concepts of election and covenant therefore come into the picture) and turned to the foreign gods that their “fathers” (ancestors) did not fear (Deut 32.17). In other words, to the recipients “you” of Deut 32.6ff, “your fathers” had no covenantal relationship with those “foreign gods” (cf. the ancestors of the Israelites had covenantal relationship with YHWH, that is, “the covenant of our fathers” in Mal 2.10).

<sup>948</sup> Verhoef, 266.

<sup>949</sup> Weyde, *Prophecy and Teaching*, 222, “The similarity of the rhetorical question with Mal 2:10 is obvious.”

<sup>950</sup> “In the analysis above we found several terminological and formal similarities between the rhetorical questions in Mal 2:10a and Deut 32:6b; the phrase “foreign god” in Mal 2:11b thus gives another example of terminology in common with Deuteronomy 32.” Weyde, *Prophecy and Teaching*, 232.

In Mal 2.10-16, “Judah” is accused for, *inter alia*, profaning the sanctuary of YHWH and marrying “the daughter of a foreign god”, which is considered as an “abomination”. As to the traditional connotations of the word “abomination”, Glazier-McDonald writes that, “It is the word employed to “designate a rite or phenomenon as non-Yahwistic”.”<sup>951</sup> Eddinger describes it as “an important legal term in Deuteronomy (e.g. Deut 7:26; 12:31; 13:15; 14:3; and 24:4) and the term here continues to echo Deuteronomy.”<sup>952</sup> In this regard, Lear forcefully argues the phrase “abomination has been committed in Israel” (ותועבה נעשתה בישראל) in Mal 2.11 is in parallel to “this abomination has been done to/in Israel” (נעשתה התועבה הזאת בישראל) in Deut 17.4.<sup>953</sup> It is remarkable that Deut 17.2-7 concern prohibition of idolatrous practices and the proper trial procedure for such cases. When the elements of “abomination” + “has been done / committed” + “Israel” are used in Mal 2.11, the coverage is not restricted to clear cases of idolatrous worships but extended to the Judahites’ marriage with “the daughter of a foreign god”.<sup>954</sup>

In all, the strikingly similar use of the terms in a comparable thematic framework suggests a highly probable case of allusion.<sup>955</sup> The intermarriage in Mal points to the issues of idolatry and religious syncretism,<sup>956</sup> which is also the focus of the historical review in Deut 32.6ff.

From the literary perspective, in Deut 32.16, the word “abominations” is used in parallel with “strange gods”, and this “strange gods” (strangers) is arguably synonymous with “foreign god” in v.12 and “demons” vis-à-vis “gods” in v.17. It is likely that for this reason, the term “abomination” is used in Mal 2.11, pointing to the marriage between “Judah” and “the daughter of a foreign god”.

<sup>951</sup> Glazier-McDonald, *Malachi*, 89-90. See also e.g. Verhoef, 268 (“things and acts which are abominable in the sight of God, such as idolatry, impurity, etc.”).

<sup>952</sup> Eddinger, *Malachi*, 58.

<sup>953</sup> Lear finds that “the form of the locution, noun (singular) and verb (niphil) + location, corresponds nearly exactly with what is found in Malachi. The only difference between the locutions is the definiteness of the abomination and the word order.” Lear, *Scribal Composition*, 36.

<sup>954</sup> Given that Lear has made a concise yet precise argument in relation to Deut 17.4, apart from the aforesaid, this study considers that it is not necessary to carry out the same exercise herein.

<sup>955</sup> Cf. Bulmerincq, *Der Prophet Maleachi, Band II*, 243; Scharf, *Maleachi*, 88 fn 2; *Malachi*, 84 fn 2; Snyman, *Malachi*, 103. Although these commentators find that Isa 64.7 (NRSV 64.8) also depicts YHWH as the father and creator of Israel(ites), given that there is a lack of sufficient lexical, thematic and contextual parallels, for the present purpose, no detailed analysis of it shall be provided.

<sup>956</sup> See the discussion in “Purpose & message” below.

In sum, by alluding to Deut 32.6ff, the consequences of the exogamic marriages are highlighted by the use of the tradition: The same shall cause the Israelites (and their offspring) to offer sacrifices to the foreign gods (Deut 32.16f) and triggers the judgment of YHWH (Deut 32.19f). In order to avoid all these catastrophic outcomes, “cut off” those who do this “from the tents of Jacob” (Mal 2.12) is well justified, which is commanded in Lev 20.1-5.

### 3.4.3 “profane” (חלל), cut off (כרת), sanctuary (קדש) and Lev 20.1-5 (Mal 2.10-12)

Mal 2.12 writes that “May YHWH cut off the man who does this, ...from the tents of Jacob”. Concerning the word “cut off”, Meyers and Meyers observe that:<sup>957</sup>

“Frequently, priestly texts describe a penalty for some infraction as cutting the wrongdoer off “from” (*min*) the community (‘am, “people”; so Lev 7:20ff.; Num 9:13). Such technical, cultic language is used figuratively in many prophetic texts (e.g., Isa 9:14; Amos 1:5, 8) for the removal of persons or elements that are disruptive of the covenant between Yahweh and Israel. ...the effect is the same: the influence and activity of whatever is so cut off will thereby be permanently terminated (cf. Andersen and Freedman 1989: 252).”

More specifically, Hill finds that “[t]he verb *krt* is especially prominent in the Pentateuch as a divine penalty for certain violations of the Mosaic law (e.g., Lev 7:20, 21, 25, 27; 17:4, 9; etc.; see the discussion of *kārēt* in Milgrom [1991: 457–60]).”<sup>958</sup> This statement is also applicable to Mal 2.10-16 as the prohibitions against intermarriage and covenantal relationship with foreign people (cf. Deut 7.1-5; Exod 34.11-16) are in issue. In this regard, Milgrom considers that Mal 2.12 is an example of “the exact meaning of *kārēt*: extirpation of the offender’s entire line.”<sup>959</sup>

As to Mal 2.12, which concerns the marriages between the Israelite men and the non-Israelite women who were worshipping foreign gods, Lev 20.1-5 is remarkable. In general, Lev 20 set out a number of prohibitions that attract

<sup>957</sup> Meyers and Meyers, *Zechariah 9–14*, AB 25C, 367-368. The second aspect of the meaning of “cut off” is “killing of the members of the criminal’s entire family or lineage” (e.g. Josh 7.1-26; 22.20), which is not that relevant to Mal 2.12. See also Hill, *Malachi*, AB 25D, 257.

<sup>958</sup> Hill, *Malachi*, AB 25D, 233-234.

<sup>959</sup> J. Milgrom, *Leviticus 1–16: A new translation with introduction and commentary*, AB 3, New York: Doubleday, 1991, 459-460. As to his illustration of the Jewish exegesis of the word “cut off”, see 457-458.

severe penalties. Lev 20.1-5 write that for anybody of Israel who gives any of their offspring to Molech, in addition to the death (stone) penalty to be executed by the people, “I [YHWH] myself will set my face against that man (איש, Mal 2.12) and I will cut him off (והכרתיו, cf. Mal 2.12) from among his people, because from his offspring (זרע, cf. Mal 2.15) he gives to Molech thus defiling my sanctuary (מקדש, cf. Mal 2.11) and profaning (חלל, cf. Mal 1.12; 2.10, 11) my holy name (את שם קדשי, cf. the name of YHWH is a major theme in Mal 1.6-2.9)”;

“I myself will set my face against that man (איש, Mal 2.12) and his family, and I will cut off (והכרתיו, cf. Mal 2.12) from among their people both him and all who whore after him in whoring after Molech.”<sup>960</sup>

In comparison with Mal 2.10-12, the lexical parallels include “man”, “cut off”, “sanctuary”, “offspring” and “profane”. The theme of idolatry and its consequential penalty (“cut off”) from YHWH is also shared by both texts. A probable case of allusion is therefore established.

Having said that, the respective contexts of these two texts are slightly different: Lev 20.1-5 illustrates the situation (that is, giving the offspring to Molech) that death penalty and “cut off” shall be imposed on the offenders. When the same is alluded to in Mal 2.10-12, this source text is invoked to lay the foundation for criticizing the problem of intermarriage: When the Judahite men married the foreign women who worshipped other gods, it is more likely than not that some (if not all) of their offspring would be given to the foreign gods (and “Molech” was taken as an example), which constituted defiling the sanctuary (מקדש) of YHWH and profaning (חלל) His holy (שקדש) name. That explains why “Judah has been faithless” and “abomination has been committed in Israel and in Jerusalem” (Mal 2.11a), which point to the marriage with “the daughter of a foreign god” (Mal 2.11b). The divorces and idolatry consequential to the said intermarriage are depicted by the redactors of Mal as profaning “the sanctuary (שקדש) of YHWH”. By alluding to Lev 20.3, 5, “the man who does this” should be “cut off” by YHWH “from his people” (מקרב עמו, cf. “from the tents of Jacob” (מאהלי יעקב) in Mal 2.12). One would notice that the redactors of Mal applied the prohibition in Lev 20.1-5 to the new context and extended the application (which is also a way of interpretation) to cover the problem of exogamy as illustrated in this second court disputation. It makes this pericope (in particular, Mal 2.11, 12) in alignment with the Mosaic tradition and possessing the necessary divine authority. Upon that basis, since giving the offspring to foreign gods is regarded as defiling the sanctuary of YHWH and profaning His holy name (Lev 20.3, cf. Mal 2.11 and the theme of

<sup>960</sup> The English translation is made with reference to J. Milgrom, *Leviticus 17–22: A new translation with introduction and commentary*, AB 3A, New York, Doubleday, 2000, 1726.

YHWH's name in Mal 1.6-2.9), it may point to the duty of the priests to keep a watchful eye on the situation.

In sum, in furtherance to the allusion to Deut 32.6ff, the allusion to Lev 20.1-5 highlights the significance that intermarriage with women worshipping the foreign gods is not simply a matter of marriage / divorce or household issues.<sup>961</sup> It concerns whether idolatry and religious syncretism would sneak into the faith community, cause irreversible damage to the community as a whole and jeopardize the fortunes of the future generations ("offspring"). In this sense, it is relevant to the issue of "godly offspring" (Mal 2.15). In all, "Judah" as a whole should be alert to this situation, and should follow the words of YHWH given through Moses (Lev 20.1), that is, to "cut off the man who does this" from their community.

#### 3.4.4 "faithless" + "Judah" and Jer 3.8, 11 (Mal 2.11)

The pronouncement of "Judah has been faithless" (בגדה יהודה) in Mal 2.11a is remarkable. As observed by Lear, the exact combination of יהודה + בגדה in the same order with the verb in feminine form can only be found in Jer 3.8, 11.<sup>962</sup> She suggests that the gender variance, that is, "Judah" takes a feminine verb "faithless" in Mal 2.11a but a masculine verb "profane" in Mal 2.11b can be "easily explained when one realizes that בגדה יהודה was taken from another text [i.e. Jer 3.8, 11] and was imperfectly integrated into its new context."<sup>963</sup>

Regarding the theme and context, the judgmental oracle in Jer 3 portrays Israel and Judah as the faithless wives of their husband YHWH. In particular, the adultery and whoredom of Judah in Jer 3.8, 11 refer to the idolatrous worships practised by her (v.9 "she polluted the land and committed adultery with the stone and tree").<sup>964</sup> In comparison, in Mal 2.11, "Judah has been faithless" is followed by (and in parallel to) "and abomination has been committed in Israel and in Jerusalem",<sup>965</sup> which in

<sup>961</sup> As suggested by Jacobs, "the covenant between a man and a woman is not the exclusive focus here. Rather, the focus is on the violation of the community covenant by a man who takes a wife who does not support or adhere to the Yahweh-Israel covenant." Jacobs, *The books of Haggai and Malachi*, 258.

<sup>962</sup> In Mal 2.11, בגדה is a Qal perfect 3<sup>rd</sup> person feminine singular, whilst in Jer 3.8, 11 it is a Qal participle feminine singular absolute.

<sup>963</sup> Lear, *Scribal Composition*, 35.

<sup>964</sup> Lear, *Scribal Composition*, 35, fn 32.

<sup>965</sup> Hill, *Malachi*, AB 25D, 228, "The conjunctive *waw* joins two related clauses" (citing Waltke and O'Connor, §39.2.5). See also Verhoef, 268, "... that *Israel* is here a parallel

turn connects with Judah's profanation of the sanctuary of YHWH and marriage with "the daughter of a foreign god".<sup>966</sup> It is not difficult to notice the common theme of the culpability of Judah for its wilful introduction of idolatry into its territory. The metaphor used in Jer 3 was applied to illustrate the situation at the time of Mal. It makes the statement of "Judah has been faithless" a tragic "re-actualization" of its counterpart in Jer 3.8, 11. "Judah", who is a faithless wife of her husband YHWH in the metaphor in Jer 3, is transformed to be a husband of "the daughter of a foreign god" in Mal 2.11, though its faithlessness remains the same.

The *prima facie* case of allusion to Jer 3.8, 11 is reinforced, not only by the aforesaid connotation of idolatry which fits into the immediate context in Mal 2.11f but also the accusation against Judah in Jer 3.10, "Judah did not return to me [YHWH] with all her heart but in lie (pretense)". It exactly reflects the situation of the Judahites: On the one hand, they (the husbands) continued bringing offerings to YHWH (Mal 2.12) but on the other hand, they practised exogamy which led to paganism and/or religious syncretism.

The allusion to Jer 3.8, 11 signifies that the statement of "Judah has been faithless..." in Mal is in alignment with the prophetic tradition. Coupled with the use of the traditional term "abomination", the violation of the covenant with YHWH by Judah (as what it did in the past) is skilfully depicted.

In sum, this study considers that a more than probable case of allusion to Jer 3.8, 11 is established, through which the theme of introduction of (and affiliation with) idolatry is made conspicuous. The further implication of the pretending attitude of the Judahites (men) towards YHWH (Jer 3.10) vividly depicts the situations at the time of Mal. In conjunction with other traditional elements such as the term "abomination" and Lev 20.1-5, etc., Jer 3.8, 11 is utilized to highlight the culpability of the marriage with "the daughter of a foreign god".

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description of *Judah* as the true people of God and does not refer to the northern kingdom"; Eddinger, *Malachi*, 58.

<sup>966</sup> As the gender of the verb "profane" is masculine (Mal 2.11b), the marriage of "Judah" with "the daughter of a foreign god" is not dissonant in this sense.

### 3.4.5 “abomination”, “profane”, “sanctuary”, “covenant”, “foreigner” and Ezek 44.4-14 (Mal 2.11)

Ezek 44.4-14 is part of the regulations concerning the temple service.<sup>967</sup> Several key words in this section can find their nearly identical parallels in Mal 2.10-16, in particular Mal 2.11, namely, “abomination” (תועבה, Ezek 44.6, 7, 13); “profane” (חלל, Ezek 44.7); “sanctuary” (מקדש, Ezek 44.5, 7, 9, 11, cf. Mal 2.11 קדש); “covenant” (ברית, Ezek 44.7, cf. Mal 2.4, 5, 8, 10, 14; 3.1); “foreigners” (בני נכר, Ezek 44.6, 9 x 2 cf. Mal 2.11 “daughter of a foreign god” (בת אל נכר) and “keep / watch / guard” (שמר, v.8 x 2, cf. Mal 2.7, 9, 15, 16; 3.7, 14).

Apart from the aforesaid, the following terms and form can also find their counterparts in Mal and some of them are traditional words / form: “glory” (כבוד, Ezek 44.4, cf. Mal 1.6 כבוד),<sup>968</sup> “take to your heart” (לב + שים, Ezek 44.5 x 2, cf. Mal 2.2),<sup>969</sup> “statutes” and “laws” (חקה and תורה Ezek 44.5, cf. Mal 3.22 חק and תורה); “iniquity” (עון, Ezek 44.12, cf. Mal 2.6); and the priestly and “ritually related” terms “Levites” (לוי, Ezek 44.10, cf. Mal 2.4, 8; 3.3); “priest” (כהן in Piel infinitive construct, Ezek 44.13, cf. Mal 1.6; 2.1, 7 כהן); “offer” (קרב, Ezek 44.7, cf. Mal 1.8; 3.5); “bring / come near” (נגש, Ezek 44.13 x 2, cf. Mal 1.7, 8, 11; 2.12; 3.3)<sup>970</sup> and “food” (לחם, Ezek 44.7, cf. Mal 1.7).

Ezek 44.4-14 depicts the vision of the prophet who was brought to the north gate of the temple. The crux of the passage is v.7, which set out the prohibition against admission of the “foreigners” and those “uncircumcised in heart and flesh” into the “sanctuary” of YHWH, which is described as part of the “statutes” and “laws” of the temple of YHWH (Ezek 44.5). The said admission amounts to “profaning” the temple of YHWH, and breaking His “covenant” for all these “abominations”. In other words, permitting the “foreigners” to go into the temple of YHWH and/or to offer sacrifices at the altar are considered as an “abomination”. The said prohibition is repeated in v.9. In comparison, Mal 2.11 states that “For Judah has profaned the sanctuary of YHWH, ...and has married the daughter of a foreign god”. Both elements are considered as an “abomination” committed “in Israel and in

<sup>967</sup> According to Block, Ezek 44.4-31 are the “Regulations Regarding Temple Service”, which can be divided into: (1) “Preamble” (44.4-6a); (2) “The Problem of the Past: The Violation of Sacred Space” (44.6b-8); (3) “The Solution for the Future: The Protection of the Sacred Space” (44.9-16); and (4) “The New Zadokite Order” (44.17-31). D.I. Block, *The Book of Ezekiel: Chapters 25-48*, NICOT, Grand Rapids: Eerdmans, 1998, 616-648.

<sup>968</sup> See the discussion in 3.3.2 above.

<sup>969</sup> See the discussion in 3.3.11.5 above.

<sup>970</sup> See the discussion in 3.3.5 above.

Jerusalem”.<sup>971</sup> The linkage between profanation of the sanctuary of YHWH and marriage with “the daughter of a foreign god” is clear, and it should not be difficult to arrive at the conclusion that Mal 2.10-16 prohibits both of them.

In view of the aforesaid lexical and thematic parallels,<sup>972</sup> a strong *prima facie* case of allusion is established.

As to the significance and manner of use of Ezek 44.4-14 (in particular v.7), it is remarkable that Mal 2.11 (or in the broader context, 2.10-16) not only prohibits the admission of the foreigners into the temple but also debar the marriage with the foreign women who worshipped other gods. In other words, the meaning of “abomination” is expanded. If one scrutinize the usage of the above-mentioned key words, in Ezek 44.7, the admission of the “foreigners” into the “sanctuary” of YHWH is regarded as “profaning” the temple. Such “abominations” are breaching His “covenant”. When these words appear in Mal 2.11, what is profaned is the “sanctuary” (and less emphasis is given to the offerings here, probably as the issue has been dealt with in Mal 1.6-2.9), and such profanation is placed in parallel with the marriage with “the daughter of a foreign god” (who are also “foreigners”). By the words of “faithless” and “profane”, Mal 2.11 links with the preceding verse 2.10, which states that “the covenant of our fathers” is profaned as the Judahites are faithless with each other. All these show that on the one hand, the redactors of Mal skilfully made use of the said keywords in Ezek 44.7 to formulate their message so as to address the new context (i.e. the problem of intermarriage with foreign women which, more likely than not, brought in idolatry and/or religious syncretism), and on the other hand, they retained (and manipulated) the connotation of the prohibition against admission of foreigners into YHWH’s sanctuary. The said connotation is neither directly nor expressly stated but clearly implied in Mal 2.11, “For Judah has profaned the sanctuary of YHWH”, which is regarded as an “abomination”. One would recall that Ezek 44.6b states, “Thus has the Lord Yahweh declared: “I have had enough of all your abominations, O house of Israel.”<sup>973</sup>

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<sup>971</sup> Hill suggests that the adverb כִּי (“for”) should be understood as a subordinating conjunction and therefore the whole clause “explains almost exegetically the nature of the abomination”. Hill, *Malachi*, AB 25D, 230.

<sup>972</sup> Cf. Lear, *Scribal Composition*, 32, “...Ezek 44:6-9 and Mal 2:10-16 are thematically similar: both are concerned with defilement due to foreigners (see Mal 2:11, 13).”

<sup>973</sup> This English translation is taken from Block, *The Book of Ezekiel, Chapters 25-48*, 621.

The allusion to Ezek 44.4-14 may also imply that at the time of Mal, as a result of the said intermarriages, the foreign women who married the Judahite men (and perhaps their offspring also) might have entered the areas of the temple, offer sacrifices (through the priests) at the altar, and might even practise religious syncretism therein. *If* that is the implied message, the use of the terms “abomination” and “profane”, and the nearly equation between marrying “the daughter of a foreign god” and “profaned the sanctuary of YHWH”, and the borrowing from Ezek 44.4-14 of the prohibition against admission of foreigners can all be linked up and satisfactorily explained.

In sum, it is a more than probable case that Ezek 44.4-14 is alluded to in Mal 2.10-16 (in particular v.11). The keywords in Ezek 44.7, together with the connotation of prohibition against admission of foreigners into the temple, are reformulated in Mal (especially 2.11) to apply to the issue of exogamy.

### 3.4.6 “YHWH has been a witness between you and the wife of your youth” and Gen 31.44-50 (Mal 2.14)

In this third unit of the court disputations, in reply to the defence “Why” in Mal 2.14a (in the sense that why YHWH no longer turns to their offerings),<sup>974</sup> the further accusation and evidence starts from the statement “Because YHWH has been a witness between you and the wife of your youth” (על כי יהוה העיד בינך וביני אשת נעורריך). Lear suggests that it is likely for the scribe of Mal to draw the locution of “God is a witness between I and you” (אלהים עד ביני ובינך) from Gen 31.50.<sup>975</sup> Before embarking on the argument of Lear, one should notice that the form of *בין + ובין* is a common expression in the Hebrew Bible, occasionally but not necessarily related to covenant-making.<sup>976</sup> As to the form of *עוד + בין + ובין*, the closest parallel is *עד + בין + ובין* in Gen 31.44, 48, 50 and Josh 22.27, 28. When one also

<sup>974</sup> “The reported audience response seems to be one of genuine disbelief that their acts of piety have laid no claim on God (so Verhoef [1987: 273-74]) not an act of defiance (so Ogden and Deutsch [1987: 96]).” Hill, *Malachi*, AB 25D, 240.

<sup>975</sup> Lear, *Scribal Composition*, 52-55.

<sup>976</sup> “James Barr classifies the uses of the common, unmarked phrase *bên X ûbên Y* as follows: (1) between places named with toponyms (# 9) and other physical locations (# 10); (2) motion, standing, or separation between persons and the like (# 11); (3) covenants and oaths (# 12) and war and peace (# 13) between persons and the like; (4) judgments (# 14); and (5) divisions (## 15-16). Only a few instances fall outside this scheme.” Waltke and O’Connor, §11.2.6c.

considers the thematic parallel, there is no doubt that Gen 31.44, 48, 50 are the spotlighted passages.<sup>977</sup>

In this narrative about the making of a covenant between Jacob and his father-in-law Laban, Gen 31.44 states that Laban initiated the idea, “Let us cut (כרת, <sup>978</sup> i.e. make) a covenant, I and you, and it (will) be a witness between I and you (לעד ביני ובינך).” After making a heap by the stones, Laban said (in v.48), “This heap is a witness between I and you (עד ביני ובינך) today.” Then v.49 is noteworthy, as he (supposedly Laban) said that after their separation, “YHWH watches between I and you (יציף יהוה ביני ובינך).” Then Laban continued, “If you oppress / humiliate my daughters,<sup>979</sup> or if you take wives in addition to my daughters, (though) no one (else) is with us, see, God is a witness between I and you (אלהים עד ביני ובינך).” It is noted that first, in these several verses, the form עד + בין + בין occurs thrice (vv.44, 48, 50). The said form is almost identical with that in Mal 2.14. Secondly, even though v.48 states that the heap was a witness, apparently it was only a symbol as they were clear that the true witness was YHWH.<sup>980</sup> Thirdly, as observed by Lear, in v.50, “Laban is making stipulations for his covenant with Jacob before takes leave of him forever.”<sup>981</sup> The content of the said covenant is comparable with the situations as depicted in Mal, that is, the Judahite men divorced the “wife of your youth / covenant” and married the foreign women who worshipped other gods. The purpose of the allusion to Gen 31.44-50, which is supported by the strikingly similar form and thematic parallels, can be identified: It points out that those Judahite husbands were violating their (respective) covenants with their wives even though the same were witnessed by YHWH. That explains why they are described as “faithless” (בגד, Mal 2.14).<sup>982</sup>

The allusion to Gen 31.44-50 explains why Mal 2.14 describes YHWH as the “witness between you and the wife of your youth” and why the latter is also called “the wife of your covenant”. Moreover, it explains why a plea is made to YHWH for cutting off “the man who does this” from “the tents of Jacob”

<sup>977</sup> Hugenberger, *Marriage as a Covenant*, 28.

<sup>978</sup> כרת, נכרתה in Qal imperfect 1<sup>st</sup> common plural cohortative.

<sup>979</sup> Lear translates it as “If you remove my daughters’ support”. Lear, *Scribal Composition*, 53.

<sup>980</sup> Hugenberger suggests that “the heap (and perhaps the pillar) was intended as a symbol of the deity, who is identified as a witness to the covenant”. Hugenberger, *Marriage as a Covenant*, 207-208 fn 165.

<sup>981</sup> Lear, *Scribal Composition*, 53.

<sup>982</sup> “[I]n Mal. 2:14, for instance, a husband is accused of committing infidelity [בגד] against his wife because of his act of capricious divorce”. Hugenberger, *Marriage as a Covenant*, 289-290.

(Mal 2.12, emphasis by italics added). As to the parties to the covenant in Mal 2.14, Hugenberger justly argues that they are the husband and the wife (not the father-in-law), and YHWH is the witness.<sup>983</sup> Having said that, the allusion to Gen 31.44-50 bears further connotations: As YHWH is the father of those “wife of your youth / covenant”, the Judahite wives are considered as “the daughter of YHWH”<sup>984</sup> in contrast to “the daughter of a foreign god” (both “daughter” are in the collective sense).<sup>985</sup> Accordingly, YHWH will never accept any ill-treatment of His daughters by their husbands (cf. the words of Laban). From this perspective, the meaning of the statement “For he [YHWH] hates divorce” (Mal 2.16) is clearer. Even though unlike Laban in Gen 31, in Mal, YHWH is a not partner of the (marriage) covenant, as Hugenberger points out, “the acknowledgement of God as witness brings with it the clear implication that God will take action against any perjury or infidelity.”<sup>986</sup> Such further connotations fit into the framework of the messages of Mal 2.10-16. In particular, it is well justified for YHWH to put an end to any further “faithless” acts as such by cutting off those “who does this” “from the tents of Jacob.” (Mal 2.12)<sup>987</sup> It also assists in interpreting “godly offspring”, which is sought by YHWH (from the Judahite couples) as mentioned in Mal 2.15. The faithless acts of those husbands against their wives correspond with the accusation that “we” are “faithless with each other” (Mal 2.10).

Concerning the arguments against divorcing the Judahite wives, leaving aside his suggested emendations of Mal 2.15a (which is hardly agreeable), Zehnder succinctly illustrates in this way:<sup>988</sup>

“The addressed men must not separate from their Israelite wives, not only because (1) they are bound to them in a covenant witnessed by YHWH ( יהוה (העיד) and because (2) they have a longstanding intimate and emotional

<sup>983</sup> Hugenberger, *Marriage as a Covenant*, 27-30.

<sup>984</sup> Mal 2.10 “Is it not one father for all of us? Is it not one God created us?” It is therefore justified to consider that the Judahite wives were the daughters of YHWH. Certainly, in this sense, the Judahite husbands who were “faithless” against their wives (Mal 2.14) were the sons of YHWH, which makes the situation more intolerable.

<sup>985</sup> Cf. Lear considers that the offspring from YHWH’s people is the “offspring of God”, in contrast with “the daughter of a foreign god” who is “the “offspring” of a different god. Lear, *Scribal Composition*, 59.

<sup>986</sup> Hugenberger, *Marriage as a Covenant*, 201.

<sup>987</sup> For research interest, here I suggest a possibility and without taking it further: The concept of the cutting (כרת) of the covenant between Laban and Jacob may be echoed by the “cutting off” (כרת) of those who married “the daughter of a foreign god” from “the tents of Jacob” (Mal 2.12), which signifies the importance of the marriage covenant and the adverse consequence for violating the same.

<sup>988</sup> Zehnder, “A fresh look at Malachi II 13-16,” 247.

### 3 Tradition-historical Analysis of Mal 1.1-2.16

relationship with them (אשת נעוריד) and because (3) their wives are real partners and companions for them (חברתך) and because (4) they are bound together also by the bond of a shared faith (אשת בריתך), but also because (5) the marriage relation is the realized form of the creational unity of man and woman, the dissolution of which would contradict the very essence of this unity.”

In other words, marrying a second woman (“the daughter of a foreign god”), whether she was an Israelite or not, “would violate the creational unity and exclusiveness of the marriage relationship”.<sup>989</sup> It is a valid point which connects Mal 2.14 (YHWH as a witness of the covenant between the Judahite couples) with v.15 (“Did he not make one?”) as well as the v.11-12 (the accusation against marrying “the daughter of a foreign god” with the consequential penalty thereto).

In sum, a more than probable case of allusion to Gen 31.44-50 is established. The content of the covenant as stipulated by Laban and the role of YHWH as the witness of it (and the “Father” of the Judahite wives) serve as the interpretative key to Mal 2.14 as well as its immediate context. More importantly, in respond to the defence of “Why?”, the said allusion is a perfect answer thereto: One can imagine the voice of YHWH, saying to those faithless husbands, “Why I refuse to turn to your offerings or accept them with favour from your hands? Do you really think that no one else know about what you have done to my daughters (cf. Gen 31.50 “(though) no one (else) is with us”)? I am watching (cf. Gen 31.49) as I am the witness of your marriage covenant!”

#### **Purpose & message**

Whilst there is no intention to make this study a commentary of any sort, given that this pericope involves combinations of multiple textual and interpretative issues,<sup>990</sup> it would be sensible to illustrate the significance of the use of traditions in the context of several major issues of exegesis in this section. Suffice to say that the following is not a comprehensive treatment of all the debatable issues of interpretation as not all of them relate to the use of traditional materials.

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<sup>989</sup> Zehnder, “A fresh look at Malachi II 13-16,” 247.

<sup>990</sup> See e.g. Taylor and Clendenen, *Haggai, Malachi*, 350-51, for a brief survey of the syntactical and exegetical issues of Mal. 2.15 with a justified comment, “The almost limitless multiplicity of interpretations of [v.15] result from the various combinations of answers to these many questions.[citing van der Woude, “Malachi’s Struggle for a Pure Community,” 69] Even more interpretations result from various proposals for emending the verse.”

This court disputation starts with two rhetorical questions to which positive answers are expected to be given,<sup>991</sup> “Is it not one father for all of us? Is it not one God created us?” Presumably these are unarguable statements.<sup>992</sup> They echo with the metaphorical parallels of “father and son” and “master and servant” in Mal 1.6, which set out a (presumably) commonly known and accepted truth: “A son honours (his) father and a servant (honours) his master.”

The identical structure of the two rhetorical questions, that is, the use of אלהים + הוה, indicates that the “one father” refers to the “one God”, that is, YHWH (cf. the metaphor of “father and son” in Mal 1.6).<sup>993</sup> The emphasis on “one” is likely purposive.<sup>994</sup> It paves the way for the accusation against marrying with “the daughter of a foreign god” in v.11. As J.M.P. Smith suggests, “[The writer] is evidently thinking of the spiritual unity that should prevail in his nation, ... He is laying a basis for his protest against the introduction of schismatic elements into the community’s life.”<sup>995</sup> Indeed, the “one father” and “one God” in Mal 2.10 probably links with another two appearances of הוה in v.15. For the third “one” in v.15a (“Did he not make one?”), having considered various different interpretations,

<sup>991</sup> R.L. Smith, *Micah-Malachi*, 320; Eddinger, *Malachi*, 55.

<sup>992</sup> Glazier-McDonald, *Malachi*, 83 (“That they must both be answered with an unqualified ‘yes’ is undeniable”); Schart, *Maleachi*, 87; *Malachi*, 83 (“The prophet, employing rhetorical questions, appeals to the fundamental consensus of the community...”).

<sup>993</sup> Verhoef, 265-266 (“This interpretation is determined by the synthetic parallelism of the first two sentences, and by the antithetical reference to *the daughter of a foreign god* (v.11)”. See also e.g. Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 268; R.L. Smith, *Micah-Malachi*, 321; Hill, *Malachi*, AB 25D, 224; Schart, *Maleachi*, 88; *Malachi*, 84. For those who consider the “one father” as a patriarch, see e.g. Baldwin, *Haggai, Zechariah, Malachi*, 257-259. In the Hebrew Bible, the concept that YHWH is the father of Israel can be found in, e.g. Exod 4.22-23; Deut 32.6; Isa 63.16; 64.7 (NRSV 64.8); Jer 3.4, 19, etc..

<sup>994</sup> Hill considers that “[t]he prophet calls for unity in postexilic Yehud because the community springs from a single cause; Israel’s corporate identity or personality is rooted in Yahweh alone.” Hill, *Malachi*, AB 25D, 224.

<sup>995</sup> J.M.P. Smith, 47; cf. Verhoef, 264, “... the introduction of a “foreign” element is a fundamental violation of this intimate bond [among the covenant people through the faith in one God], and therefore the transgressor himself must be detached from this bond and eliminated from “the tents of Jacob.” In this regard, having considered the “distinctive language that identifies God as “One” as well as the close affinity of the vocabulary of Mal 2:1-2 with vocabulary from Deut 6”, Lear finds that it is probable that the scribes were dependent upon or at least influenced by Deut 6.4. Lear, *Scribal Composition*, 31. As to the relationship between Mal 2.1, 4a and Deut 6.4-5 (*Shema*), see the discussion in 3.3.10.1 above. For Mal 2.10-16, it is suffice to state that the four occurrence of the word “one” not only refer to YHWH but also the marital “oneness” of husband and wife. The term also implicitly points to the unity of the Judahites as a whole. Hence, it is strained for Lear to argue that in using the term “one”, the scribes referred to Deut 6.4.

Clendenen rightly prefers that YHWH is the subject (“he”) of the verb “make” and “one” is part of the predicate. He contends that this “one” refers to the “marital “one flesh” relationship”.<sup>996</sup> Using the words of Zehnder, this study considers that this “one” in v.15a refers to “the creational unity of man and woman”.<sup>997</sup>

R.L. Smith finds that the four occurrences of the word “one” (Mal 2.10 x 2, 15 x 2), together with the five appearances of the term “faithless”, are “the key to this passage.” In this regard, the fourth appearance of אֱלֹהִים in v.15b (“the one”) refers to YHWH, the only father and God of Israel (the two אֱלֹהִים in v.10), who seeks a “godly offspring” (from the Israelites).<sup>998</sup> Such a reading is in alignment with the severe criticism on Judah’s marriage with “the daughter of a foreign god” and the faithless (acts) towards “the wife of your youth”, which result in religious syncretism and community schism. As noted by Glazier-McDonald, “the intermarriage not only profanes the covenant [of our fathers (v.10)], but also constitutes an act of betrayal of Judean wives (2:14-16). It is a [faithless], a violation of the bond which unites the members of the nation among themselves and with Yahweh in the same family.”<sup>999</sup>

The use of the interrogative particle הֲלוֹא (twice) in Mal 2.10 links this court disputation with Mal 1.2. There, one would expect a positive answer (that is, “Yes, Esau is a brother to Jacob”), which brings out the theme of election vis-à-vis covenantal relationship between YHWH and “Jacob”. By analogy, here, one would expect that positive answers are given to the rhetorical questions in Mal 2.10: “Yes, we all have one God, and yes, one father created us.”<sup>1000</sup> The use of הֲלוֹא (together with the concepts of YHWH as the father and creator)<sup>1001</sup> in Mal 2.10 also concerns the election of the Israelites (“tents of Jacob”, Mal 1.12) and their covenantal relationship with YHWH.

<sup>996</sup> Taylor and Clendenen, *Haggai, Malachi*, 351-355, “As v.10 argues filial unity against treachery on the basis of God’s covenant with Israel at Sinai, so here Malachi more pointedly argues against marital treachery on the basis of the marital “one flesh” relationship, ....”

<sup>997</sup> Zehnder, “A fresh look at Malachi II 13-16,” 247. Nevertheless, it should be noted that Zehnder’s own translation is “And no one, who has done this, has a remnant of spirit. ...” to which this study respectfully differs. As to the various readings of v.15aα and his attempted emendations, see Zehnder, “A fresh look at Malachi II 13-16,” 236f.

<sup>998</sup> R.L. Smith, *Micah-Malachi*, 321.

<sup>999</sup> Glazier-McDonald, *Malachi*, 86.

<sup>1000</sup> Cf. Glazier-McDonald, *Malachi*, 83.

<sup>1001</sup> Cf. Bernhardt considers that in Deutero-Isaiah, the word בָּרָא connects with the theology of election, “indeed, mankind as a whole is the creation of God (Isa. 45:12); and yet, among the nations that have arisen during the course of history, Israel alone is said to have been created by Yahweh (43:1, 7, 15). The same thought appears in Mal. 2:10. (Basically this view

Then (a) the rhetorical question, (b) the “oneness” of YHWH as the only father, God and creator of “us”, which highlights the unique relationship between YHWH and the Israelites, and (c) the connotations of election vis-à-vis covenantal relationship guide us to the alluded text Deut 32.6ff. In this part of the “Song of Moses” (cf. Mal 3.22 “Remember the *torah* of Moses, my servant...”), the history of the rebellion of “Jacob” (Deut 32.9, cf. Mal 2.12) against YHWH is reiterated. One can see that in addition to the introduction of the said rhetorical question and theological concepts into Mal 2.10-16, the following elements in Deut 32.6ff also appear in this section of Mal:

- (a) offering sacrifices to the “strangers” (NRSV: strange gods, Deut 32.16, cf. “foreign god” in v.12; and “demons” and “gods” that were not feared by “your fathers” (ancestors) in v.17); and
- (b) such idolatrous practices are considered as “abominations” (cf. Mal 2.11).

In particular, the redactors of Mal wisely transformed these elements to encounter the situation that they were facing, that is, the intermarriages between the Judahite men and the non-Judahite women who were serving the foreign gods. It is likely that for this reason, those Judahite men divorced their Judahite wives (see the discussion below). In Mal, this situation is made analogous to (and as serious as) the idolatry in Deut 32.6ff, which is severely reprimanded. The allusion to this part of the “Song of Moses” implies that it is not simply a domestic matter but a solemn issue of faithfulness to YHWH by the Israelites. The fact that they were described by YHWH as “the children [sons] without faithfulness in them” (בנים לא אמן) (בב) in Deut 32.20 is, arguably, mirrored by the five occurrences of “faithless” (בגד) in Mal 2.10-16 (and in contrast to the “godly offspring” in Mal 2.15). In view of the judgment as depicted in Deut 32.19ff, the “cut off” of “the man who does this” from “the tents of Jacob” is well justified.

Such a thoughtful and “strategic” use of the tradition in Deut 32.6 also enlightens us in interpreting the phrase “the covenant of our fathers” (Mal 2.10), which is unique in Mal.<sup>1002</sup> Deut 32.17 mentions that the Judahites sacrificed to the “demons” and “gods” that they did not know, and such newly arrived ones were not feared by “your fathers”. It implies that these

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is already anticipated in the Pentateuchal sources J and P by the genealogical connection between creation and the history of Israel, which points to Israel.)” Bernhardt, “ברא,” *TDOT*, 2:247. See also Verhoef, 266, “*Bārā*’ in this context denotes the election of Israel as the children of God; cf. Exod. 4:22; Hos. 11:1; Is. 1:2; 30:9.”

<sup>1002</sup> Hill, *Malachi*, AB 25D, 227.

“strangers” (NRSV: “strange gods”, Deut 32.16; cf. “foreign god” in v.12) had no covenantal relationship with the ancestors of the Israelites. Coupled with the rhetorical question in Deut 32.6, the reasonable conclusion is that the ancestors of the Israelites only had covenant with one God, YHWH, who is the father and creator of them.

Upon that basis, it is no surprise for Hill to state that “the covenant of our fathers” is “an allusion to Israel’s covenant experience at Sinai given the echo of Deuteronomic language and the explicit social obligations of Mosaic law (e.g., D. R. Jones [1962: 194]; Henderson [1980: 453]; Glazier-McDonald [1987a: 87-88]; Verhoef [1987: 267]).”<sup>1003</sup> Whilst the closest expression in parallel is “the covenant of your fathers” (אֵת בְּרִית אֲבוֹתֶיךָ) in Deut 4.31, which is likely to refer to the patriarchal or Abrahamic covenant,<sup>1004</sup> Clendenen justly points out that “the charge of unfaithfulness to one’s brother is more fitting in the context of the Mosaic covenant, which constituted Israel as a nation.”<sup>1005</sup> As the similarity is limited to the phrase containing the words “covenant” and “fathers” but the respective covenants in issue are different, it is difficult to establish any convincing case of allusion to Deut 4.31. If one argues that the redactors of Mal intended to borrow the connotation of prohibition against idolatry (which in turn links to the unique relationship between YHWH and the Israelites) from Deut 4.15-40 and apply the same to Judah’s profanation of the “covenant of our fathers” in Mal 2.10, more evidence is required to prove such a broad but vague argument / possibility.

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<sup>1003</sup> Hill, *Malachi*, AB 25D, 227. For avoidance of doubt, it should be noted that there is no evidence that Hill uses the word “allusion” in the same sense as in this study, that is, after considering the lexical, syntactical, thematic and contextual parallels, etc.. See also Verhoef, 267, fn 14 citing G. Ch. Aalders, *Het Verbond Gods*, Kampen: Kok, 1939, 95-96. In this regard, Gibson adds that “a ‘mixed marriage’ would constitute the profaning of the Mosaic covenant, either through breaking the first commandment or through contravening explicit Mosaic commands that forbade marriage to foreigners (cf. Exod. 34.12-16; Num. 25.10-13; Deut. 7.3-5).” Gibson, *Covenant Continuity and Fidelity*, 123.

<sup>1004</sup> See e.g. McKenzie and Wallace, “Covenant Themes in Malachi,” 551-552, but note their fallback position (“It could be that the passage is deliberately ambiguous, regarding all the covenants mentioned as standing in continuity with the original covenant of election”; cf. Hill, *Malachi*, AB 25D, 227, “The ambiguous translation “forefathers” has been retained, permitting the allusion to the covenants of the patriarchs (so NEB) but understanding the inclusive meaning “ancestors,” whose referent is the nation of Israel”); Lear, *Scribal Composition*, 33.

<sup>1005</sup> Taylor and Clendenen, *Haggai, Malachi*, 328, citing Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 272; Verhoef, 267; D. L. Petersen, *Zechariah 9-14 and Malachi*, 197 in support. See also Gibson, *Covenant Continuity and Fidelity*, 122-123; contra Lear, *Scribal Composition*, 33-34.

In furtherance to the allusion to Deut 32.6ff, the allusion to Lev 20.1-5 re-emphasizes that the marriage with “the daughter of a foreign god” is not simply an issue of domestic matter. It has adverse effects on the faith community as well as their future generations (“offspring” in Mal 1.15 cf. Lev 20.2). It also explains why, in the context of Mal 2.10-16, the offerings brought by those Israelite men (who married “the daughter of a foreign god”) shall not be accepted by YHWH and they should be “cut off” from “the tents of Jacob” (Mal 2.12, 13).

In the immediate literary context, the “ritually related” terms נָגַשׁ (“bring”, Mal 2.12), מִנְחָה (“offering”, Mal 2.12, 13) and רִצּוֹן (“favour”, Mal 2.13) are used in relation to קֹדֶשׁ (“sanctuary” / “holiness”, Mal 2.11) of YHWH and the “altar” (מִזְבֵּחַ, Mal 2.13 cf. Mal 1.7, 10). The word מִיָּדְכֶם (“from your hands”) in Mal 2.13 can also be found in Mal 1.9, 10 where it is also related to YHWH’s rejection of the offerings.<sup>1006</sup> The root of the term רִצּוֹן (“favour”), i.e. רָצָה, appears in Mal 1.8, 10, 13. Again, it connects with the theme of refusal of offerings by YHWH.<sup>1007</sup> These not only reinforce the bondage of this pericope with the second court disputation<sup>1008</sup> but also indicate that the subject accusations (“married the daughter of a foreign god” (v.11) and divorce (v.16)) have an impact on the offerings at the temple (cf. the misfeasance of the priests in Mal 1.6-2.9). As noted by Jacobs, “The issue in Mal 2:13 is that Yahweh will not receive any offering as acceptable - not necessarily because of the quality of the offering - because of its source: from their hand”.<sup>1009</sup> In the second court disputation (Mal 1.6-2.9), the acceptability of both the sacrifices and the personnel (priests) who tender the same is in issue. Here, those who practise exogamy and divorced “the wife of your youth / covenant” are found unacceptable. The offerings from their hands are rejected due to their faithlessness.

<sup>1006</sup> As to the tradition of rejection of offerings by YHWH, see the discussion in 3.3.8 above. Lear considers that the phrase “May you [YHWH] not turn towards their offering” (אל תפן / אל תפנה) in Num 16.15 “matches nearly exactly” with the phrase “(there is) no longer a turning to the offering” (עוד פנות אל המנחה) in Mal 2.13. Admittedly, there are shared vocabularies between the texts. Lear argues that both texts “address the theme “holy people” and the cutting off of those who rebel – along with their households”. It is doubtful whether Mal presents anyone of Judahites as “holy people” (comparable to Moses and Aaron in this “Revolt of Korah” story). Indeed, Lear also concedes that “Malachi does not seem to be concerned with rebellion against leadership” and the “interpretative move is not demonstrable”. Lear, *Scribal Composition*, 50.

<sup>1007</sup> See the discussion in 3.3.8.

<sup>1008</sup> Scharf, *Malachi*, 87; *Malachi*, 83. But in contrast to this study, Scharf considers that “[t]his connection seems to imply that, as in Mal 2:1, it is particularly the priests who are being addressed.”

<sup>1009</sup> Jacobs, *The books of Haggai and Malachi*, 255.

Apart from the aforesaid ritual-related terminologies, the use of covenantal language in this pericope is remarkable, for examples, “covenant” (vv.10, 14), “abomination” (v.11), “faithless” (vv.10, 11, 14, 15, 16), and “witness” (v.14),<sup>1010</sup> etc.. Hill holds that the “third occurrence of the verb *bgd* [in v.14] in the dispute connects the paragraph addressing intermarriage (vv 10–12) with the divorce section (vv 13–16) and indicates that the prophet treats both intermarriage with non-Hebrews and divorce as equally serious covenant violations.”<sup>1011</sup> As to the significance that YHWH has been the “witness” between the Hebrew men and their first wives (“the wife of your youth”),<sup>1012</sup> Verhoef suggests that “God’s being a witness also implies that he eventually would be witness for the crown and prosecutor.”<sup>1013</sup>

By virtue of the occurrence of the terms “faithless” (בגד) and “profane” (הלל) in both verses,<sup>1014</sup> the phrases “faithless with each other” and “profaning the covenant of our fathers” in v.10 connect with the expressions of “Judah has been faithless” and “Judah has profaned the sanctuary of YHWH” in v.11. For Mal 2.11, the clauses “Judah has been faithless” and “abomination has been committed in Israel and in Jerusalem” are interrelated.<sup>1015</sup> The subordinate conjunction וְ indicates the reasons in support of the usage of the terms “faithless” and “abomination”: “For (וְ) Judah has profaned the sanctuary of YHWH, ... *and*<sup>1016</sup> [italics added] has married the daughter of a foreign god”.<sup>1017</sup>

Accordingly, the “abomination committed in Israel and in Jerusalem” correlates with the “faithless” (acts) of Judah (v.11), and the said “faithless” (בגד) connects with the profanations (הלל) of “the covenant of our fathers” (v.10) and “the sanctuary of YHWH” (v.11). In turn, the fact that “Judah has profaned the sanctuary of YHWH” links with the marriage with “the

<sup>1010</sup> “The covenant context of Malachi’s third disputation demands the translation [of עֵד as] “serve as a witness” (after the manner of *wd* in Deut 4:26; 30:19; 31:28; 32:46).” Hill, *Malachi*, AB 25D, 240.

<sup>1011</sup> Hill, *Malachi*, AB 25D, 241.

<sup>1012</sup> Schart considers that “the wife of your youth” should refer to “the first wife, normally wed in one’s youth”. Schart, *Malachi*, 90; *Malachi*, 86 (citing Elliger, *Das Buch der zwölf kleinen Propheten. II*, 202), cf. Verhoef, 274; Hill, *Malachi*, AB 25D, 241.

<sup>1013</sup> Verhoef, 274.

<sup>1014</sup> Hill, *Malachi*, AB 25D, 228, “The verb pair *bgd* + *hll* are ordered in synonymous parallelism in verse 10cd and verse 11ac.” See also Glazier-McDonald, *Malachi*, 89.

<sup>1015</sup> Hill, *Malachi*, AB 25D, 228.

<sup>1016</sup> “Conjunctive *waw* serves to join two clauses which describe interrelated or overlapping situations not otherwise logically related. Pairs of such clauses may form a *hendiadys*.” Waltke and O’Connor, §39.2.5, cited in Hill, *Malachi*, AB 25D, 231 in relation to this *waw*.

<sup>1017</sup> Eddinger, *Malachi*, 59 (“וְ is a subordinate conjunction, opening a clause that functions expegetically.”).

daughter of a foreign god.” (v.11) Verhoef put in this way: “Such a marriage is referred to as a *detestable thing* [i.e. “abomination”], because it assumed a compromise between the God and Father of Israel and a pagan idol.” For Verhoef, the expression of marrying “the daughter of a foreign god” is an allusion to “mixed marriages”. By using the word “abomination” (תועבה), “Malachi equates Judah’s faithlessness with the defection into paganism. The idea of “idolatry” (cf. Deut 12:31; 13:1-18; 16:21-17:7) is just below the surface of Judah’s breach of faith.”<sup>1018</sup> In this regard, Hill links the elements of intermarriages, divorces and idolatry together, which is plausible. He suggests that “abomination” means “the (ongoing?) practice of divorce for the purpose of ethnic intermarriage in postexilic Yehud. ... There is no doubt that the “abomination” of intermarriage with non-Hebrews has implications of religious compromise with the idolatrous cults of these aliens (cf. S. R. Driver [1906: 313]).”<sup>1019</sup>

Pause here, one would notice that the traditional connotations of the term “abomination” are skilfully utilized to enfold the various aspects of faithlessness of “Judah”, namely, mixed marriages and the consequential divorces and paganism. All these point to the profanation of YHWH’s covenant (v.10), sanctuary (v.11), and arguably, witness (v.14) as well.

The deft intertwining of the elements of intermarriages, divorces and idolatry (see Hill’s suggestion above) is achieved in Mal by the allusions to Lev 20.1-5; Jer 3.8, 11; and Ezek 44.4-14. The allusion to Lev 20.1-5 is proved by the lexical parallels of “man”, “cut off”, “sanctuary”, “offspring” and “profane” together with the thematic parallel of divine punishment of “cut off” for idolatry. The cause of the said penalty in Lev 20, that is, giving the offspring to Molech, is utilized in Mal as the foundation for reprimanding the intermarriage with “the daughter of a foreign god”. As we discussed above, the giving of the offspring to other gods is almost an inevitable consequence of the said intermarriage (cf. “godly offspring” in Mal 2.15). That explains why such exogamies are described as “abomination” and “faithless”, correlated with profanation of the sanctuary of YHWH (Mal 2.11). By alluding to Lev 20.1-5, the prohibition against idolatry is applied to a new context, that is, to cover the said intermarriage. The penalty of “cut off the man who does this, ...from the tents of Jacob” is also derived from Lev 20.3, 5, which makes this section of Mal in alignment with the Mosaic tradition.

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<sup>1018</sup> Verhoef, 268-270.

<sup>1019</sup> Hill, *Malachi*, AB 25D, 229, citing Verhoef, 269-270; Redditt, *Haggai, Zechariah, Malachi*, 171; and Glazier-McDonald, *Malachi*, 89-91. See also Floyd, *Minor Prophets*, 604.

The exact combination of יהודה + בגדה in the same order with the verb in feminine form, <sup>1020</sup> together with the thematic parallel of the blameworthiness of “Judah” for introducing idolatrous worships in its territory, supports a more than probable case of allusion to Jer 3.8, 11. The metaphor of a faithless wife, “Judah”, who commits adultery and whoredom as depicted in Jer 3, is formulated as a “re-actualization” to portray the “Judah” at the time of Mal. The crux is that “Judah” remains “faithless” and “has married the daughter of a foreign god”. The five occurrences of the word בגד point to the various aspects of faithlessness of the Judahites. The further connotation that the return of “Judah” to YHWH is a false repentance (Jer 3.10). It vividly reflects the pretending attitude of the Judahites in Mal.

In view of the richness of the shared keywords (“abomination”, “profane”, “sanctuary”, “covenant”, “foreigners” and “keep / watch / guard”), it is not difficult to establish a connection between Mal 2.10-16 (in particular v.11) and Ezek 44.4-14 (in particular v.7). Coupled with the thematic parallel of profanation of YHWH’s sanctuary by the foreigners (Ezek 44.7; Mal 2.11), a more than probable case of allusion is established. In the capable hands of the redactors of Mal, the aforesaid common terms were assembled to address the new situations. The expressed prohibition against admission of “foreigners” into the sanctuary of YHWH, which is described as part of the “statutes” (חקה) and “laws” (תורה)(cf. Mal 3.22) of the temple of YHWH (Ezek 44.5), provides Mal 2.10-11 with the traditional (and contextual) meanings of “abomination” and “profane”. Having said that, the scope of “abomination” is expanded to cover the intermarriages in question, and the horizon of “profane” is enlarged to include covenant (Mal 2.10).

In sum, by the allusions to Lev 20.1-5; Jer 3.8, 11; and Ezek 44.4-14, a network among the three core issues in this pericope, i.e. intermarriages, divorces and idolatry, is constructed. The message is fully equipped with the traditional meanings and authority.

Thereafter, one may be attracted by the shared terminologies of “marry” (בעל, Deut 24.1), “send” (שלח, Deut 22.19; 24.1, 3, 4) and “hate” (שנא, Deut 22.13, 16; 24.3) and wonder if Mal 2.11, 16 alludes to Deut 22.13-19 and/or 24.1-4. Nevertheless, it is noticed that the said common words are sparingly scattered over these verses. Besides, the subject issue of Deut 22.13-19 is the proof of virginity of a newly married woman, and that of Deut 24.1-4 is the permitted procedure for divorce and the prohibition against remarrying a

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<sup>1020</sup> As suggested by Lear, it also explains the gender variance of “Judah” in Mal 2.11. Lear, *Scribal Composition*, 35.

divorced wife. As Kaiser states that, “In fact, the purpose of the Mosaic regulation was neither to encourage divorce, enjoin it, nor to approve it; instead, it was given to prescribe certain procedures *if and when* it tragically took place” (emphasis by italics added).<sup>1021</sup> Hence, there is insufficient evidence in support of any contextual or thematic parallel with Mal 2.10-16. Instead of advancing that Mal 2.16 is alluding to Deut 22.13-19 and/or Deut 24.1-4, it is more likely that they provides the background for the defence “Why” (Mal 2.14):<sup>1022</sup> *If the divorce is conducted in compliance with the torah, why is it still “faithless” to “the wife of your covenant [v.14] / youth [v.14, 15]”?*<sup>1023</sup> More importantly, why YHWH is also involved (as a witness (v.14) who hates divorce (v.16))?

It is somewhat unsatisfactory for Hill to assert (without setting out the evidential basis to so assume) that “[t]he prophet understands this as an act of betrayal against the marriage partner, probably because the divorce(s) granted were not in accordance with the stipulations of the divorce laws of the Mosaic covenant (Exod 20:14; Deut 5:18; 24:1-4; cf. *ABD* 2:217-19)”.<sup>1024</sup> There is no proof in this regard. What we can gather from the text is that the allegations about “faithless” not only concerns “the wife of your youth / covenant” (Mal 2.14, 15) but also relates to the marriage with “the daughter of a foreign god” (v.11).

For the sake of discussion, assuming that the divorce with “the wife of your youth / covenant” is conducted in a *torah*-permitted manner,<sup>1025</sup> the “faithless” element would then come from the marriage with “the daughter

<sup>1021</sup> W. Kaiser, “Divorce in Malachi 2:10-16,” *CTR* 2 (1987): 73-84, 81.

<sup>1022</sup> It is more likely that Deut 24.1-4 provides such a background for the legally permitted divorce. Strictly speaking, Deut 22.13-19 is not about divorce but the procedures for adjudicating the allegation of a husband against his newly married wife for her pre-marital prostitution and/or fornication. Cf. Gibson, *Covenant Continuity and Fidelity*, 153, who considers that Deut 24.1-4 “provides the context for” Mal 2.16. However, at 154, he concludes that Mal 2.16 alludes to Deut 24.1-4. It is not clear how he differentiates (or defines) “allusion” from “context” in such circumstances. In any event, one should note that unlike the present study, Gibson translates Mal 2.16a as “If he/one hates and divorces...” On that basis, he finds that the scenario in Deut 24.3 (the second husband hates his wife) “resonates with Mal. 2.16: divorce for aversion.” (at 151).

<sup>1023</sup> Hugenberger finds that “[t]he endearing designation “the wife of your youth [אִשְׁתַּיְנְעוּרִיָּה]” in 2:14a is in parallel with “the wife of your covenant [אִשְׁתַּיְבְּרִיתִיָּה]” in 2:14b.” Hugenberger, *Marriage as a Covenant*, 28.

<sup>1024</sup> Hill, *Malachi*, AB 25D, 226.

<sup>1025</sup> Zehnder, “A fresh look at Malachi II 13-16,” 255; cf. Gibson, *Covenant Continuity and Fidelity*, 153, “By employing the keywords from Deut. 24.1-4, Malachi implies that some people were misusing this text to make their divorces morally permissible: they were divorcing out of dislike/hate....”

of a foreign god”. Even though we do make an assumption as to its meaning (i.e. option (a) below), it is proper for us to discern with reasons whether it refers to.<sup>1026</sup>

- (a) an actual marriage, notwithstanding that “the daughter” is in singular as it is in a collective sense,<sup>1027</sup> or
- (b) a metaphor for the bondage between the Israelites and the pagan gods, or alternatively,
- (c) a metaphor for the bondage between the Israelites and the non-Israelites (who worshipped the foreign deities) by virtue of their intermarriages.<sup>1028</sup>

The text indicates that by virtue of the said marriage / bondage, the marital relationships and the descendants of the Israelites would be adversely affected.

Most commentators fall within the camps of either the aforesaid option (a), that is, the marriage with “the daughter of a foreign god” refers to an actual marriage with non-Israelite women who worshipped foreign gods,<sup>1029</sup> or

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<sup>1026</sup> Zehnder, “A fresh look at Malachi II 13-16,” 225f; cf. Schart mentions three possible interpretations: (1) “Many men have married women of other faiths”; (2) it is a metaphor concerning the marriage of “Judah” with the pagan goddess; and (3) it is a scribal error, and according to 4QXII<sup>a</sup>, the reading is “house of a foreign god”, which is arguably a comparable to the “sanctuary of YHWH”. Schart, *Maleachi*, 89; *Malachi*, 85. Nevertheless, the said option (3) is rarely agreed upon. Fuller considers that “[i]n vv.10-12 the topic of central concern seems to be the defilement of the holiness of Yahweh, or his temple, which is brought about by the marriage to foreign women. Given this context the reading בַּיִת is inappropriate. Since the reading is unsupported by other textual witnesses, it should probably be considered a scribal error.” R.E. Fuller, “Text-critical problems in Malachi 2:10-16.” *JBL* 110 (1991): 47-57, 51.

<sup>1027</sup> “In that case, as with “Judah,” the singular must be understood collectively; this is not about a single instance.” Schart, *Maleachi*, 89; *Malachi*, 85.

<sup>1028</sup> J.M.P. Smith, 49, “The use of the singular number [for “the daughter of a foreign god] seems to render it difficult to understand this as referring primarily to literal marriages between the men of Judah and idolatrous women, .... It is more natural to interpret the statement as meaning that an alliance has practically been made between Judah and some people that does not worship Yahweh through the common celebration of such marriages.” Most commentators simply categorize the interpretation of J.M.P. Smith into the camp of “mixed marriages” (see e.g. Glazier-McDonald, *Malachi*, 92; Hill, *Malachi*, AB 25D, 232) and ignore (or at least, not attach sufficient weight to) his emphasis on the “alliance” between Judah and those who “does not worship Yahweh”. Zehnder classifies this option as “a subvariant of the literal understanding insofar as mixed marriages form an essential part of the alliance between the two parties.” Zehnder, “A fresh look at Malachi II 13-16,” 226.

<sup>1029</sup> For examples, von Bulmerincq, *Der Prophet Maleachi. Band II*, 257-60; Chary, *Aggée-Zacharie, Malachie*, 257; Verhoef, 269; Glazier-McDonald, *Malachi*, 92-93; Ogden and Deutsch, *A Promise of Hope*, 95; Redditt, *Haggai, Zechariah, Malachi*, 171; Hill, *Malachi*, AB

option (b) it is a metaphor for the bondage with a pagan deity.<sup>1030</sup> In analyzing the various arguments,<sup>1031</sup> one should bear in mind the observation of Glazier-McDonald: In Mal 2.10-16, the threefold faithlessness, that is, “covenant faithlessness, marital faithlessness and faithlessness to Yahweh and his cult”, are “closely interrelated”.<sup>1032</sup> When we seek to ascertain the meaning of the marriage of “Judah” (as a collective entity, that is, the faith community)<sup>1033</sup> with “the daughter of a foreign god” (*if* in parallel, it should also be a collective entity), this thematic framework of faithlessness should be taken into account.

As pointed out by Schart, it “seems far more difficult to imagine” that “the human side would assume the dominant, masculine role in relation to the goddess”,<sup>1034</sup> not to say the unprecedented expression (or interpretation) of YHWH as “the wife of your youth / covenant” of “Judah”.<sup>1035</sup> Zehnder rightly observes that Mal 2.14 states that YHWH has been a witness between the addressee “you” and “the wife of your youth”, and this “you” has been faithless to his “companion”. Hence, Mal 2.13-16 “refers to real relations between a husband and his wife” and there is no “clear hint that the verses

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25D, 232-233; Floyd, *Minor Prophets*, 589; Sweeney, *The Twelve Prophets*, BO, 732f; Zehnder, “A fresh look at Malachi II 13-16,” 228; Jacobs, *The books of Haggai and Malachi*, 245; Schart, *Maleachi*, 89; *Malachi*, 85.

<sup>1030</sup> For examples, C.C. Torrey, “The Prophecy of Malachi,” *JBL* 17 (1898): 1-15, 4-5, 9-11; F.F. Hvidberg, *Weeping and Laughter in the Old Testament*, Leiden: Brill, 1962, 121-122; A. Isaksson, *Marriage and Ministry in the New Temple: A study with special reference to Mt. 19.3 - 12 and 1. Cor. 11.3 - 16*, Acta Seminarli Neotestamentici Upsaliensis 24, Lund: C.W.K. Gleerup, 1965, 31-34; Gosta W. Ahlström, *Joel and the Temple Cult of Jerusalem*, SupVT 21, Leiden: E.J. Brill, 1971, 49; van der Woude, “Malachi’s Struggle for a Pure Community,” 65-71; Petersen *Zechariah 9-14 and Malachi*, 199-200, who translates v.11b as “...He loves Asherah; he has married the daughter of a foreign god.” (194)); M.A. Shields, “Syncretism and Divorce in Malachi 2,10-16,” *ZAW* 111 (1999): 68-86 (vv.11-12 be read figuratively but vv.13-16 be perceived literally).

<sup>1031</sup> Redditt succinctly summarizes the respective arguments of both camps: “In favour of [the argument for idolatry] are the use of the singular (Judah, the daughter), the general lack of prohibitions against divorce in the OT, and the reference (in v.13) to weeping at the altar, perhaps suggestive of a ritual act. In favour of [the argument for divorce] is the plain sense of the words. Besides that, if the charge is idolatry, then the wife of Judah’s youth (v.15) would have to be God. Elsewhere in the Bible God is called the father (as twice in Malachi) or the husband, but never the wife (Smith, 323).” Redditt, *Haggai, Zechariah, Malachi*, 171.

<sup>1032</sup> Glazier-McDonald, *Malachi*, 85.

<sup>1033</sup> Schart, *Maleachi*, 88; *Malachi*, 84.

<sup>1034</sup> Schart, *Maleachi*, 89; *Malachi*, 85.

<sup>1035</sup> Redditt, *Haggai, Zechariah, Malachi*, 171. See also e.g. Gibson, *Covenant Continuity and Fidelity*, 124.

should not be understood literally.”<sup>1036</sup> In view of the close interrelation of the threefold faithlessness as mentioned above, the Judahites’ marital faithlessness links with their faithlessness to YHWH for, *inter alia*, marrying “the daughter of a foreign god” (v.11). It is therefore justified for Zehnder to suggest that “the two aspects are interrelated: The addressed men break faith with their first, Israelite, wives [*sic.*], *because* they marry women of foreign faiths.”<sup>1037</sup> Upon that basis, Hill justly finds that the expression of “the daughter of a foreign god” is used “in the collective sense of “foreign women” who have married into the Hebrew clans of Yehud”.<sup>1038</sup> The significance of it is that “in intermarriage of this sort one weds both an “alien” and an “alien deity” (cf. Glazier-McDonald [1987a: 91]). The disastrous outcome of the religious syncretism embraced by the Israelites during the preexilic period probably accounts for Malachi’s unusual choice of words here, insinuating that the “adultery” of divorce and remarriage to “aliens” was tantamount to “idolatry” (cf. 2:14-16).”<sup>1039</sup>

For the aforesaid reasons, the marriage of “Judah” with “the daughter of a foreign god” should be understood as the marriages between the Judahite men and the non-Judahite women who worshipped the other deities. As hinted by the text, it is likely that such marriages had brought about paganism and/or religious syncretism which adversely influenced the following generations. The use of the words “profane” (in relation to the sanctuary of YHWH, v.11) and “abomination” points to the element of paganism. Although scholarly opinions differ as to the nexus between marrying foreign women and divorcing Judahite women (as polygamy was not uncommon in those days),<sup>1040</sup> it is fairly certain to say that such divorces within the faith community, together with paganism / syncretism, would shake the unity of the Judahites. That explains why the concepts of

<sup>1036</sup> Zehnder, “A fresh look at Malachi II 13-16,” 228.

<sup>1037</sup> Zehnder, “A fresh look at Malachi II 13-16,” 230; cf. Hugenberger, *Marriage as a Covenant*, 98-101.

<sup>1038</sup> Hill, *Malachi*, AB 25D, 232-233. Zehnder provides two linguistic reasons: “The singular subject [Judah] demands a singular object, and the concept of the Judahite men as children of YHWH (verse 10a) is best matched by the designation of the foreign women as “daughter of another god”.” Zehnder, “A fresh look at Malachi II 13-16,” 227.

<sup>1039</sup> Hill, *Malachi*, AB 25D, 232. Gibson also notes that “The marriage is not to be understood in a religious sense, but the literal marriage to ‘a daughter of a foreign god’ (בתִּיאֵל נכר) brings with it religious implications.” Gibson, *Covenant Continuity and Fidelity*, 124.

<sup>1040</sup> See e.g. Verhoef, 275; Glazier-McDonald, *Malachi*, 114; Zehnder, “A fresh look at Malachi II 13-16,” 255-256.

“oneness” and the “covenant of our fathers” are emphasized at the beginning of this pericope.<sup>1041</sup>

As I demonstrated above, the allusions to Lev 20.1-5; Jer 3.8, 11; and Ezek 44.4-14 spin a web of the core issues of Mal 2.10-16, namely, idolatry, intermarriages and divorces. Besides, the allusion to Gen 31.44-50 assists in establishing the nexus between marrying “the daughter of a foreign god” and divorcing “the wife of your youth / covenant”. In Gen 31.50, by virtue of the stipulations made by Laban, if Jacob takes wives in addition to Laban’s daughters, it amounts to Jacob’s blatant breach of the said covenant. Given that YHWH is the witness between them (אלהים עד ביני ובינך, cf. Mal 2.14 “YHWH has been a witness between you and the wife of your youth”), any breach of the covenant would no doubt be penalized by Him. By alluding to Gen 31.44-50, these ideas are incorporated into Mal to address the divorces of “the wife of your youth” by the Judahites’ husband. That explains why the Judahite wives are described as “the wife of your covenant” (Mal 2.14), and why a plea is made to YHWH for “cut off the man who does this” from “the tents of *Jacob*” (Mal 2.12, emphasis by italics added).

Furthermore, given that YHWH is not only a “witness” of the covenant (Mal 2.14) but also the “Father” of all Judahites (Mal 2.10), the Judahite wives can no doubt be regarded as “the daughter of YHWH” (in a collective sense) in contrast with “the daughter of a foreign god” (Mal 2.11). Upon that basis, it is clearly legitimate for YHWH to expect “godly offspring” from the Judahite couples (Mal 2.15), and divorcing the Judahite wives is clearly intolerable to Him (“For he [YHWH] hates divorce”, Mal 2.16). In sum, the allusion to Gen 31.44-50 is a pertinent response to the defence “Why [YHWH no longer turn to the offerings]?” (Mal 2.14)

Accordingly, as to the linkages among Mal 2.11-14, in addition to the “creational unity of man and woman” as suggested by Zehnder (above),<sup>1042</sup> this study suggests that:

- (a) the strife between “you” and “the wife of your youth / covenant” in Mal 2.14, for which “YHWH has been a witness”, should be read in

<sup>1041</sup> See e.g. Verhoef, 266-267; cf. Hill, *Malachi*, AB 25D, 255, “The practice of intermarriage with non-Hebrews and the divorce of legitimate wives jeopardize this “organic unity” of Yehud as Yahweh’s elect because the two related customs stand in diabolical antithesis to this principle of faithfulness”.

<sup>1042</sup> Zehnder, “A fresh look at Malachi II 13-16,” 247.

connection with the accusation that Judah “has married the daughter of a foreign god” (again) in v.11;<sup>1043</sup> and

- (b) the “tear, weeping and groaning” in Mal 2.13, which relates to the non-acceptance of the offering by YHWH (“(there is) no longer a turning to the offering”), should be read in conjunction with vv.11, 12, 14 (see the analysis of the allusions above).

Given that in Mal 2.11, the “abomination” of Judah is elaborated<sup>1044</sup> by the profanation of “the sanctuary of YHWH” and the marriage with “the daughter of a foreign god”, which governs the reading of vv.12-14, the aforesaid suggestion is justified.

Then by the phrase “the wife of your youth” (אִשָּׁת נְעוּרַיִךְ) and the key term “faithless” (בגד), Mal 2.14 links with v.15. In turn, by the phrase “so look to yourself in your spirit” (וּנְשַׁמְרֶתֶם בְּרוּחְכֶם) together with the parallel pattern בגד + אל (לא in v.16), Mal 2.15 links with v.16. In other words, in addition to v.11, another hint for the interpretation of vv.14-16 is the nexus between “look to yourself in your spirit” and the prohibition of faithless (acts) towards “the wife of your youth” (v.15). Such a reading demonstrates the internal cohesion of this pericope.

The phrase “remnant of spirit” is unique in the MT.<sup>1045</sup> As succinctly summarized by Verhoef, the three main lines of interpretation of the word “spirit” in this context are:<sup>1046</sup>

- (a) “the Spirit of God (RSV)”;<sup>1047</sup>

<sup>1043</sup> Cf. Zehnder, “A fresh look at Malachi II 13-16,” 229. Such a reading tends to make “the wife of your youth” as a contrast to “the daughter of a foreign god”. In this regard, Schart suggests that “[i]n that case the “wife of one’s youth” would refer to a YHWH-believing Jewish woman to whom her husband should remain faithful in order that their children may likewise remain YHWH-believers.” Schart, *Malachi*, 91; *Malachi*, 87.

<sup>1044</sup> Eddinger, 54 notes that the subordinate conjunction ו opens “a clause that functions epexegetically.”

<sup>1045</sup> Hill, *Malachi*, AB 25D, 245.

<sup>1046</sup> Verhoef, 276-277. See also Hugenberger, *Marriage as a covenant*, 135-137; and Gibson, *Covenant Continuity and Fidelity*, 130-133 as to brief surveys of other explanations.

<sup>1047</sup> Verhoef, 276.

- (b) the “breath of life” (cf. Gen 2.7), “vital power”<sup>1048</sup> or “life force”;<sup>1049</sup>
- (c) “intelligence, sound judgment”.<sup>1050</sup>

In determining the meaning of “remnant of spirit”, we should take into account the phrase in its immediate context, that is, “look to yourself in your spirit”. On the basis that Mal 2.15a is stating that:

- (a) YHWH made “one” (person)<sup>1051</sup> in the sense that a man and his wife are considered in unity (“marital oneness”);<sup>1052</sup>
- (b) YHWH gave “a remnant of spirit” to this “one” (person);<sup>1053</sup> and
- (c) the question “why the one seek a godly offspring” implies that YHWH expects this “one” (person) to give birth to “a godly offspring”,

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<sup>1048</sup> Glazier-McDonald, *Malachi*, 107. Citing Georges Pidoux, *L'homme dans l'Ancien Testament*, CTH 32, Neuchâtel and Paris: Delachaux & Niestlé, 1953, 22, Glazier-McDonald finds that “spirit” is a “vital power” with the divine origin. It is “the opposite of the feebleness of “flesh” ... it is Yahweh’s רִיחַ, spirit, that gives life, man’s reproductive potential is directly dependent upon it.” Cf. Redditt, *Haggai, Zechariah, Malachi*, 173, who oversimplifies the words of Glazier-McDonald as referring to “sexual capacity”.

<sup>1049</sup> Hill considers that “[t]he word *rûah* in this context refers to the “life force” or “life principle” animating all living things”. Hill, *Malachi*, AB 25D, 245. In this regard, Schart also considers that in this context, “spirit” means “the breathe or vitality of life” but his interpretation has nothing to do with the oneness of husband and wife. Instead, Schart reads that in the prophet’s argument, “someone who still has some remnant of vitality... would cling to the wife of his youth.” Schart, *Maleachi*, 91; *Malachi*, 86-87.

<sup>1050</sup> Verhoef writes, “cf. Num. 27:18; Deut. 34:9; Josh. 5:1; 1 K. 10:5; Isa. 19:3”; “In other words the person who seeks a godly offspring has spiritual insight and does not violate the marriage as a divine institution.” Verhoef, 276-277. Against this view, citing Taylor and Clendenen, *Haggai, Malachi*, 352, Gibson justly argues that this interpretation “does not easily fit the other passages that Verhoef and Zehnder mention” and it “also clashes with the use of רִיחַ in v.15e, where Malachi calls on his audience to guard their spirits.” Gibson, *Covenant Continuity and Fidelity*, 134, fn 99.

<sup>1051</sup> As I mentioned in “Text, translation & text-critical issues” above, I consider that the first *חָא* in v.15a is the direct object of the verb *עָשָׂה* with the implied subject YHWH. See also Gibson, *Covenant Continuity and Fidelity*, 128.

<sup>1052</sup> Gibson, *Covenant Continuity and Fidelity*, 128; see also Zehnder, “A fresh look at Malachi II 13-16,” 247; Weyde, *Prophecy and Teaching*, 262; cf. Verhoef, 276 (“god made Adam and Eve one flesh”); Rudolph, *Haggai - Sacharja 1-8 - Sacharja 9-14 - Maleachi*, 270, who emends the text so that it reflects Gen 2.23-24.

<sup>1053</sup> See Gibson’s elaboration of Hugenberger’s stance (Hugenberger, *Marriage as a covenant*, 137): “[F]or him, when God made Adam and Eve as one, he gave his spirit to them, that is, he breathed his life-giving spirit into them. God’s spirit belonged to the couple as a couple.” Gibson, *Covenant Continuity and Fidelity*, 132-133.

then with the “conjunctive–sequential *waw*”<sup>1054</sup> (translated as “so” here), the phrase “look to yourself in your *spirit*” (emphasis by italics added) is in response to the question “why the one seek a godly offspring”. It naturally connects with the preceding phrase “remnant of *spirit*” (emphasis by italics added). In the context, it means that those Israelite men who retain the “spirit” given by YHWH not only give birth to “a godly offspring” (again, in a collective sense) but also do not act faithlessly to “the wife of your youth”.

Bearing the aforesaid considerations in mind, this study prefers the explanation of Hugenberger: Primarily, he considers that the “spirit” in v.15aβ and 15bα refer to “the spirit of God which resides in man” (Ps 104.29f; Job 32.8; Dan 5.12; and 6.4).<sup>1055</sup> The possible analogous text is Num 11.25 in which YHWH “took some of the spirit that was upon him [i.e., Moses] and put it upon the seventy elders.”<sup>1056</sup> Even though this “spirit” has the divine origin, as the lives of creatures have limitations, Hugenberger finds that “spirit” may be at one and the same time a reference both to the spirit of God and to the breath of life” (cf. “the breath of life” (נשמת חיים) in Gen 2.7). Such an interpretation provides the phrase “and a remnant of spirit” (ושאר רוח) with another possible analogous text in Dan 10.17 (ונשמה לא נשארה בי), “no breath is left in me”). Furthermore, the two warnings of “look to yourself in your spirit” in vv.15b and 16c will become “an implied threat of being completely deprived of “life-spirit [רוח]”.”<sup>1057</sup>

Gibson adds that “לו” refer back to “אחד”, that is, “a remnant of the spirit” is “for that oneness”. Despite the faithless acts and divorce, “a remnant of the spiritual bond” still exists in the divorced couple.<sup>1058</sup>

In sum, the aforesaid discussions have demonstrated that the proved cases of allusions (e.g. Deut 32.6ff; Lev 20.1-5; Jer 3.8, 11, etc.) and the use of traditional materials (e.g. the terms “faithless” and “abomination”, ritual-related terms, etc.) play the significant roles in constituting the messages of this pericope. Furthermore, these traditional elements provide us with

<sup>1054</sup> Hill, *Malachi*, AB 25D, 248.

<sup>1055</sup> As noted by Gibson, “Nowhere in the OT is רוח associated with ‘man’s reproductive potential’” (contra Glazier-McDonald, *Malachi*, 107). Gibson, *Covenant Continuity and Fidelity*, 134, citing Taylor and Clendenen, *Haggai, Malachi*, 353.

<sup>1056</sup> As Hugenberger notes, this analogy is acknowledged in Verhoef, 276. Hugenberger, *Marriage as a covenant*, 137.

<sup>1057</sup> Hugenberger, *Marriage as a covenant*, 137.

<sup>1058</sup> Gibson, *Covenant Continuity and Fidelity*, 135, citing Taylor and Clendenen, *Haggai, Malachi*, 355.

the yardstick to interpret this passage. As observed and carefully articulated by Lear,<sup>1059</sup>

“The scribal composer created Mal 2:10-16 as a tapestry of interwoven material ... borrowed from older texts. The borrowing, or “reuse,” is demonstrably a result of the scribe’s interpretation of antecedent texts. ...Unless otherwise noted, I will not argue that reuse in this pericope is allusive. Rather, I think the scribe created a new text based on his interpretation of older texts.”<sup>1060</sup>

In other words, in this pericope, the traditional materials are assembled and used in a more flexible and creative manners. Sometimes the connotations of those traditional materials match the situations being addressed in Mal, and sometimes they are (re)interpreted to extend the coverage over new issues in the new contexts, by which the theological agenda of the redactors is served.

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<sup>1059</sup> Lear, *Scribal Composition*, 25-26. She considers that the said interpretation vis-à-vis composition by the scribes is “essentially an example of Fishbane’s “inner-biblical exegesis.” For avoidance of doubt, the quotation of the words of Lear (above) does not represent that this study agrees with her exegetical findings in relation to this pericope. Some of her said findings have already been dealt with in the analysis above.

<sup>1060</sup> *Contra* Lear on this point, as demonstrated above, this study finds that there are several (more than) probable cases of allusions.



## 4 Summary of Findings & Conclusion

### Chapter outline

- 4.1 Conclusion: How these findings advance our understanding of the book of Malachi? Significance of the use of traditions in Mal
  - 4.1.1 Overview
  - 4.1.2 Mal 1.1 The superscription
  - 4.1.3 Mal 1.2-5 The first court disputation
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  - 4.1.5 Mal 2.10-16 The third court disputation
- 4.2 Answers to the research questions, and implications for future research
  - 4.2.1 Answers to the research questions
  - 4.2.2 Implications for future research

## 4.1 **Conclusion: How these findings advance our understanding of the book of Malachi? Significance of the use of traditions in Mal**

### 4.1.1 **Overview**

As mentioned in the beginning of Chapter 1, this study aims to investigate the significance of the use of traditions in the book of Malachi. It is defended that through the “tradition-historical method” as explicated in Chapter 2, one can discover that numerous traditions were used in different manners to compose the messages of the book. From the analyses in Chapter 3, we can see how the traditional materials were handled skilfully and, sometimes, rather creatively. By manoeuvring between the connotations carried by the traditions and (re)interpretation, application and actualization of such traditions, new messages were generated. Such new messages serve to address the new situations as mentioned in the book. Hence, the “tradition-historical method” provides us with a new perspective, that is, how the search for and understanding of the use of traditions in the book can enrich our perception of the messages thereof.

By now, in this concluding chapter, we shall move from the case studies to the general evaluation. On the basis of the analysis of the superscription and the first three “court disputations” of Mal (Chapter 3), we shall explore how those findings can enhance our understanding of the book, and how the tradition-historical method can widen our horizons in exegeting biblical passages that are rich in traditional elements.<sup>1061</sup>

To recap, the following table summarizes the most obvious cases of the probable (and, on some occasions, possible) uses of the specific traditional materials (“inner-biblical references”) in Mal 1.1-2.16.<sup>1062</sup> As to the traditional terms and language that do not appear in any identifiably alluded verse(s) (for example, the “love-hate” language), even though they are used in Mal 1.1-2.16 and discussed in Chapter 3, the same are not

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<sup>1061</sup> As to the details of the methodology, please see Chapter 2.

<sup>1062</sup> In other words, it does not include (a) the materials that are of similar traditions but less likely to be used intentionally, (b) the usage of such materials is too vague or too general (e.g. echo or relating to the presumed background of a particular passage of Mal), or (c) the traditional elements in common are scattered over the (rather lengthy) source text and the receptor text and therefore, it is difficult to pinpoint any specific inner-biblical reference (e.g. 1 Sam 12 and Mal 1.6-2.9, see the discussion in 3.3.11.3).

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included in this table. For the sake of clarity and brevity, only the lexical parallels are set out.

Mal	Probable inner-biblical references <sup>1063</sup>
1.1 משא דבר יהוה	(possible) 1 Kings 21.27-29
1.3 “jackals”	Jer 9.10 and 10.22; 49.33
1.3 מדבר + שממה	Joel 4.19
1.4 בנה + חרבה	Isa 44.26; 58.12; 61.4; Ezek 36.10
1.4 אשר זעם + temporal word	Zech 1.12
1.3-4 עולם + חרבה + שממה	Ezek 35.3-15
1.3-4 בנה + חרבה + שממה	Ezek 36.33-36
1.3-4 עולם + חרבה + שממה	Jer 44.6 and 49.13
1.5 “your eyes” + “see” + “YHWH” + “great”	(possible) Deut 11.7
1.6-14 “profane” + “name [of YHWH]” + “offer” + “food” +	Lev 21.6, 17, 18, 21, 23

<sup>1063</sup> Unless otherwise specified (e.g. specifically stated as “possible”, “arguably”, etc.), the inner-biblical references stated in this table reflect the analyses (in Chapter 3) that on the balance of probabilities, it is more probable than not that they were intentionally referred to by the redactors of Mal.

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“offspring” (Mal 2.3) + “blind” + “lame”	
1.6-14 “accept” + “a male” + “vow” + “offer” + “food” + “altar” + “blind” + “profane” + “name [of YHWH]” + (arguably) “blemished”	Lev 22.17-25
1.6-2.9 “honour” + “despise” + “altar” + “incense” + “offering”	1 Sam 2.27f
1.8, 14 “a male” + “sacrifice” + “blind” + “lamb” + “evil”	(possible) Deut 15.19-23
1.8, 14 “present / offer” (קרב) + “vow” + “male” + “bad / evil”	(possible) Lev 27.1-13
1.7, 10 “not accept” + “altar” + “torah / instruction” (2.6, 7, 8, 9)	Hos 8.11-13
1.9 “entreat the favour of God”	(possible) 1 Sam 13.12
1.10 “offering” + “I will not accept”	Amos 5.22
1.11 “incense” + “offered”	(possible) Lev 10.1-3
2.1-2 “if you do not listen” + “commandment” + (YHWH) “send the curse (את המארה) upon you”	Deut 28.15-20

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(+ “evil” Deut 28.20, cf. Mal 1.8)	
2.1-2, 8 “commandment” + “if you do not listen” + “put ...to your heart” + “curse” (מארה and ארר in Mal 2.2; cf. קלה in Deut 11.28) + “turn aside from the way”	Deut 11.18-22, 26-28
2.2 “if not” (אם לא) + “to listen” (תשמעו) + “to place / take” (תשימו, cf. “to do” (תעשו) in Lev 26.14) (+ “this commandment” (המצוה הזאת) in Mal 2.1, cf. “all these commandments” (כל המצות האלה) and “all my commandments” (כל מצותי) in Lev 26.14-15)	Lev 26.14-15
2.4b-8 “observe / guard / keep” + “covenant” + “ <i>torah</i> ” + “incense” + “altar” + “bless” + “accept” + “hand”	Deut 33.8-11
2.4b-9 “priest” + “return / turn back” + “son” + “behold” + “grant / give / make” + “covenant” + “peace” + “offspring”	Num 25.10-13
2.10-11 Rhetorical question with interrogative particle הלו, “father”, “create”, “foreign god”, “abomination”, “Jacob”	Deut 32.6ff

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2.10-12 “profane” + “cut off” + “sanctuary”	Lev 20.1-5
2.11 “faithless” + “Judah”	Jer 3.8, 11
2.11 “abomination” + “has been committed / done” + “in/to Israel”	Deut 17.4
2.11 “abomination” + “profane” + “sanctuary” + “covenant” + “foreigner”	Ezek 44.7
2.14 “a witness” עֵוֵד + “between ...and...” וּבֵין + בֵּין	Gen 31.44-50

From the brief analysis of the structure and the genre of the six units of “court disputations” (Chapter 2), we have an overview of the characteristic features of the book: First, the core issue of dispute in each unit relates to either the general challenge of YHWH’s covenantal love (and faithfulness)(Mal 1.2-5) or the specific breach of certain aspect(s) of the words of YHWH by the restoration community. There are a total of six units of disputations over the breaches and misfeasance committed by the Israelites in general and/or the priests in specific, mostly concerning their failures to observe the words of YHWH (cf. Mal 3.22).

Secondly, in these disputations, the redactors of Mal made use of traditional materials (expressed in various ways such as background, allusion, combination, etc.) to establish the allegations and justify the verdicts against the people. By doing so, this written “oracle” of YHWH given through “Malachi” (Mal 1.1) is equipped with the same authority as that possessed by the traditional materials. Accordingly, the text of Mal is formulated in alignment with the words of YHWH commanded through Moses (cf. Mal 3.22) and various prophets to whom the Israelites (at the time of the composition of Mal) *should* turn on their listening ears.

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However, the cold fact is that more often than not, the previous generations rejected those words, which is comparable with the notional defendants in Mal. For example, Mal 1.2 states: “In what way have you loved us?”.

Bearing the said characteristic features in mind, and taking the literary setting of “court disputations” as well as the findings in Chapter 3 into account, we can see that the redactors of Mal made use of numerous materials from different traditions to compose and substantiate their own theological statements.

Then the question is: For what purpose(s) can the invocation of the said traditions serve? Further or alternatively, why traditions were considered as “useful” or “meaningful” for advancing the messages of this book? Indeed, it is the research question of this study: What is the significance of the use of traditions in Mal?

In his analysis of Mal 3.22-24, Weyde suggests that the editor(s) used earlier materials and applied the same to the new situations so that the “previously spoken words of YHWH were presented as a speech of YHWH”. The said editor(s) intended to draw support and authority from the traditions to substantiate their own theological propositions.<sup>1064</sup> This study considers that Weyde’s said observation is not only applicable to Mal 3.22-24 but the whole book in general.

By the tradition-historical analysis in Chapter 3, it is shown that in the book of Malachi,

- (a) the traditions in the past;
- (b) the breaches and disputes at present (i.e. at the time of composition of Mal); and
- (c) the pronouncements of exaltation of YHWH together with the judgmental scenes in relation to the future

interact with each other. Bearing the interactions of these three elements in mind, and on the basis of the findings gathered, we shall explore the theological significance of the use of traditions in each of the pericopes that we have handled in Chapter 3.

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<sup>1064</sup> Weyde, *Prophecy and Teaching*, 388-393.

#### 4.1.2 Mal 1.1 The superscription

Starting with the superscription, whilst there is insufficient evidence to establish any case of citation of or allusion to any particular biblical passages, the use of the phrases “[a]n oracle, the word of YHWH” and “by the hand of” together with the word “Israel” clearly shows a fusion of traditional materials. These traditions enlighten the readers to position the book of Malachi properly: It is a divine oracle from YHWH which was transmitted through (“by the hand of”) “Malachi”, who is projected as a prophetic figure. The oracle is therefore placed within the prophetic tradition, and the messages conveyed through this book possess the prophetic authority.

The connotations of the name “Israel” are multifaceted: It starts with the relationship between YHWH and the Israelites’ ancestor who was given this name, Jacob (e.g. Gen 32.28),<sup>1065</sup> by whom the themes of election and covenant in Mal 1.2 are brought in; then the collective identity of the people “Israel” (e.g. Exod 4.22; who are often stated as “sons of Israel” also, e.g. 12.40) who entered into the covenant with YHWH at Mount Sinai (Exod 19.16ff; 24; cf. Mal 3.22); and then the people of the Davidic kingdom, and their descendants who went through the exile and restoration, and so on.<sup>1066</sup> All these points to the covenantal relationship between YHWH and His people in the past (before the composition of Mal) and, certainly, it does not stop there. In the literary contexts of Mal, “Israel” refers to the intended readers / audience of the book, that is, the remnants as a whole. Hence, just like the use of the traditions of “[a]n oracle, the word of YHWH” and “by the hand of”, the reference to the tradition of “Israel” bridges the past and the present (when Mal was being composed). It paves the way for the discussions (in the six units of court disputations) of the continuing covenantal relationship between YHWH and His people.

#### 4.1.3 Mal 1.2-5 The first court disputation

The first court disputation (Mal 1.2-5) focuses on the election of “Jacob” (as a collective identity) vis-à-vis the covenantal relationship between YHWH and the Israelites. The dispute in issue concerns if YHWH still loves them, that is, if the covenantal relationship still exists. It is thoughtfully answered by the use of the “love-hate” language. Mainly adopted from the

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<sup>1065</sup> See also Exod 6.14 and 32.13 which use the name “Israel” to refer to Jacob.

<sup>1066</sup> Zobel, “ישׂראל,” *TDOT*, 6:401-404.

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Deuteronomistic tradition, the “love-hate” language points not only to the election of the Israelites on the part of YHWH but also the corresponding obligation of loving YHWH (by observing His commandments, statutes and ordinances) on the part of the Israelites.

Then the tradition of “Edom” (in the past) is invoked to provide the historical settings for YHWH’s “hatred” towards Esau. By applying the traditional terminologies of judgment, such as “desolation”, “ruins” and “jackals”, etc., it is portrayed that the book of Malachi witnesses the actualization of the previous prophetic oracles against Edom. It reaffirms the authority and validity of the words of YHWH through the preceding prophets and links “Malachi” with the prophetic tradition. More importantly, in the context of Mal, the said actualization of the tradition about Edom reflects that the election of “Jacob” as well as the covenantal relationship between YHWH and His people have been continuing. It has never been ceased by virtue of the destruction of Jerusalem and the exile (in contrast to YHWH’s “hatred” of Edom).

In this regard, the use of the traditional messenger formula “YHWH of hosts” denotes the divine presence and the ultimate authority of YHWH. It not only indicates the divine origin of the oracle given through “Malachi” but also reveals the sovereignty and participation of YHWH in the history, which was of particular importance to the remnants as they were still under the reign of the Persian rulers. Albeit the situations, the phrase “the territory of Israel” was used, which reminded the readers / audience of their identity: They were still the people under the covenant.

Remarkably, YHWH’s judgment against “Esau” not only affects its kingdom (desolation of Edom in the past) but also adversely influences the descendants of Esau: If the Edomites rebuild, its further destruction in the future is definite (Mal 1.4). The perpetual nature of the judgment against Edom is a traditional element, which is depicted as actualized in Mal. As “Esau” serves as a contrast to “Jacob”, the everlasting wrath of YHWH towards the Edomites is mirroring His unceasing covenantal bondage with the Israelites.

This first court disputation is ended by an exalted pronouncement “Great is YHWH beyond the territory of Israel”, possibly alluded to (and derived from) the Deuteronomistic view of the history (cf. Deut 11.7 “for your eyes have seen all great deed that YHWH did”).<sup>1067</sup> The restoration community

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<sup>1067</sup> Weyde, *Prophecy and Teaching*, 106.

was assured that they would be the eye-witnesses of the continuing acts and greatness of YHWH.

In sum, one would notice that without referring to the traditional materials, the multiple and intertwined messages as aforesaid can hardly be expressed to its fullest extent. The continuing election and covenantal relationship, the obligation to observe YHWH's commandments and the adverse consequences for failing to do so, the actualization of YHWH's judgment against Edom, the authority of this oracle from the prophet "Malachi", the divine presence and participation in the history, the identity of the remnants and the exaltation of YHWH etc. were artfully interwoven in this disputation. The traditional materials provide the prophetic oracle of "Malachi" with the necessary foundation and authority. Furthermore, these materials were masterly interpreted, modified, combined and/or applied so that the current situation of the remnants were (a) related to the traditions in the past; (b) addressed by the oracle through "Malachi" at present and (c) connected with the further fulfillment in the future (e.g. the actualization of and further judgments against Edom). The covenantal love of YHWH towards Israel is therefore articulated in the network of traditions.

#### 4.1.4 Mal 1.6-2.9 The second court disputation

For the second court disputation (Mal 1.6-2.9), the dispute in issue is that the priests, who should have honoured and respected YHWH, have despised His name (Mal 1.6)! The issue is split into two aspects: Offering defiled foods at YHWH's altar and not taking His commandments to heart. In this longest pericope of Mal, a tremendous amount of traditions is invoked so as to:

- (a) substantiate the allegations against the priests (e.g. the sacrificial rules which should be familiar to them);
- (b) restate the "covenant of / with Levi" (with the mixed imagery of Levi and Phinehas) and the duties of the priests that they should have properly discharged under the said covenant (especially in respect of *torah* teaching); and
- (c) justify the verdicts (curses) imposed upon them, and the same shall be fully executed in the future.

In the midst of this disputation, in contrast to the despising attitude and acts of the priests (and the laity who offer the defiled foods) within "Israel",

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YHWH pronounces that His name is great among the nations (Mal 1.11). As I demonstrated in the previous chapter (analysis of the literary structure of this pericope), Mal 1.11 serves as the pivot of this unit. In between the two clauses “great is my name among the nations”, the pronouncement that “in every place incense is offered to my [YHWH’s] name, and a pure offering” is a germane yet ironical answer to the questions “Where is my honour?” and “Where is my respect?” (Mal 1.6) The despising acts and attitude of the restoration community, in particular the priests, are contrasted with the imagery of the reverent and *torah*-abiding offerings made by “every place” and “nations” except the Israelites.

It is remarkable that a number of Deuteronomistic terms and phrases are used in this pericope. At the beginning of it, through the metaphorical parallels of “father and son” and “master and servant”, not only the covenantal relationship between YHWH and Israelites but also the corresponding concepts of “respect / fear”, fidelity and obedience are introduced by which the reprehensible acts and attitude of the priests are put in the foreground. Indeed, in this pericope, the connection with the various aspects of the Deuteronomistic tradition is purposive as the said tradition, on the one hand, reminds the intended readers / audience the origin of and obligations under their covenant with YHWH<sup>1068</sup> (following the theme of Mal 1.2-5) and, on the other hand, serves as the basis for criticizing the misfeasance of both the priesthood and the laity. Thus, the traditional materials were selected and used not only because they were analogous and/or compatible with the situations of the remnants at the time of composition of the book but also as they were part and parcel of the history of “Israel”. In other words, the Deuteronomistic materials were selected as the same were considered (interpreted) as “personally” relevant to the intended readers / audience. If any of them had already forgotten (cf. Mal 3.22 “Remember the *torah*...”) about their (collective) identity as YHWH’s “son” and “servant” who should “honour” and “respect / fear” Him, this oracle of “Malachi” reminded them of their relationships with YHWH as evidenced by these traditional materials.

The stark contrast between the traditional terms of “honour” and “despise” is illustrated by the example of the priestly family in 1 Sam 2.27f. It is likely that the causal connection between despising YHWH at His altar and fading out of Eli’s family from the priestly line is alluded to in Mal 1.6-2.9.

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<sup>1068</sup> As discussed in 3.3.3.2, the use of the word “respect / fear” (מורא) often relates to the exodus from Egypt and the obligation of Israel to observe the commandments and statutes of YHWH as commanded through Moses.

Indeed, the term “honour” has the traditional connotation of offering proper sacrifices to YHWH, and the word “despise” often carries the meaning of breaching the word or commandment of YHWH. What happened to Eli’s family is a vivid illustration of the adverse consequences (especially upon the offspring, cf. the Edomites in Mal 1.2-5) as a result of the dereliction of the priestly duties. Such a deterrent antecedent served as a clear alert to the priests who were disregarding their duties, roles and (collective) identity under the “covenant of / with Levi”. The punishment imposed on Eli’s family can be actualized upon the unfaithful priests at the time of “Malachi”. The allusion to 1 Sam 2.27f therefore links the past to the present and forewarn what shall happen in the future.

It is noteworthy that “the priests” here may not refer to a particular group of priests serving at Jerusalem at a particular point of time (given that the compositional process of Mal might have lasted for generations). Even without identifying any particular group, it does not affect the core message. Since “the priests” represent those who have the duty and authority to serve at the altar, and those who are supposed to serve YHWH faithfully and fully acquainted with the relevant *torah*, the message has been applicable to all those who have been in the comparable positions. In any event, the use of traditions substantiates the accusation in Mal 1.6: “O priests, despisers of my name.”

Mal 2.1-9 is the end of this pericope, which is the further verdict of YHWH.<sup>1069</sup> Its first segment (Mal 2.1-4a) is framed by the traditional phrase of “this commandment” (הַמִּצְוָה הַזֹּאת).<sup>1070</sup> As suggested by Gibson, it carries “[s]trong Deuteronomistic overtones and covenantal connotations”.<sup>1071</sup> Indeed, apart from connecting with the statutes and ordinances, etc. of YHWH, “this commandment” links to “*Shema*” in Deut 6.4f, which demands the whole Israel to love YHWH wholeheartedly and by all means. It is the only proper attitude that the Israelites, including the priests, should adopt.

Taking a step further, the use of “this commandment” in Mal 2.1, 4 points to the divine requirement of diligent observance of the commandment of YHWH, which is specifically addressed to the priests and linked with the “covenant of / with Levi” (Mal 2.4, 5). The breach of “this commandment”

<sup>1069</sup> See the “Structure & theme” under 3.3.

<sup>1070</sup> Cf. Scharf, *Malachi*, 55.

<sup>1071</sup> Gibson, *Covenant Continuity and Fidelity*, 92. See also Lear, *Scribal Composition*, 157; and Weinfeld, *Deuteronomy and the Deuteronomistic School*, 338.

#### 4.1 Conclusion: How these findings advance our understanding of the book of Malachi? Significance of the use of traditions in Mal

by the priests entails serious repercussions on their offspring (Mal 2.1-3).<sup>1072</sup> This study finds that in the context of Mal, the traditional phrase of “this commandment” is interpreted to refer to “the command of the priestly office as a divinely ordained institution”.<sup>1073</sup> This interpretation is tailor-made for the priests: Under the “covenant of Levi”, they were commissioned to discharge the sacrificial and *torah* teaching duties. In the course of doing so, they must be reverent towards YHWH and strictly comply with the relevant statutes and ordinances as commanded by YHWH. Mal 2.1 writes “And now this commandment is for you, O priests”, which means that the “covenant of / with Levi” is not only a covenant in the past but also applicable to “the priests” that “Malachi” is targeting at. The breach of it carries the consequences in the future (the offspring of the priests). As “this commandment” is interpreted as the commissioning of the priesthood, the corresponding connotations of divine requirement and “*Shema*”, etc. become the justifiable criteria to assess the priests in question, and the covenantal blessings and curses become the justifiable consequences to be caused to them.

In all, the use of “this commandment” in Mal 2.1-9 is in alignment with the Deuteronomistic traditions of the “father and son” and “master and servant” metaphors as well as the “love-hate” language at the beginning of this pericope.

Lev 26.14-15 also contains the elements of (a) YHWH’s commandments (“these commandments” (המצוות האלה) and “my commandments” (מצותי)), and (b) “blessings and curses”, that is, the respective consequences for observance and breach of the commandments of YHWH. Moreover, the phrase “if you do not listen to me” in Lev 26.14 is almost identical with its counterpart “if you do not listen” in Mal 2.2. In fact, more often than not, the use of the tradition of “if you do not listen” (Deut 11.28; 28.15; Lev 26.14; 1 Sam 12.15; Jer 26.4-9, etc.) usually goes hand in hand with the above-mentioned elements (a) and (b). As discussed before,<sup>1074</sup> other featured elements from the texts belonging to the “if you do not listen” tradition were selectively chosen, for examples, “covenant” from Lev 26.15 (cf. Mal 2.4, 5, 8), “turn aside from the way” from Deut 11.28 (cf. Mal 2.8; 3.7), and “YHWH will send against you the curse” from Deut 28.20 (cf. Mal 2.2), etc. These elements were put together in Mal (mainly in 1.6-2.9) to construct

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<sup>1072</sup> Cf. the “blessings and curses” in (a) Deut 30.1-10 in relation to “this commandment (המצוות) that I am commanding you today” (Deut 30.11) in specific, and (b) Deut 28 in general.

<sup>1073</sup> Hill, *Malachi*, AB 25D, 197 (see also 205). See the discussion in 3.3.10.3.

<sup>1074</sup> See the Conclusion under 3.3.11.4.

and/or fit into its messages. Such thoughtful combinations provide the theological statements in the book with the necessary authority (from the words of YHWH through Moses or prophets), for example, “if you do not listen”, together with “commandment” and “take to ...heart”<sup>1075</sup> in Mal 2.2 signifies that it is no surprise for “the curse” (את המארה) (cf. Deut 28.20) to be sent by YHWH to the priests and to their blessings. Such a “covenantal curse” serves as a common thread that runs through the Deuteronomistic, priestly and prophetic traditions. In fact, the remarkable form of “the curse” (את המארה) only occurs in Deut 28.20 and Mal 2.2. Its occurrence in Mal is likely to be purposive, providing the intended readers / audience with the interpretative perspective of “blessings and curses” (Deut 28). Accordingly, one can see that the redactors of Mal were mindful that this newly composed “oracle” (that is, the book of Malachi) had to draw support from the traditional materials so that it was relevant to and considered as authoritative by its intended readers / audience. Upon that basis, it can be safely inferred that in the eyes of the redactors, the traditional materials used in Mal were known to the said intended readers / audience as they were supposed to be able to perceive the corresponding connotations.<sup>1076</sup> Furthermore, such materials were regarded as authoritative by them. Otherwise, it would have been pointless for the redactors to exercise their ingenious craftsmanship in handling those materials.

The co-appearance of the term “corrupt” and the form “turn aside + from (the) way” is likely a traditional Deuteronomic language,<sup>1077</sup> which bears the implication of disloyalty to YHWH. The use of them in Mal 2.8 leads to the concluding part of this further verdict – the priests in question, who received “this commandment”, are disloyal to YHWH as they “have corrupted the covenant of Levi”. Together with the phrase נשאים פנים in its legal and negative sense (“showing partiality”), the second unit of court disputations in Mal is ended with the connotation that the appointed persons have defied the duties and abused the authority conferred upon them. The said connotation perfectly matches with the priests’ dereliction of duty in *torah* teaching. The verdict that they shall be despised and abased before all the people is well justified.

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<sup>1075</sup> See the discussion in 3.3.11.5.

<sup>1076</sup> Cf. Kessler writes, “In my eyes, the example of Malachi’s first disputation speech (1.2-5) demonstrates that the author of the book knows the traditions and even texts from the Torah and from prophetic books. At the same time, he presupposes that his readers know those traditions and texts.” Kessler, “Unity of Malachi,” 230.

<sup>1077</sup> See the discussion in 3.3.14.

#### 4.1 Conclusion: How these findings advance our understanding of the book of Malachi? Significance of the use of traditions in Mal

By now, one would notice that in composing the book of Malachi, the selection of the traditional materials was not random but purposive, and their combinations and arrangements were not serendipitous but well-designed. For the traditional elements mentioned above, which are mainly Deuteronomistic, they are related to each other and sometimes appear together. They were artfully organized so that the messages could be precisely articulated and effectively conveyed.

Apart from the aforesaid, it is also found that in Mal 1.6-2.9, numerous traditional “ritually related” terms are used: In addition to the use of the terms “offer” (נגש), “present / offer” (קרב) and “bring” (ביא) (Mal 1.7, 8, 11, 13), the criteria of an acceptable vow offering as mentioned in Lev 22.17-25 are alluded to in Mal 1.6-14. There are also possible allusions to Deut 15.19-23 and Lev 27.1-13. The irony generated thereby is more than obvious: The priests in question, who are supposed to have acquainted with the relevant sacrificial rules and practices, neglect the same outright.

That brings in a closely correlated issue: The criteria of the acceptable personnel for priesthood. In this regard, Lev 21.6, 17, 18, 21, 23 are alluded to but the focus is not on the physical hinderances of the candidates for the priestly office. Instead, for the purpose of Mal, by way of interpretation (as well as application), the focus is shifted to the paramount concern that the priests shall not profane (חלל) the name and the sanctuaries of YHWH (Lev 21.6, 23). The allusion to the said verses in Lev 21 provides a solid foundation for the accusation in Mal 1.12, “But you are profaning it when you say “The table of the Lord is defiled and its fruit, its food, is despised.”” The implication (and irony) is that as the priests fail to properly discharge their duty in adjudging whether an animal is acceptable or not for sacrificial purpose, they themselves are adjudged by YHWH as unacceptable for priesthood as they have profaned the name of YHWH.

Moreover, the term טהר (“pure” / “clean”, Mal 1.11), which usually appear in the ritual and priestly contexts, links with the duties of the priests to distinguish between “clean” and “unclean”, and to teach the Israelites to comply with “all the statutes that YHWH has spoken to them by the hand of Moses.” (Lev 10.10-11; Ezek 22.26) Hence, this traditional term טהר evidences the delegation of such duties to the priests in the past, and proves their failure to discharge the same up to the satisfactory standard (“pure” / “clean”) at the time of “Malachi”. In Mal 1.11, the use of טהר highlights the contrast between (a) the people in every place and other nations (that is, except the Israelites) who offer incense and pure offering

to YHWH and (b) the priests who approach the altar with profaned offerings and despise the name of YHWH.

Other priestly related materials include the “Priestly Blessing” in Num 6.23-27. Even though there is no specific allusion thereto, it serves as the background of Mal 1.6-2.9.<sup>1078</sup> Given that the priests in question are targeted in this second unit of court disputations, the phrases “my covenant with Levi” (Mal 2.4), “my covenant was with him” (Mal 2.5) and the “covenant of Levi” (Mal 2.8) are used to frame the segment of Mal 2.4b-8. As O’Brien correctly observes, the terms “priest” and “sons of Levi” are used synonymously in Mal.<sup>1079</sup> The nexus between the priests and the “covenant of / with Levi” is therefore established. With the focus of the zeal of Phinehas, the redactors of Mal skilfully transformed the “covenant of peace” and “covenant of perpetual priesthood” in Num 25 into the “covenant of / with Levi” in Mal. The priest *par excellence* is portrayed in Mal 2.5, in contrast with the priests at the time of “Malachi”. In this regard, Deut 33.8-11 shares the same focal point, namely, the proper attitude towards YHWH. The contrast between (a) the commendation of the fidelity and good deeds of Levi in Deut 33 and (b) the condemnation of the irreverence and misfeasance of the priests in Mal 1.6-2.9 is likely an intentional design of the redactors. Even though it is probable that the “covenant” in Deut 33.9 refers to “the national covenant with Israel and not the Levitical one”,<sup>1080</sup> in view of the borrowing of a number of lexicons from Deut 33.8-11, it is likely that the redactors skilfully transformed the meaning of this “covenant” into the “covenant of / with Levi” in Mal. Accordingly, this concept of “covenant of / with Levi” demonstrates a flexible and creative fusion of both Num 25.10-13 and Deut 33.8-11.

Such an integration and application of traditional materials is thoughtful. Following the accusation of breach of “this commandment” and pronouncement of curse against the priests in Mal 2.1-4a, the concept of “covenant of / with Levi” is introduced. The ideal role models, i.e. Phinehas as an individual (by virtue of his zealous actions) and the Levites as a group (by virtue of their participation in the incidents of Massah and Meribah), are referred to. As I set out in the last chapter, “[t]he image of Phinehas in Num 25 blends with the notional figure of Levi (and Levites as a group in vv.9b-10) in Deut 33, resulting in the idealized “Levi” in Mal 2.4b-7 as the

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<sup>1078</sup> See the discussion in 3.3.12.2.

<sup>1079</sup> O’Brien, *Priest and Levite in Malachi*, 27-48, 143-144. See also Hill, *Malachi*, AB 25D, 173.

<sup>1080</sup> Gibson, *Covenant Continuity and Fidelity*, 104. See also McKenzie and Wallace, “Covenant Themes in Malachi,” 55.

#### 4.1 Conclusion: How these findings advance our understanding of the book of Malachi? Significance of the use of traditions in Mal

model priest in the past.<sup>1081</sup> Immediately after that, this idealized image of the priests in the past are replaced by the disastrous depravity of the priesthood at the time of “Malachi”. Having said that, the oracle evince the intention of YHWH to maintain the “covenant of / with Levi” (Mal 2.4) and keep it in the future.

In addition to the materials from both the Deuteronomistic and priestly traditions, materials from the prophetic tradition are also made use of. The general tradition of rejection of offerings by YHWH (as evidenced by, for examples, Jer 14.7-16; Isa 1.10-17; Amos 5.21-24) is invoked and applied to the situation of the priests. This tradition provides a convincing explanation for the rejection of the sacrifices tendered by the priests.<sup>1082</sup>

Pause here, one would notice that again, traditional materials were used selectively and purposively, not only as they were compatible with the situation of the priests in question but also as the same were directly related to them (their identity and history), who were considered as the descendants of Aaron (בני אהרן, Lev 21.1). The priests were the primary recipients of the relevant rules and the very persons who were vested with the authority vis-à-vis duty to screen out the unacceptable sacrifices. They were supposed to discharge their priestly duties properly so as to honour (the name of) YHWH. However, they acted exactly to the opposite, which reflected their despising attitude towards YHWH.

It is remarkable that in the course of establishing the accusations and justifying the verdicts against the priests, materials from different traditions were employed deftly. There is no doubt that the redactors of Mal were familiarized with the same.<sup>1083</sup> Furthermore, they selected and used the traditions in a creative and flexible manner. If a further example is required: In the context of the book of Amos, the phrase “and your offerings I will not accept” in Amos 5.22 has nothing to do with impure sacrifices or derogation of the priestly duty. Nevertheless, it is (more probable than not) alluded to and applied to the priests in Mal 1.10. Such a “taken out of context” application demonstrates one of the manners of usage of traditions by the redactors of Mal (apart from interpretation and (re)actualization).

In gist, but for such a skilful handling of the traditional materials, the force and relevance of the accusations and verdicts against the priests in Mal can

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<sup>1081</sup> See the discussion in 3.3.13.3.

<sup>1082</sup> Mal 1.10, “Oh that one among you (would) shut the doors so that you would not kindle fire (on) my altar in vain! ...I will not accept an offering from your hand.”

<sup>1083</sup> O'Brien, *Priest and Levite in Malachi*, 144.

hardly be developed and tailor-made to such an extent. As a matter of literary design, the usage of the priestly related materials also paves the way for the scathing accusations against the priests in relation to the “covenant of / with Levi”.

#### 4.1.5 Mal 2.10-16 The third court disputation

The third court disputation (Mal 2.10-16) repeatedly uses the word “faithless” (בגד, Mal 2.10, 11, 14, 15, 16), which lay out the dispute (at present) that Judah has profaned “the covenant of our fathers” and the sanctuary of YHWH, and married “the daughter of a foreign god” (2.10-13). The profanation (הלל, 2.11, cf. Mal 1.12; 2.10) of the sanctuary of YHWH” connects this pericope with the second disputation.<sup>1084</sup>

The beginning of this section emphasizes on the oneness of YHWH. It sets out that YHWH is the “father” (Mal 2.10, cf. Mal 1.6) and the only creator and God of the Israelites. In alignment with the implication of the covenantal relationship in Mal 1.2-5 (the election of Jacob) and the expressed mention of “the covenant of / with Levi” in Mal 1.6-2.9, this third court disputation explicitly refers to the “covenant with our fathers” (ברית, אב, Mal 2.10) and “the wife of your covenant” (אשת בריתך, Mal 2.14), anchoring the readers / audience to the traditions of “covenant”. As a result, the various traditions of covenants serve as the background as well as the threads connecting the first three disputations of the book.

The concepts of YHWH as the father and creator directs us to the allusion to Deut 32.6ff. The connotations of the election of the Israelites by YHWH as well as their rebellion against YHWH are brought to the forefront. In particular, their idolatrous practices, which is described as “abomination” in Deut 32.16, is applied to Mal 2.10 to address the problem of marriage with “the daughter of a foreign god”. In Deut 32.20, the Israelites are described as “the children [sons] without faithfulness in them” (בנים לא אמן בהם), which is arguably reflected by the use of the term “faithless” (for five times) in Mal 2.10-16. Furthermore, Deut 32.12 states that all along, it was YHWH alone who led “Jacob” (Deut 32.9, cf. Mal 1.2; 2.12; 3.6), “no foreign god (אל נכר) was with him.” It highlights the irony that at the time of Mal, the Judahite men profaned the sanctuary of YHWH and married “the daughter of a foreign god” (בת אל נכר).

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<sup>1084</sup> Besides, the use of the interrogative particle הלווא (twice) in Mal 2.10 links this pericope with Mal 1.2.

#### 4.1 Conclusion: How these findings advance our understanding of the book of Malachi? Significance of the use of traditions in Mal

The plea to YHWH that the Judahite men, who have “married the daughter of a foreign god”, should be cut off “from the tents of Jacob” (Mal 2.12), and that YHWH seeks “godly offspring” (Mal 2.15) are probably echoing the curse on the offspring of the unfaithful priests (Mal 2.3). Hence, “excommunication” is not restricted to the priests who defy their office and identity under the covenant. It also applies to the laity who ignore their covenantal identity and the words of YHWH. It also implies that the offspring from the marriage with “the daughter of a foreign god” does not belong to YHWH.

As to the theme of the faithlessness of “Judah” in this pericope, it is threefold, referring to intertwining problems of idolatry, intermarriage, and divorce. The statement of “Judah has been faithless” (בגדה יהודה) in Mal 2.11 can be said as an “umbrella statement” of that verse (if not the whole pericope). It is borrowed from Jer 3.8 (בגדה יהודה), ו (מבגדה יהודה). The metaphor of the faithless wife “Judah” in the past (another one is her sister, “Israel”) is transformed (re-actualized) to the faithless “Judah” that marries “the daughter of a foreign god” at the time of Mal. It is a thoughtful way to illustrate the continuity of the faithlessness of “Judah” towards YHWH. In addition, the connotation of the pretending attitude of the Judahites (Jer 3.10) is likely brought in as well.

In furtherance of the theme of idolatry (which is applied to the intermarriage in Mal), apart from the allusion to Deut 32.6ff, Lev 20.1-5 comes into the picture. There, YHWH commands Moses that any of the Israelites who give the “offspring” to Molech (cf. “godly offspring” in Mal 2.15) shall be “cut off” (כרת) from the people by YHWH (cf. “cut off” from “the tents of Jacob” in Mal 2.12). The use of the “Holiness Code” (Lev 17-26) again<sup>1085</sup> achieves multiple purposes: First, it emphasizes that such intermarriages are not only domestic affairs but also a matter concerning the well-being of the whole community as well as the future generations. Secondly, it points to the unacceptability of the persons who, on the one hand, practise exogamy and on the other hand, tender sacrifices to YHWH (cf. Lev 22, see 3.3.6.2 above). That explains why YHWH no longer turns to their offerings (Mal 2.13).<sup>1086</sup> Thirdly, it may imply that the priests should keep an eye on the situation, given that tendering the offspring to foreign

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<sup>1085</sup> As to the allusions to parts of Lev 21 and 22, see the discussions in 3.3.6.1 and 3.3.6.2 above.

<sup>1086</sup> It is also noted that the word מידכם (“from your hands”) appears in Mal 2.13, which can also be found in Mal 1.9, 10, relating the tradition of rejection of the offerings by YHWH (see the discussion in 3.3.8).

gods amounts to defiling the sanctuary of YHWH and profaning His holy name (Lev 20.3, cf. Mal 2.11 and the theme of YHWH's name in Mal 1.6-2.9).

One would notice that in both Deut 32.6ff and Lev 20.1-5, not only the characteristic terms / phrases are reformulated to fit into the message (alternatively, I would say, the agenda) of Mal but also the connotations of those traditional materials are deftly expanded to cover the interwoven issues of idolatry, intermarriage and divorce. The same observation also applies to the allusion to Ezek 44.4-14. Its main contribution is the expressed prohibition against admission of foreigners into the sanctuary of YHWH, which is described as part of the "statutes" (חֻקֵּי) and "laws" (תּוֹרָה)(cf. Mal 3.22) of the temple of YHWH (Ezek 44.5). In particular, by alluding to that section of Ezek, the meanings of the terms "abomination" (Ezek 44.6, 7) and "profane" (Ezek 44.7) are expanded, that is, from allowing the foreigners to enter into YHWH's temple to marrying "the daughter of a foreign god" (and probably also include the consequential divorce from "the wife of your youth / covenant"). It is implicit that after the said intermarriage, the foreign women (and probably together with their offspring) entered the areas of the temple. That explains why marrying "the daughter of a foreign god" correlates to "abomination" and profanation of the sanctuary of YHWH (Mal 2.11).

The use of (allusion to) Gen 31.44-50 advances the messages of Mal in several aspects: First, it set out the foundation that YHWH is the witness of the covenant which restrains "Jacob" from marrying other women. Under the hands of the redactors, in Mal 2.11, 14, this "Jacob" is transformed to "Judah", and the parties to the covenant have become the Judahite husband and wife (instead of the father-in-law). What remains unchanged is the fact that YHWH is the witness of the covenant. Accordingly, the marriage between "Judah" and "the daughter of a foreign god" is reprimanded as it is a clear breach of the covenant. A plea is therefore made to YHWH, the witness, to "cut off" the man who does so "from the tents of *Jacob*" (Mal 2.12, emphasis by italics added). Secondly, by alluding to Gen 31.44-50, it is justified to describe the Judahite wives as "the wife of your covenant". Thirdly, as YHWH is the father of all Israelites (Mal 2.10), the Judahite wives can therefore be regarded as "the daughter of YHWH" (in contrast to "the daughter of a foreign god", Mal 2.11). YHWH (as the "father-in-law") no doubt expects "godly offspring" from the Judahite couples (Mal 2.15) and rebukes those who divorce their Judahite wives so as to marry the foreign women ("For he hates divorce", Mal 2.16).

## 4.2 Answers to the research questions, and implications for future research

In Mal, the emphasis on the resultant (adverse) effects upon the offspring / future generations (of Edom, the priests, those who divorced their Judahite wives, etc.) implies that the judgments from YHWH are not merely remote or futuristic projections. They are imminent and dependent on the present choice made by the faith communities – a choice between obedience and disobedience to the words of YHWH. It has direct consequential effects on individual families as well as the Israelites as a whole.<sup>1087</sup>

In sum, when one notices the manners of use of the aforesaid alluded texts and the masterly combination of the elements in them, one would appreciate how the traditional connotations were interpreted, (re)actualized and applied to address the new contexts. The various traditions did not “expire”. They were refreshed and reformed so that the current readers / audience (at the time of Mal) could realize that this “oracle” of “Malachi” also possessed the divine authority and was in line with the various established traditions.

## 4.2 Answers to the research questions, and implications for future research

### 4.2.1 Answers to the research questions

To conclude, this study has demonstrated how tradition-historical method (as set out in Chapter 2) reveals the significance of the use of traditions in the book of Malachi. By the analysis of the traditions used in the superscription and the first three units of the court disputations (i.e. Mal 1.1-2.16, see Chapter 3), it is found that the words, forms, themes, motifs and contexts, etc. of and the connotations carried by the said traditions were reformulated to fit into (as well as constitute) the messages vis-à-vis the “theological agenda” of the book.<sup>1088</sup> In the course of doing so, the traditions were interpreted,<sup>1089</sup> (re)actualized and applied so that the traditions established in the past connect with the situations being addressed in the book (“at present”, that is, at the time of the composition

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<sup>1087</sup> Such a dichotomy is particularly highlighted at about the end of the book, e.g. Mal 3,18 “the righteous and the wicked” and “one who serves God and one who does not serve Him”.

<sup>1088</sup> In Chapter 2, I have demonstrated that the genre of “court disputations” also serves the theological purpose of the book.

<sup>1089</sup> Cf. Weyde, *Prophecy and Teaching*, 402, “...prophecy had become interpretation of the traditions as they were received and transmitted; prophets depended more and more on words from the past; exposition and application of the traditions provided the basis for prophetic performance.”

/ redaction of the book), pointing to the future (blessings and curses) of the intended readers / audience (“Israel”, Mal 1.1) and their offspring.

Accordingly, the tradition-historical method enhances our capacities to notice the interactions of six elements in Mal, namely, (1) the literary components, (2) the traditional connotations, (3) the manners of usage of the traditions, (4) remembrance of the past, (5) the present situations, and (6) the directions and visions of the future. These elements were masterly assembled and fitted together. The appreciation of the existence of these elements and their interactions enable us to see the richness of the messages of Mal. In this regard, by adopting a systematic and text-based tradition-historical method, this study makes a contribution in bringing out this new perspective. The investigation of the presence and interactions of the aforesaid six elements widens our horizons in exegeting biblical passages that are rich in traditions.

Besides, through the tradition-historical analysis, it is evinced that the redactors of Mal made use of the traditional materials to (a) pin-point the problems; (b) provide instructions as to how to return to YHWH (cf. Mal 3.7); and (c) stress that (as suggested by Floyd) “Yahweh continues to be involved in a changing situation or course of events”.<sup>1090</sup> Traditions were used as they were considered as possessing the divine authority. It is likely that the redactors of Mal intended to confer the same authority on this newly composed “oracle” (i.e. the book of Malachi) so that it can provide directives to the intended readers / audience.<sup>1091</sup> In turn, the use of traditions served as a witness to the faith communities that the previous words of YHWH remained authoritative and relevant throughout different stages of the Israelite history.<sup>1092</sup>

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<sup>1090</sup> Floyd, “The *maššā’* as a type of prophetic book,” 421. At 422, he states that “Reinterpretation of past prophecies served as a basis for making prophetic claims about Yahweh’s present involvement in human affairs.”

<sup>1091</sup> Cf. Weyde, *Prophecy and Teaching*, 397.

<sup>1092</sup> Cf. Sommer, *A Prophet Reads Scripture*, 18-19, who considers that one of the reasons for allusion is that, “By acknowledging a predecessor, an author may seek to gain entry into a canon; through allusion the poet avows, “This work is worth reading, just as its predecessors were.” In such a case, allusion represents an attempt to bolster the authority of the work. Conversely, allusion and its acknowledgement of influence may bolster the authority of a predecessor’s work or of the tradition within which the new work claims a place. By alluding, a new work keeps the older works alive and maintains their relevance. Thus allusions (and any acknowledgment of influence) serve a culturally conservative function. At the same time, a new work can also attempt to introduce less well-known works into a canon or to create a new canon, and hence allusion can perform a culturally innovative role.” In the context of “rewriting the Bible” (e.g. the book of Jubilees and the Temple Scroll), Najman argues that rewriting is “a pious effort to convey what is taken to be the essence of

Hence, the authority and relevance of the traditions used in Mal reflect the continuing involvement of YHWH and His unceasing relationship with His people. From this perspective, one can say that the use of traditions in Mal (a) revitalized the related traditions and (b) witnessed that the words of YHWH remained valid in directing His people to a blessed future.

In sum, in respect of the research question “What is the significance of the use of traditions in Mal to the messages of the book?”,<sup>1093</sup> the following answer (which is the thesis statement)<sup>1094</sup> is proved: The significance of the use of traditions in Mal is that by interpretation, (re)actualization and application, different traditions were transformed to formulate the messages of Mal and as a result, on the one hand, the said messages were vested with the authority from the traditions, and on the other hand, the traditions established in the past were revitalized to address the new situations and provide directions and visions for the future of the faith communities.

#### 4.2.2 Implications for future research

The tradition-historical method generates valid and fruitful findings from the analyses of the biblical texts that are rich in traditions. For the texts that are (more likely) dated later in the compositional history of the Hebrew Bible (e.g. the post-exilic prophetic books), this method is more likely to be appropriate. Indeed, the research interest in this area has become more and more intense in the recent years.<sup>1095</sup> The diversified approaches and differential aims of the scholars indicate that this field of research is just beginning to blossom.

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earlier traditions, an essence that the rewriters think is in danger of being missed.” It is “neither a fraudulent attempt at replacement, nor an act of impiety.” The rewriting receives the authority “through their intermingling with the well-known words of traditions whose authority is already acknowledged. Thus such works may acquire scriptural status without displacing the scriptural status of the traditions they rewrite.” H. Najman, *Seconding Sinai: The development of Mosaic discourse in Second Temple Judaism*, Leiden: Brill, 2003, 46.

<sup>1093</sup> See section 1.3 “Statement of Problem”.

<sup>1094</sup> See section 1.1.

<sup>1095</sup> See e.g. S. Hildebrandt, *Interpreting Quoted Speech in Prophetic Literature: A Study of Jeremiah 2.1-3.5*, VTSup 176, Leiden: Brill, 2017; Z. Zevit, ed., *Subtle Citation, Allusion, and Translation in the Hebrew Bible*, Sheffield, South Yorkshire, Bristol, CT: Equinox, 2017; and the website of the research group on “Citations and Allusions in the Hebrew Bible” of the European Association of Biblical Studies (<https://eabs.net/EABS/EABS/Research-Units/Research Units/Research Units 2020/Citations and Allusions in the Hebrew Bible.aspx>).



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<sup>1096</sup> For the sake of brevity, the commonly used English translations (e.g. NIV, NRSV, NET Bible, etc.) are not listed out here but in Abbreviations of Works of Reference.

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This study investigates the significance of the use of traditions in the book of Malachi (“Mal”). Whilst it is a general scholarly consensus that Mal is rich of traditional materials, only a few studies focus on how the traditions used in the book affect our understanding of its messages. Those few studies have the aims (e.g. proving the centrality of the theme of covenant, exploring the scribal activities, etc.) other than searching for the significance of the use of traditions in the formulation of the messages of Mal, and they adopt diversified methods (in theory and/or in practice). By adopting a systematic and text-based method, the present study seeks to fill this lacuna by exploring (1) what traditions were used, (2) how the traditions were used and (3) for what purpose(s) those traditions were used in Mal 1.1-2.16.

This study finds that in the said section of Mal, different traditions were utilized in various manners (interpretation, actualization and application) to, on the one hand, address the issues as mentioned in the book and on the other hand, revitalize the authority and relevance of the traditions. As to the scope of this research, it consists of the superscription (Mal 1.1) and the first three “court disputations” (dialectic discourses) of the book (Mal 1.2-5; 1.6-2.9; 2.10-16). Given that numerous traditions are utilized and expressed in different ways therein, the said pericopes are selected as case studies.

This dissertation consists of four chapters. Chapter 1 is the introduction with the literature review and statement of problem. Chapter 2 concerns methodological considerations, and the historical and literary aspects of Mal. Chapter 3 is the tradition-historical analysis of Mal 1.1-2.16. Chapter 4 summarizes the findings and concludes the contribution of this study.

